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SPECIAL ISSUE OF “BALKAN JOURNAL OF PHILOSOPHY”

“TOLERANCE AND ITS LIMITS”

Different people often have different opinions about which actions, beliefs, and practices are appropriate, and when they have to live together, their ideas of what is right or wrong may clash. Tolerance is an attitude of acceptance of—or at least non-interference in—other people’s attitudes and actions. The person or group exercising tolerance refrains from interfering and constraining even when they deem a practice wrong. But tolerance has limits: some practices are such that the reasons for interference seem stronger than the reasons for acceptance. Where does the boundary lie between practices and beliefs that one deems wrong but is willing to accept, and practices and beliefs that one rejects and takes action against?

Concrete instantiations of this question have recently been the subject of public debate in a number of European countries. Typically issues get media attention when practices that are deemed intolerable are outlawed. A court in the United Kingdom has ruled against gender-segregated education in religious schools. Aus-

tria and certain Swiss cantons enforce a burka ban for Muslim women. France implements secularity by banning teachers in public schools from wearing religious symbols, and many private companies enforce the same policy. The Hungarian government decided not to tolerate charities that receive support from abroad. The list could be continued.

These measures raise questions. In each concrete case one can ask whether the decision taken is the right one. But these specific questions point to a larger issue: on what grounds should certain practices be deemed intolerable? Are there principled ways to draw the boundary between what is tolerable and what is not? At what point is the transition from “informal” rejection at a personal level to prohibition by law justified? In dealing with these questions, a particular feature of a shared public practice of toleration plays a pivotal role: when organized through the state, tolerance is often supposed to be reciprocal. This supposition seems to imply that one cannot tolerate those who are intolerant. If this supposition is correct, does it give

liberals a blanket licence to clamp down on intolerant ideologies like Neo-Nazism and Islamism? If it is incorrect, does it mean that movements displaying a persistent lack of tolerance while themselves benefitting from others' forbearance have to be tolerated? This spe-

cial issue aims to bring together papers that reflect on these issues.

From the Editorial Board of
Balkan Journal of Philosophy

Articles

Invited paper

PRINCIPLED TOLERATION AND RESPECTFUL INDIFFERENCE IN THE LIBERAL POLITY: A CONCEPTUAL LANDSCAPE*

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Abstract:

This paper examines toleration at two levels. At the first level, liberal individualism is concerned that the individual must be as free as possible to pursue their own goals and lifestyles. At the second level, liberal political theory is concerned with the value of liberal political culture and institutions and how to maintain and protect them. I argue that we can learn a great deal about the exercise of toleration and respect at the level of the liberal polity by examining them at the level of the liberal individual. Both tolerance and intolerance at the level of the polity must be *principled*. Principled tolerance and intolerance have the following features. First, the judgment whether to tolerate a particular belief or practice must be based on the value of toleration itself, not pragmatic political requirements. Second, it should be an issue of setting aside moral principles and convictions rather than dislikes, prejudices or fears. Third, it should respect the distinction between the public and the private, and should only recognise an issue as one of toleration if there is a public impact at stake.

Key words: Toleration, moral principle, religious belief, liberal political theory.

1. Introduction

In this paper I set out to map the landscape of toleration in liberal theory, to highlight areas that may have been overlooked in previous accounts.

Most importantly, I argue that we have to discuss the idea and practice of toleration at two distinct levels, that of the liberal individual and that of the liberal polity. These two maps, although they share some similarities, are also distinctive. We need these two maps because there are two levels of liberal theory. First, there is liberal individualism, which is a moral theory concerned with the freedom of the individual to pursue their own goals and projects as a self-legislator holding equal standing with all other liberal self-legislators. Second, there is liberal political theory, which is concerned with the value and integrity of liberal institutions and liberal political culture. This opens the possibility of conflict and tension between these two levels because individual freedoms must be curtailed to some extent in order to protect the value of liberal political institutions and culture. So, the liberal polity may refuse to tolerate practices which the liberal individual finds acceptable. There is, if you like, private and public toleration, and these have different dimensions.

At the level of the liberal individual, I will argue that what is required is *principled* toleration. Principled toleration at this level means: (i) setting aside convictions and principles for the sake of toleration rather than some other more pragmatic goal; (ii) setting aside *moral* convictions and principles rather than prejudices; and (iii) regarding only those issues that give rise to demonstrable public harm as issues of toleration. However, what also emerges at the individual level is the importance of *indifference* rather than tolerance. In many important cases, the attitude one would expect from the liberal individual towards the beliefs and practices of others is not

* This paper expands on arguments originally developed in Cole (2005). This version was presented at the RESPECT workshop on Toleration, Respect and Public Space, University of Copenhagen, June 21–23, 2010. The RESPECT project is funded under the European Commission's Seventh Framework Programme. I would like to thank the participants in the workshop for their critical comments on the paper.

tolerance, but indifference. If one tolerates a certain belief and practice, it follows that one objects to it; but, there are many beliefs and practices where one would consider toleration to be an inappropriate attitude, the expression of a prejudice rather than a moral conviction. Although a tolerant racist is preferable to an intolerant one, the right attitude towards the fact that someone belongs to a different 'race' is surely indifference. Liberal states have identified racism, sexism, homophobia, and other attitudes as being inappropriate in this sense. However, I will argue, what is required in these cases is *respectful* indifference rather than 'mere' indifference, an indifference that respects the individual's right to hold certain beliefs and practices, or to *be* a particular kind of person, rather than simply a lack of care.

At the level of the liberal polity, I will again argue that tolerance must be principled. At this level, principled tolerance has the following features: (i) the judgment must be based on the value of toleration itself rather than pragmatic political considerations; (ii) it must be the setting aside of public principles and convictions rather than prejudices and fears; and (iii) it must respect the distinction between the private and the public sphere, and only recognise an issue as one of public toleration if there is a public harm at stake. To this extent it looks much like principled toleration at the individual level. What is distinctive at the individual level is that the person who holds the beliefs and practices that the liberal individual decides to tolerate does not need to make a special case for toleration; however, a claim for exemption has to be made at the level of the liberal polity, in that an issue of toleration will be an issue of democratic legislation—the liberal individual cannot legislate for others but the liberal polity must legislate for all.

Just as public toleration must be principled, so must claims for exemption. That is, the claim that a particular belief or practice ought to be tolerated by the liberal polity in the face of democratic legislation against it must be a matter of moral principle and conscience. This means that we have to be able to tell the difference between principled claims for exemption and claims that are simply expressions of prejudices or tradition. This raises particular questions about religious claims for exemption, as these are often expressed as issues of moral conviction when, to an external observer, they look like expressions of prejudice or traditional practices. I will argue that religious claims have to demonstrate that they are principled independent of their religious context. The key question for the liberal polity then

becomes how to distinguish between genuine issues of moral conscience that deserve respect and unreasonable prejudices that do not.¹

2. The liberal individual and toleration

At the level of the liberal individual, tolerance is best understood as a virtue and intolerance as a vice. Tolerance is an attractive characteristic from the liberal point of view, the kind of characteristic one would want to find in a liberal community. On the other hand, intolerance is an unattractive characteristic.² For the liberal individual, there are two boundaries that need to be mapped. The first is the individual's boundary between those things they find objectionable and those they find unobjectionable (they may find many *things* objectionable or unobjectionable, but we will focus on beliefs and practices for the sake of this discussion). They may attach a positive or neutral value to those things they find unobjectionable, but attach a negative value to those they find objectionable.³ The second boundary is the individual's boundary of toleration between those things they find objectionable, but are prepared to tolerate, and those things they are not prepared to tolerate. Oddly, the tolerant person on this map is not someone who finds very little objectionable but one who is prepared to tolerate much that they do find objectionable, and the intolerant person is not someone who finds a great deal objectionable but one who is not prepared to tolerate much, if anything, that they object to.

This means that we can place two more characters alongside the tolerant and intolerant persons: the prejudiced person (the one who objects to a great deal whether they are prepared to tolerate it or not) and the indifferent person (who does not object to very much). This adds a layer of complexity since the indifferent person can emerge as intolerant if they are not prepared to tolerate any of the things they object to, and the prejudiced person can emerge as tolerant if they are prepared to put aside their

¹ To be clear, the fact that a claim for exemption is principled and therefore merits respect as an issue of toleration does not mean that the liberal polity must tolerate it. The point is that unprincipled claims of prejudice do not merit any kind of respect and should not be considered at all.

² Therefore, one would expect a liberal community to promote the virtue of tolerance and discourage the vice of intolerance; but, this is a matter for the liberal polity, not the liberal individual.

³ The positive and neutral values indicate that there is a third boundary here, between approval and indifference. I will discuss this later in the paper.

prejudices in the majority of cases. Also, the indifferent person can be an unattractive character if their indifference arises from a lack of any moral principles or convictions (imagine a liberal polity populated by completely indifferent people), and the prejudiced person may be an attractive character if they are prepared to set aside their moral convictions on a principled basis.⁴

On the other hand, indifference may be preferable to intolerance. Of course, if one is on the receiving end of a prejudice there is an important difference between being discriminated against on the basis of that prejudice and being tolerated by the prejudiced majority—but there is still something disturbing about the latter case: one may hold that others ought to be indifferent towards one's beliefs and practices rather than tolerant of them. Indifference can, therefore, be a virtue. Although we wanted to say that the tolerant individual is an attractive character, there is a possibly negative aspect here if the prejudices they are setting aside are such that we would say they ought not to hold them at all. For example, the tolerant racist is preferable to the intolerant racist, but this is not a prejudice they should hold at all. There are, therefore, certain beliefs and practices—and other things—which people should not object to as such.

One requirement at the level of the liberal individual is that tolerance must be *principled*,⁵ and tolerance can be principled in three ways. First, the setting aside of principles and convictions must have an ethical basis. We need to know that the tolerant person's convictions are being set aside because of moral principles; but, the exercise of tolerance is not always principled. Sometimes moral convictions can be set aside because of moral cowardice or opportunism or self-interested bargaining. Either that, or we refuse to call the setting aside of convictions on anything other than a principled basis the exercise of tolerance at all.⁶

The second way in which toleration must be principled is closely related to the first, in that we have said that principled toleration requires the setting aside of *moral* convictions and principles. This means we have to distinguish between this and the

setting aside of mere prejudices. It cannot be that we simply find a certain practice distasteful and would rather it didn't happen but are prepared to let it continue. We have to be able to articulate a *moral* argument concerning it for this to be a question of toleration. This connects with our concern that there are certain beliefs and practices which the liberal individual should have no objection to, and which therefore should not be issues of toleration at all. This is a very difficult boundary to draw and takes us to the heart of the issue, the difference between moral convictions and unreasonable prejudices, and the possibility of setting out some kind of objective criteria for this distinction. Without such criteria, the liberal problem of toleration seems incapable of resolution on any principled basis. Personally, I would place a person's 'racial' identity and sexuality on this list, and so do not find the tolerant racist or tolerant homophobe attractive characters. The liberal tradition recognises this distinction with the naming of certain prejudices – such as racism, sexism, homophobia, and ableism—and through their naming signalling their unacceptability.

But how are we to theorise this boundary? There are two possible dimensions here, one to do with harm and the other to do with the private/public distinction. Firstly, it is difficult to see how one can object to any belief and practice unless it can be shown to be harmful. Remember that here we are talking about a certain kind of objection, a disapproval based on moral conviction, a disapproval so strong that we find some beliefs and practices intolerable. The tipping point between indifference and tolerance, and indeed often into intolerance, will be whether and the extent to which the belief or practice in question causes harm. The second way of understanding the boundary here is to make the distinction between the private and the public. As a liberal individual, I have no reason to object to beliefs, practices, or anything else that takes place in another individual's private sphere and have no effect on any other member of the polity. However, the question of harm complicates this boundary, because one may have strong moral objections to people harming others even though that harm is consensual, and indeed strong moral objections to forms of self-harm which involve only the individual. All I can say here is that these cases are complex and difficult, and there is no clear answer to the question whether we, as liberal individuals, are obliged to tolerate consensual or self-harm. However, we can say that an extremely strong case would have to be made for intolerance in such cases.

⁴ I am aware that I am blurring the difference between a prejudice and a moral conviction here, a distinction which will become central to the discussion later.

⁵ Brian Leiter also refers to principled toleration in much the same sense. See Brian Leiter, "Foundations of Religious Liberty: Toleration or Respect?" *Chicago Unbound* (2010): 940–1.

⁶ See Leiter, "Foundations of Religious Liberty," 940–1.

And so what we expect from the liberal individual is principled toleration: principled because it involves the setting aside of convictions and principles for the sake of tolerance and not some other goal; because it is the setting aside of *moral* convictions and principles; and because there must be, in the vast majority of cases, a demonstrable public harm to make this a matter of toleration at all. The corollary is, of course, that liberal *intolerance* must be equally principled. I will explore what liberal intolerance might look like below.

3. The liberal individual and respectful indifference

We observed above that indifference is preferable to tolerance in certain cases, and the strongest sense in which this holds is where those beliefs and practices have no harmful public effect—any harm is confined to the private sphere, if there is any harm at all. But even where indifference is preferable to tolerance, there is a preference for *principled* indifference, rather than indifference which arises because one has few moral convictions and principles of one's own. If I am indifferent to a belief or practice in an unprincipled way, there is no reason to show it any degree of respect at all, and indeed my general lack of principles may lead me to do things that could potentially harm that to which I am indifferent. Suppose you possess a painting that you consider to be a work of art but to which I am indifferent. Because I am indifferent to it, what happens to it does not matter to me, and that includes what happens to it because of my own actions. If I need notepaper, I could use the painting to make notes on in indelible ink. However, *principled* indifference would mean that I recognise your view of it as constituting a reason to constrain my actions towards it. Setting aside the question of respect for property rights, I constrain my actions towards it simply on the basis of respecting your view of the value of the painting.

However, rather than talk of principled indifference, it might be better to describe this as *respectful* indifference, as indifference implies strongly that there are no moral convictions and principles at stake here. What is at stake here is not moral principle, but a duty of respect. In exploring this idea of respectful indifference I draw heavily on the work of Brian Leiter and the distinction he makes between thin and thick concepts of respect, which he in turn builds on Stephen Darwall's distinction between recognition (thin) respect and appraisal (thick) re-

spect.⁷ Recognition respect involves “giving appropriate consideration or recognition to some features of its object in deliberating what to do,”⁸ for example “by being willing to constrain one's behaviour in ways required” by those features.⁹ In short: “Recognition respect for persons ... is identical with recognition respect for the moral requirements that are placed on one by the existence of other persons.”¹⁰ In other words, my recognition of their existence as being appropriate grounds for constraining my behaviour is sufficient for recognition respect.

For Leiter, this is a thin respect on two grounds: first, “it is agnostic about any other dimension of value that might attach to the particular manifestations of the features of the object to which the respect is owed...” The only value attached to the object by this form of respect is that I must recognise its existence as a reason for constraining my behavior towards it—I make no judgment as to its value in any other sense. Second, “...it is silent on the nature of the ‘moral’ constraints on behaviour that are demanded by the respect.”¹¹ It does not specify how my behaviour should be constrained by the demands of this respect—I have a reason to constrain my behaviour, but the way in which my behavior ought to be constrained is not given by my respect for the object.

For Darwall, appraisal respect “consists in an attitude of positive appraisal of that person either as a person or as engaged in some particular pursuit.”¹² It is “like esteem or high regard for someone,” and is compatible with having no “particular conception of just what behavior *from oneself* would be required or made appropriate by that person's having the features meriting such respect.”¹³ Leiter gives the following examples: respecting someone's feelings is recognition (thin) respect—“you act in such a way as to show an appropriate moral regard for how your actions might affect them;” respecting someone's

⁷ Stephen Darwall, “Two Kinds of Respect,” *Ethics* 88, no.1 (October 1977): 36–49.

⁸ Darwall, “Two Kinds of Respect,” 38; Leiter, “Foundations of Religious Liberty,” 939.

⁹ Darwall, “Two Kinds of Respect,” 45; Leiter, “Foundations of Religious Liberty,” 939.

¹⁰ Darwall, “Two Kinds of Respect,” 45; Leiter, “Foundations of Religious Liberty,” 939.

¹¹ Leiter, “Foundations of Religious Liberty,” 939.

¹² Darwall, “Two Kinds of Respect,” 38; Leiter, “Foundations of Religious Liberty,” 939.

¹³ Darwall, “Two Kinds of Respect,” 39; Leiter, “Foundations of Religious Liberty,” 939.

intellect is appraisal (thick) respect—"you admire and appraise highly the calibre [sic] of her mind."¹⁴

If we return to my example of your painting, I give it *recognition* respect by recognising that its existence as a painting *you* value constrains my behaviour towards it, so I cannot scribble over it—this is the attitude I have called respectful indifference. I give it *appraisal* respect if *I* believe it to be a work of art, and *that* value gives me a reason to constrain my behaviour towards it—I am not indifferent to it at all, but attach a value to it. For Leiter, thin respect "makes no substantive *moral* demand on the kind of action that is appropriate..."¹⁵ The only requirement is that we honor whatever the moral requirements are that are placed on us by the existence of the other. "The substantive content of these moral requirements is open..." Leiter agrees with Leslie Green that this thin version of respect is "morally otiose"—it is "only an exhortation to do the (other) duties that we already owe."¹⁶ So my recognition respect for your painting may amount only to the recognition that I must constrain my behavior towards it according to the rules that already exist around respect for other people's property. In my earlier version of the example of the painting where I set aside the consideration of property rights and based my respect only on the recognition that you value the painting, I may have been moving beyond the limits of the thin requirements of recognition respect. All that form of respect seems to demand is that I recognise the rules that apply to object already.

For Leiter, appraisal respect also "makes no substantive moral demand" on action, but for a different reason—"it demands only 'esteem' or high appraisal of certain features of persons, not that one act towards them in a certain way."¹⁷ However, appraisal respect can also result in "moral demands on action, when the highly appraised features are ones with moral value or that one has a moral obligation to support or protect."¹⁸ And so if I only have recognition respect for your painting, if you choose to destroy it I have no reason to intervene to protect it—the general respect for other people's property places me under no obligation to intervene to *maintain* that property. However, if I have appraisal respect for your painting as an important work of art, I do have a reason to ensure that it is adequately pro-

tected because I attach value to it, such that if you do not have the means or the inclination to maintain and protect it, I should do so if I can.

For Leiter, toleration does not take us beyond the requirements of recognition respect. If I choose to tolerate a particular practice, then I must constrain my behaviour in such a way that there is room for it to take place, but there is no positive obligation on my part to sustain or protect that practice. Equally, if I am respectfully indifferent to it, I recognise its existence as a reason to constrain my behavior towards it, but there is no further requirement on my part to sustain or protect that practice further. In that sense, principled toleration and respectful indifference look the same in practice. The difference is that in the case of principled toleration I attach a negative value to the practice but am willing to allow it to continue and so do not interfere, while in the case of respectful indifference I attach neutral value to the practice but respect your right to continue it and so, again, do not interfere. The importance of respectful indifference at the individual level is normative, perhaps, rather than practical—it is the attitude the liberal individual *ought* to have towards many beliefs, practices, and other things, such that even principled toleration in these cases is to be deplored.

One implication of both principled toleration and respectful indifference is that, at the level of the individual, I am only obliged to protect that practice from any interference from me, not from others. However, does recognition respect (whether embodied in indifference or tolerance) require me to protect that practice from interference by others? I have a reason to modify my behaviour in respect to the object, but must everybody else share that reason? Certainly, I may think that they should, but I cannot *require* that they should – I cannot *require* that all other people's boundaries of toleration, nor indeed their boundaries of indifference, should fall in the same place as mine. Whether those boundaries are laid down in public practice or law is, of course, an issue for the liberal polity. To conclude the discussion of toleration at the level of the liberal individual, what we have learned is the importance of respectful *indifference* as a virtue in the liberal polity alongside, and indeed often more virtuous than, principled tolerance.

4. The liberal polity and toleration.

The practice of toleration at the level of the liberal polity has the boundary between the 'public' and the 'private' at its center. A tolerant community is one that allows that a wide range of issues are

¹⁴ Leiter, "Foundations of Religious Liberty," 939.

¹⁵ Leiter, "Foundations of Religious Liberty," 939.

¹⁶ Leslie Green, "Two Worries about Respect for Persons," *Ethics* 120, no. 2 (January 2010): 213.

¹⁷ Leiter, "Foundations of Religious Liberty," 939.

¹⁸ Leiter, "Foundations of Religious Liberty," 939.

matters of individual choice rather than collective decision—they are private, not public, matters. These are issues that are characteristically to do with individual ‘lifestyle’ choices, and in a liberal polity there is a list of such issues which are taken to be unproblematically private: that list normally includes decisions about what clothes to wear, what food to eat, what music one listens to or creates, what literature one reads or writes, choice of work and career, the choice of one’s partner and whether or not to marry them, how many children one has as a family. We should note, of course, that there is no clear private/public boundary here, in that we cannot draw a distinction between matters that have no effect on collective life and those that do—we know that potentially anything one does can have an impact on public life. However, these issues are still judged to be private in that the effect they have is negligible or where there is one it is benign.

There have been, and still are, societies which have taken a very different view and which have been prepared to take collective decisions about what work people do, what literature they should read or write, whether or not they marry their partners, how many children they should have, what clothing they should wear, and so on. These societies have been, from a liberal point of view, intolerant ones in which there has been very little space for individual choice. But we should keep in mind that the line between the private and the public has been drawn in different places in liberal societies. Certainly, our choice of partner has been highly controversial in traditionally liberal societies, with recognition of the validity of same-sex partnerships only growing in scope very recently. And it is always possible that other issues on this list—for example, what clothes one wears—could be judged to have a public impact and so a matter for collective decision. Belgium voted to ban the wearing of full Islamic face veils in public places in April 2010, and France imposed a similar ban in April 2011.¹⁹ And so, while the space for private decision is genuinely wider in liberal polities than in other kinds of state, this space is always open to revision.

But while the public/private boundary has a place at both the individual and collective level, the concern at the individual level is the impact of beliefs and practices upon individuals, while at the

collective level there is the additional concern of the impact of those beliefs and practices on political institutions and the political culture.²⁰ From the point of view of liberal political theory, we must ask whether those practices are compatible with a liberal political culture and the institutions that make it up. While the liberal polity may also be concerned about questions of tolerance over issues of morality (are there beliefs and practices which are simply too immoral for a liberal polity to tolerate?), and offensiveness (are there beliefs and practices which are simply too offensive to the general community for the polity to tolerate them?), the issue I want to look at here is the question of this impact on the integrity of liberal political institutions and political culture.²¹

One issue that is of current concern for liberal polities is religious belief, and this is partly a concern about cohesiveness—to what extent can the polity tolerate religious diversity without undermining the integrity of liberal political culture? This takes us into broader areas of tension between cultural diversity and cultural identity, but religious identity has been taken to be particularly problematic because of the intensity of religious beliefs—they are, it seems from experience, more likely to pose problems than other forms of diversity.²² From the point of view of liberal political theory, the questions must be: what kinds of religious belief and practice genuinely threaten to undermine liberal political culture and institutions? And to what extent is a liberal polity entitled to override individual religious freedom and autonomy for the sake of community integrity?

The latter question is a difficult one because community cohesiveness is not a specifically liberal value while individual freedom and autonomy are, and so where non-liberal values clash with core liberal values, we might make a reasonable assumption that in a liberal polity the non-liberal values should normally give way. In a genuine liberal polity there must therefore be a strong presumption in favour of religious and other forms of diversity, even where that diversity is, to some extent, divisive. Just as principled toleration at the level of the liberal indi-

¹⁹ Even here, though, the public/private dimension to the issue remains significant in that the ban would only apply to public places (and there are differences over what counts as public places where such a ban would be justifiable).

²⁰ See Emanuela Ceva, “Self-legislation, Respect and the Reconciliation of Minority Claims,” *Journal of Applied Philosophy* 28, no. 1 (February 2011), 21–23.

²¹ There are, of course, connections with the questions of immorality and offensiveness, but I will not directly address them here – see Cole (2005).

²² Certainly, the United Kingdom government is concerned about preventing extremism in communities. See www.bbc.co.uk/news/mobile/uk-13679360. Accessed June 9, 2011.

vidual entails that I tolerate practices that have some degree of public impact on my life, toleration at the level of the liberal polity entails that it tolerate some degree or forms of cultural diversity which cause communal divisiveness—otherwise, what is there to tolerate? Here the tension between liberal individualism and liberal political theory is settled in favor of the individualist morality of freedom and autonomy.

However, there will be limits to toleration here, where the tension is going to be settled in favor of liberal political institutions and culture, and so some judgment must be made between those divisive cultural differences that are to be tolerated and those that are intolerable. This is an extremely complex judgment, but it will have something to do with the extent to which liberal political institutions and culture can cope with the damage caused by the divisiveness—we can assume from experience that they are robust enough to withstand some degree of cultural divisiveness, but there will be limits beyond which they begin to disintegrate in ways they cannot recover from. Where those limits lie cannot be determined by philosophical argument alone. For now, though, we can say that a liberal polity is tolerant to the extent that it allows beliefs and practices that are incompatible with liberal political institutions and culture.

We have seen that principled toleration would require the liberal polity to permit space for beliefs and practices that are actually incompatible with liberal political culture. We have also seen that there are limits to which the liberal polity can play host to such beliefs and practices, but have avoided trying to identify where those limits lie. The question for now is what constitutes toleration here, and again religious belief is a key example, because there is a significant level of debate about the policy of exempting religious believers from legal requirements that are binding on other members of the liberal polity out of respect for their religious beliefs. There are such exemptions in the United Kingdom, for example those concerning the slaughter of animals for consumption, in that certain religious groups are permitted to slaughter animals in ways that would otherwise be illegal. Animals slaughtered in Jewish and Islamic procedures are not stunned before slaughter. Although there is dispute about whether the methods used are humane, there is little doubt that the majority of people in the United Kingdom object to animals not being stunned before slaughter. So, the exemption of these practices is a prime example of toleration, not respectful indifference.

What we have to ask, of course, is whether this is *principled* toleration. Above I identified three ways in which toleration must be principled at the level of the individual. Firstly, I distinguished toleration from ‘toleration’ based on moral cowardice or opportunism or self-interested bargaining. Similarly, we would expect toleration to be principled in the same way at the level of the polity, but what moral principles can underlie principled toleration at the public level? There seem to be three possibilities. First, we see the exercise of tolerance as a good in itself in that it improves the moral character of the individual, and this overrides their moral objections to other practices or ideas, etc. This is something like the rationale for tolerance we find in Stoicism. Second, we see the exercise of individual autonomy as good for people, and so it is better to allow them to explore different avenues and pathways which we may consider objectionable rather than intervening to prevent them from doing so. This is one rationale for tolerance we find within liberal individualism. Third, while we have moral principles and convictions, we hold an epistemological scepticism about their basis, so that we are not in a position to know that the opposing principles and convictions held by others are mistaken, and it would therefore be unethical to impose our own principles and convictions upon them. Again, this is a rationale for tolerance we find within liberal individualism. All of these could apply to principled toleration at the level of the polity: first, that the exercise of tolerance is a key characteristic of a developed liberal polity and is therefore something that should be developed for its own sake; second, that it is better for its citizens to exercise freedom and autonomy than be directed by the state; and third, that the state is not in a position to know what is best for its citizens in most cases.

The second way in which we said individual toleration must be principled was closely related to the first, that it requires the setting aside of *moral* convictions rather than basic prejudices—a moral argument is required. At the level of the polity this means constraint with respect to beliefs and practices that people simply find distasteful, and the demand for a moral case for intolerance. One way of giving this distinction a reasoned basis is to draw a distinction between the private and the public, and to say that the third requirement for principled toleration is that there must be a demonstrable public effect to make an issue a matter of toleration at all. We have already seen that the question of toleration at the level of the polity is largely concerned with the boundary between the public and the private.

And so what we expect from the liberal polity in terms of principled toleration is that it involves the setting aside of people's *moral* convictions and principles for the sake of maintaining and developing the characteristic of tolerance as an aspect of liberal political culture and institutions; and that there must be, in most cases, a demonstrable public effect at stake.

We can now build up a picture of what principled intolerance looks like at the public level. First, it will be based on moral principles central to the liberal political culture, including the value of tolerance itself—there is a presumption against tolerating the intolerant practices of groups in the liberal polity. Second, the judgment will be based on the impact of beliefs and practices upon the liberal political culture—this reinforces the presumption against the intolerant practices of groups, as this would undermine the overall culture of tolerance which is a sign of a mature liberal polity. Third, it will be based on the impact of those practices upon individual members of the polity—they must be protected from being harmed by the beliefs and practices of other members, including intolerant beliefs and practices. That the majority believe that a practice is immoral or offensive is not a factor. They have individual reasons to avoid or argue against that practice, but the polity has no principled reason for acting against it. To ban or limit a practice because the majority find it offensive is certainly an example of intolerance, but it cannot be principled intolerance. And so we have a description of principled tolerance and intolerance at the level of the liberal polity.

5. The liberal polity and exemptions

Emanuela Ceva argues that there are two sets of conditions a claim for conscientious exemption must meet if the liberal polity is to grant it.²³ The first set of conditions is concerned with whether there is a genuine claim of conscientious exemption here which merits respect and should therefore be considered. The second set of conditions are concerned with whether the liberal polity can bear the cost of granting the exemption. This second set of conditions asks: (1) whether the exemption would undermine the general validity of the law and the pursuit of the values/interests it was meant to protect; and (2) whether the exemption is sensitive to the threshold of collateral damages a society can tolerate. Applicants for exemption need to know whether they are refused because their request isn't morally justi-

fied or because "its satisfaction would impose unacceptable burdens on their social partners."²⁴ Here I want to focus on the first set of conditions, which determine whether the claim to exemption is morally justified in the first place.

According to Ceva, there are three conditions here: (1) The request cannot be for exemption from perfect duties of the claimant, which would lead to the violation of fundamental rights of others; (2) The request must not be opportunistic; and (3) The request must have direct moral relevance for the claimant. Condition (2) means that "there should be publicly accessible reasons showing that the claimant's case is not merely an excuse to escape the costs of social cooperation, but involves her very moral integrity. What makes for a publicly accessible reason would depend on the public values informing the political life of the polity within which the claim for exemption is raised."²⁵ Such reasons would appeal to "generally accepted principles (e.g. non-discrimination) or wide spread – through controversial – moral views (e.g. protection of life in all its forms."²⁶ Ceva observes: "...a mere appeal to cultural membership will not do."²⁷

What follows from Ceva's conditions, I think, is that for a claim of exemption to merit respect, it must itself be principled, and again what we mean is that it must be based on moral convictions and principles—it must be an issue of conscience. But how do we tell that a claim is a genuine issue of conscience? For Ceva, matters of conscience arise where a person's "moral integrity" is at risk if they were to comply: "a person's moral integrity consists in her acting in according to her conscience."²⁸

In a liberal polity, "...citizens should be allowed the largest possible room to give voice to their consciences and act in accordance with their utterances, within certain limits, as this is crucial to the exercise of their *capacity* to self-legislate in a way that preserves their moral integrity."²⁹

Martha Nussbaum has identified moral conscience as "the faculty in human beings with which they search for life's ultimate meaning,"³⁰ but Ceva says this only captures the religious dimension of conscience and is thus unnecessarily narrow. Con-

²³ Ceva, "Reconciliation of Minority Claims," 21–3.

²⁴ Ceva, "Reconciliation of Minority Claims," 23.

²⁵ Ceva, "Reconciliation of Minority Claims," 22.

²⁶ Ceva, "Reconciliation of Minority Claims," 22.

²⁷ Ceva, "Reconciliation of Minority Claims," 22.

²⁸ Ceva, "Reconciliation of Minority Claims," 16.

²⁹ Ceva, "Reconciliation of Minority Claims," 16.

³⁰ Ceva, "Reconciliation of Minority Claims," 16–7; Martha Nussbaum, *Liberty of Conscience* (New York, NY: Basic Books, 2010), 19.

science is, more broadly, the “faculty to discern what is morally right or wrong.” So, “when someone appeals to her conscience in public, she is making a statement of what morality demands of her...”³¹

Ceva agrees with James Childress’s view that a violation of conscience would result in “a fundamental loss of integrity, wholeness, and harmony in the self.”³² As she says: “...not all differences in the impact of one provision on different people are morally significant, but only those posing such threats to someone’s capacity for self-legislation that they risk undermining her moral integrity.”³³ Her example is of a person with an interest in wine tasting who can only get to the vineyards by driving themselves, but who is prevented from doing so because of the laws limiting alcohol consumption when in charge of a vehicle. Such a person would have to show “that driving around restaurants to drink fine wines is an inherent component of the conception of her own moral self and that not doing so would risk undermining her moral...”³⁴ This, then, is the key test we identified at the start of this paper: how to distinguish between claims to exemption which are expressions of prejudice or self-interest or simply of tradition, and those which are genuinely matters of moral conscience and integrity.

6. Religious claims to exemption

I want to conclude this discussion with some observations about religious claims to exemption in particular, and claims based on traditional practices in general. There are two questions here: (i) Do claims based on religious belief merit respect simply because they have a religious context?; and (ii) Do claims based on traditional practice merit respect simply because people have followed those traditions for a very long time? As we shall see below, I think these questions are connected. On the first question, Martha Nussbaum believes that they do because it is religious beliefs that most completely capture the “faculty in human beings in which they search for life’s ultimate meaning.” Brian Leiter offers a powerful counter-argument, concluding that as religious beliefs are subjected to ordinary standards of judgment and turn out to be culpably false beliefs,³⁵ there are no reasons that would “support

the conclusion that religious matters of conscience warrant esteem or reverence.”³⁶ I find Leiter’s arguments persuasive and believe religious claims have to be judged on the same basis as other claims—they have to be principled, based on moral grounds, and open to critique on the basis of normal standards of rational debate. The crucial point is that those moral grounds have to be independent of the religious context, in the sense that they cannot simply be statements of religious dogma. To state that a religious believer should be free to, for example, discriminate against homosexuals because their religious text states this as a rule cannot be acceptable to the liberal polity as the basis of a claim for exemption.

This becomes clearer if we look at the second question, of the status of tradition, because very often religious claims for exemption are not to do with beliefs as such, but with practices. Here I follow Daniel Weinstock’s observation of the “fact that religion has to do not just with individual belief but also with communal practice and ritual. People worship in groups. What’s more, for many religious persons, *practice is more important than belief*. That is, the question of whether the metaphysical claims made in the holy texts of their religions are true or not is far less important than is the requirement of remaining true to tradition, to taking part in a certain range of practices that bind the individual to community both synchronically and diachronically.”³⁷

We have seen that a principled claim for exemption has to be based on independent moral grounds and open to rational questioning. A moral challenge to a particular practice cannot be answered by the statement: “We have always done it this way.” And yet, very often in the case of religious practices, there is no other answer available. This, of course, raises a challenge for all kinds of traditional practices and rituals, not just religious ones. In the United Kingdom hunting animals with dogs was banned in 2005, but opponents of the ban argued that it was a traditional part of country life.

Similarly, there was much controversy leading up to the passing of the Equality Act in the United Kingdom in April 2010. That Act made it clear that religious organisations such as adoption agencies

³¹ Ceva, “Reconciliation of Minority Claims,” 17.

³² Ceva, “Reconciliation of Minority Claims,” 77; James F. Childress, “Appeals to Conscience,” *Ethics* 89, no. 4 (July 1979), 318.

³³ Ceva, “Reconciliation of Minority Claims,” 19.

³⁴ Ceva, “Reconciliation of Minority Claims,” 19.

³⁵ Leiter, “Foundations of Religious Liberty,” 951–7.

³⁶ Leiter, “Foundations of Religious Liberty,” 957.

³⁷ Daniel Weinstock, “Beyond Objective and Subjective: Assessing the Legitimacy of Religious Claims to Accommodation,” paper presented at RESPECT workshop on Toleration, Respect and Public Space, University of Copenhagen, June 21–23, 2010. Emphasis in the original.

could not, for example, discriminate against gay couples. I will not explore any specific cases here, but will make the observation that any claim to the right to discriminate against the LGBTQ community on religious grounds clashes directly with principled toleration in a liberal polity. We identified three issues for the liberal polity when making judgments about exemptions: first, there is a presumption against tolerating practices which are themselves intolerant, as tolerance is a core value for the liberal polity and must, as it were, go all the way down; second, there is a presumption against tolerating practices that have a harmful impact on the political culture of the liberal polity in terms of its values and institutions, such as moral equality; and third, there is a presumption against tolerating practices that will have a harmful impact on individual members of the community. Religious claims for exemption to discriminate against gay people seem to clash with all these presumptions.

But we have identified a fourth requirement, that any claim to exemption must itself be principled—that is, it must be based on genuine moral convictions and principles, not mere prejudices. The fact that a claim to exemption has a religious context does not help us to distinguish principled claims from prejudiced ones; nor, obviously, does the fact that a practice has a traditional context. Many of the prejudices that liberal societies have justifiably overcome and outlawed in their long and difficult struggle to become liberal societies have had a religious context and long historical traditions.

One difficulty here is that people with religious beliefs concerning homosexuality see those beliefs as moral convictions, as matters of moral principle and integrity, and therefore as issues of conscience. Here we have the central clash between objective and subjective standpoints. From the objective standpoint, the liberal polity has identified racism, sexism, homophobia, and other ‘attitudes’ as unreasonable and unacceptable prejudices, and so the religious claim for exemption does not require respect. From the subjective standpoint of the religious believer, they are experiencing a moral command which conflicts with a democratically established law, and so their claim to exemption merits respect.

I have no test to offer which can tell us the difference between a moral conviction and an unreasonable prejudice, but what follows from that is not an impasse. We have distinguished between the standpoint of the liberal individual and the liberal polity, between private and public issues of toleration. It may be that the private standpoint of the lib-

eral individual has to be tilted towards the subjective,³⁸ but the public standpoint of the liberal polity has to be tilted towards the objective. It still has to arrive at a judgment about what kind of belief counts as a moral conviction, one which has to be respected (but not necessarily granted) as a claim to exemption, but the UK Equality Act itself contains a definition of what it terms a ‘philosophical belief’, the type of belief that merits respect and protection of the law, be it religious or otherwise.

The definition is this: “. . . it must be genuinely held; be a belief and not an opinion or viewpoint based on the present state of information available; be a belief as to a weighty and substantial aspect of human life and behaviour; attain a certain level of cogency, seriousness, cohesion and importance; and be worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental rights of others.”³⁹ It is difficult to see how any exemption claim by religious organizations that would give them the right to discriminate against homosexuals in any of their practices could meet this threshold requirement.

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³⁸ Even at the private level, practices which harm others cannot be tolerated, but if a religious believer chooses not to associate with gay people in their strictly private affairs, this does not constitute harm.

³⁹ http://www.opsi.gov.uk/acts/acts2010/en/ukpgaen_20100015_en_1: section 10, paragraph 52, accessed June 7, 2010.

Invited paper

FACING STRANGERS IN NEED TOLERATION, REFUGEE CRISIS AND COSMOPOLITANISM

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Abstract:

What is the role of toleration in the present-day crisis, marked by the inflow of refugees and increase in populism? The seriousness of the crises demands efforts of active toleration, acceptance, and integration of refugees and the like. Active toleration brings with itself a series of very demanding duties, divided into immediate ones involving immediate Samaritan aid to people at our doors and the long-term ones involving their acculturation and possibilities of decent life for them. A cosmopolitan attitude can contribute a lot. In the context of a refugee crisis, cosmopolitanism is not disappearing but showing its non-traditional, more Samaritan face turned not to distant strangers, as the classical one, but towards strangers at our doors.

We have conjectured that this work of active toleration can diminish the need for the passive one: the well-integrated immigrant is no longer seen as a strange, exotic person with an incomprehensible and unacceptable attitude, but as one of us so that her attitudes become less irritating and provocative. The social-psychological approach that sees integration as involving both the preservation of central aspects of the original identity and the copy-pasting of the new one over it offers an interesting rationale for the conjecture: once integrated, the former newcomer is perceived as one of 'us' and her views stop being exotic, incomprehensible and a priori unacceptable. Given the amount of need for toleration, and difficulties and paradoxes connected with its passive variety, the conjecture, if true, might be a piece of good news.

Finally, we have briefly touched the question of deeper causes of the crisis. Once one turns to this question, the traditional cosmopolitan issues come back to the forefront: the deep poverty and unjust distribution on the one hand, and conflicts and wars on the other.

Cosmopolitans have a duty to face these issues, and this is where active global toleration leads in our times.

Key words: active toleration, populism, refugees, cosmopolitanism.

I. Introduction: the idea of active toleration

"The number of refugees throughout the globe acts, in very real sense, as a barometer of human intolerance."

Hall, R. (1990), 81. p.29.

This paper is about active toleration and its importance in the present day political situation.¹ The situation is marked by a deep crisis and a kind of cultural-political regress. The crisis was provoked by the influx of refugees to Europe, starting in 2015, where the First world countries were confronted with more than one million asylum applications in 2015 alone. In this year, Germany, Hungary, Sweden, and Austria received around two-thirds of the applications. In the same period, the US is confronting a much less dramatic influx of immigrants from Mexico and other Latin American countries. In the last few decades, the situations in developed countries, demands for active and helping toleration have changed dramatically. The suffering strangers are at our doors. At the same time, the old tradition of xenophobic nationalism is re-

¹ Thanks Lili Gurova for inviting me and Lea Ypi for discussing the issues with me.

placed by the analogous phenomena of right-wing populism. In Europe, the US, but also elsewhere, the refugee crisis has given a strong impulse to right-wing intolerant populism. It is actively intolerant, and is at the moment representing the most important and most threatening outbreak of intolerance in the world. R. Hall's quote from the motto is very much applicable to the present situation

While I am writing this in Croatia in the month of January, the home newspapers are reporting about refugees placed in the freezing cold camp Miral in Bosnia, close to Croatian border. Haled Ali, a member of the camp and a person in his sixties who escaped danger in Eritrea, tells the journalist how he and others were badly beaten by Croatian police at their attempt to escape the camp and enter Croatia in order to stop freezing and continue north-west. This is the kind of help and toleration showed by Croatian police, and by Croatian authorities, who claim to be proud of their Christian cultural belonging. If the people in the First world want to change this and react to the crisis in a decent way, they—we—should opt not only for passive toleration, but for active engagement with the crisis.

Let me offer a simplified metaphor. Imagine a distant future situation, where humans and human-like creatures live on different planets within our galaxy, including Earth, and peacefully interact with each other. Some planets are more hospitable, so that their inhabitants live better, but others less so. Here, "cosmopolitanism" would have a literal application: sympathy and solidarity within the wider Cosmos. Now imagine one planet, relatively close to Earth, call it Atychon, runs into a swarm of asteroids and is devastated; it's surviving, dispossessed inhabitants, Atychonians, come massively to our Earth. What should the Earthlings do? My feeling, and I hope the readers share it, is that earthlings should help, simply and unconditionally. And here, the old cosmopolitan sympathies would be transformed: you are not expected to send presents to inhabitants of distant planets; suddenly, hungry and suffering Atychonians are here, on our planet. The new cosmopolitan duty would be to help them on the spot, on Earth. The moral playground would change dramatically.

I hope that my feeling about the duty of Earthlings is shared at least by some readers. Now note that Earthlings, and this is the main simplification, are in no way responsible for the sufferings of the Atychonians but still have a clear duty to help.

However, our situation with refugees today differs in a crucial point: the developed countries, their alliances (NATO and the like) are co-responsible for wars and poverty in Africa and the Middle East that have been bringing refugees to our doors. So, our responsibility is much greater. Think of a different planet, call it Doulos: the planet and its inhabitants, the Doulosians, have been exploited by Earthlings for millennia; now, due to exploitation and to a cosmic crisis with dangerous debris, they are in dire need of help. (If you are from a country like Bulgaria or Slovenia, that has not been directly involved, you can either accept that it was involved "indirectly," profiting from injustices perpetrated by its more powerful allies, or you may remain convinced that it was not involved at all. If the latter, than stay with our thought-experiment and accept duties analogous to the duties of Earthlings to Atychonians.) This situation, with its moral demands on active toleration, are the topic of the paper. We shall try to connect these with the traditional topic of cosmopolitanism, and argue that cosmopolitanism has acquired a new and very interesting Samaritan face.

Let us begin with a preview. We start conceptually with the distinction between passive and active toleration. The next section (II) passes to refugees, populists, and the new playground created by the crisis. Sub-section (a) introduces the topic through the discussion of Žižek on refugees; we chose him, since his work is a real challenge on the topic. Sub-section (b) presents the immediate Samaritan duties that we owe to refugees within the program of active toleration. Requirements like care for their health, both physical and mental, for their adjustment, including fresh acquisition of new linguistic skills, duties of rebuilding family, helping refugee women, etc. Finally, and crucially, integration is briefly touched.

The next section, number III, takes us from urgent needs to deep causes, from protection to prevention. Programmatic documents like the *Marakesh compact* show the awareness of the need for such a turn. If the developed countries want to avoid constant refugee problems, then they should come to terms with war-like processes that make people run away from their homes, with problems of global poverty, and the unjust global distribution; and all this raises the issue of an organizational structure, a basic structure capable of implementing global justice.

Section IV, the concluding section, points to a somewhat surprising result: in the long term, cosmopolitanism seems to be resurrected, starting from the requirements of active toleration of people(s) in need. The old dramatic problems, pushed into the background by actual crisis, are with us and will continue to bother us until they are resolved. And this is the direction in which Samaritanism and global active toleration seem to point quite clearly. As Catriona McKinnon puts it “Toleration is a matter of putting up with that which you oppose: the motto of the tolerant person is ‘live and let live’, even when what she lets live shocks, enrages, frightens, or disgusts her. As such, toleration is a controversial value.” (2006:3). The object of toleration can be quite negative, morally condemnable, and this is the kind of toleration that has historically been most discussed by philosophers. Or, it can be something than one doesn’t like; very often this was case with discussions of religious toleration: one is Orthodox, but has to put up with Catholic, or Muslim neighbors. This “classical” meaning is often described as passive negative toleration: negative, since it requires you to do nothing in particular, just not intervene, passive since it suggest no activity on your side. The notion of passive toleration is famous in practical philosophy for paradoxes that haunt it. Haydt’s (1996) volume is a good illustration, featuring papers by famous philosophers, like B. Williams, B. Herman, T. Scanlon and others, all struggling with paradoxes.

In the classical tradition, the word “toleration” (or tolerance) primarily means putting up with something viewed as negative. The negative object of toleration can be quite negative, morally condemnable, and this is the kind of toleration that has historically been most discussed by philosophers. Or, it can be something than one doesn’t like. Very often this was case with discussions of religious toleration: one is Orthodox but has to put up with Catholic or Muslim neighbors. This “classical” meaning is often described as passive, negative toleration: negative, since it requires you to do nothing in particular, just not intervene; and passive since it suggests no activity on your side.

As we noted, in the present paper we shall talk about another kind of toleration, more recently recognized as such: openness and active acceptance. To stay with the example of religious confessions, Mirabeau two centuries ago stated that merely putting up with religious differences is a miserable act;

one should positively appreciate and promote diversity of religion. Nowadays, the UN questioners operate with this active meaning of toleration. Here is a demand formulated by The Office of the United Nations High Commissioner for Human Rights Please in its *Questionnaire to member states*: “Identify concrete measures and initiatives for combating and eliminating all manifestations of racism, racial discrimination, xenophobia and related intolerance [...]”² And here is the relevant statement by the General Assembly concerning the active character of toleration:

1.2 Tolerance is not concession, condescension or indulgence. Tolerance is, above all, an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. In no circumstance can it be used to justify infringements of these fundamental values.³

On a more concrete level, the questionnaires on toleration produced by *Eurobarometer* (2015) contain questions asking the subject how comfortable they would feel if one of their sons or daughters was in a romantic relationship with a person from a different ethnic group, such as Roma.⁴ Presumably, the degree of comfortableness would have some passive components, but possibly also more active ones.

Of course, passive toleration develops in good circumstances into an active one: witness the

² Available at www.un.org/en/durbanreview2009/pdf/replies/Slovenia.pdf, *Final Report on the United Nations Year for Tolerance: Declaration of Principles on Tolerance and . Follow-up Plan of Action*, 1996, available at <http://www.un-documents.net/a51-201.htm#appendix1>

³ Available at http://portal.unesco.org/en/ev.php-URL_ID=13175&URL_DO=DO_TOPIC&URL_SECTION=201.html

⁴ Here is a typical question: QC 14: Regardless of whether you have children or not, please tell me, using a scale from 1 to 10, how comfortable you would feel if one of your children was in a love relationship with a person from each of the following groups. '1' means that you would feel, "not at all comfortable" and '10' that you would feel "totally comfortable". 1) A Roma person 2) A black person 3) an Asian person 4) A white person 5) A Jewish person 6) A Muslim person 7) A Buddhist person 8) A Christian person 9) An atheist person 10) A person of the same sex 11) A transgender or transsexual person 12) A person with a disability. *Special Eurobarometer 437 DISCRIMINATION IN THE EU IN 2015*, available on the web. "http://ec.europa.eu/public_opinion/archives/ebs/ebs_437_en.pdf

acceptance of Christianity, from Constantine (passive toleration) to Theodosius (intense active promotion). Roma and LGBTQ persons, among others, do not want to be just passively tolerated but actively accepted. Anna Galeotti talks of “toleration as recognition”: “... the conception of toleration I propose [...] implies a double extension of the liberal notion: first, a spatial extension from the private to the public domain, and, second, a semantic extension from the negative meaning of non-interference to the positive sense of acceptance and recognition.”⁵

Kukathas pushes the question to its limits: “The desire of each to be recognized as different and distinctive gives rise to a demand for a politics of multiculturalism – one that recognizes and tolerates, or even encourages and honours, diversity. Yet the politics of diversity in turn may give rise to a demand for political separation, and the emergence of communities in which diversity has no place. How the many can live as one remains a salient question in political theory.” 2004 “Nationalism and Multiculturalism,” in Gerald F. Gaus and Chandran Kukathas (eds.) *Handbook of political theory*, Sage, 250–261, p. 261

We shall not address the “salient question” here, but we note that it stays as a task for future research and reflection.

II. Should we actively tolerate the refugees?

a. Discussion with Žižek.

Now, the refugees have been at our doors for half a decade or more. How should we react? Remember our example of Earthlings, Atyhonians, and Doulosians. The First World would have a responsibility to help the refugees in need—the “Samaritan responsibility,” to use the traditional phrase—even if the Third World were just unlucky without First world involvement. This would be like the Atyhonians. Still, the duties of help to people in dire need would hold. However, the Third World is much like the Doulosians: their troubles are historically due to exploitation by the First World, and to recent misguided military interventions, like those in Middle East (from Bush’s invasion of Iraq to the present day). So, there is a very strong duty to help. It is us vs. the refugees at our

doors. Jeremy Waldron, who developed the Samaritan approach in the ethics of international relations, rightly talks about “the sheer particularity of the accidental conjunction in time and space of two concrete individuals.”⁶

Not everybody agrees that we have strong duties of positive toleration. Let me remind the reader of a line of criticism inspired by my colleague and old friend Slavoj Žižek. I shall trace it back to his papers and his 2016 book *Against the Double Blackmail: Refugees, Terror and Other Troubles with the Neighbours*. Good Samaritanism and active toleration of refugees are humanitarian, and a humanitarian attitude to immigrants is misguided and potentially harmful. Žižek claims that “the more Western Europe will be open to immigrants, the more it will be made to feel guilty that it did not accept even more of them. There will never be enough of them. And with those who are here, the more tolerance one displays towards their way of life, the more one will be made guilty for not practicing enough tolerance.” He complains about the shift from what he calls “radical emancipatory movements” like SYRIZA and Podemos to the ‘humanitarian’ topic of the refugees. This, we are informed, is not a good thing because the refugee and migrant struggles are actually nothing but “the liberal cultural topic of tolerance” replacing the more genuine “class struggle.”

So, what is wrong with the refugees? The first criticism offered by Žižek, concerns the alleged irrational utopianism of the refugees. They are “possessed by a dream,” and do not want to stay at places they have immediately arrived at, like southern Italy. They want Scandinavia or Germany. Even worse, “[T]hey assert their dreams as their unconditional right, and demand from the European authorities not only proper food and medical care but also transportation to the destination of their choice.”⁷

Žižek offers two lines of answer. The one, prominent in his papers and interviews, stresses the need of the West to protect its “way of life”: don’t let the refugees in before they accept our way of life. The other, made more prominent in the book, stresses the need of a global revolution that would stop the

⁵ *Toleration As Recognition*, 2004 CUP (1st version 2002), 10.

⁶ Waldron, J. *The Monist*, Volume 86, Issue 3, (1 July 2003), Pages 333–354., p.342

⁷ Slavoj Žižek “The Non-Existence of Norway”, (9 September 2015), *London Review of Books*, 2/3. <https://www.lrb.co.uk/2015/09/09/slavoj-zizek/the-non-existence-of-norway>

flow of refugees. And stresses they should be given opportunities for decent life. It is almost like having to do with two Žižeks: the first more humanitarian Žižek, worrying about the refugees; and, second, his less magnanimous counterpart criticizing them harshly. Unfortunately, the sympathetic Žižek never tells us two important things: first, how do we give opportunities to refugees if we don't let them in as long as they have not fully accepted our way of life, and, more importantly, what are we to do in the presumably long period from now to the time of success of the global revolution: accept the refugees, accept them under very harsh conditions, or something else.

The objections one gets along these lines (and which I received in discussions at conferences) are more inspired by the less magnanimous Žižek, so I will focus upon them.

The less magnanimous Žižek warns us against the quantitative threat: [t]he more Western Europe will be open to immigrants, the more it will be made to feel guilty that it did not accept even more of them. There will never be enough of them. “We Can't Address the EU Refugee Crisis Without Confronting Global Capitalism”⁸. (Remember, the magnanimous Žižek suggested the opposite: accept all the refugees.” „Large migrations are our future, and the only alternative to such commitment is a renewed barbarism (what some call “clash of civilizations”).⁹

The next, and most important line is the requirement on refugees unconditionally to accept “our way of life”:

We should avoid getting trapped in the liberal self-interrogation, ‘How much tolerance can we afford?’ Should we tolerate migrants who prevent their children going to state schools; who force their women to dress and behave in a certain way; who arrange their children's marriages; who discriminate against homosexuals? We can never be tolerant enough, or we are always already too tolerant. The only way to break this deadlock is to move beyond mere tolerance: we should offer others not just our respect, but the prospect of joining them in a common struggle, since our problems today are problems we share. 2/3

as a necessary consequence of this commitment, Europe should impose clear rules and regulations. Control of the stream of refugees should be enforced through an administrative network encompassing all of the members of the European Union (to prevent local barbarisms like those of the authorities in Hungary or Slovakia). Refugees should be assured of their safety, but it should also be made clear to them that they must accept the destination allocated to them by European authorities, and that they will have to respect the laws and social norms of European states: no tolerance of religious, sexist or ethnic violence; no right to impose on others one's own religion or way of life; respect for every individual's freedom to abandon his or her communal customs, etc. If a woman chooses to cover her face, her choice must be respected; if she chooses not to cover her face, her freedom not to do so must be guaranteed. Such rules privilege the Western European way of life, but that is the price to be paid for European hospitality. These rules should be clearly stated and enforced, by repressive measures – against foreign fundamentalists as well as against our own racists – where necessary.¹⁰

Answers: first, the alleged refugee utopianism. Let us agree that, on the average, refugees are focused on rich and super-rich countries as their preferred destinations. But is this irrational? Start with the fact of very limited knowledge: you, the refugee, know nothing about Hungary, nor Portugal; you just know that Germany is very rich and has already received thousands of guest-workers. Aren't you very rational in insisting that you be allowed to go there rather than to completely opaque Hungary or Portugal?¹¹

Second, the quantitative threat. Well, the threat is there, and closing the door will just cause the death of huge number of innocent people. Žižek

¹⁰ Žižek *In These Times*

¹¹ Add to this an additional *ad hominem* illustration, with apologies to Slavoj. When Žižek himself was looking for a job, decades ago, he chose the US: a tough capitalist and (to both our minds) imperialist country, one of the richest at the time. He did not go to Latin America, then full of leftist rebellious and potentially heroic options, nor to any other potentially revolutionary country close to his heart. Let us agree that he was fully rational in doing so. Why would an Afghani worker pursuing the analogous strategy be criticized for his/her alleged irrational utopian wishes?

⁸ Slavoj Žižek *In These Times*. (9 September 2015) <http://inthesetimes.com/article/18385/slavoj-zizek-european-refugee-crisis-and-global-capitalism>

⁹ Žižek *In These Times*

himself seems to accept the normative consequences, coming to the very edge of self-contradiction. Choose the magnanimous Žižek and let the other one sleep.

Third, the full acceptance of Western norms. Yes, the refugees have to understand that they will “have to respect the laws and social norms of European states.” But this requires extended political education (like the one “Open society” was providing for former communist intellectuals in post-communist countries). Imagine a refugee family at your borders needing a shelter, some food, and urgent medical help for a child. You tell them: “Sorry, you can’t get in unless you show your familiarity with and acceptance of the western system of human rights.”¹² In short, we have an extended political education problem. They hardly understand English, so the task is practically impossible; the sick child dies while you present to them the idea of rights-as-trumps (and explain that “trumps” have nothing to do with Trump) and all the material that goes with it. But this understanding can come later, once the most urgent needs (the sick child, hunger, and the like) are taken care of. Starting from commonsense, not all measures are equally urgent, nor can they all be taken at the same moment, the moment of arrival of refugees. The most urgent needs have priority, after which come the less urgent ones, such as “re-education.” Distinguish the steps and order them in a more reasonable way. Starting with Samaritanism is the obvious answer: help the refugees, and once they are safe in your country, start re-educating them.

Žižek prefers a more revolutionary sounding recommendation. Humanitarianism should be replaced by global class struggle. “...we should offer others not just our respect, but the prospect of joining them in a common struggle, since our problems today are problems we share.”¹³ How is this supposed to work in the middle of the crisis? The Afghan family comes at your door and asks for food, shelter, and medical help. You ask them to join our common struggle instead: “Wait with food and shelter, revolution comes first.” Reviewers sympathetic to Žižek notice the problem: it may well be that Žižek’s attack against ‘humanitarian empathy’ goes too far. Challenging people who sentimentalize refugees hardly serves the purpose of uniting us in a

common struggle, as writes Luke Davies in his “Against ‘Us’ and ‘Them’: Reframing the Migration Question.” And he continues:

Žižek could be more understanding of the efforts of many on the left to counter the seriously hostile attitudes we so often hear towards refugees. How would those affected feel if there weren’t people willing to leap to their defence? He also shouldn’t underestimate the power of simple, emotive responses to prejudice in precipitating an awareness of the need for change. But at the same time he clearly has a point when he points out that the greater challenge is to understand the common basis of frustration, instead of condemning those whose hatred, though deplorable, is nevertheless premised on credible concerns and very real privations.
<http://review31.co.uk/essay/view/30/against-us-and-them-reframing-the-migration-question>

To conclude, we better follow the humanitarian Žižek (Slavoj as I know him and like him) rather than his less magnanimous counterpart.

b. Accepting refugees: the active tolerant way.

So, we need to accept refugees in an actively tolerant way, but where do the duties of a host country to refugees at its doors belong? Commonsensically, the issue belongs partly to the domestic sphere and partly to international politics. I propose that we extend the traditional domain of cosmopolitanism and count the issue as belonging to one variety, or one face, of cosmopolitanism. Given the sheer number of refugees, as well as their varied but often geographically distant origin, treatment of them certainly does belong to the part of moral-political theory going beyond the borders of a nation-state that is also involved in the interaction. So, extended cosmopolitanism seems to be a good and wider concept under which our problems are to be subsumed.

We now turn to the duties of help. Remember that the Third World is much like the case of the Doulosians: their troubles are historically due in part to exploitation from the First World and (in recent times) misguided military interventions. So, there is a very strong duty to help; but, who is primarily responsible for active toleration and helping? We have been illustrating our proposal with the examples of individuals. Recall that, traditionally, the

¹² Against which Žižek himself once published a paper entitled “Against human rights,” in the *Left Review*, (July-August 2005): 115-131.

¹³ Žižek “The Non-Existence of Norway”,

official helper will be the nation-state. (There is here a difference between mostly multicultural and mostly mono-cultural states, such as Canada vs. Germany, and the former might be more ready to help, as Kymlicka has suggested.) The third way is to start above the state, as is dramatically illustrated by the dilemmas concerning the role of the EU in the refugee drama. But, we cannot enter these complications here—we shall just look at the dynamic of interaction.

Let me briefly remind the reader of the wide and differentiated scope of active toleration and help in the context of Samaritan duties. These matters are present in the contemporary political culture. For instance, most duties we shall talk about are mentioned in the *Marakesh compact*. We shall here briefly try to place them within the context of the transformed profile of cosmopolitanism on the new political, cultural, and moral playground. We should also distinguish two temporal frameworks: the one of arrival, acceptance, and immediate help; and the other of longer term care and possible inclusion in the host societies.

Of course, immediate help comes first, both normatively and causally: just accept the would-be refugees (indeed, the would-be refugees should be helped in leaving their countries and travelling to us). In the long term, staying should involve the opportunity for work and training. Those who wish to stay in countries like Bulgaria, Slovenia, or Croatia should be allowed to stay. What is more, there should be a quota for each member-state of the EU, if not wider. We can distinguish at least two stages: first, the immediate emergency (starvation, freezing, urgent medical problems, etc.); and, second, settlement and education (both for the host and the newcomer). One might add a third, some kind of citizenship and relatively stable life in the host country. (The differences between economic migrants and refugees exist, but there is a continuum of cases with a large space in-between that should tilt our decisions in favor of the needy.)

Let me say more about these Samaritan stages of the trans-national engagement. Consider the problems of the first stage: the immediate emergency is assumed to psychologically trigger the Samaritan reaction, and normatively to command it. But can the process start at all? With great numbers of immigrants, and with unprepared host countries; remember Žižek's doubts. Present day Greece and Italy are offering the spectacular proof of practical possibility: Greece, a country heavily burdened economical-

ly, is showing hospitality to something like fifty thousand immigrants (almost one million have passed through the country since 2015). While their life remains difficult, they do survive and are receiving what is minimally necessary. And consider Italy—the country has taken-in over 700,000 migrants! Turkey has accepted more than three million refugees but has not offered them the minimum necessary to survive, at least as we see it from a Western perspective.¹⁴ So, *can* implies *ought* in this case, and the antecedent is fulfilled.¹⁵

The first issue on the list of duties is the very acceptance of refugees, the moral and political duty that has not been respected in many cases. The example of Haled Ali from the beginning of the paper can be multiplied by tens of thousands (if not more)—the duties are simply not being fulfilled.¹⁶ The next set of duties concerns the settlement of newcomers; but, one phenomenon is to be avoided at all costs: long-term stay in refugee camps. In some cases large groups of refugees have been kept in camp for up to seventeen years.¹⁷ Avoiding this, we arrive at the task often mentioned in UNHCR docu-

¹⁴ See Manuel P. Schoenhuber (2018) for a sharp criticism of Turkey in this context.

¹⁵ Morvai and Djokovic (2018) present a more pessimistic approach within the Balkan context, but Nicolas Parent (2018) offers the optimistic side of the argument. Within the context of a state like the Czech Republic, see Derek Sayer (2018).

¹⁶ *The Marakesh global compact* derives these duties from the human rights obligations, and notes that “refugees and migrants are entitled to the same universal human rights and fundamental freedoms”, with refugees enjoying “the specific international protection” (Objective 4, we shall use “O” to stand for “Objective”). It requires “availability and flexibility of pathways for regular migration” (O.5); a requirement that now sounds like a far-away ideal for future. And acceptance involves bringing together families that have been separated (Marakesh, O.7, e, f), the opposite of what was done to Mexican immigrant families by the Trump administration in December 2018. It further requires search for missing migrants (O.8), and declares war to smugglers (O.9, 10). Finally, it demands certainty and predictability in migration, of crucial importance to both sides in the encounter, the refugees and the border controls (and allows detention only as an exceptional and short-term measure).

¹⁷ According to the often quoted 2004 internal UNHCR report on refugees. See for instance <http://blogs.worldbank.org/dev4peace/how-many-years-do-refugees-stay-exile>.

ments, that of bringing together families and other closely related groups.¹⁸

Physical needs are numerous and clearly demanding, so healthcare is an obvious priority; but, much work these days is being done on psychological trauma, such as post-traumatic stress disorder (PTSD). PTSD is common among men and women who are coming from war-ridden countries. Psychologists distinguish simple-PTSD from complex-PTSD. The typical causes of the latter are serious neglect, physical assault, and sexual assault, whereas the typical causes of simple-PTSD are “situational traumatic experiences”: for instance, unarmed civilians in a conflict environment and a serious accident.¹⁹

Finally, there is the two-faced requirement of security: refugees are sometimes threatened by intergroup violence and thus have to be protected. On the other side, some traumatized refugees become violent and must be restrained. This brings us to analogous, albeit more complex, demands at the second stage. It is hoped that important changes take place here. On the host side, the initial empathetic reaction connects the local to the (once) distant strangers and their society and culture: had someone been helping Haled Ali from the piece of news we mentioned above, Eritrea would become for them “the country from which our Haled came to us.” The host would learn in an empathetic and engaged way what life is like there, how difficult it is to survive, and so on. (To give Balkan examples, Bulgarian and Croatian traditions contain many multicultural features—most importantly, the centuries long presence of Islam—that might serve as a bridge.)

On the immigrant side, the welcome and the new way of life might produce positive changes: assuming everything works well, the person learns to appreciate the host country and the specific community which have accepted her. Second, after the experiences of both suffering and welcome, she may develop a better understanding of compassion. Finally, she may start understanding how her new country fits within the global framework. Simon Keller sees the accomplished perspective as “the perspective of the worldly citizen”.²⁰ But let me go quickly through the duties of positive toleration, related to

the ones in the first stage. They will acquire new proportions and complexity.²¹

The duty of settling refugees is now transformed and extended to providing for them adequate housing. Germany has done much in this direction, especially immediately following the 2015 crisis, sometimes securing large and comfortable houses for some lucky newcomers.²² The most important requirement is non-isolation: refugees must have the opportunity to mix and interact with the locals. This is to avoid the tendency for less isolated areas to become sources of discrimination, resentment, and even open conflicts for newcomers.

In addition, the duties of healthcare become more subtle: dramatic emergencies are replaced with the issue of the level of healthcare and various obstacles to the high-quality approach. For instance, problems with language often block negotiations about healthcare, and they are partly responsible for long-term illnesses among newcomers from Bangladesh or Pakistan.²³ Some linguistic help for refugees from former Yugoslavia has been organized in countries like Great Britain. The practice should be renewed and extended. Also, respect for cultural specificities, e.g. the availability of healthy *halal* food, have become central for refugees from many countries.²⁴

The third set of duties, offering decent work to refugees, seems to open a dramatic dilemma for more leftist oriented intellectuals: poor newcomers often compete with the poor and lower middle-class workers in their host countries. How do we deal with the massive competition from refugee workers if we want to also keep the hardly-earned levels of livelihood for workers from host countries? This dilemma is often discussed in the literature. I most recently heard it in a wonderful talk by Philippe van Parijs on January 18, 2019, “Just Migration, Within and Into Europe.”

²¹ Right before the 2015 crisis, “The Open Society Institute” in Budapest (to be referred to in the sequel as “OSI”) has published a series of excellent books on “Muslims in Europe”, discussing in great detail both the whole area, plus particular towns, like London, Amsterdam, Hamburg and Paris. Much content is directly about refugees who have settled for life in European towns, about their needs, the ways they have been met, and further ways to ameliorate what has been done. I shall be using these books as some of my sources.

²² This is exceptional; for inequalities in housing conditions of Muslim populations in France and Germany see OSI, (2010): 139 ff.)

²³ OSI, (2010): 154

²⁴ OSI, (2010): 154

¹⁸ For a recent discussion, see the UNHCR *Global Appeal 2018-2019*, p. 126 ff.

¹⁹ see for example, Rachel Frost et al. (2018), and a thesis by a Syrian student, Rosemary Yachouh (2018).

²⁰ Keller (2013): 250.

The most optimistic answer for which I hope to work is offered by sociologists and economists who study the actual developments in various host countries. Examples include research brought together in Arcarazo's and Wiesbrock's collection *Global Migration: Old Assumptions, New Dynamics*.²⁵ Studies in Spain (as one example) suggest that, for the last few decades, immigrants were really responding to a demand for labor generated by Spanish companies and families. Indeed, it was the demand for unskilled labor:

"launched by economic actors (employers and families) that largely contributed to the generation of immigration; reference to families alludes to the massive demand for persons who would take care of the sick and elderly. Moreover, immigrant labor contributed to the survival (at least temporarily) of economic sectors that would otherwise have succumbed to international competition, in this way generating wealth and helping to maintain higher skilled and better paid jobs for autochthonous workers. And they did this under adverse conditions that often included open exploitation! Other studies suggest that, far from taking attractive jobs from the home workers, newcomers end up in discriminated sectors. As things stand now, even for Muslims who came many years ago, the employment situation is bad: they are not integrated into the labor market to the extent other workers are, and studies suggest the presence of discrimination."²⁶

(The dilemma can out to be a myth at the end turn, rather than a burning issue.

The next set of duties concerns inclusion. Here come issues of 'ideological disagreement' where refugee culture should be accommodated as much as possible (in elements that to not threaten elementary human rights). Pro-refugee authors stress positive elements in the refugee culture—above all in Islam—which is the typical backbone of ordinary identities. Speaking of younger generation of Muslims in Europe, Tariq Modood notes that, for many of them (irrespective of gender), Islam is "a source of educational aspirations and motivations to improve oneself"²⁷ (250); and that this is particularly important for girls, contrary to what prejudices about Muslims suggest. He compares the motivational force of Islam to Protestant ethics. This suggests that, once Muslims are accepted in the host commu-

nity, there is a wide ground for negotiations. Most importantly, concerning elements of Islam as politically understood, this goes against the belief that Islam is contrary to the rights of women and the like.

Now, three decades ago the social psychologist John W. Berry offered a picture of varieties of acculturation that fits our present needs. Consider a Somali refugee to Norway who intends to stay. We can ask her about her wishes in relation to her Somali identity and to her host country. First, whether she wishes to maintain her Somali identity and characteristics in the new circumstances. If her answer is "No," she is giving up on one important strain of her life but is ready to accept a new one. Second, we can ask her how she feels about Norwegian society. Does she want to integrate, find Norwegian friends, possibly a partner, cooperate with Norwegians in her surroundings, narrow or wide, and the like? If not, Berry proposes that she is in for separation. Finally, we have the option he finds best: keeping one's former identity and, at the same time, acquiring the new one. Here is his systematization of "strategies of acculturation":

		Maintaining identity and characteristics?	
		no	yes
Maintain relation with wider society?	yes	ASSIMILATION	INTEGRATION
	no	MARGINALIZATION	SEPARATION

He notes that the integrationist or bi-cultural acculturation strategy typically carries with it more positive outcomes than the three alternatives of assimilation, separation, or especially marginalization (1997:27). The last one can lead to deep stress, even to trauma.

To stay with our Somali example, researchers talk about the need of second generation Norwegian-Somalis, who continue to feel Somali, to feel included in their surrounding Norwegian society (OSI, 201346). Let us then follow Berry and take the bi-cultural acculturation to be the true and promising integration. And follow the researchers on the actual life of Muslims in European cities who tell us about the deep need of these people for inclusion, and perhaps the build-up of a new identity 'on the top' of the inherited one. We shall use the term "integration" in this two-tier, copy-paste sense.

Here is a conjecture we would like to propose: refugees come with their own cultural and ethnic

²⁵ Arcarazo's and Wiesbrock *Global Migration: Old Assumptions, New Dynamics* (2015).

²⁶ OSI (2010): ch.5.

²⁷ Modood, T. (2006), 250.

identity. Now, assume that many of them are willing to integrate if offered the possibility of keeping centrally important features of their original identity and offered the chance of inclusion into host society. Of course, there will always be those who find the centrally important features simply incompatible with the host identity. They will opt for separation; but, let us stay focused upon the first group, those on the road to integration. They have been offered active toleration and are accepting it. We conjecture that once they are sufficiently integrated, some unacceptable items from their former identity will simply disappear and others will become less prominent. Viewed from the host-perspective, there will be a change of persons and of the way of viewing them. This change might then alter the content of their beliefs and actions so that they look less provocative.

Let me give the example of the burka which looks unacceptable for many original citizens of Europe. Watching a documentary about young Bosnian women who insist on wearing burkas, I was surprised by their honest enthusiasm. There was no suggestion of pressure (e.g. "We have to; "Our family demands it from us"). Then, reading interviews with young French Muslim women who favor the burka (OSI, 2011), I was even more surprised to learn that they describe their motive as purely religious, the inspiration coming from reading the Qur'an or going to listen to an imam. It is strictly an interest in matters religious. No mention of any pressures from Muslim men in their surroundings, nor any mention of political motives: they see themselves as French with Islam as their private religion. "There is your Lord and you, and no other enters. You live for your Lord. You live in permanent adoration, or at least you try so to live" (2011: 87). Viewed as a purely religious, almost existential requirement, the burka seems less incompatible with our society and culture. Once you see these women as being French and entertaining such existential choices, you don't see the burka as something deeply offending the political morality of our culture!

To reiterate the conjecture, successful integration in the strong, two-component sense is a fine product of successful active toleration. Once achieved, it makes the person, her beliefs, and her actions more acceptable. This typically diminishes the need for passive toleration.

III. From urgent needs to deep causes, from protection to prevention

Active toleration can be exceptionally helpful. If successful, it would transform the political playground for a significant period of time, help with the influx of refugees, block the worst effects of right-wing populism, and create a more cosmopolitan surrounding in our countries.

The main problem that would accompany even this very optimistic scenario is the continuation of the influx of refugees, with possible intensifications and new crises. The Third World population is growing dramatically, and with the political and economic infra-structure unchanged, it would prompt such flow and the new crises. In a sense, all the work demanded by active toleration is merely mitigating the consequences while leaving the causes intact. Activists helping the refugees often tell the press that Europe is doing nothing about these deep causes, so we should turn to these deeper causes.

The general shape of the causes is well known, and there are no theoretical problems about it. Two-bit categories play the main role: first are conflicts, from local ones to dramatic wars; second is the poverty endemic within the Third World; and a third connected cause is poor governance in otherwise promising countries (e.g. Mexico);. For the first category we can look toward Bush-type warmongering interventionism and the tragic profile of the Middle East. For the second, consider the extreme poverty across large swathes of Africa. They provoke the movement of refugees, as well as other kinds of forced displacement, for economic or similar reasons. Of course, the wider issues linked to cosmopolitanism come into focus once we turn to these causes of migration. We all know that peace is needed, but there must be more: decent governance, fairness in the distribution of resources, and respect for human rights. If we go to our hypothetical Doulos and repair the tragic situation, then we have addressed the cause! And only a more cosmopolitan arrangement can guarantee this. We need measures significantly deeper than Samaritan hospitality; fortunately, this Samaritan obligation can function as a preparation for wider, classically cosmopolitan activity. To these issues we now turn.

With global distributive justice there is some good news: the initial summary of situation in the *Human Development Report 2018* tells us that a smaller number of countries fall at the bottom of Human development index (38 countries to be precise); they form the Fourth World and an important source of economic survival migrants. The figure

was 49 countries in 2010.²⁸ But the global picture is not encouraging. Compare a developed country like Germany (number five on the ranking list) to still highly developed Bulgaria (number 51) and Sierra Leone (number 184): the human development index for Germany is 0.936, 0.813 for Bulgaria, and only 0.419 for Sierra Leone. More concrete data would be average life expectancy: from birth in Germany it is 81 years; for Bulgaria it is 74.9 years; and for Sierra Leone it is only 52.2 years.²⁹ When we look at inequalities in *per capita* income, we realize that they have been increasing drastically since the end of seventies. Branko Milanovic paints a dramatic picture: “Four out of each five African countries are now part of the Fourth World. Being an African country virtually guarantees membership in the poorest group. At one end, there is the “Africanization” of poverty, at the other end, the “Westernization” of wealth. By 2000, there was practically no “intersection” between African and WENAO (Western Europe, North America, and Oceania) countries” (2007:70).

And he talks about “recent upswings in inequality” in his more recent book.³⁰ He also notes that these inequalities prompt migrations on large scale.³¹ He proposes a slogan: “Either poor countries will become richer, or poor people will move to rich countries.” (2012:27).

Now, the dramatic contrast between the rich and the poor, as well as the rising motivation for migration, offers enough of a reason, prudential and generally moral, to try to stop the trend of inequality and then to reverse it. But there is more, namely the remedial duty to help. The rise of inequality is due to a large extent to the activities of the First World countries. Milanovic summarizes the story by noting that 1979 to 1980 represents a watershed in the negative tendencies of the First World: the US became a major importer of capital at that time in order to finance its deficits. This reduced capital flow to less developed countries

and prompted the dramatic growth of inequalities. As he explains:

These economic effects had their political counterparts or even political roots. The redirection of capital flows toward the United States, and the world-wide increase in real interest rates were driven by the political and military facts of the massive U.S. rearmament and the intensification of the Cold War. This, coupled with Reagan’s tax cuts, created large U.S. current account and budget deficits. Thus, the chain of events was from a political decision to rearm and outspend the Soviet Union, to its economic implication of large budget deficits and the need for capital inflows, to the rising interest rates that suffocated less developed countries unable to compete in international markets. (2007:79)

And it is the “Plutocracy at a Global Level” that explains present day inequalities (2007:149).

However, the crucial role of the First World entails crucial duties to remedy for the terrible consequences its actions produced. Of course, our two topics, poverty and war interact, indeed dramatically. Here is a quote from a recent report: “Further, conflicts in many parts of the world remain the norm rather than the exception. Violence not only threatens human security but also erodes development progress. Between 2012 and 2017, the conflicts in Syria, Libya and Yemen contributed to these countries’ slipping down the HDI, due to significant declines in their life expectancy or economic setbacks. It will take years, if not decades for them to return to pre-violence levels of development. UNDP *Statistical update on human development in 2018*.” Foreword: the state of global human development in 2018, p. iii

First, we want to buttress our assumption formulated in the imaginary context of Doulos, that the First world has two kinds of responsibility to the suffering populations of the Third World: the general duty of help to people in dire circumstances, which we assume here, and the special duties derived from partial responsibility, which we shall briefly point to in this section. Recall how the First World has been engaged in the demonstration of force since the beginning of its interaction with what is now termed the Third World. Jumping to the mid-twentieth century, think of post-colonial conflicts in Africa which were partly provoked by the inadequacies of overly bureaucratized administrative struc-

²⁸ at <http://hdr.undp.org/en/2018-update>

²⁹ A new topic is deforestation. The Earth lost 3.2 percent of its forests between 1990 and 2015, but, more importantly for the present topic, low human development countries, many of them reservoirs of global biodiversity as the Report stresses, lost 14.5 percent.

³⁰ Milanovic, B. *Global Inequality A New Approach for the Age of Globalization* (2016):4.

³¹ Milanovic, B. *Worlds Apart Measuring International and Global Inequality* (2007):156; and compare Milanovic *Global Inequality* (2016):230 ff.

tures left over by the colonial powers, as well as inter-ethnic enmities due in no small part to poor colonial administration. At the level of population and economy, the characteristic traits of the situation were intense growth of the first accompanied by slow growth of the second, and, in combination, with minimal increase per capita. All of this resulted in dramatic poverty in the eighties. At the political level, the structure has been characterized by “personal rule,” often combined with one-tribe domination. Both are supported by powerful First World countries, the best “partner” for further exploitation of African countries within this structure.

Passing quickly to the new millennium, think of South Sudan, the third largest source of refugees in present times: its tragic fate is due to prolonged conflicts in the Sudanese region, for which First World carries some historical responsibility and about which it has done too little—or nothing—in recent times. The other dramatic example is Somalia (with similar causal story).

Jump now to the Middle East, a historically important target of colonialism. Upon creation, completely inadequate borders being drawn-up between the artificially created states, there was a mixing of generally incompatible and mutually hostile populations. This was most dramatic in Iraq and Syria. Think of the American-Soviet military competition in Afghanistan since the beginning of the eighties, and the role of the First World in the creation of violent Muslim forces there. Afghanistan is today the second largest source of refugees. Returning to the present day, think of the military intervention in Iraq and the catastrophe of the Arab Spring in 2011: the US and France had overthrown Gadhafi’s regime in Libya, following their own economic interests, and thus opened the door to a bloody civil war which has lasted until today. Syria is now the battleground for two powers of the First World, the US and Russia, and it is the first and largest source of refugees.

This brings us to issues of war and peace, and political problems following the wars. With the kind of history we just mentioned, the First World has an enhanced duty to secure peace in the vast regions we are discussing. This in turn brings us to the first classical cosmopolitan topics, the project of world peace, which has been inspiring cosmopolitan thinkers at least since the time of Kant—if not from the time of Stoics. They have argued that the track record of the statist system is dismal; therefore, a more cosmopolitan system is required. Note that, in

the panicky atmosphere of the refugee-and-populism crisis, the general issues of world peace have receded into the background. The prominent face of the new cosmopolitanism has been the face of active toleration. Now we can see that the classical face is still there, ready to reappear as soon as one asks the question about the deeper causes of the crisis.

So, we have two theoretical steps: accepting active toleration and Samaritanism, and agreeing with general cosmopolitan ideology. The former might be a preparation for the latter. Let us call this the “Samaritan-to-deeper-measures model.” Interestingly, this model avoids Žižek’s wider political dilemmas and proposes the right path from the local and humanitarian to the global and potentially revolutionary measures: if Žižek’s followers are right, the revolutionary proposal gets its place at the later, fully cosmopolitan stage. The issue of preventing perpetual refugee crises thus leads to cosmopolitan agenda, possibly culminating in a global, institutional pacifism.

The next set of issues are distributional in the widest sense. The help is needed primarily in matters of economic inequalities, but new injustices have appeared more recently, including climate change which is threatening new crises. What is needed is global redistribution: a just system should be established and kept in place; otherwise, there is the danger of dramatic injustices and new crises.³² Can’t we just stay patriotic, paying cursory attention to the wider world? Let me quote Kok-Chor Tan’s (2004) insightful comment: “What the limited patriotic thesis requires, when applied to the nonideal world in which justice is never fully realized, is that patriots ought also to take their duties of global justice seriously, and that they should be striving actively towards a more just world arrangement, if they want their practice of patriotic favoritism to be legitimate. They may show compatriots special concern, but they must also be sincerely attempting to minimize the background injustices by working towards a more egalitarian world.” (161) We can supplement the comment with a brief argument about patriotism and cosmopolitanism. The proper arrangement of political life takes either the form of statist interaction or of a cosmopolitan system. Patriotic attachments are either low-

³² Similarly, with climate change, the developed countries should drastically reduce the emission, and a compromise should be found for industrialising countries like China and India. Poor and most suffering countries should be saved, and given indemnities.

profile patriotism (as ones alluded to in the quote) or high-profile patriotic-nationalism. Attachment needs justification and must be acceptable both morally and practically. However, the high-profile patriotic-nationalist attachments are morally and practically unacceptable, whereas the low-profile patriotic ones are acceptable but not sufficient for the proper functioning of states. Therefore, the only acceptable alternative is a cosmopolitanism combined with low-profile patriotism.

Let me finally say a few words about an interesting proposal to solve the refugee crisis and point to the direction in which it is leading. Alexander Betts and Paul Collier in their (2017) book propose what they call “the safe haven alternative” as a solution.³³

I want to point out here that the proposal would entail serious interventions in the context of the Third World, and it is in this sense more a variant of rather than an alternative to cosmopolitan engagement.

Betts and Collier stress that their proposal is about restoring people’s autonomy in developing countries. The main idea is to create safe havens in the vicinity of the regions in crisis, rather than to have refugees flocking into the First World countries. They list several “honeypots” for migrants: Pakistan, Ethiopia, Kenya, Uganda, and Tanzania. They then propose, “big ideas.” First, we should rescue the displaced from disruptions to normal life. For African refugees, this is more easily done in Ethiopia than in Great Britain. Second, the places for safe haven should be easy for the displaced to reach; most importantly, First World countries should offer financial background needed. Third, jobs should be brought to the host countries. Fourth, all economic support will help to make these countries prosperous and to “incubate the post-conflict recovery.”

Now, the proposal assumes a high degree of safety and security in the host countries. It also assumes post-conflict periods in which the money will help with much needed recovery. Still, the countries Betts and Collier are pointing to are too weak and unstable to guarantee the recovery. Imagine you pour great amounts of money into Ethiopia: how would this reflect upon inland tensions, and how much would it entice neighbors to intervene?

You create many jobs in Pakistan, but would they attract only peaceful refugees from neighboring Afghanistan or would members of the Taliban want their share? The same is true for “post-conflict” periods: what if you had a Somalia-type situation with no “post conflict” periods? Or Afghanistan, with weak and unstable post-conflict structures? The only option is to intervene, then create and perpetuate the structures.

As I said above, the proposal assumes a high degree of First World intervention, actual or very close to actual. Thus, it is in principle just a variant of cosmopolitan appeal to eliminate deep causes by engaging at the spot in the Third World. It does not enter the further question of who can do the job, but it clearly points to a more just global basic structure. So, it does not threaten the line we have been defending here.

Of course, cosmopolitans would further argue—and I would be on their side—that only a strong cosmopolitan order can guarantee the establishment and the stability of a just system. Richard Falk (2011) discussed a global parliamentary assembly and others about a reformed Security Council and a Second Chamber; David Held (1995) suggested an international order arranged by subsidiarity; and Mary Kaldor (2003) talked about global democratic civil society. At the end of the day, global governance and a cosmopolitan basic structure might be needed as the adequate organizational structure. But this is a topic for a further occasion.

IV. Conclusion

Our main topic has been active toleration in the present crisis. We have argued that the crisis is marked by the coincidence of two negative developments: first, the refugee crisis; and second, an apparently strong, inimical, and successful populist response to it. The new playground has brought challenges to classical political approaches to which we have briefly pointed in two related changes. First, classical intolerant nationalism has been extended to right-wing populism, which preserves many of its elements but includes other sources of intolerance. Above all, cultural and religious intolerance are geared toward non-Christians and non-Westerners. Second, the crisis has changed the face of cosmopolitanism: the classical topics of global justice involving distant strangers, with the analogous demands of global peace arrangements and the like, have been presently replaced by issues

³³ Their proposal was commented with enthusiasm in prominent German newspapers, for example in *Frankfurter Allgemeine*, (3.09.2018).

of active toleration toward close and present strangers.

We have argued for several points in this context. First, active toleration toward close and present strangers in the context of refugee crises brings a series of very demanding duties divided into immediate ones involving immediate Samaritan aid to people at our doors, as well as the long-term duties involving acculturation and the possibilities for decent lives for them and their children. In the present statist framework, the aid crucially involves not only matters of food, health, and shelter, but also security, policing, and administrative control. The latter are still largely discriminatory, as illustrated by the politics of some Mediterranean countries, not to mention the racial profiling by police throughout Europe. Thus, it looks as if the cosmopolitan attitude can contribute much, and that (in the context of refugee crisis) cosmopolitanism is not disappearing but showing its non-traditional, more Samaritan face.

The duties in the second series, having to do with long-term engagement, help the home population and the migrants interact, learning about each other and creating bonds. The most successful result of such processes is the twofold cultural integration of the migrants: the person preserves important elements of her old identity while building elements of the identity formed by the host country. We have conjectured that this work of active toleration can diminish the need for a passive one: the immigrant is no longer seen as a strange or exotic person with an incomprehensible and unacceptable attitude; rather, they are seen as one of us, such that her attitudes become less irritating and provocative. This is our main conjecture regarding toleration. Given the need for toleration, along with the difficulties and paradoxes connected with its passive variety, the conjecture (if true) might be a piece of good news.

Finally, we have briefly touched the question of where we go from here. Interestingly, as soon as one turns to long-term international causes of the present crisis, one encounters topics marking the classical and well-known face of cosmopolitanism. The First World countries are now in the situation where they reflect about ways to stop refugee crisis and prevent new outbreaks. Prudential motives are the leading one, but we who are philosophers have noted the two kinds of moral motives: the general ones related to helping people in dire need; and the remedial ones whereby we make good for our

faults and failures. Consider poverty and war, the main causes of refugee crisis. A long-term mitigation of poverty and establishment of some kind of equality is the central point of cosmopolitan distributive justice. The classical face of cosmopolitanism shows here its present-day relevance, and the three reasons for help are clearly here. First, the prudential reason of stopping the influx of refugees; second, the remedial duty to make good for having caused the injustices in global distribution; and third, the general duty to help the dramatically poor. Similarly, there is the issue of peace. We saw that First World countries have been contributing through the exercise of violence from the days of colonialism up to (and beyond) the interventions following Arab Spring. The Kantian face of cosmopolitanism in search of perpetual peace is with us, as it was in Kant's day.

What is the basic global structure that could secure both distributive justice and a just global peace? This is the next question we must address, but we are ready for active toleration. We have covered a lot of ground in the paper, but each topic was addressed briefly. With apologies to the reader for this brevity, expressing the hope to develop them further, we conclude—it is hoped—with a small bit of optimism.

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(IM)POSSIBLE TOLERANCE. A PARADOX FROM WITHIN MULTICULTURAL SOCIETIES

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Abstract:

This paper deals with the principle of tolerance in our contemporary society in the attempt to highlight limits and paradoxes in the various aspects of minority issues. From this point of view, the first part of the paper discusses Kymlicka's contribution to multiculturalism with regard to national minorities and immigrant communities, while the second part confronts his Theory of Minority Rights with Antonio Gramsci's theory of hegemony and circle of humanity. Therefore, this paper aims at shifting the discourse over tolerance-related minority issues from a top-down approach toward an analysis of how tolerance is allowed to be performed. Thus, Gramsci's philosophy of praxis is employed to disentangle moral and cultural set of values and norms within which both principle of tolerance and performativity of toleration are established and, in parallel, to reflect on reasons why others are not allowed to be performed.

Key words: tolerance, minority issues, Kymlicka, Gramsci, circle of humanity.

Three decades after Francis Fukuyama proclaimed the *end of history*,¹ return to imagined communities and continuously politicised struggles for the readjustment of maps and territories have led to the resurgence of regionalism and nationalism from Western to Eastern Europe. Along with such strong revival of identity-related ambitions, the con-

temporary phenomenon of populism has also opened the door to new challenges for liberal democracies, challenges in which peculiar struggles for dignity and inclusion have turned out to trigger resentment among both minority and majoritarian cultural systems. Marine Le Pen's recent "slip" regarding Muslims at prayer occupying the streets like Germans did between 1940 and 1944,² or the former Turkish Minister Davutoglu's statement "*Yes, We are the new Ottomans*" made while in Bulgaria,³ are instructive in this sense.

As a matter of fact, contemporary societies show how policies for avoiding marginalisation and tackling cultural misunderstandings have utterly failed. Among others, the ambitions of liberal humanitarianism to fully grant integration for newcomers (e.g., asylum seekers and refugees) have paradoxically turned out to disadvantage both immigrant communities for not preserving their status of different people into the larger society⁴ and increase fear among majority members at the same time. In parallel, the post-1989 transition period across Central Eastern Europe has not succeeded so far to combine recognition and inclusion of minority groups with full-fledged democracy standards. On the contrary, today's growth of identitarian rhetoric that expresses fear and rejection of the foreign in the

¹ Francis Fukuyama, *The End of History and the Last Man*, (New York: The Free Press, 1992).

² Jacques Rancière, "The Populism That Is Not to Be Found" in *What is A People?*, Alain Badiou et al. (New York: Columbia University Press, 2016): 100.

³ Clive Leview-Sawyer, *Bulgaria: Politics and Protests in the 21st Century* (Sofia: Riva, 2015), 110.

⁴ Sadri Khiari, "The People and the Third People" in *What is A People?* Alain Badiou et al., 96.

whole of Europe has taken vernacularly place by leaving subalterns behind, and majority members scared of such phenomena of marginalisation in turn.⁵ Paradoxically, despite the fact that majoritarian cultural systems may remark how recognition of minority groups was granted and even excessively allocated, it should be pointed out how a wide range of ethno-cultural minorities remain so excluded and reduced to subaltern positions that they can no longer offer a meaningful and comprehensive degree of co-existence. Perhaps all of these are the result of having assumed that, implicitly or explicitly, all individuals will achieve their freedom and equality within the larger culture and exclusion will disappear once the modern states, over time, become “nation-states”⁶ and liberal democracy becomes, after a long transition, inclusive and deliberatively participatory. In turn, assumptions that minority groups would (and should) culturally integrate themselves by sharing a common language and national identity, have simply been proven wrong. Similar to the Guernica Paradox—namely, “bombarding for humanity”⁷ over liberal peace-building strategies⁸—identity group claims have definitely put the fundamental values of our contemporary society at risk. Within this, a “tolerance paradox” has unfolded itself through the recent decisions of States to deny or restrict those minority rights they should protect and stand for due to security reasons and suspicion against disloyal groups.

Under these circumstances, this paper aims to introduce a different angle of philosophical investigation for a further and potential re-examination of models of toleration and the principle of tolerance over majority-minority relations. With the idea to tackle issues anew, thus starting from scratch, I shall leave room for a new understanding of tolerance itself which I consider to be people’s everyday ability and willingness to coexist and live with the Other. Rather than simply supporting a public mechanism through which minority members may have the chance to stand out individually in order to refuse

disloyal attitudes of the community of which they are members, I analyse Will Kymlicka’s “liberal multiculturalism” to pinpoint major concerns about the subject-matter. Hence, while I argue with Kymlicka’s approach due to its mainly “majoritarian” perspectives, I consider his contribution as an attempt to pave the way toward a philosophically balanced win-win strategy aiming to first soften the present-day crisis and, secondly, to avoid potential turmoil *from within* multicultural societies.

Although minority members have an individual “exit strategy” to relinquish rights they hold as members of minority communities, they belong to (in my opinion) liberal defences of such freedom, and autonomy shows a paradox for the action of the neutral role of the Liberal State. Concerning tolerance-related issues, it is not my final aim to systematically criticise or dismiss Kymlicka’s contribution to multiculturalism. Rather, I shall reconsider the philosophical angle of investigation, focusing on the everyday performativity of people toward the *alien*—viz. the *Other*—within a model of tolerance allowed by our contemporary liberal societies. In this regard, I introduce Gramsci’s theory of hegemony with the aim to unravel those hierarchically imposed power structures allowing a certain performativity of toleration toward the Other while denying others. Because of this, I contrast the old-fashioned paradigm of toleration based on the idea to soften potential clashes between the harmful and hostile neighboring exterior which threatens the interior segment of people in the host-State. In fact, I shall demonstrate this by first employing Gramsci’s theory of hegemony, followed by his *circle of humanity*, thus deconstructing the cultural and political hegemonic structures within which certain degrees of tolerance are stabilized. To conclude, I will point out how the realm of everydayness is a more authentic field for a philosophical investigation over tolerance, rather than top-down, theoretical normative, or descriptive approaches which remain far from real-life.

On Immigrant and National Minorities

Across multiple influential publications, Kymlicka asserts that the demand for group rights is often phrased in terms of tolerance⁹, pointing also to the need for diverse forms of tolerance. In this regard, he pays particular attention to two specific models of toleration in connection with religion and

⁵ Jacques Rancière, “The Populism That Is Not to Be Found,” 101.

⁶ Will Kymlicka and Ruth Rubio Marín, “Liberalism and Minority Rights,” *Ratio Juris Journal* 12, no 2. (June 1999):135.

⁷ See Geoffrey Robertson, *Crimes Against Humanity. The Struggle For Global Justice* (New York: The New Press, 2006)

⁸ See Elisa Randazzo, “Changing Narrative? Shifting Discursive Conceptualisations of Post-Conflict Peace-Building” (PhD diss., University of Westminster, 2015).

⁹ Will Kymlicka, “Two Models of Pluralism and Tolerance,” *Analyse & Kritik* 13 (January 1992): 39.

religious communities. In general, Kymlicka's political philosophy seeks to guarantee integration and inclusion to all sub-groups regardless of their ethno-cultural features and territories they live in. In other words, his attempts to channel marginalised and unrecognised groups into a roadmap aimed at softening clashes and guaranteeing rights in the larger society follow up Charles Taylor's *Politics of Recognition* and Michael Sandel's communitarianism.

By doing so, Kymlicka differentiates national minorities from immigrant communities along ethno-cultural lines in the attempt to facilitate policy making to allocate minority rights and increase cultural understanding *among* and *within* diverse populations, avoiding negative impact on the long-term Western tradition of political liberalism.¹⁰ In particular, allocation of specific-group rights cannot contrast the individual freedom of conscience and autonomy of individuals since they are foundational.¹¹ Regardless of national minorities or immigrant communities, tolerance toward minority groups can only be endorsed *as long as* minority groups desire to survive in a culturally distinct society because of their right to maintain membership in a distinct culture and continuing to develop that culture in the same way members of majority cultures are able to develop theirs. This "*as long as*" is clearly the degree of tolerance within which minority desires to live culturally distinct lives within the larger society cannot inherently connect the desire to maintain a distinct societal culture with a self-organized form of isolation¹².

Nonetheless, the numerous challenges of the so-called "century of migrants"¹³ brought Kymlicka to distinguish national minorities from communities of newcomers by drawing a line along ethno-cultural features of both minority groups. While members of national minorities belong to distinct cultural groups from the larger society of the State in which they live—territorially concentrated, usually homogeneous, formerly self-governing, institutionally complete, and entitled to those rights of self-governance

which are seen as inherent rights—immigrants compose more heterogeneous communities within the host-State where they seek refuge and humanitarian protection. On the one hand, presence at the time of a State's foundation and prior to the historical experience of self-government, along with common culture, common language, and self-governance through their institutions¹⁴—all should guarantee rights to self-determination for national minorities. On the other hand, immigrant communities are composed of heterogeneous groups of people who have decided to "voluntarily" move from their country of origin, therefore they cannot campaign for and seek the same cultural and political prospects to which national minorities are entitled. Unlike national minorities, immigrant communities do not possess "societal culture" in the host-State—namely, a set of pre-conditional measures and unique situations. While national minorities can endorse governments and influence the political agenda since they have been (forcedly) incorporated, either by historical conquests or hierarchical power changes, immigrant communities can neither recreate nor claim a set of institutions along with cultural practices and heritage they once had and performed in their countries of origin. After all, even with generosity and toleration (as Kymlicka openly states), immigrant communities represent a small and dispersed minority group across different host-States. Such a distinction has to be clear among lawmakers and international organisations whose work aims at avoiding cultural misunderstandings *among* and *within* immigrant communities. In fact, Kymlicka does not distinguish national minorities from immigrant groups to allocate group rights to the firsts and deny them to the seconds. In my view, Kymlicka wishes to go deeper in identifying ethno-cultural features of immigrant communities in order to not to leave room for banal forms of nationalism and its vernacular politics.¹⁵

Nonetheless, I consider the whole classification to be problematic because, putting aside the theoretical context, the latter overlooks the real-life ground in which a large number of members belonging to

¹⁰ See John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993)

¹¹ Will Kymlicka and Magda Opalski, *Can Liberal Pluralism be Exported? Western Political Theory and Ethnic Relations in Eastern Europe*, (Oxford: Oxford University Press, 2000):75.

¹² Will Kymlicka and Magda Opalski, "Can Liberal Pluralism be Exported?", 36.

¹³ Thomas Nail, *The figure of the Migrant* (Boulder: Colorado University Press, 2015)

¹⁴ "Multiculturalism", Stanford Encyclopedia of Philosophy, last modified August 12, 2016, accessed December 2018, <https://plato.stanford.edu/entries/multiculturalism/>.

¹⁵ Kymlicka identifies immigrant communities whose members may have (i) the right to become citizen, (ii) those who do not have such right, and (iii) refugees. See also Dmytro Hys, "A Critical Assessment of Will Kymlicka's Theory of Minority Rights: Dilemmas of Liberal Multiculturalism" (Master's Degree Thesis, Winter Fall 2004, Toronto University): 35.

immigrant communities might not have the right to hold citizenship and consider their life completely different from that of the host-State. Perhaps highly conditioned by a Canadian background, Kymlicka considers immigrant communities to be “loose associations” that do not occupy their historical land of origin on the one hand; but, he does not pay much attention to the societal ties such communities are capable to shape once having arrived in the host-State. In so doing, Kymlicka not only tends to simplify the realm of everydayness related particularly to further societal paradigms of coexistence, therefore of tolerance *between* immigrant community and majority members in the “West”—he simplifies the real cultural traumas that (may) affect personal or collective identity of a societal group: dislocations from country of origin to the host-State, which go even beyond all potential inclusion policies, (may) cause fragmentation of the Self and of the Othering¹⁶.

At first glance, Kymlicka takes for granted the attitude of the majority toward reliance and tolerance for both new-coming and pre-existing Otherness from within its cultural context. When Kymlicka suggests the inclusion of immigrant communities through acquisition of the host-State language, he surprisingly ignores how language *per se* is a vague criterion for being considered a “cultural maker” for acquaintance of a set of cultural signifiers and signified that (most probably) immigrants will neither wholly accept nor unreservedly uphold¹⁷.

More than language, the above-mentioned distinction should shed light on how tolerance plays a role in the everyday relations of majority and minority communities. Hence, legal restriction upon immigrant groups to claim cultural rights would paradoxically take the risk to trigger marginalisation and exclusion for those who do not succeed in integrating themselves into the larger society. In turn, as Kymlicka points out, the majoritarian cultural system will not reduce its (unconscious) desire to present itself as natural, completed, monolithic and standardised Nation-State. Also, for national minorities—for whom a proposal for self-governing rights aims at ensuring that they will not become outbids

for the greater wealth of outsiders¹⁸ (Kymlicka and Marin, op. cit., p. 137) from neighbouring kin-States—Kymlicka focuses only on federal power distribution. Hence, Kymlicka suggests an *asymmetrical representation*, namely an *asymmetrical power distribution* in the attempt to strengthen the *multicultural character* of a State. Among others, language policy and rights of self-governance are best allocated and protected through a form of multinational federalism, thereby allowing the creation of regional politics in the hands of national minority political organizations along with their substantial (and constitutionally protected) power of self-government.¹⁹ In other words, in Kymlicka’s sense, tolerance should be guaranteed within a federation of generally concentrated peoples or nations whose boundaries have been drawn and their power distributed in such a way that each national group will maintain itself as a distinct and self-government societal culture²⁰. Although Kymlicka seems here to suggest a model of toleration by trying to shape social unity and (in the end) a desire to live together, I believe that he overlooks the everyday conditions under which national and immigrant communities will be capable to seek recognition and further coexistence with the majoritarian cultural system. For example, the majority-minority state of affairs in many Eastern European countries is the result of a sediment repository of historical struggles for power and existence which has come to symbolize and signify cultural and political hegemonic hierarchies among societal groups.

Here I agree with Seyla Benhabib and her criticism by remarking how such a distinction between national and immigrant minority groups is possible to draw along ethno-cultural features on the one hand, but it overlooks everyday attitude of people toward Otherness on the other hand.

Within the vacuum which makes Kymlicka’s theory highly descriptive but not normative, the Canadian philosopher came to affirm that the Ottoman Millet system was the most developed form of the group rights model in terms of religious tolerance (Kymlicka, op. cit., p.38). Although he does not stand for it, as a Rawlsian and supporter of the neutrality of the liberal State in defence of individual

¹⁶ Alexandra Glavanakova, *Trans-Cultural Imaginings. Translating the Other, Translating the Self in Narratives About Migration and Terrorism* (Sofia: Critique and Humanism Publishing House), 114.

¹⁷ Glavanakova, *Trans-Cultural Imaginings*, 111.

¹⁸ Will Kymlicka and Ruth Rubio Marín, *Liberalism and Minority Rights*, 137.

¹⁹ Kymlicka and Marín, *Liberalism and Minority Rights*, 40.

²⁰ Will Kymlicka and Magda Opalski *Can Liberal Pluralism be Exported?* 269.

liberty within plural societies, Kymlicka highlights the many regimes, including contemporary democracies such as Canada, the United States, and Great Britain, have asked for and reproduced implementation of Millet-style model. In fact, it is not surprising that some Muslim leaders have called for a Millet-style system in Britain, one which would allow Muslims to govern themselves according to their own laws regarding education and family status. Kymlicka is here aware of the cultural paradox and political challenge the State faces by trying to balance itself in defence of liberal values and allocation of group rights that often deny liberal principle of individual freedom of conscience the same liberal State stands for.

The paradox here is twofold. First, any kind of denials or restrictions of group rights against national minorities and immigrant communities cannot be justified by the State through the prism of its liberal values, viz. what John Rawls legitimates as *benign neglect*. Paradoxically, Rawls's and Kymlicka's idea of political liberalism (which stands for recognition of specific marginalised groups) cannot be justified while the State denies or restricts opportunities it stands for. Hence, *justifications* and *consequences* of a potentially imposed benign neglect over a minority practice cannot be entirely neutral in the sense of equally denying claims and restricting performativity of some cultural rights. In practice, it would not be possible for the State to handle disloyal behavior of a specific minority group in identifying dissident voices that from within succeed in remaining free to question, revise or reject communitarian practices and values.

In particular, if we affirm that each individual differs in which cultural elements she decides to choose, adopt, or internalize²¹, differentiations in personal experiences of cultural exchange and interaction *inside* and *outside* the community she belongs to, we should agree that each human subject can lead herself to multiple interpretations of values and practices. In turn, it would be hard for the State to act properly with the purpose to recognise and allocate group rights only according to internal dissidents who reject disloyalty while trying to protect isolationist and illiberal communities they belong to. This would lead the State to cease its liberal principle of non-interference since the benign neglect would come to force by valuing cases differently and only then acting accordingly.

Second, recognition of diverse forms of religious toleration—which Kymlicka supports *as long as they* are plausible—would be difficult to achieve in practice. For example, it would be almost impossible for the State to restrict specific-group rights to those Muslims asking for self-governance regarding family law and schooling system while identifying liberal Muslims who have signed a *fatwa*²² issued against the Islamic State in order to guarantee protection of their cultural rights in support of liberal values. In fact, minority groups cannot be understood as monolithic from within, but as minorities within which sub-groups intersect. What are the possibilities for recognizing and protecting the rights of LBGTQI+ Muslims who desire to continue their worship in spite of facing threats for having questioned orthodox interpretations of Islamic doctrine, such as heresy or apostasy? More than ever, minority groups are “under fire” due to intersectional aspects that are turning rigidly old-fashioned parameters of labelling such social groups into more dynamic segment of the population.

Disentangling (In-)Tolerance

Kymlicka's approach towards minority groups seems generally plausible as it strengthens his philosophical argumentation in *Multicultural Citizenship* without raising, at least in theory, major concerns. While I consider Kymlicka's theory a serious attempt to soften cultural misunderstanding in societies that are (without any doubt) on the verge of radically changing, I dispute Kymlicka's taking-for-granted the potential implementation of his theoretical framework on the ground. We should agree on the fact that post-1989 deterioration of highly ideological messages for subalterns across Western Europe in parallel with the three-decade long demise of the Eastern Bloc have paradoxically left room for the rise of illiberal forms of democracy along the majoritarian cultural lines rather than minority claims. For example, Kymlicka and others have begun to sustain approaches that have never won ground but instead gripped, and perhaps purposefully developed, over politics in vernacular²³. Return to modern forms of nationalism bolstered negative

²² Within the tradition of the Islamic law (sharia), a *fatwa* is a nonbinding legal opinion regarding a specific issue raised by a qualified jurist in order to address a private manner or also a specific aspect of governance.

²³ See Will Kymlicka, *Multicultural Citizenship. A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995).

²¹ Glavanakova, *Trans-Cultural Imaginings*, 47.

attitudes toward Otherness, feeding upon each other in what experts name in terms of population. To this end, as I have stated above, there is an extreme need to (re-)examine and (re-)consider how forms of tolerance and models of toleration would pursue realisation. In my view, we should restart from a reconsideration of the everyday practices of tolerance rather than, as Kymlicka has done, trying to modulate or set up models of toleration which remain paradoxically far from the real life which people face by living together.

Here, not only liberals have failed in their attempts to readjust societies by imposing values of tolerance and mutual respect, but it is also the leftist approach from the radical to the liberal spectrum that has utterly failed in defending what they proclaim to defend and stand. For example, Jean-Luc Melançon's recent proposal to defend French minorities within a people considered "one and indivisible" in France turns out to be a different form of assimilation within the institutional framework constituting the French State, its dominant culture, its "national" history, and its norms²⁴. What Khiari notices through the prism of a culturally unbiased assumption of the Left Front had been noticed by Antonio Gramsci, who had highlighted how the State presents itself in the language and culture of its specific epoch and therefore imposed its cultural hegemony over civil society in tandem with its hierarchically political hegemony. In addition, Kymlicka also anticipated how such assumptions came to be misleading for Marxists as much as liberals. To put it into philosophical speculation, Kymlicka notes that just as how Mill said that the Quebecois should accept assimilation into the majority English-speaking culture of Canada, so Marx said the Czech should integrate into German culture²⁵. Thus, not only liberal models of toleration but also leftist consideration, which should be ideologically alternative to liberal suggestion, process along assimilation policies that signify in concrete terms the exclusion of the excluded. While liberals maintain their perverse incentive to destroy national minority cultures²⁶, leftists have so far contributed to preserving the status of noncitizens from subaltern groups due

to their ambition to "integrate" them into the "one people"²⁷.

For the purpose of this paper, I finally want to analyse what Kymlicka refers to as "societal culture" in comparison to the so-called theory of hegemony that the above-mentioned Marxist, Antonio Gramsci, developed at the beginning of the 20th century. In fact, similar to Kymlicka, Gramsci was sensitive to questions of cultural differences, speaking up for the South Italian peasantry denied from the result of Italy's modern statehood development, or for Ottoman Armenians in the struggle for their claim to land against the pan-Turkic nationalism at the edge of Ottoman Empire collapse.

Through the prism of Gramsci's *theory of hegemony*, a contrast of philosophical approaches with Kymlicka arises. By trying to (re)define tolerance and how its limits constantly unfold in contemporary liberal democracies, tolerance can be (re)considered through Gramsci's *philosophy of praxis* whose application over a potential model *of-and-for* toleration would focus on the performativity of tolerance rather than a top-down approach over majority-minority relations, as that of Kymlicka seems to be. In my view, the philosophical contribution of Antonio Gramsci to culture and subalterns suggests how to address "tolerance" *from within* the broadly differentiated forms of political as well as cultural hegemony. While the first relates to the material power of dominant ruling elites, the second is much subtler form of control over society which can be formed within what Gramsci identifies in the realm of ideology. Within this, certain moral values and practices of tolerance are known because reflective production of the cultural hegemony, which allows specific forms of toleration instead of others in order to recognise societal groups and maintain other into subaltern positions.

Under these circumstances, the supremacy of hierarchically hegemonic groups performs itself through "domination," an intellectual and moral form of leadership, thereby maintaining specific aspects of everyday life in which they are trapped. Hence, it should be questioned *to what extent*, and most importantly *how*, our full-fledged democratic States (our majoritarian cultural system of which they are composed) are supposed to fully grant access to minority groups to the public realm. So far, liberal democracies have justified restriction to minority groups and forced them to relinquish their

²⁴ Khiari, "The People and the Third People," 96.

²⁵ Kymlicka and Marin, "Liberalism and Minority Rights," 136.

²⁶ Kymlicka and Marin, "Liberalism and Minority Rights," 140.

²⁷ Khiari, "The People and the Third People," 96.

claims to guarantee sufficient levels of security in our time of terrorism and suspicion over Islam, or also tackling in advance potential turmoil that might impinge on and erupt from within the society.

It might be worth expressing how liberal values and principles continue to animate an old-fashioned struggle for liberalism and democracy against disloyal and undemocratic behaviour. However, liberal democracies—whose *de jure* model of tolerance vanishes on a passive acceptance and ratification of international conventions and legal documents within national legal frameworks—have ceased to even do so. The Bulgarian case related to the Istanbul Convention is self-explanatory. As a result, tolerance-related issues, such as levels of marginalisation and exclusion that minorities have never stopped to face, have become more visible. In fact, among other facets of our society, tolerance is today performed according to a set of moral values and practices whose political and intellectual manifestations take roots within nodal points that hegemonic power structure continue to regulate, and around which political correctness and masked defence of liberal values have anchored political discourses and cultural practices.

Hegemony is not here understood colloquially, viz. acceptance by the majority of orthodox Marxists. In Gramsci's sense, "hegemony" refers to neither domination nor "a state of being owned by someone/something," but it provides a lens through which to look deeply within both cultural and political power structures and thereby to understand how societal practices are driven in order to (not) respond to a specific phenomenon. According to Gramsci, hegemony is thus a *perspective of opportunities* for achieving reparation²⁸, *if and only if* culturally imposed ethical values and everyday practices (of toleration) can disentangle themselves from the hegemonic order in which they are trapped, and finally being introduced into the *circle of humanity*. With regard to the majority's tolerance toward practices and values of minority cultures—and vice versa—Gramsci's only opportunity to sustain a tolerant discourse in parallel to a model of toleration does not depend on the collapse of all particularities through a non-mediated and drastic dissolution of the society without reconciliation, as Marx sup-

posed. It will thus depend on equal interactions of two poles of mediation²⁹—namely, of a mutually perspective *from* and *to* majority and minority perspectives whose capacity to tolerate will leave none behind. Contrary to the orthodox Marxist interpretation of societal emancipation, Gramsci's suggestion for a political medium would thus become the only one condition of emancipation in society, in which mediations between majority and minority groups arise in order to contrast exclusion from the circle of humanity. In fact, as Gramsci stated, the more a community remains alienated and detached from a *circle of humanity*, the more its existence is threatened³⁰. By following the anti-orthodox Marxist conception of "classes"—or groups of individuals under the banner of "classes" which are not concrete and objective group identities—tolerance can be performed in the field of everydayness. This, in my opinion, has some direct and indirect connection with Gramsci's "cultural hegemony".

Gramsci's *circle of humanity* is the space *of* and *for* tolerance, rather than Kymlicka's *societal culture*, which shows meaningful ways of understanding life across a full range of human activities, including those of social, educational, religious, recreational, and economic life. It encompasses the public and private spheres but remain territorially concentrated and based on a shared language³¹. Despite the fact the *societal culture* highlights how everyday practices are centrally paramount to recognize and mutually respect cultures, I agree with Benhabib's criticism concerning Kymlicka: a *societal culture* cannot remain far from changes in the light of a large number of cultural beliefs, significations, symbolizations, and incorporable everyday practices that overlap between majority and minority culture (Benhabib, 2006).

Whether or not for Kymlicka cultural interchange does not undermine the claim that there are distinct societal cultures,³² as Benhabib criticized³³, Gramsci's approach over hegemonic power structures throws better light on the imposed cultural and political (pre-)disposition toward a specific phenomenon, such as tolerance. With regard to it, the notion

²⁸ Smbat Hovhannisyan and Narek Mkrtchyan, "The Theory of Hegemony and the Armenian Genocide" in *Gramsci's Circle of Humanity and Armenia*, Smbat Hovhannisyan et al. (Yerevan: Armenian Association of World History):110.

²⁹ See Ammon Cheskin, *Russian Speakers in Post-Soviet Latvia. Discursive Identity Strategies* (Edinburgh: Edinburgh University Press, 2016):46-47.

³⁰ Smbat Hovhannisyan and Narek Mkrtchyan, "The Theory of Hegemony and the Armenian Genocide", 129.

³¹ Seyla Benhabib, *Equality and Diversity in the Global Era* (Princeton: Princeton University Press, 2002): 76.

³² Kymlicka, "Multicultural Citizenship," 105.

³³ Benhabib, *The Claims of Culture*.

of hegemony is thus more than a useful category to look at contemporary models of toleration, or lack of it. In times of uncertainty in which majoritarian cultural systems show illiberal attitudes through people's lost capacity to live together with Others, such an absence of willingness mirrors both intellectual and societal set of values and norms whose political articulation, historical consolidation and cultural imposition have taken roots around hegemonic nodal points. The latter are (clearly) recognizable with regard to much-discussed scenario of immigrant communities in Western Europe and beyond (Spain, France, Italy, Germany, and the US) as much as across the Central East Europe (e.g., Poland, Hungary, Serbia, Bulgaria, and recently Ukraine) over national minorities' states of affairs.

Under these circumstances, it could be easy to justify the whole state of affairs through "members vs. rights" dilemma. In retrospect, it could be even easier to affirm that liberal States and West-style democracies could welcome a higher number of immigrants *if* the latter would be less committed to seeking multicultural rights, such as access to citizenship. It could be also legitimate to state that Southeast European national minorities could best achieve recognition *insofar as* they show readiness to relinquish self-governing rights in contested territories in respect of those repositories of historical struggles that have culturally influenced majority cultural systems. However, here, I think that rather than trying to passively analyse the *status quo*, or questioning the long-term effect on the acceptance of a model of toleration of illiberal norms and practices, it is first worth retrieving what type of tolerance liberal democracies want to respond to. More likely, within which boundaries everyday practices of tolerance will be allowed to be performed, and how (il-)liberal democracies will defend them to be applied over real-life situations.

In order to understand so, it should be investigated how hegemonic nodal points culturally imposing themselves over society shape a set of both values and norms to maintain division between subaltern and ruling groups³⁴. Because of this, understanding how *hegemony* dominates and denies transformation of society means to be capable to disentangle those moral and intellectual values (e.g., nodal points) *around-and-within* which contemporary

models of toleration are allowed to be performed while others are not. In other words, unravelling hegemonic blocs means to understand the *logic* of hegemony—namely, how hegemony imposes itself over society.

To give an example, I want to refer back to Kymlicka's positive consideration of the Millet-style system. By doing so, I think that he lacks understanding of conjunctural points of the Millet system around which everyday capability among diverse communities to tolerate Others did not refer to the real state of affairs on the ground. This would therefore explain how the long-term legacy of the Millet-style system has historically left room for other cultural and political hegemonic power structures to arise which, from literature to history, continue to have negative references toward national minority and immigrant communities in the Ottoman successor States. In fact, without this deep understanding, identification of what Kymlicka labels as the best model of religious tolerance could also overlook how the Ottoman principle of tolerance was allowed to be performed only on the surface of interethnic and interfaith relations among the Ottoman population. In Gramsci's sense, we should look deeply at the Ottoman hegemonic blocs to understand the Turkic Ottoman-run system. Toleration did not fully grant recognition and coexistence indeed. On the contrary, tolerance was superficially based on an intellectual willingness of the dominant religious group to coexist with others³⁵. This is why, in my opinion, Kymlicka overlooks how Ottoman domination really functioned, which can be similarly combined with the way the Church ruled in the Middle Age³⁶.

With regard to the Ottoman model of toleration, tolerance could not trigger—if really legitimized within the diverse population—those historically proven high level of conversions to Islam occurring among non-Muslim communities that wanted to avoid discrimination in terms of taxation policy or pursuing interests that Turkish Ottomans secured for equal groups to balance their domestic affairs. If the Ottoman model of tolerance would be studied by looking through the hegemonic power structure, as Gramsci would suggest, it would be easier to under-

³⁴ Antonio Gramsci, *Selection from Prison Notebooks*, ed. and transl. by Quentin Hoare and Geoffrey Nowell Smith (London: Lawrence and Wishart. Independent Radical Publishing, 1971): 111.

³⁵ See Benjamin Braude and Bernard Lewis, *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society* (New York: Lynne Rienner Publishers, 1982a): 1-3.

³⁶ See Antonio Gramsci, *Selection from Prison Notebooks*.

stand how everyday performativity of interfaith tolerance was lacking because neither able to penetrate people's consciousness nor able to shape real practices of tolerance. In fact, the contrary would not make historical sense in front of the mass-killings and planned ethnic cleansings that Ottoman Turks committed against Christian populations (e.g., Armenians, Greeks, Bulgarians, Serbs, Assyrians, etc.) that began even before the collapse of their Empire. From this historical perspective, the Millet-style administration model would be better described through the neologism "sultanism" that Max Weber coined—namely, a curious mixture of modern and patrimonial elements that decayed when they entrenched themselves at the expense of the modern ones. The model of toleration Kymlicka confuses in terms of religious diversity was thereby a clearly hegemonic power instrument of control at the disposal of the Ottomans, whose aim was self-satisfaction through a narrow maximization of taxation and military state system along ethno-religious lines. Among others, the *devshirme* tax (known also as the "blood tax"), was a heart-breaking price to pay for non-Muslim families who were not excluded according to ethnic belonging. It is clear that while Ottoman toleration towards plural confessional laws allowed regulation of personal and collective cases within each Millet, Orthodox Patriarchs remained subaltern in front of the Sultan. Similarly, taxation management was entrusted to the *sihapi* (e.g., Ottoman cavalry corps) and the *zaim* (e.g., military governor of the land tenure of Empire), both appointed by the dominant group because of cultural belonging.

Conclusion

In contemporary liberal democracies, Kymlicka's attempt to soften clashes within diverse "societal cultures" are prompt to fail on the ground because of his approach to a past model of toleration, such as the Millet-style system mentioned above. Although Kymlicka philosophically distances himself from such a model of toleration by stressing his agreement with John Rawls's political liberalism. However, Kymlicka's list of national minorities, immigrant groups, and others shows the same problem of his positive model for religious toleration.³⁷ For instance, the assumption that immigrant minorities will always have less readiness than "nation-

people" to integrate themselves into the larger society does not grip on the ground. Recently, the increase of societal ties between Muslim members of national minorities and new-coming immigrant groups are strengthening, and thereby showing the opposite. Also, such a distinction theoretically does not follow any normative approach, thereby remaining highly controversial for the neutral role of the State which should respect and stand for specific-minority rights and (for example) deny them for security purposes. Without any doubts, this affects performativity of toleration and misleads the principle of tolerance itself. Similarly, the Millet-style model of religious toleration, liberal democracies today promote tolerance on the surface of the realm without, as a matter of fact, enforcing everyday practices of tolerance.

According to Gramsci, today's performativity of tolerance has to take root *if and only if* the ideological state apparatus can benefit from certain ways of "equally" recognising and "tolerating" Others without eroding or impinging on the majoritarian cultural system's set of religious beliefs, education, and traditional values. In other words, liberal institutions support and allow a model of toleration along with a notion of tolerance *as long as* they can avoid (trans-)formation that hegemonic power structures might culturally face and need to tackle politically. In this sense, intersectional aspects of gender, ethnic, or racial issues are instructive of how traditional democracies are far from granting recognition even to those worthwhile practices or sets of beliefs that might trigger transformation in the civil society. However, as I have stated above, this liberal model of recognizing and allocating specific-group rights into the larger society is not far from leftist attempts whose theoretical approach grants a full integration of subaltern into "one and indivisible people" without recognizing differences *from within*.

To conclude, what could be understood through the prism of the "paradox of tolerance," it is only one of the large number of paradoxes that affect our contemporary societies in a time of deep crisis which (cyclically) lasts for decades, just as Gramsci had noticed in what he called "organic crisis." This time of ongoing crisis began in the post-1989 era when other Western philosophers had (mistakenly) proclaimed the "end of history." By paraphrasing Gramsci³⁸, the "tolerance paradox" of our time results from the exceptional duration of such time of

³⁷ See Dmytro. Hys, *A Critical Assessment of Will Kymlicka's Theory of Minority Rights: Dilemmas of Liberal Multiculturalism*.

³⁸ Antonio Gramsci, *Selection from Prison Notebooks*, 178.

crisis, which is incurable and shows the fractures of the structural conditions on which our society is based. These structural conditions of contemporary democracies have already revealed themselves even though only political forces—namely, current populist élites—express willingness to conserve and defend in order to cure them, therefore to maintain their positions. Looking beneath the surface of lack of tolerance in the light of cultural differences among a population means to understand how certain notions of tolerance and solidarity are allowed rather than others. If the firsts are permitted through a superficial, or highly ideological approach of liberal humanitarianism, the seconds may (not) indicate a more accurate model of toleration, which would help to better convey a wider, epistemologically accurate, time-sensitive, and locally nuanced picture of power dynamics without overlooking different characteristics *within* and *between* social groups at the same time.

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THE LIMITS OF TOLERANCE FROM THE PERSPECTIVE OF THEIR PUBLIC LEGITIMIZATION

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Abstract:

The limits of tolerance are discussed in this article with regard to the status of religious, ethnic, and national minorities in liberal-democratic societies. The question that the author is trying to answer is this: how can minority policies be designed in such a way that they provide the due conditions for the reproduction of minority identities over time which, at the same time, do not compromise national integrity. The line of demarcation between these two kinds of policy would also be the limit of tolerance, concerning the role of these identities in society. In the first part of the article a critical analysis is made of the policy of cultural neutrality of the state, based on the differentiation between the approaches to minority issues in the public and in the private life of the citizens. In the second part an alternative possible solution is presented—to draw the limits of tolerance by means of the legitimization of minority policies via public communication which is protected from manipulations by means of the methodology of public deliberation.

Key words: tolerance, minority identities, minority policies, public life, private life, public legitimization, public deliberation.

Introduction

In this article I'll discuss the limits of tolerance with regard to the status of religious, ethnic, and national minorities in liberal-democratic societies. I mean societies in which the Right has priority in

regard to the Good. In other words, where the individual has the right to decide herself what is Good for her and to choose the ways in which to pursue that ideal with the only condition being that this does not hinder others from doing the same. From such a perspective, tolerance means to recognize this right, i.e. to abstain from interference in the Other's "business" as long as that Other does not harm anybody's interests.

What about the status of minority communities in this frame of reference? And, more particularly, what about their opportunities to reproduce their cultural identities over time? Here I refer to opportunities which any ethnic majority has because its particular cultural identity usually overlaps with the national one to some great extent. This is also valid for the religious communities which profess the predominant religion in their societies. With regard to justice, shouldn't minorities have similar opportunities to perpetuate their cultural identities? If not, wouldn't this mean that they receive assimilationist pressure, i.e. that they are not being treated in a tolerant way by the authorities?

I start by critically discussing the classical liberal model of solving this problem—the differentiation between the approaches to minority issues in the public and in the private life of the citizens. In their private life they should be free to enjoy their culture as they please, but in public life they should be guided in their behavior only by culturally neutral, universal, civil values and norms. This demarcation also sets the limits of tolerance. Any cultural idiosyncra-

sies can be tolerated in private life as long as they do not violate the law, but in public life binding obligations and responsibilities are in force. These arise from what is common among the citizens, what unites them rather than setting them apart. I am trying to expose certain shortcomings of this model vis-à-vis such fundamental liberal values as freedom and justice.

In the next part of the article I present a different opportunity to set limits for tolerance regarding the status of minorities. Specifically, I refer to the public legitimization of claims made by representatives of minorities and concerning the implementation of policies which would provide conditions for a proper reproduction of the cultural identities of these groups over time. Any public recognition of the legitimacy of claims of this sort would be evidence that the policies that they demand would be tolerated by the public; and; they would not be tolerated in the opposite case.

In the last part I consider the difficulties which such public legitimization entails, as well as the conditions which are needed in order that it can be practiced.

The Limits of Tolerance and the Demarcation between Private and Public Life

What do I mean by “*reproduction of minority identities over time*”? I refer to activities which maintain awareness of relationships of solidarity and exclusive trust among the members of such communities; awareness of shared historical destiny; of common sources of personal dignity and self-respect; and awareness of having a distinct place in the world. For such activities to be possible, certain social conditions are necessary—and they depend largely on the public policies that the authorities are conducting in the respective country.

Policies of this kind can have places in the spheres of *education, public communication, mass-media, religion, and the arts*. For example, should the language of instruction for ethnic minority students be their primary language, or should they at least have the right to study it at state or municipal schools? Should students from religious minorities have the right to study their religion at school? If “yes,” should it be mandatory or is it an elective subject? Should school curricula and syllabi provide

room for presenting the cultures and histories of minority groups; and, if “yes,” how much? Should alternative names of towns, villages, rivers, mountains, etc. be given official status in regions where a large part of the population belongs to an ethnic or national minority? Should the minority language be recognized as a second official one in such regions? What about the establishment of press and electronic media which deal predominantly with matters of the life of an ethnic or national minority, which function mostly or entirely in the minority language with personnel recruited from among that minority? May public institutions fund and administratively support minority folklore groups, theaters which perform in the minority language, publications by minority authors, and in the minority language? And, of course, what about the “cause célèbre,” the admissibility of public manifestations of religious affiliation, especially the *hijab* and the *burka*?

How can minority policies be designed in such a way that they provide the due conditions for the reproduction of minority identities over time while not, at the same time, compromising *national integrity*? In a certain sense, this question refers also to the limits of tolerance concerning the influence of these identities in society. The classical liberal solution, which has been historically realized, is—as I already mentioned—the strict differentiation between the status of minority identities in public and in private life.

This demarcation can be justified and rationalized by means of various arguments. One of them was introduced by John Rawls in his article “The Idea of Public Reason Revisited.”¹ It refers to an important characteristic of public life: as participants, the citizens are not free to choose with whom to interact or what relationships of mutual dependency to enter. Rawls writes that one of the special features of democratic citizenship in a constitutional democracy is that “it is a relation of citizens within the basic structure of society, a structure we enter only by birth and exit only by death.”²

What follows are the facts that a person cannot freely change her social environment in public life, that the people that one depends on may happen to not share her views, and that their interests might be

¹ John Rawls, “The Idea of Public Reason Revisited,” *The University of Chicago Law Review* 64, no. 3 (1997): 765–807.

² Rawls, “Public Reason Revisited,” 769.

contrary to hers. In a word, one cannot rely on the good will of the strangers that she often has to deal with. It follows that *coercion* is necessary in order to protect the participants from each other in this “game.” As John Locke wrote in his *A Letter Concerning Toleration*: “If anyone presume to violate the laws of public justice and equity, established for the preservation of those things (people’s civil interests – P.M.), his [sic] presumption is to be checked by the fear of punishment.”³ This means that, in such a frame of reference, coercion may be legitimate in public life if it is exercised in order to protect the “civil interests” (in Locke’s words) of the citizens.

In Rawls’s account, referring to contemporary liberal democracies, the legitimacy of binding norms in public life necessarily involves their *public justification*: “Hence the idea of political legitimacy based on the criterion of reciprocity says: Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions—were we to state them as government officials—are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons.”⁴

However, this is not the case in the private life of individuals and groups where people are not under the pressure of having to interact with partners whom they do not necessarily trust. In Rawls’s terms, these are the realms of *background culture* and of *nonpublic political culture*: “The background culture includes, then, the culture of churches and associations of all kinds, and institutions of learning at all levels, especially universities and professional schools, scientific and other societies. In addition, the nonpublic political culture mediates between the public political culture and the background culture. This comprises media properly so named—of all kinds: newspapers, reviews and magazines, TV and radio, and much else.”⁵

In these realms it is not necessary that the various forms of nonpublic reason are united in a common framework of argumentative communication where universally accessible reasons are exchanged in order to justify all-encompassing binding norms. The organizations just mentioned are, by and large, voluntary associations; and, their various forms of

cultural idiosyncrasies can coexist without arousing such conflicts, that coercive political power should come into play in order to keep social peace. Therefore, minority identities can thrive in private life without endangering the integrity of society, as long as everyone in public life, including minority members, observe universal and culturally neutral civil norms of behavior.

Of course, the Locke–Rawls line of argumentation is not the only one which sets forth the public/private life demarcation as a means to reconcile cultural diversity and national integrity. What matters more, in my opinion, is that the minority policies in liberal democracies are being generally designed in the spirit of the *cultural neutrality* of the state as a form of cultural tolerance; however, this model has been the target of severe criticism from *communitarian* and *multiculturalist* perspectives. Some authors claim that closing the access to public life for minority cultural identities brings about the relativization of their significance and value, which in its turn puts minority members in an inferior position in comparison with the majority—an injustice which is at odds with the very liberal universalist values.⁶ Others (e.g. Will Kymlicka) maintain that minority cultures are doomed to eventual extinction without the status of “*societal culture*,” which inevitably leads, sooner or later, to their members’ assimilation by the majority.⁷

A leitmotif in the comments of this sort is that the liberal restrictions of the manifestations of cultural identities in public life are in fact not applied to the ethnic and/or religious identity of the majority, and this puts the latter into a superior position in regard of minority identities, thus lending to liberal policies a covertly assimilationist character—something which is not in tune with liberal values. More particularly, in liberal democracies, assimilationist policies are not conducted directly, i.e. not by replacing a minority ethnic or religious identity by the majority one but by systematically depreciating it and urging minority members to identify with the nation instead with their communities.

³ John Locke, *A Letter Concerning Toleration* (The Hague: Martinus Nijhoff, 1963), 17.

⁴ Rawls, “Public Reason Revisited,” 771.

⁵ Rawls, “Public Reason Revisited,” 768.

⁶ See Charles Taylor, “The Politics of Recognition,” In *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press, 1994), 33.

⁷ See Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford, Clarendon Press, 1995), 76.

And, in this regard, the nation is presented as a *civil* and not cultural entity. *Citizenship* is considered to be an alternative to ethnicity. The French republican model of dealing with minority issues is a typical case in this respect.⁸

In more general terms, the relations between cultural identity and civil self-awareness are usually presented in the relevant publications as problematic. “Citizenship, conceived as a matrix of rights and obligations governing the members of a political community, exists in tension with the heterogeneity of social life and the multiple identities that arise therefrom. This tension expresses itself in the clash between the ‘universal’ citizen and numerous dispersed identities of which citizenship is but one.”⁹ In liberal societies, civil self-awareness is supposed to transcend cultural differences and serve as a culturally neutral support of national integrity. However, the result in practice is usually a domination of one particular type of cultural values—those of the ethnic or the religious majority. Actually, a culturally neutral national identity is impossible. How can national history or literature, for example, be taught at school in a culturally unbiased way? The very idea of a *culturally neutral national culture* is an oxymoron, so how can it be realized in practice?

The assimilationist pressure is an especially painful issue for national minorities, particularly for those who are characterized by a self-awareness of superiority in regard to the rest of the country’s population. In such cases, even a legal norm obliging all citizens to master the official language of the state can become a *casus belli*—as in the case of the Russian minorities in some of the ex-Soviet countries.¹⁰

If we leave aside assimilationism as a systemic flaw of the liberal way of setting limits to cultural

tolerance by drawing a strict demarcation line between public and private life, can we not find some merits in this approach to minority issues in another respect? For example, concerning the auto-segregation of Muslim immigrant communities in some Western European countries—the settling together of compact groups of Muslims who establish in their neighborhoods a way of life that is guided more by Islamic norms than by modern, secular norms. Both in social theory and in political practice we can today come across statements that, by encouraging the public involvement of cultural identities, multiculturalism has contributed to such a disintegration of the social environment in the countries affected and has thus failed as a methodology of minority policies. So, can’t we make the judgment that by doing the opposite, i.e. by isolating minority identities from public life in a universalist, liberal fashion, the authorities could prevent the further development of such auto-segregation?

I do not think so. A person’s decision to rent or buy a house in a given neighborhood, or to open a shop, or to go shopping there, is a matter of personal choice which is made in private life. The same is also true concerning the choice of themes and content of informal discussions within circles of like-minded people. However, as a result of such debates, moral and psychological motivations for disruptive activities may take shape—and these may be motivations for action not only in private but also in public life. The liberal assumption that whatever may happen in private life is politically harmless, because it does not affect the exercising of political power, ignores the possibility that tensions generated in private life may bring about violent acts in the public one.

Of course, when that happens, it happens against the law. However, such “crimes” from the minority perspective do not deserve denunciation. They are rather heroic acts of defiance and examples to be followed. Furthermore, the confinement in private life of the activities which reproduce minority identities over time makes it likely that the intra-group communication concerning the minority’s relations with society at large assumes manipulative forms. Isolated from the public sphere, receiving one-sided information carefully selected by community leaders and often presented in a rhetorically misleading way, the rank and file members can be

⁸ Jonathan Laurence, “The New French Minority Politics,” The Brookings Institution (March 2003), accessed April 28, 2018, <http://www.brookings.edu/fp/cusf/analysis/laurence.pdf>; Adel Iskandar and Hakem Rustom, “From Paris to Cairo: Resistance of the Unacculturated,” *The Ambassadors* 9, no. 1 (2006), www.ambassadors.net, accessed November 2, 2018.

⁹ Trevor Purvis and Alan Hunt, “Identity versus Citizenship: Transformations in the Discourses and Practices of Citizenship,” *Social Legal Studies* 8 (1999): 457–82.

¹⁰ See e.g. European Union Agency for Fundamental Rights. *European Union Minorities and Discrimination Survey. Main Results Report*. Luxembourg: Publication Office of the European Union, (2010).

brain-washed and prepared to fulfill obediently any orders whatsoever from their leaders.

The Limits of Tolerance as a Matter of Public Legitimization

In the beginning of this article I described some activities by which the reproduction of minority identities over time can take place and which can be promoted or hindered by minority policies. They can be performed in the spheres of education, public communication, the mass-media, religion, and the arts. The most important challenge concerning minority policies in this respect is, in my opinion, how to draw the demarcation line between two kinds of them: those which are necessary in order to provide the due conditions for the preservation and development of minority identities so that the members of such communities would not be underprivileged in comparison with the rest of the country's population, and those which would jeopardize society's integrity. Actually, this demarcation would also be the due limit of ethnic and religious tolerance in a liberal democracy.

As I just tried to show, the strict confinement of identity driven social behavior in private life cannot meet this challenge. Of course, the demarcation between due and undue minority policies can be left to the discretion of the political authorities. In fact, this is what happens in many countries. However, in such cases minority communities are left in a rather vulnerable position. Someone else decides over their fate. That is why I propose that the dividing line between "good" and "bad" minority policies be drawn by means of *public legitimization* so that only those policies which are regarded as justified from the perspectives both of the minority groups and the general public be realized. Their legitimization can be performed by means of public communication within civil society. Proceeding from Jürgen Habermas's conception of the public sphere, and more particularly from his notion of "*communicative power*,"¹¹ I'll call further the public legitimization of minority policies "*communicative empowerment*" of minorities.

An obviously necessary condition for the public legitimization of norms and policies is that the pub-

lic communication via which it is attained is as free from manipulations as possible. A "manipulated legitimization" is a contradiction in terms. Nowadays, various ways are being discussed in political philosophy of protecting public communication from manipulations. This theme has become especially salient as a result of the development of virtual communication. Here I'll briefly present one of the most influential of these theories—that of *public deliberation*.

Most generally, the theory of public deliberation can be regarded as a methodology of discussing and making decisions which would be legitimate from the perspective of all parties concerned. In order for this to be the case, it is necessary that the consent of each of the parties is a *genuine* one, which in turn means that this consent has not been achieved by manipulation. As James Fishkin writes: "A person has been manipulated by a communication when she has been exposed to a message intended to change her views in a way she would not accept if she were to think about it on the basis of good conditions."¹² In sum, the decision would ideally be legitimate, if it has been accepted by all the parties concerned through public communication which is protected from manipulations.

Such a protection can be achieved by introducing certain procedural criteria by which that public communication should abide. A number of them are being discussed in the theory of public deliberation. For example, Joshua Cohen in his article "Deliberation and Democratic Legitimacy" proposes seven parameters for a legitimizing discussion: a) rationality ("argumentative form"); b) inclusivity and publicness (all who are possibly affected should have an equal chance to take part); c) freedom from external coercion; d) freedom from internal coercion (equality among the participants—their positions in the debate should yield only to "the unforced force of the better argument"); e) revisability of the decisions made; f) inclusivity concerning the subject matter of the deliberation (any issue that can be regulated in the equal interest of all can be discussed); and g)

¹¹ Jürgen Habermas, *Between Facts and Norms* (Cambridge MA: The MIT Press, 1996), 371.

¹² James S. Fishkin, *When the People Speak: Deliberative Democracy and Public Consultation* (Oxford: Oxford University Press, 2009), 6.

inclusivity regarding interpretations of needs and wants.¹³

In what sense would a public discussion be protected from manipulations, if it abides by these criteria? As mentioned above, they perform the function of guaranteeing that the parties *truly* accept the agreement that is to be legitimized through their consent. In other words, that it really corresponds to their beliefs and their awareness of their interests. This means that they agree with it, knowing what they are doing. If not, this would mean that they have been misled to agree. Ultimately, it all boils down to the question of whether they are making their decisions in an *autonomous* and *responsible* way, i.e. in tune with the modernist ideal of being human.¹⁴ The key term which is used in the theory of public deliberation in this respect is *agency*.¹⁵

More particularly, concerning Cohen's parameters, a decision cannot be regarded as having been made in an autonomous and responsible way if this has been done under the pressure of strong emotions or under the spell of someone's charisma. Or, if significant relevant information has been concealed from the participants in the discussion. Or, if the decision has been made under threat. Or, merely out of respect for someone's authority. In all cases of this sort, the authorship of the decision is not a true one. It is only nominally a decision of the person who *de facto* has made it.

All of this does not mean that a consensual recognition of the legitimacy of a norm or of a social practice is a result of a procedurally correct public debate cannot be wrong. It may very well be the case that this norm or practice is in fact harmful for the participants in the public deliberation which has legitimized it from their perspective. It may turn out that they have made a mistake by approving it. Public deliberation, as a method of legitimizing norms or policies, is not meant to produce absolute truth or absolute legitimacy.

However, even in the case of self-delusion of a participant in a publicly deliberative discussion, this is a delusion of her/his own. She or he may be wrong about the relation between the norm or practice which is being discussed and her/his beliefs, or they may lack awareness of their interests. Her beliefs or awareness of her interests may themselves turn out to be wrong in regard to the objective state of affairs. But, it still does matter whether that person makes her decision concerning the legitimacy of a norm or a practice in a manner which is autonomous and responsible (in the modernist sense of the word), or leaves it to someone else to decide what she should consider to be legitimate or illegitimate.

In sum, public deliberation, as a procedure of taking collective decisions, is meant to guarantee the *authorship* of the parties who give their approval or disapproval of norms or social practices, i.e. to ensure that if someone has decided to accept a norm or practice as legitimate, this is really her/his decision. This model of legitimization serves both as an *ideal* of a full-fledged deliberative democracy and as a criterion for the democratic quality of *real* cases of public communication, i.e. as a benchmark to assess to what extent they are in tune with modern humanist values.

Public deliberation can serve as a model for public debates only in a social environment of highly developed culture of public communication, i.e. if the participants in it subscribe to the values just mentioned and have ample communicative competences. Another necessary condition is the existence of a civil society, which is able to exercise its "*communicative power*" effectively enough. It might seem that the paradigm of public deliberation is rather utopian, but if we take it as a "golden standard" and apply it to the mechanisms of public communication—which function in fact throughout the world—we'll find out (at least this is my opinion) that the more the reality corresponds to this standard, the better life is in the respective society.

The Challenges of Public Legitimization

Of course, the publicly deliberative criteria for procedural correctness of public communication are not obviously perfect. Each of them has been critically discussed in serious publications. Just as an example, I'll briefly present here some typical con-

¹³ See Joshua Cohen, "Deliberation and Democratic Legitimacy," in A. Hamlin and B. Petit, eds. *The Good Polity* (Oxford: Blackwell, 1989)

¹⁴ See Jostein Gripsrud, "Scholars, Journalism, Television – Notes on Some Conditions for Mediation and Intervention," in *Television and Common Knowledge*, edited by Jostein Gripsrud, 34 – 52. (London and New York: Routledge, 1999) 37

¹⁵ See. Peter Muhlberger "Human Agency and the Revitalization of the Public Sphere." *Political Communication* 22, no. 2 (2005).

siderations of this sort concerning one of them, the *rationality* of the legitimizing public communication. This is a very important instrument for sieving out possible manipulative elements of the communication. If one tries to convince somebody to assume a certain stance in regard of some norm or social practice by presenting reasons why the interlocutor should do so, thereby claiming that doing so corresponds to that person's beliefs and/or awareness of her interests, this leaves the interlocutor to decide herself whether this is really the case. This means that she is being treated as an autonomous and responsible individual. This is not the case, however, if rhetorical techniques of persuasion, threats, appeals to trust someone else's wisdom, etc. are used in order to motivate the interlocutor to do something. One of the "slogans" of public deliberation theory is that, in public communication, "*the unforced force of the better argument*" should have absolute precedence.¹⁶

However, we encounter here a difficulty concerning the diversity in people's understanding of argumentation itself. Does the practice of public argumentation not show that the parties often "*speak different languages*" when it comes to an exchange of reasons. Here I refer to cases when the interlocutors do not simply question the validity of the Other's reasons, but even do not acknowledge them as such. This matter has been extensively discussed in many publications.¹⁷ No one today regards the public sphere as an argumentative continuum, i.e. as a "territory" throughout which a given argument is being recognized as such by everybody. It is much more plausible to consider the public sphere as composed of distinct publics, some of which expand, others which shrink, some which overlap with each other, etc. The obvious question comes up: how is argumentative communication possible between representatives of different publics?

¹⁶ Jürgen Habermas, *Between Facts and Norms* (Cambridge MA: The MIT Press, 1996), 306.

¹⁷ See e.g. Nancy Fraser, *Justice Interruptus. Critical Reflections on the Postsocialist Condition* (London: Routledge, 1997); Elizabeth Butler Breese, "Mapping the Variety of Public Spheres", *Communication Theory*, 21 (2011); Bryan J. McCann, "Queering Expertise: Counterpublics, Social Change, and the Corporeal Dilemmas of LGBTQ Equality." *Social Epistemology: A Journal of Knowledge, Culture and Policy* 25 no. 3 (2011).

Actually, this issue has been predicted by Antonio Gramsci in his *theory of cultural hegemony*.¹⁸ Yes, this is a formidable challenge to the theory of public deliberation, but people are working on it in political philosophy. In my opinion, this is a promising prospect to come to a new perspective on the limits of tolerance.

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¹⁸ Antonio Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci* (New York: International Publishers, 1971)

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THE LIMITS OF TOLERANCE IN PERFECTIONISM

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Abstract:

The responsibility for the wellbeing of people in a community is a germane question in socio-political discourse. I think this is because the aggregation of people in a community does not amount to the aggregation of the same socio-political interest for each and everyone in the community. The mode of organization that a society follows therefore has an impact on how citizens of a particular State attain their wellbeing or the good life. This paper engages the thought that tolerance is an inevitable part of the society, even in a perfectionist state.

Key words: tolerance, perfectionism, limits, society.

Introduction

Perfectionism is a mode of governing a society where the government is the organ that prescribes the good life for its citizens. This is with a view that it is the state which discovers that action that will promote the good life for its citizens. The institution of the state by the submission of the rights of the individuals to the State empowers the state to dictate how people in the society should live. Contrawise, advocates of State neutrality argue that the state has limited powers when the freedom¹ of individuals is in question. Theirs is the view that the right to self-

ownership² is exclusive to the individual and cannot be forcefully taken away from him/her.

In this paper, I shall affirm that societal values are to be considered important, and thereby preserved by the State if it wishes to retain its position as the organizer of society. I shall argue that the idea of State neutrality ultimately faults the essence of the State as an organ that is to maintain social stability: though the state should recognize the individual's right to privacy, it must also ensure that individuals act in ways that do not make them use their privacy as an excuse for intolerable behavior that raises controversial moral questions.

Dimensions of Human Moral Existence

As moral beings, humans engage in actions that are within and outside their control. In other words, people carry out actions that are private to them and also carry out actions that involve other people. The consequences of human actions are therefore important within the context of interpersonal relationships in the society; but, the consequences of personal actions are not to be evaluated by another person. To put this another way, the individual is both judge and plaintiff in their personal affairs. So, where does this leave moral and social values in the society? Delineation between the spheres of personal existence as public and private creates a gap that keeps widening, especially when religion and doctrines are involved. The multiplicity of values makes

¹ The term freedom here suggests the autonomy of the individual to follow a decision she deems fit. Peter Balint suggests fundamental freedom along this line. However, it is pertinent to note that freedom, in most cases, is put in check by the natural rights of the individual herself or in interactions with other persons.

² Self-ownership entails the right of the individual as an embodied self to engage in acts that she so desires, however it is does not overlook the autonomy of other individuals (cf. M. Quigley, 2018)

morality a difficult concept to analyze strictly in terms of what is good and what is bad. There will be human values, religious values, moral values, etc. in a single society, and all of these may intersect at some points while diverging at others. This is part of what influences the distinction between the spheres of public life and private life.

When the State makes a prescription for living, it is intended to make people live virtuous lives. Aristotle claims that “[t]hose who care for the good government take into consideration virtue and vices in state which is truly so called, and not merely enjoys the name for without this end the community becomes a mere alliance.”³ It may be further inferred that virtue must be the care of the state to guide the interest of the individual, but does this amount to infringing upon individuals’ autonomy to lead their own lives? It only enables people to see available options and to spur them on to choose that which will put the society on the path toward better existence. Therefore, there is a sense of mutual responsibility that everyone in a society carries with regard to carrying out actions that are prescribed by the State. It is clear to infer that common social values which become statutes are products of debates which won majority appeal and are backed by sanction.⁴ This is to affirm that individuals themselves are paramount to the establishment of these values as norms. In most societies, once there is an aggregation of individual opinion, individual suggestions metamorphose into values that are commonly assented to as a result of popular appeal or some superior force among alternatives. This leaves out the minority who may begrudgingly accept the norm.

Hence, the public sphere of life deals with attitudes and actions that are guided by the idea of the common good and virtuous acts in the society as listed by the State. A person acts with the cognizance that acting contrary to that State prescribed act which promotes the common good will be sanctioned by the moral community. Still, there are some actions that do not fall within the ambit of the State laws (such as religious values)—such actions that will be regarded as sin, not crime, because they are not sanctionable. Though there are some State laws with religious underpinnings, some are influenced by socio-political and moral relations among persons. Even so, there are some instances where State

laws and religious values coincide as regards a particular action and this further validates the attitude of the organizational structure towards such action.

In many societies, this causes many conflicts with the statutory laws of a State with regard to moral behavior. There may also be confusion with the private sphere of life—this is because there is a personal dimension to the practice of all religions. The idea of belief is ultimately a personal conviction and choice to be made. The idea of privacy is mostly the expression of an individual’s preference to carry out an action without the consideration of any other person. These spheres of life seem to be distinct on some issues and conflicting on others—there are human needs and desires. There are values that are sanctionable and some values which are not sanctionable. There is the common good and individual rights. Given all of these, the curiosity of the human mind, and the dialectic of the individual and the state, there is always the tendency that the individual and the state will be at odds. How then will such oppositions be resolved? The state prescribes the good life to lead and the individual makes his/her choice and pursuits, so long as it does not harm anyone. But is this principle achievable on both ends? Amitai Etzioni gives an elaboration on this point:

Beyond legal rights and individual preferences is the question of what is in the common good. For libertarians, who strongly oppose social formulations of the good, who believe that each person should be free to form and pursue his or her own good, and who thus seek to maximize private choice and privacy, the distinction between individual liberty and the common good matters little.

In contrast, the distinction is crucial for communitarians (like myself) who hold that important social formulations of the good can be left to private choices – provided there is sufficient *communal* scrutiny. That is, *the best way to curtail the need for governmental control and intrusion is to have somewhat less privacy*. This point deserves some elaboration. The key lies in the importance of the social realm, about which communitarians are particularly mindful. This realm is not the state or the market (or individual choices), but the community, which relies on subtle social fostering of good conduct by such means as

³ Aristotle, *Politics*, trans. Benjamin Jowett (Kitchener: Batoche Books, 1999), 63.

⁴ Patrick Devlin, *The Enforcement of Morals* (Oxford: Oxford University Press, 1968), 23.

communal recognition, approbation, and censure...⁵

The point for Etzioni is that the common good is above the preservation of the State, and the right of the individual since the community itself is the primary good. What is more, the means by which this good will be preserved can justifiably be employed. Furthermore, he implies that it is the responsibility of the State, as well as the individual, to ensure that the primary good is sustained.

However, this point should not raise much dust by anyone but for the *means* by which this primary good will be preserved by the State. The State is empowered to protect territorial boundaries, make laws, punish offenders, uphold legal rights, and protect individual rights. This Leviathan is therefore a constant reminder to the individual that they have to comply with all rules. But it also allows freedom of association (e.g. religion), expression, and interest, only that it all conforms with the primary good.

Friedman argues that there is nothing more to the good life beyond the ability of the individual to have unhampered privacy—the individual decides how they want to live, what they want to do, and the duty they owe no one. They need not answer why they act as they do, and neither does anyone have the right to punish them for this:

Privacy is my ability to control other people's access to information about me. That does not mean that they cannot get the information – only that they cannot get it without my permission . . . In some contexts I am willing to let other people know things about me. In others I am eager to. . . . Even in a world where I could keep information secret, I often would choose not to. Privacy provides me with protection when I want it and only when I want it.⁶

This view on privacy is rather extreme. Is this really possible in real life situations? It can be argued that people are often persuaded or coerced into giving information about themselves when it denies them their privacy. It also suggests that some value is being discountenanced if permission is needed to

access information from a person. When an attitude is to be an innovation of valuable character, or a furtherance of it, it should not be held. In fact, it cannot be held back by the individual to await permission to release it.

Etzioni argues that the conception of privacy should not be extreme. Where there is a clash of private action and the common good, privacy should find its place in and be subsumed under the pursuit of the common good:

Privacy allows dissent to brew before it goes public; it fosters innovation; it protects those who deviate from the prevailing norms. Privacy has its place in our scale of values and should not be wantonly be limited. However, privacy needs to find its place among a whole host of values that are dear to us and which are not fully compatible. Hence we must constantly weigh how much importance we ought to accord privacy and how much importance we ought to accord other values, above all, the protection of our families, communities, and homeland.⁷

Societal Values and State Sanctions

It is often argued that the State has no authority to punish an offender on matters that are regarded as private to the individual, and that the community is not justified in engaging in stigmatization or discriminatory practices against those who have chosen a private course of action that does not fit in the societal norms that obtains (e.g. the LGBTQ community, etc.). This and others are attitudes that some religious spheres frown upon and some advocates of the common good also find unappealing for the fostering of society. But, if it is accepted that these attitudes belong to the private sphere of life, why is there a call from the society that it should be criminalized just as theft and murder? A point to note is that there can be other private attitudes in the society that may be offensive; but these ones seem to be of interest to other people or even the government. Hence, the extent to which government can serve as an agent of justice is confronted with the issue of morality in the private sphere and how to properly identify such actions in this sphere: in the strict sense of the word, 'private' means that such acts do not cause any form of harm to the others in the society and the societal values generally.

⁵ Amitai Etzioni, "The Limits of Privacy", in *Contemporary Debates in Applied Ethics*, eds. A.I.Cohen and C.H.Wellman (Oxford: Blackwell, 2005), 256-257.

⁶ D.D. Friedman, "The Case for Privacy," in *Contemporary Debates in Applied Ethics*, eds., A.I.Cohen and C.H.Wellman (Oxford: Blackwell, 2005), 264.

⁷ Etzioni, "The Limits of Privacy", 260

Liberals who argue that human persons—as autonomous beings that are capable of moral deliberation before proceeding on an act—should not be coerced to follow a particular course of act either by another individual or the state.⁸ This liberalist view is outlined by Gerald Gaus in an attempt to provide moral justification for political neutrality. He identifies two conceptions of liberal neutrality: political and moral. Moral neutrality involves “an individual as a free and equal moral person... to accept that moral claims must be validated from her perspective when she employs her rational faculties in a competent manner and reflects upon them.”⁹ Political neutrality occurs when “[a]n agent of the state when coercing a citizen, or participating in the authorization of such coercion, must be neutral between that citizen and any other citizen: the justification of the state official’s coercion must not treat differentially reasonable and reflective citizen’s differences in their evaluative standards.”¹⁰

It is evident that the conception of political neutrality above only focuses on conflicting interests among citizens with the government functioning as an arbiter of justice. It does not allow the government to be that authority to make a judgment on the objective good that individuals in a society should follow. This liberalist view by Gaus shows that moral and political matters are to be settled primarily among citizens without the use of coercion on the part of the government to follow any particular one. For him, “Liberalism is not concerned with neutrality between conceptions of the good, as if conceptions of the good themselves had claims to neutral treatment. It is only because citizens hold such conceptions that neutrality between citizens has consequences for the way conceptions of the good can enter into moral and political justification.”¹¹

This implies that the conception of the good originates with each subjective moral deliberation that the individual engages in, and this apolitical morality, so to say, is a justification for the neutrality of the state as regards social values. And the use of coercion and punishment as consequences of any such action carried out by a free moral being in the

society is unacceptable. Friedman opines that “government is not . . . a philosopher king. Government is a set of institutions through which human beings act for human purposes. Its special feature—what differentiates political action from the other ways in which we try to get what we want – is that government is permitted to use force to make people do things...”¹² In other words, any legislation of government that deprives human persons of their free moral decisions deprives them of their moral and political freedom (since moral neutrality is the basis of political neutrality but with the idea of non-coercion).

On the other hand, advocates of perfectionism conceive of the objective good as the only neutral entity in running the society. Since an individual is apt to pursue diverse conception of the good, the most practicable way for the society to be preserved is for the government to reason out a conception of the good that puts no one at odds against each other or against the State. Steven Wall argues that the characterization of liberal neutrality that Gaus gives is insufficient to accept liberal political neutrality as having moral backing.¹³ Although, he gives a rather attenuated form of perfectionism that will admit, in a way, the subjective component for which the liberalist argues. For Wall:

Still, in presenting a general characterization of perfectionist political theory, we should not insist on a particular account of well-being. We should hold that the primary function of the perfectionist state is to promote valuable human lives.... For surely any plausible political theory will hold that the state should play a role in protecting and promoting valuable human lives. We need, accordingly, to add some concreteness to the characterization. Perfectionism is not tied to any particular account of the good, but it does require the rejection of subjective theories of the good.¹⁴

The Idea of Tolerance

Just as the idea of morality is meaningful only in a situation where persons exist in a social world and the possibility of conflicting interest is a tenable

⁸ Susan Mendus, *Toleration and the Limits of Liberalism* (London: Macmillan, 1989), 72.

⁹ Gerald Gaus, “The Moral Foundations of Liberal Neutrality,” in *Contemporary Debates in Political Philosophy*, eds. Thomas Christiano and John Christman (Oxford: Blackwell, 2009), 85.

¹⁰ Gaus, “Moral Foundations,” 91.

¹¹ Gaus, “Moral Foundations,” 83.

¹² Friedman, “The Case for Privacy,” 265.

¹³ Steven Wall, “Perfectionism in Politics: A Defense,” in *Contemporary Debates in Political Philosophy*, eds. Thomas Christiano and John Christman (Oxford: Blackwell, 2009) 102-103.

¹⁴ Wall, “Perfectionism in Politics,” 101.

one, so also is the idea of tolerance. Tolerance, generally suggests that there is an unapproved attitude or character that may not be sanctionable by law but it is not recommended for human moral well-being and valuable human existence. Toleration is often times discussed in line with religious issues. Belief and sin in religion, in contrast to civil rules and crime in a state, carry the implicit view of the extent to which an act becomes intolerable. For instance, the theft of a plate of food will carry a lesser weight of sin and civic punishment than theft of truckload of rice. Though the idea of theft is generally unacceptable, the approach to it on both sides of sin and crime show that there is a tolerant disposition to a lesser theft. Why is this so? Though this argument may sound simplistic, it indicates one of the justifications the Ramsey Colloquium has against homosexual behavior: if homosexuals are viewed as persons with moral autonomy and they are left to pursue their sexual inclinations though it is regarded as sinful, it could be tolerable. Some with a religious persuasion may help revise their sexual orientation, but when solicitations are made public under the guise of freedom of association and the larger part of the society frowns at the material moment, then the rights of privacy may be suspended and the limits of tolerance stretched too thin. This is because

[t]he toleration that autonomy-based liberalism justifies may, however, turn out to be narrow in scope. Susan Mendus argues that autonomy-based liberalism justifies toleration only towards “those diverse forms of life which themselves value autonomy and thus makes toleration a pragmatic device” . . . they are viable and do not harm others. His support may be lukewarm but . . . the concept of toleration may be especially applicable when accompanied by an element of disapproval. Such neutrality allows the state to show equal concern for the freedom of all its citizens, citizens whose status in the political community is independent of their particular religious commitments or views about a good life. One problem for liberal neutrality is that nearly everything the government does will have unequal effects on different conceptions of a good life, or on different religious beliefs.¹⁵

¹⁵Stephen Macedo, “Toleration,” in *The Companion to Contemporary Political Philosophy*, 2nd ed., Vol. 1., eds. R.E. Goodin, Phillip Pettit, and Thomas Pogge (Oxford: Blackwell, 2007), 816.

Hence, it is appropriate that the State check the excessive hold placed on the right to privacy owed to such individuals who will go ahead to make publicly approachable their unapproved behavior which has been tolerated.

The Altruism of a Perfectionist Society

The end to which the government allows unacceptable moral actions is not to expect that social evolution (which may be in speculation) will eventually assimilate the unacceptance; rather, its aim is that all citizens are being taken into consideration in trying to protect the society. A perfectionist society aims more at a valuable human life for all its citizens than it aims at human well-being.¹⁶ In the end, the purpose of the organization of human society is to fulfill the needs of people in that society, no matter how diverse; and, this will mean promoting the good life for its citizens. The dictates of a government no doubt may not be in line with individual interests, but adhering to such prescriptions will enable persons to act with the awareness of other persons in the society.

Conclusion

The consciousness of being an individual comes almost simultaneously with the consciousness of being a member of a community. Wall is of the view that “a perfectionist account of the good life identifies activities, states, events, character traits, etc. that are valuable because and to the extent that they contribute to good human lives.”¹⁷

It is a tenable argument that not all governments are good, just as it is a tenable one that not all private actions of individuals have private consequences. Private actions of individuals can end up having grave consequences on the society in the long run. It is then justifiable that, given the State being regarded as an arbiter of justice, that the State should also be seen as responsible (in a way) in prescribing the good life for its citizens. The neutrality that liberals crave will lead to a sort of moral isolationism when followed to its extreme. Excessive government control or totalitarianism will, on the other hand, not produce a balanced society. But in a society where the limits of tolerance are properly specified in all dimensions of human social relations, there will be adequate checks on the part of the individuals and the government, and justice can be achieved in such a perfectionist state.

¹⁶Wall, “Perfectionism in Politics,” 96.

¹⁷Wall, “Perfectionism in Politics,” 103.

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LOVING TOLERANCE: A LOOK AT TOLERANCE FROM THE VIEWPOINT OF RUMI

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Abstract:

The deepening and development of epistemological issues on the one hand, and the unpleasant historical experience on the other hand, made modern humanity after the Renaissance gradually became tolerant and recognized "the Other." The epistemological basis for tolerance is the obscurity and complexity of truth and difference in the understanding of human beings. Its moral basis is not to see oneself as above others and to endure the intricacies of practicing morality. Tolerance is rational for two reasons: one is the epistemological basis that hinders the dogma of possessing absolute truth, self-knowledge, and repudiating others; the other is the advantages of tolerance for collective living. This article seeks to show that Rumi, while paying attention to the moral and epistemological principles of tolerance, goes beyond the rational tolerance of calculating profits, losses, and trading. According to his mystical view, his tolerance is a "loving tolerance," a tolerance which is based solely on love and compassion towards human beings, rather than being based on calculations of profit and loss, with no expectation for reward.

Key words: tolerance, rational tolerance, loving tolerance, pluralism.

1. Introduction

Because of their difference in intellect, understanding, education, knowledge, psychological structure, goals, etc., people have different viewpoints

from each other. Tolerance is to pay attention to these varieties, to see the differences in peoples as natural, and to allow opposite views to present themselves. This is the theoretical foundation of tolerance.

We know that during the age of Rumi, the majority of human societies in the world had religious color, and contrary to what occurs today, the antireligious or nonreligious thoughts had no chance for appearing. Hence, when we talk about tolerance from a mystical perspective, we must bear in mind that such tolerance is mainly the one considered among religions or their different sects. The words of Rumi must be viewed against such a background.

Tolerance, as set forth and accepted by modern humanity, is different from the one which is set forth by mystics such as Rumi. Modern tolerance is "rational tolerance," but in mysticism it is "loving tolerance." The difference between these two types will be discussed at the end of this paper.

Certainly there is much more to say about tolerance in Rumi than is brought in this paper, but as Rumi says: "Know that when the whole of a thing is unattainable, the whole of it is not (therefore to be) relinquished."¹

Tolerance has two dimensions: theoretical and practical. Tolerance in its theoretical aspect is to consider the differences in people's viewpoints as natural, and in its practical aspect it is to develop in

¹ Rumi, *The Mathnawi*, 5:17. The first number from left to right is the number of books of *The Mathnawi* and the second is/are the number of poem/s.

oneself the ability to tolerate undesired affairs of the world (including human behavior) and to put up with them as much as possible. The golden rule of ethics that has been accepted in different religions and cultures says: "Do not do to others what you would not like doing to yourselves" (or, in its positive sense, "Do unto others as you would have them do on to you") is indeed a recommendation for tolerance as an important ethical principle.

Among religious persons, the mystics practiced much more of this characteristic of tolerance towards each other and members of other religions. Rumi, however, in addition to this practical aspect of tolerance in his personal life, has dealt in his great *Mathnawi* with topics which show that the theoretical aspect of tolerance is not overlooked in his work. Rumi's views on this subject can be studied from three points of view: a) ethical; b) epistemological; and c) mystical. In what follows, I will treat each of these in turn.

2. Ethical foundation of tolerance

Tolerating undesired acts from others is recommended by ethicists, and more emphatically by mystics. Tolerance in mysticism is indeed one of the methods of suppressing the "fleshly soul." Moreover, this is one of the instances of resembling God and the prophets—opposing others is the outcome of selfishness, pride, jealousy, and the like. Curing these ethical diseases will result in increasing the human threshold of patience and tolerance. Indeed, even if they are as beautiful as a peacock, a person must see their ugly legs, their defects. Selfishness is the worst evil-eye which can harm a person:

Do not regard thy peacock-feathers but regard thy feet, in order that the mischief of the (evil) eye may not waylay thee.²

Egoism produces pride and removes intellect and shame: Because (self-) existence (i.e. egoism and worldly pride) produces grievous intoxication: it removes intelligence from the head and reverence from the heart.³

Arrogance towards others and humiliating them are the result of exteriorism and is the outcome of ignoring the inner. The arrogant do not see their defective self and follow worldly desires such as power and riches

which are observed by the people's eyes. This arrogance is a product of the skin [appearance]; hence power and riches are friends to that pride. What is this arrogance? (It consists in) being oblivious to the essential principle and frozen (insensible)-like the oblivion of ice to the sun.⁴

Other products of arrogance are isolation, confusion and anxiety: On account of pride they all are in separation (from God) [and from each other]; dead to the spirit, living in deception. (Literally, "jugglery" or "trickery")⁵

Eternal damnation is befallen to Satan because of his arrogance: The sin of Adam arose from the belly and sexual intercourse, and that of Iblis from pride and power.⁶

Putting up with people's defects is one of the prophets' characteristics. The prophet of Islam had been praised in the Quran for his virtues (68:4) particularly for his tolerance (3:159). God asked Moses to speak softly with the pharaoh (20:43): "O Moses, in presence of the pharaoh of the time you must speak softly with mild words."⁷

In his *Fihe-ma-fihe*, Rumi compares tolerance with peoples' defects to the tolerance of a scholar who has to listen to his student reading a text with many mistakes in pronunciation, but the teacher keeps silent. Instead, they will correct the mistakes step-by-step in a soft, gentle manner. Likewise, prophets and saints are those who understand the falsehood and truth of the world, but by tolerating peoples' defects they try to remove them gradually.⁸

Patience and tolerance turns the ugly into beautiful and the defective into the perfect. Patience functions as the earth in which beauty, which is flowers and meadows, grows out of the filthy:

This earth has the mark of God's clemency, in that it got filth and gave flowers as the produce; In that it covers our pollutions, (and that) buds grow up from it in exchange.⁹

² Rumi, *The Mathnawi*, 5:498.

³ Rumi, *The Mathnawi*, 5:1920.

⁴ Rumi, *The Mathnawi*, 5:1940-41.

⁵ Rumi, *The Mathnawi*, 4:2033.

⁶ Rumi, *The Mathnawi*, 5:520.

⁷ Rumi, *The Mathnawi*, 4:3815.

⁸ Rumi, *Fihe-ma-fihe*.

⁹ Rumi, *The Mathnawi*, 2:1793-94.

Patience of the prophets and the saints causes the dormant to wake up and abandon their harmful slyness and drink from the wine of the truth: Their forbearance makes a fool of the wary and causes the keen-witted man with a hundred eyes to lose his way. Their forbearance, like fine choice wine mounts by nice degrees up to the brain.¹⁰

Tolerance of prophets and their true followers is as firm as mountains: This company (of the elect) has a hundred thousands forbearances, every one of which is (immovable) as a hundred mountains.¹¹

Tolerance toward others could be for the purpose of satisfying God, which causes the perfection of human persons. Otherwise, it is reason's command that a person, for their comfort, be tolerant towards others (rational tolerance): "Do well unto the people for your God's sake or for the peace of your own soul. That you may always see (them) friendly in your sight, and that ugly ideas arising from hatred may not come in to your heart."¹²

3. Epistemological foundation of tolerance

For Rumi, peoples' intellects are essentially varied, and this difference is irrevocable. The difference among intellects is from earth to sky: some of these intellects are shining as the sun and some are as meteors; still others are like a lamp and others are like mere sparks:

Know well that intelligences differ thus in degree from the earth to the sky. There is an intelligence like the orb of the sun; there is an intelligence inferior to (the planet) Venus and the meteor. There is intelligence like a tipsy (flickering) lamp; there is an intelligence like a star of fire.¹³

Contrary to the [M]utazilites who believe that the intellects of all men are equal, Rumi believes that they are different: You must hear (and believe) in accordance with the Sunnis (that) the difference in (peoples) intellects was original. In contradiction to the doctrine of the

mutazilites who hold that (all) intellects were originally equal.¹⁴

Some of the intellects cannot see but two meter and some of them can see the two worlds: One sight perceives (only) two yards of the road; another sight has beheld the two worlds and the Face of the King. Between these twain there is an incalculable difference: seek the collyrium-and God best knoweth the things occult.¹⁵

Some of the intellects fly like a falcon and some like an arrow; some others are like a sailing boat and another is turning back every moment (because of its high speed): One perspective faculty is flying like a falcon, while another, (swift) as an arrow, is tearing its place of passage. And another is like a ship with sails, and another is turning back every moment.¹⁶

The difference among peoples is like the difference among alphabet letters, each of which has a particular form and albeit such difference is necessary for speaking and writing, the order of this world, too, could not continue without the differences among people, though as human beings they are all the same: First, hear (and learn) that the divers created beings are spiritually different, to *ya* (Y) from *alif* (A). Amongst the various letters there is a confusion and uncertainty, though from one point of view they are (all) one from head (beginning) to foot (end).¹⁷

According to a tradition (hadith) quoted from prophet, people are like various mines: Take heed, remember (the adage), men are mines: one mine may be more than a hundred thousands.¹⁸

Meticulousness and argument are the main occupations of reason and hence, the rational debates are endless. The function of reason is to knot and unknot problems constantly. Reason is like a bird trapped in a net and occupies itself with tying knots and undoing them and this occupation itself turns into its goal: We are much addicted to subtle discussions; we

¹⁰ Rumi, *The Mathnawi*, 4:2092-93.

¹¹ Rumi, *The Mathnawi*, 4:2092.

¹² Rumi, *The Mathnawi*, 4:1979-80.

¹³ Rumi, *The Mathnawi*, 5:459-61.

¹⁴ Rumi, *The Mathnawi*, 3:1537-38.

¹⁵ Rumi, *The Mathnawi*, 6:1464-5.

¹⁶ Rumi, *The Mathnawi*, 3:3722-23.

¹⁷ Rumi, *The Mathnawi*, 1:2912-13.

¹⁸ Rumi, *The Mathnawi*, 2:2066.

are exceedingly fond of solving problems. And to the end that we may tie knots and (then) undo them, (we are) making many rules for (posing and stating) the difficulty and for answering (the questions raised by it). Like a bird which should undo the fastenings of a snare, and tie (them together) at times, in order that it might become perfect in skill.¹⁹

This desire for creating problems and trying to solve them causes man to lose his insight for seeing the truth and to waste those potentials which he was given for seeing the truth: That profundity in (dealing with) proofs and difficult problems are severing him from (spiritual) insight. It took away (from him) the stock (of insight), which is the collyrium of his inmost consciousness, and applied itself to the discussion of (formal) problems.²⁰

Rumi clearly says in *Fihe ma fihe* that "the soul of man is the place of doubt and questioning which can never be removed"²¹. And: "reason never stops its struggle and if it does, then it is not reason; reason is a thing which is restless day and night, thinking and struggling"²². The life of reason is dependent on its attempt at "questioning and answering;" thus, reason is in love with problems and not truths: "He [sic] (the bat-like person) [indeed the reason] is the lover of every place where there is difficulty and perplexing doubt, and the enemy of every place where there is the lamp of (spiritual) felicity. His heart seeks the darkness of perplexity in order that his acquirements may seem greater (than they are)."²³

Rumi has given us a clear instance for this constant doubt and debate of reason. The discussion about determinism and freedom will never end and no consensus will occur between the advocates of these two. Similarly, there is a disputation between the necessitarians and the partisans of (absolute) free-will which will continue until humanity is raised from the dead²⁴. This disagreement itself is God's destiny and will never be changed: "Inasmuch as their continuance in that course was (divinely) destined, God feeds them with (logical) proofs"²⁵. Hence, the occupation of reason is questioning and

answering, rejection and acceptance—as the poet says, "making the book black": "The intellect makes books entirely black (with writing); the intellect of intellect kept the horizons (the whole universe) filled (with light) from the moon (of Reality)."²⁶

If this problem could be solved and one of the two groups could win, it must have already happened: "If he [sic] (the disputant of either party) had been incapable of refuting [their] adversary, their (respective) doctrines would have fallen out of sight (would have failed to maintain themselves)"²⁷. It is the destiny of God that this struggle continues. For Rumi, the mystery is that different ideas and various groups continue to exist in the world. This means that plurality itself is desired and is one of God's graces: "So that these two-and-seventy sects may always remain in the world till [sic] the Day of Resurrection."²⁸ Disputes between groups will never end and their struggle will continue: "This two-and-seventy (sects) will remain till the Resurrection: the heretic's talk and argument will not fail."²⁹ The whole truth cannot be known by intellect, and beyond the step of intellect there are many other things that reason cannot not discern: "Beyond reason there are [one] hundred stages: deem not the intellect to be acquainted with that caravan."³⁰

Intellect alone cannot make sense of all aspects of reality. The famous story of an elephant which people touch in darkness and everybody gives a difference description about is an example for the inability of the intellect (This story has been quoted in book three of *Mathnawi*). In this story Rumi says that the intellect acts like the physical senses, meaning that as each of them only gives us knowledge of an aspect of things, the intellect alone cannot capture all aspects of things. In this story, both the multidimensionality of truth and the difficulty of obtaining it are considered. Truth cannot be obtained easily and is like the Night of Destiny (The Night of Destiny, in the Islamic doctrine, is the night which the fate of people for a year is determined by God, although the night itself is not determined.) which cannot be distinguished easily from other nights:

Truth is the night of power [night of destiny] (which is) hidden amidst the (other) nights in order that the soul may make trial of every night. Not all nights are (the night of) power,

¹⁹ Rumi, *The Mathnawi*, 2:3720-22.

²⁰ Rumi, *The Mathnawi*, 5:1290-91.

²¹ Rumi, *Fihe-ma-fihe*, 101.

²² Rumi, *Fihe-ma-fihe*, 36.

²³ Rumi, *The Mathnawi*, 4:2185-6.

²⁴ Rumi, *The Mathnawi*, 5:3214.

²⁵ Rumi, *The Mathnawi*, 5:3217.

²⁶ Rumi, *The Mathnawi*, 3:2529.

²⁷ Rumi, *The Mathnawi*, 5:3215.

²⁸ Rumi, *The Mathnawi*, 5:3219.

²⁹ Rumi, *The Mathnawi*, 5:3221.

³⁰ Rumi, *The Mathnawi*, 5:1306.

O youth, nor are all nights voids of that (night)³¹.

This is the obscurity of truth which causes everyone to turn their face to a direction: Since the *qibla* (the true object) of the soul has been hidden, everyone has turned his face to a (different) quarter.³²

Thus, groups of people are like butterflies turning around a candle: Similarly, every class of people in the world are fluttering like moths round a candle.³³

Hence peoples' understanding of truth cannot be perfect and flawless, and in many cases truth is mixed with falsity. Therefore, perfection and imperfection, with right and wrong, are present in all human understanding: "Know the truth to be this, (that) all these (various persons) are not in the right, nor (again) are this herd entirely astray, because nothing false is shown without the true: the fool bought (desired) spurious coin in the hope of (its being) gold."³⁴

The truth which is obtained by the ordinary intellect can have different interpretations, contrary to the truth which is obtained by "presence knowledge" (Mulana calls this type of knowledge the "real knowledge" which is the opposite of the ordinary knowledge which he calls "imitative knowledge"), because of whose clearness there is no possibility for different comments to be made: "For this proper meaning admits of (different) interpretation, and this guesswork is the source of (vain) imaginings. But in the case of) that truth which is (perceived) from intuition there is no room for any interpretation."³⁵

Each of these interpretations is like a ladder from which a group of people are ascending and every one of them is unaware of the situation of the others. It is a manifestation of God's power and mercy which in different lands grow different kinds of trees:

In the world there are invisible ladders (leading) step by step up to the summit of heaven. There is a different ladder for every class; there is a different heaven for every (travelers) way. Every one is ignorant of another's condition (in) the kingdom (which is) wide and

without end or beginning. This one is amazed at that one and asks wherefore he is happy, while that one is astounded at this one and asks why he is amazed. The area of *God's earth is spacious*: every tree springs up from a certain soil.³⁶

The difference in minds (in ability and knowledge) causes various interpretations for everything: dependent on their intellect and understanding of truth, every person has their own method of speaking about it and this causes plurality and even opposition. Rumi pointed to this subject in the story of Moses and the Shepherd: Moses rebukes a shepherd for anthropomorphizing God and talking to God in a human manner, but God reveals to Moses that he should not speak to the shepherd in such manner. Every person speaks in a language which is consistent with a character that might be different from that of others:

I have bestowed on everyone a (special) way of acting; I have given to everyone a (peculiar) form of expression. In regard to him [sic] it is (worthy of) praise, and in regard to thee it is (worthy of) blame: in regard to him [sic] honey, and in regard to thee poison.³⁷

People speak with a language according to their understanding: In the hindoos [sic] the idiom (The local and traditional form of speech used in the practice of religion.), of hind [sic] (India) is praiseworthy; in the sindians the idiom of Sind is praiseworthy.³⁸

These differences and plurality among people are the result of the difference in their viewpoints:

From the place (object) of view, o (thou who art the) kernel of Existence, there arises the difference between the true believer and Zoroastrian and the Jew.³⁹

Truth is like the light which in itself has no color (and no form), but when shining on different color glass, it creates various colors (and forms): When that goodly light took form, it becomes (many in) number like the shadows of a battlement.⁴⁰

³¹ Rumi, *The Mathnawi*, 2:2922-23.

³² Rumi, *The Mathnawi*, 5:328.

³³ Rumi, *The Mathnawi*, 5:336.

³⁴ Rumi, *The Mathnawi*, 2914-15.

³⁵ Rumi, *The Mathnawi*, 2:3234-35.

³⁶ Rumi, *The Mathnawi*, 5:2556-60.

³⁷ Rumi, *The Mathnawi*, 2: 1743-4.

³⁸ Rumi, *The Mathnawi*, 2:1747.

³⁹ Rumi, *The Mathnawi*, 3:1256.

⁴⁰ Rumi, *The Mathnawi*, 1:688.

If these apparent forms are put aside, then "the treasure of unity" appears: Make headstrong form waste away with tribulation, that beneath it you may descry unity, like a (buried) treasure.⁴¹

Truth is intricate and has various aspects: with regard to their ability, some people can understand different levels of it and some of them may not understand anything about its layers. Rumi compares this to three persons who are at the same place looking at the world: one of them sees the world as dark; the second as a moon shining; and the third as three moons shining, viz. the physical moon, the inner moon as an object of the invisible world, and the Real moon—God—upon which the whole world is dependent. But many eyes cannot see this truth:

Thin eye has learned to perceive the unseen (while) the eyes of bystanders are sealed. One man is beholding a moon plainly, while another sees the world dark. And another beholds three moons together. These three persons (beholders) are seated in one place, yea (verily).⁴²

The world has different levels and aspects, but not every eye can see those levels: If the worlds are eighteen thousands and more, these eighteen (thousands) are not subject (accessible) to every eye.⁴³

That truth has different layers causes it to be covered by another truth, and this causes plurality among peoples; that is, every person sees only an aspect and a certain level of truth: "Nay, the truth is absorbed in the truth; hence seventy, nay, a hundred sects have arisen."⁴⁴ Being multi-layered, truth misled Moses in understanding the mysteries of Khadir's acts and thus he departed from him. When a person like Moses is in such a situation, what then can be said about other intellects which Rumi calls the "mouse intellect" (because of their too much dependence on the material world)?

His action seemed unreasonable to Moses, since he (Moses) had not his (Khadir's) state (of Divine inspiration). Inasmuch as the intellect of Moses becomes tied up (perplexed and helpless) in (the matter of) the mysterious (in-

spiration), who (what) is the intellect of a (mere) mouse, O excellent (reader)?⁴⁵

I called a "mouse," because his place is in the earth (of the body): earth is the place of living for the mouse.⁴⁶

That knowledge which is produced by ordinary reason (which Rumi gives different names, such as "conventional knowledge," "imitative knowledge," "wisdom of the world," and so on), due to the dependence of its essence on the material world, has no product but doubt, uncertainty, and anxiety. For Rumi, this knowledge brings about nothing for the wise but illusion and thereby trouble:

From this wisdom and learning and excellence (of mind) I have got nothing but fantasy and headache.⁴⁷

Thus, from the mouth of a simple man, who is indifferent to worldly wisdom, Rumi says: The wisdom of this word brings increase of supposition and doubt; the wisdom of the religion bears (one) above the sky.⁴⁸

Because of its very nature, this imitative knowledge always has the capacity of being doubtful and challenging:

Myriads of conformists and legalists are cast in to doubt by a half-imagination. For their conformity and their drawing evidence from logical proofs and all their wings-feathers (every means which they employ in order to arrive at the truth) depend on opinion. The vile Devil raises a doubt (in their minds): all these blind ones fall in headlong.⁴⁹

This imitative argument is accompanied by doubt and fear but encourages lay people on their way: The imitator bring on to his tongue a hundred proofs and explanations, but he has no soul. When the speaker has no soul and (spiritual) glory, how should his speech have leaves and fruit? He boldly directs people in the Way (to salvation), (though) he is more tremulous (in firm) in soul than a blade of straw. Therefore, though his discourse may be

⁴¹ Rumi, *The Mathnawi*, 1:683.

⁴² Rumi, *The Mathnawi*, 1:3749-51.

⁴³ Rumi, *The Mathnawi*, 1:3754.

⁴⁴ Rumi, *The Mathnawi*, 6:1636.

⁴⁵ Rumi, *The Mathnawi*, 2:3250-51.

⁴⁶ Rumi, *The Mathnawi*, 2:3258.

⁴⁷ Rumi, *The Mathnawi*, 2:3182.

⁴⁸ Rumi, *The Mathnawi*, 2:3190.

⁴⁹ Rumi, *The Mathnawi*, 1:2124-26.

splendid, tremor (infirmity) is also latent in his discourse.⁵⁰

In many cases the intellects of people are affected by their desire and intentions, and since these desires and intentions are different, people try in different ways to justify them. In many cases the struggle of the intellects is indeed the struggle of wishes and interests. This is another cause for the continuity of those disputes which seem to be rational. The intuitive power of such intellects becomes blind by anger, passion and interests, making it unable to see the truth:

Anger and lust make a man squint-eyed; they change the spirit (so that it departs) from rectitude. When self-interest appears, virtue becomes hidden: a hundred veils rise from the heart to the eye.⁵¹

Since it is (learned) as a bait (for popularity), not for the sake of (spiritual) enlightenment, he (the seeker of religious knowledge) is just as (bad) as the seeker of vile worldly knowledge.

(For) he is seeking knowledge on account of the vulgar and the noble, not in order that he may win release from this world.⁵²

Many of the arguments and debates are for attracting the attention of people: Conventional knowledge is (only) for sale (self-advertisement): when it finds a purchaser, it glows with delight.⁵³

Human persons, through dispute, seek to amaze people; and, as Rumi says, they desire to attain Divinity because the only being who is worthy of such amazement is God:

We wag our tails in argumentation and cunning, in order that zayd and bakr (Equivalent to "Tom, Dick and Harry") may remain amazed at us. We have sought to excite the amazement of the people; we have eagerly grasped at Divinity (i.e. "we have emulated pharaoh in our desire for worldly pomp and power").⁵⁴

When questioning and answering turns into a principle, and seeking the truth will be forgotten, the philosopher (the symbol of reasoning)—even if they are apparently seeking truth and light—is indeed heading toward the opposite of them, and at any moment is running away from them. Thus, it goes without saying that in darkness differences grow:

The philosopher killed (exhausted) himself with thinking: let him run on (in vain), for his back is turned towards the treasure. Let him run-on: the more he runs the more remote does he become from the object of his heart's desire.⁵⁵

Therefore, wherever Rumi engages himself in such rational discussions, he tries to escape from reasoning because (as he says) raising questions and answering them, instead of satisfying one's thirst, makes one more thirsty:

If I become occupied with a difficulty (difficult question) and the answer (explanation); how shall I be able to give water to the thirsty?⁵⁶

In sum, the pure and unmixed truth is not to be found by any group. In its best case, it might be said that each group might attain to a portion of truth. Hence, each group cannot be completely right or completely wrong. Wrongness is there because of its mixture with and similarity to truth: Do not say, then that all these utterances are false: the false (pretenders) are a snare to the heart on the ground of (be cause they give) hope of truth (i.e. they win the heart because it is hoped or believed that they are not false, but true).⁵⁷

If the goods of truth could be easily obtained and if it were so clear that could not be mistaken with faulty goods, then all fools would be successful merchants; in that case there was no need for knowledge: If there be no faulty things in the world, all fools would be (shrewd) merchants. Then it would be very easy to know (the value of) goods: when there is no defect, what (is the difference between) the incompetent and the competent (appraiser)?⁵⁸

⁵⁰ Rumi, *The Mathnawi*, 5:2480-83.

⁵¹ Rumi, *The Mathnawi*, 1:333-4.

⁵² Rumi, *The Mathnawi*, 2:2419-20.

⁵³ Rumi, *The Mathnawi*, 2:3252.

⁵⁴ Rumi, *The Mathnawi*, 3:2230-1.

⁵⁵ Rumi, *The Mathnawi*, 6:2356-7.

⁵⁶ Rumi, *The Mathnawi*, 1:2905.

⁵⁷ Rumi, *The Mathnawi*, 2:2920.

⁵⁸ Rumi, *The Mathnawi*, 2: 2926-27.

On the other hand, if falsity were clear, then there would be no need for knowledge and anyone could distinguish falsity from truth: And if everything is faulty, knowledge is of no advantage: since everything here is (common) wood, aloes-wood is not (to be found). He that says, ((all are true)) – 'tis folly (on his part); and he that says, ((all are false)) - he is damned.⁵⁹

It is important to note that from Rumi's viewpoint, the way of emancipation from those disputes of the conventional knowledge and the way of seeing the truth clearly and obtaining peace and tranquility is not possible unless through real knowledge (presence knowledge):

He who has escaped from the purdah of blind imitation sees by the light of God that which (really) is.⁶⁰

Needless to say, treading that path is not possible but by the guidance of an Elder (sheikh). As for the importance of an Elder in leading the follower, Rumi has talked extensively. The real Elder whom men must submit to is love and this brings about the submission to physical Elder: The Elder is thy love, not (the owner of) a white beard. 'Tis he (Love) that gives a helping hand to thousands who are in despair.⁶¹

The amazement resulting from the presence of truth changes speech into silence (removes any dispute). It is only love which helps man flee from these useless disputes: O (dear) soul, Love alone cuts disputation short, for it (alone) comes to the rescue when you cry for help against arguments. Eloquence is dumb-founded by Love: it dare not engage in altercation.⁶²

Temptations and rational questioning and answering are only restrained by love: The only muzzle for evil suggestions (of doubts) is Love; else, when has anyone (ever) stopped (such) temptation?⁶³

4. Mystical foundation

For the mystics, the mother of all vice is selfishness and the origin of virtues is love which is exactly the opposite of selfishness and can remedy it. When man sees himself then he cannot see others specially God. Whether right or wrong, he sees the perfect and the good in himself, and for this reason he expects others' praise and respect. If his expectation is not satisfied, he will be in conflict with others and himself, and so he will have no rest. One of the meanings of "annihilation (in God)" (Fana) in mysticism is to eradicate this selfishness, which is the greatest veil between man and God. Love, by curing the disease of selfishness, will remove all vice from human soul:

Hail, O Love that bringest us good gain- thou that art the physician of all of our ills; [t]he remedy of our pride and vain glory, our Plato and our Galen!⁶⁴

Love in any form (even to human being) has such effect relatively: He (alone) whose garment is rent by a (mighty) love is purged entirely of covetousness and defect.⁶⁵

The most significant attribute of God which has been very important for the mystics is generosity. God is generous; that is, his act toward mankind is full of kindness and compassion with no expectation of reward. Both creation and God's injunctions are the manifestation of generosity of God: I did not ordain (Divine worship) that I might make any profit; nay, but that I might do a kindness to (my) servants⁶⁶.

In general, peoples' behavior is based on fear and greed, which is to pull benefit and to reject the harmful. It is the most important characteristic of reason to care for profit-seeking prudence and unless the probability of gain is no more than loss, it will not act. Risk and venture are the act of love: How should Reason wend the way of despair? 'Tis Love that runs on its head in that direction.⁶⁷

Love and generosity are in company. Thus, Rumi introduces love as God's attribute: Love is an attribute of God, but fear is an attribute

⁵⁹ Rumi, *The Mathnawi*, 2:2928-29.

⁶⁰ Rumi, *The Mathnawi*, 4:2169.

⁶¹ Rumi, *The Mathnawi*, 5:3276.

¹⁹⁰ Literally, "it has not the gall-bladder (stomach) to." Rumi, *The Mathnawi*, 5:3240-41.

⁶³ Rumi, *The Mathnawi*, 5:3230.

⁶⁴ Rumi, *The Mathnawi*, 1:23-4.

⁶⁵ Rumi, *The Mathnawi*, 1:22.

⁶⁶ Rumi, *The Mathnawi*, 2:1746.

⁶⁷ Rumi, *The Mathnawi*, 6:1966.

of the servant (of God) who is afflicted by lust and gluttony.⁶⁸

Among people, it is the lover alone whose acts are without hope of reward: Nothing in the world is without object (disinterested) in its movement (activity) except the bodies and the souls of (God's) lovers.⁶⁹

The difference between "rational tolerance" and "loving tolerance" is in this point: the tolerance which moderns believe in is "rational tolerance." Human reason gradually, and after some ups and downs, has inferred that tolerance makes social life easier and more fruitful. Human reason has understood the fact that—for a better and more peaceful life—it must act transactionally, even in the field of beliefs and behavior; accordingly, it will tolerate others as it expects others to tolerate it. It is more important and valuable in its own place, and one must have no other expectation but rational account.

However, the tolerance of mystics such as Rumi is a "loving tolerance" which is higher than the level of reason. This tolerance is without expectation of benefit and is based on generosity rather than pragmatic gain or loss. Such an act can only be done by Love, not by Reason:

Love is reckless, not Reason: Reason seeks that from which it may get some profit.⁷⁰

Lovers and real servants of God resemble God in His tolerance: The (chosen) servants of God are merciful and long-suffering: they possess the disposition of God in regard to putting things right.⁷¹

It is this loving and generous view which made Rumi see our world as a great cloister (*khanqah*), and God as the Elder (*sheikh*), with himself as the servant of this *khanqah*.⁷² "Two men were struggling. One of them said to the other: if you call me a name I will retaliate with thousands. Rumi who heard this dispute told the first: Tell them to me because if you call me thousands (revile) and I will never call you one"⁷³. It was his loving humility

which motivated him to respect the adherents of other religions and even children⁷⁴. It was his generosity which had made him forbid his companion from hurting and driving away a drunk who disturbed Rumi's hearing.⁷⁵ He was a lover who says: "I have never become glad for gain and never proud for reward"⁷⁶. When Moeinud-din Parvaneh, the then vasisir, complained about Rumi's companion that they are not good people, Rumi replies to him, "if there were good, I would become their follower; because they were not good, I accepted them as followers to change them into good people"⁷⁷. It was on the base of loving tolerance that Rumi says: "The freeman is the one who will not be upset if offended by anyone, and the generous youth is the one who does not offend those who deserve to be offended"⁷⁸. The Lover who surpasses "ego" is in peace with the existence and people:

In sooth anyone who has become without ego is all egos: when he is not loved by himself he becomes loved by (them) all. (When) a mirror becomes devoid of images, it gains splendor because (then) it is the reporter (reflector) of all images.⁷⁹

Quest and treading a path of God is not possible but through tolerance:

O Musalman, (whilst you are still engaged) in the quest, good manners are indeed nothing but forbearance with every one that is unmanly.⁸⁰

It was because of this that Rumi in his will recommended his followers to show "tolerance toward oppression from all people"⁸¹. Rumi, by following the Qur'an's instructions, considers all prophets as passengers of one caravan. All of them invite to truth and from this respect there is no difference among them. Their methods may differ but all of them are moving toward one aim: "Every prophet and every saint hath a way (of religious doctrine and practice) but it leads to God: all (the ways) are (really) one."⁸² Rumi in *Fihe-ma-fihe* says: "If ways are different, the aim is one ... If you

196 Literally "pene et ventre". Rumi, *The Mathnawi*, 5:2185.

⁶⁹ Rumi, *The Mathnawi*, 1:2798.

⁷⁰ Rumi, *The Mathnawi*, 6:1967.

⁷¹ Rumi, *The Mathnawi*, 3:2220.

⁷² Shams-uddin, *Manakib Al-arifin*.

⁷³ Shams-uddin, *Manakib Al-arifin*, 106.

⁷⁴ Shams-uddin, *Manakib Al-arifin*, 153-4.

⁷⁵ Shams-uddin, *Manakib Al-arifin*, 256.

⁷⁶ Shams-uddin, *Manakib Al-arifin*, 284.

⁷⁷ Shams-uddin, *Manakib Al-arifin*, 129.

⁷⁸ Shams-uddin, *Manakib Al-arifin*, 153-4.

⁷⁹ Rumi, *The Mathnawi*, 5:2665-6.

⁸⁰ Rumi, *The Mathnawi*, 4:771.

⁸¹ Shams-uddin, *Manakib Al-arifin*, 584.

⁸² Rumi, *The Mathnawi*, 1:3084.

look at the ways you will see a great difference and boundless separation, but when you look at the aim, all of them are united"⁸³. Religions, although different in method, have one essence:

If you count a hundred apples or a hundred quinces, they do not remain a hundred (but) become one, when you crush them (together).⁸⁴

Many of differences are the result of difference in interpretation: The disagreement of mankind is caused by names: peace ensues when they advance to the reality (denoted by the name).⁸⁵

Separation and diversity occur when the formless is restrained by form:

When that goodly light took form, it became (many in) number like the shadows of a battlement.⁸⁶

This variety has come from form, but there is no separation and number in Reality: In things spiritual there is no division and no numbers, in thing spiritual there is no partition and no individuals.⁸⁷

Prophets and saints, who are of spiritual worlds, are united; separation is a case of the formalists: The souls of wolves and dogs are separate; every one; the souls of the Lions of God are united.⁸⁸

While believing in the unity of essence of religions, Rumi says that religions can never be one in

this world: "[W]hen was there one religion? There were always two and three, and there has been conflict among them. Thus, how do you expect that religions be united? They will be one in the other world, but in this world it is impossible because everyone has different wishes and desires. Unity is impossible here, till [sic] at the Resurrection when all become one and look at one point and will have one ear and one tongue"⁸⁹.

Tolerance is an ethical and rational command and a requirement of Love. It is also a necessity for modern man's life. However, we cannot expect all people to act according to "loving tolerance", but acting according to "rational tolerance" does not seem to be irrational. In our time, when there are some who inject violence in the life of humanity, there should be some others who must inject tolerance in it as Rumi says:

In as much as the vinegar increases acidity, therefore it is necessary to increase the sugar. Wrath is (like) vinegar, mercy like honey: and these twain are the basis of every oxymel. If the honey fails to withstand (be over powered by) the vinegar, the oxymel will be spoilt.⁹⁰

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⁸³ Rumi, *Fihe-ma-fihe*, 97.

⁸⁴ Rumi, *The Mathnawi*, 1:680.

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⁸⁶ Rumi, *The Mathnawi*, 1:688.

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⁸⁸ Rumi, *The Mathnawi*, 4:414.

⁸⁹ Rumi, *Fihe-ma-fihe*, 28.

⁹⁰ Rumi, *The Mathnawi*, 6:17-18.

Discussion

ECSTATIC AURA AS MYSTICAL EXPERIENCE IN DOSTOEVSKY'S EPILEPSY

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Abstract:

Fyodor Mikhailovich Dostoevsky is one of the best Russian novelists. It is also known that he had been suffering from epilepsy—one can find many descriptions of this particular condition in Dostoevsky's novels. These writings are most probably based on his personal experience. There are numerous neurological hypotheses about the type of epilepsy with which Dostoevsky suffered, the most notorious feature of his type of epilepsy being the so-called "ecstatic aura." In fact, the type of epilepsy Dostoevsky experienced is often termed "Dostoevsky's epilepsy with ecstatic aura." In the current article, I offer a review of the literature on Dostoevsky's epilepsy. Subsequently, the notorious feature "ecstatic aura" is compared with mystical experience, and a conclusion is reached: the two states are in fact identical in the sense that mystical experience can occur during ecstatic aura. A neuroscientific explanation of the experience is presented as well. Finally, a philosophical analysis is performed.

Key words: Dostoevsky, epilepsy, ecstatic aura, mystical experience, salience network, philosophy of psychiatry.

1. Introduction

Along with his magnificent literary writings, the famous Russian writer Fyodor Mikhailovich Dostoevsky (1821–1881) is known for suffering from a

form of epilepsy now known as *Dostoevsky's epilepsy with ecstatic aura*.¹ Dostoevsky wrote at length about epileptic seizures in his novels². Some of these include the following characters and novels: Murin, Ordynov, and Katerina in *The Landlady* (1847); Nellie (Elena, Lenotchka) and Natasha in *Humiliated and Insulted* (1861); Myshkin in *The Idiot* (1869); Kirillov in *Demons* (1872); and Smerdyakov in *The Brothers Karamazov* (1880).³

Dostoevsky described a blissful state—which has been termed *ecstatic aura*—appearing just before an epileptic seizure. The ecstatic aura is described by Dostoevsky as "an *indescribable sense of well-being* [...] an *inexpressible feeling of voluptuousness* [...] and an *inexpressible feeling of sensu-*

¹ Cirignotta et al., "Temporal Lobe Epilepsy with Ecstatic Seizures"; Voskuil, "The Epilepsy of Fyodor Mikhailovich Dostoevsky"; Gastaut, "Fyodor Mikhailovich Dostoevsky's Involuntary Contribution"; Gastaut, "New Comments on the Epilepsy of Fyodor Dostoevsky"; Morgan, "Dostoevsky's Epilepsy"; Hughes, "The Idiosyncratic Aspects of the Epilepsy of Fyodor Dostoevsky"; Baumann et al., "Did Fyodor Mikhailovich Dostoevsky Suffer from Mesial Temporal Lobe Epilepsy?"; Picard and Craig, "Ecstatic Epileptic Seizures"; Seneviratne, "Fyodor Dostoevsky and His Falling Sickness"; Rayport et al., "Dostoevsky's Epilepsy: a New Approach".

² Voskuil, "Epilepsy in Dostoevsky's Novels"; Wolf, "The Epileptic Aura in Literature"; Iniesta, "Epilepsy in the Process of Artistic Creation of Dostoevsky".

³ Voskuil, "Epilepsy in Dostoevsky's Novels", 196.

ousness.”⁴ Concerning the phenomenology of this peculiar state, it is known that, “during a period of high emotional salience [...] the neural instantiations of feelings are rapidly filled with salient information and thus increase in number, producing *subjective time dilation* and the *perception that time in the real world ‘stands still’*.”⁵

2. Dostoevsky’s Epilepsy

Numerous hypotheses about the type of epilepsy Dostoevsky experienced can be found in the neurological literature, such as the following: *generalized epilepsy*;⁶ *mesial temporal lobe epilepsy*;⁷ *temporal lobe epilepsy*;⁸ *partial and secondarily generalized seizures*;⁹ *complex partial seizures with secondarily generalized nocturnal seizures and ecstatic auras*;¹⁰ *temporolimbic epilepsy*;¹¹ *hystero-epilepsy*;¹² *idiopathic generalized epilepsy, but probably with a minor focal component that quickly became secondarily generalized*;¹³ and *temporo-rhinencephalic seizures*;¹⁴

3. Ecstatic Aura

The state of the ecstatic aura is so peculiar that Dostoevsky himself said: “I felt that *heaven descended to earth and swallowed me. I really attained God and was imbued with him* [sic] . . . *all the joys life can give I would not take in exchange for it*.”¹⁵ The state is unique. Dostoevsky stated that, “for a

few moments before the fit [the epileptic seizure], I experience a feeling of happiness such [that] it is impossible to imagine in a normal state and which other people have no idea of. I feel entirely in harmony with myself and the whole world, and *this feeling is so strong and so delightful that for a few seconds of such bliss one would gladly give up ten years of one’s life, if not one’s whole life*”¹⁶.

Ecstatic aura has some general features. The ecstatic seizure or aura includes: 1) intense serenity and bliss; 2) enhanced physical well-being; 3) heightened self-awareness and/or perception of external world; 4) feeling of dilated time; 5) feeling of overload; 6) mystic/religious experience; and 7) anxiety¹⁷. Correlatively, more descriptions by Dostoevsky include the following: “a *feeling of enhanced well-being*,” “a *contentedness* which is unthinkable under normal conditions and unimaginable for those who have not experienced it,” “a *feeling of being ‘in perfect harmony with himself and with the entire universe’*,” “a *sensation of heightened awareness* wherein “*perception [was] so clear*,” “the sense of life, the consciousness of self, are multiplied [ten] times at these moments,” *subjective time dilation*: “I [Dostoevsky] cannot say if this bliss lasts seconds, hours or months,” a state of “*hyper-sensitivity and heightened awareness*, and, by consequence, a *higher state of being*”¹⁸.

Here is a description from Prince Myshkin, one of Dostoevsky’s characters:

He was thinking, incidentally, that there was a moment or two in his epileptic condition almost before the fit itself (if it occurred during his waking hours) *when suddenly amid the sadness, spiritual darkness and depression, his brain seemed to catch fire at brief moments, and with an extraordinary momentum his vital forces were strained to the utmost all at once . . . All his agitation, all his doubts and worries, seemed composed in a twinkling, culminating in a great calm, full of serene and harmonious joy and hope full of understanding and the knowledge of the final cause . . .* And yet he arrived at last at the paradoxical conclusion: *What if it is a disease?* [. . .] What does it matter that it is an abnormal tension if the result of the moment of sensation, remem-

⁴ Voskuil, “Epilepsy in Dostoevsky’s Novels”, 212–213; emphasis added.

⁵ Picard and Craig, “Ecstatic Epileptic Seizures”, 543; emphasis added.

⁶ Gastaut, “Fyodor Mikhailovitch Dostoevsky’s Involuntary Contribution”; see Gastaut, “New Comments on the Epilepsy of Fyodor Dostoevsky”.

⁷ Baumann et al., “Did Fyodor Mikhailovich Dostoevsky Suffer from Mesial Temporal Lobe Epilepsy?”

⁸ Morgan, “Dostoevsky’s Epilepsy”.

⁹ Alajouanine, quoted in: Baumann et al., “Did Fyodor Mikhailovich Dostoevsky Suffer from Mesial Temporal Lobe Epilepsy?”

¹⁰ Voskuil, “The Epilepsy of Fyodor Mikhailovitch Dostoevsky”.

¹¹ Rayport et al., “Dostoevsky’s Epilepsy: a New Approach”.

¹² Freud, “Dostoevsky and Parricide”.

¹³ Hughes, “The Idiosyncratic Aspects of the Epilepsy of Fyodor Dostoevsky”, 536.

¹⁴ Cirignotta et al., “Temporal Lobe Epilepsy with Ecstatic Seizures”.

¹⁵ Voskuil, “Epilepsy in Dostoevsky’s Novels”, 213; emphasis added.

¹⁶ Rayport et al., “Dostoevsky’s Epilepsy: a New Approach”, 558; emphasis added.

¹⁷ Gschwind and Picard, “Ecstatic Epileptic Seizures”, 2.

¹⁸ Picard and Craig, “Ecstatic Epileptic Seizures”, 542; emphasis added.

bered and analysed [sic] in a state of health, turns out to be *harmony and beauty brought to their highest point of perfection, and gives a feeling, undivined and undreamt of till then of completeness, proportion, reconciliation, and an ecstatic and prayerful fusion in the highest synthesis of life*¹⁹.

He [Myshkin] felt "*flashes of lucidity with hyperesthesia of sensory stimuli and of awareness*" and "*an incredible hitherto unsuspected feeling of bliss and appeasement...*" "My mind grows extraordinarily clear..." "*Such moments represented an incredible effort toward awareness and at the same time the most direct expression of self-awareness.*" "Once I returned to normal consciousness, I felt that such illumination, such *awareness of a higher consciousness, of a "superior being," was a kind of illness, a distortion of the normal state.* But it was neither mirage nor vain illusions such as those induced by hashish or alcohol that degrade the mind..." "*All my problems, doubts and worries resolved themselves in a limpid subtle peace, with a feeling of understanding and awareness of the 'Supreme Principle of life'*"²⁰.

For comparison, here are five descriptions from patients suffering from ictal alterations of consciousness with ecstatic auras:

"[...] it is as if I were very, very conscious, more aware, and the sensations, everything, seems bigger, overwhelming me."

"I feel light inside, but far from being empty. I feel really present... I feel a stronger consciousness of the body and the mind, but I do not forget what is around me."

"I feel more conscious of myself, more concentrated on myself... I feel more present from a psychological point of view, with more sensations..." "Being very conscious of myself, I feel like discharged from anything else, from any worries."

"It is a feeling of total presence, an absolute integration of myself, a feeling of unbelieva-

ble harmony of my whole body and myself with life, with the world, with the 'All'."

"This would result in a sense of vividness which derived from the fact that each object in my visual field was emphasized, so to speak, by everything else."²¹

Epilepsy represents a neurological state of hyper-excitability and hyper-synchronization of particular brain regions with a tendency towards generalization. Dostoevsky's epilepsy is an idiosyncratic example of epilepsy with which has approximately a one dozen documented cases, whereas there are approximately fifty documented cases of ecstatic aura²². The most prominent feature of this type of epilepsy is the so-called *ecstatic aura* which manifests for a duration of a few seconds prior to the seizure, but with profound intensity. There are around fifty documented cases of ecstatic aura. Possible naturalistic-reductionist explanations of the ecstatic aura include the following ones: the *limbic system*²³, the *anterior insular cortex*²⁴, and the *temporal lobe*²⁵.

4. Temporal Lobe Personality

Bear and Fedio (1977), Bear (1979), and Geschwind (1979) discussed the personality traits of patients with temporal lobe epilepsy²⁶, and Dostoevsky presented most of these features²⁷. The temporal lobe personality bears a likeness to the *Dopaminergic mind*²⁸, *Geschwind syndrome*²⁹, and *Temporo-limbic Personality*³⁰.

¹⁹ Picard and Kurth, "Ictal Alterations of Consciousness", 58–59.

²⁰ Gastaut, "Fyodor Mikhailovitch Dostoevsky's Involuntary Contribution"; Morgan, "Dostoevsky's Epilepsy", 413; Picard and Craig, "Ecstatic Epileptic Seizures", 539; Geschwind and Picard, "Ecstatic Epileptic Seizures", 2.

²¹ Hughes, "The Idiosyncratic Aspects of the Epilepsy of Fyodor Dostoevsky", 535.

²² Picard and Craig, "Ecstatic Epileptic Seizures", 543.

²³ Rayport et al., "Dostoevsky's Epilepsy: a New Approach".

²⁴ See Geschwind, "Personality Changes in Temporal Lobe Epilepsy."

²⁵ Hughes, "The Idiosyncratic Aspects of the Epilepsy of Fyodor Dostoevsky", 537; Baumann et al., "Did Fyodor Mikhailovich Dostoevsky Suffer from Mesial Temporal Lobe Epilepsy?"; Rayport et al. "Dostoevsky's Epilepsy: a New Approach".

²⁶ Previc, "The Role of the Extrapersonal Brain Systems in Religious Activity"; Previc, *The Dopaminergic Mind in Human Evolution and History*.

²⁷ Benson, "The Geschwind Syndrome."

²⁸ Aycicegi-Dinn et al., "The Temporolimbic Personality: A Cross-national Study."

¹⁹ Cirignotta et al., "Temporal Lobe Epilepsy with Ecstatic Seizures", 705; emphasis added.

²⁰ Picard and Kurth, "Ictal Alterations of Consciousness", 58; emphasis added.

Table 1. Temporal lobe personality traits

“Dostoevsky's Epilepsy: a New Approach”.	Features
“Dostoevsky's Epilepsy: a New Approach”.	“Interictal personality disorder”: (1) Deepened emotions, (2) circumstantial thought, (3) concern with philosophical or religious beliefs and (4) a change in sexual behavior
“Dostoevsky's Epilepsy: a New Approach”.	(1) Emotionality, (2) mania, (3) depression, (4) guilt, (5) humorlessness, (6) altered sexual interest, (7) aggression, (8) anger and hostility, (9) hypergraphia, (10) religiosity, (11) philosophical interest, (12) sense of personal destiny, (13) hypermoralism, (14) dependency, (15) paranoia, (16) obsessionism, (17) circumstantiality and (18) viscosity
“Dostoevsky's Epilepsy: a New Approach”.	1) Emotionality, (2) manic tendencies, (3) depression, (4) altered sexuality, (5) anger, (6) hostility, (7) aggressiveness, (8) religiosity, (9) paranoia, (10) guilt, (11) viscosity and (12) hypergraphia

5. Ecstatic Aura and Mystical Experience: A Synopsis

I suggest that a comparison could be made between the phenomenologies of the ecstatic aura of Dostoevsky's epilepsy and mystical experiences. I have analyzed mystical experience in detail elsewhere³¹. In short, it represents regression toward a primordial state of functioning, i.e. toward primary process-thinking. The state is characterized by a blurring of subject-object boundaries, an ecstasy, and a union. On the other hand, “*ecstatic seizures* are characterized by *extreme pleasure and contentment sometimes associated with components of cognitive and spiritual experiential phenomena*”³².

³¹ Dimkov, “A Philosophical Study of Freudian Primary and Secondary Thought Processes”; Dimkov, “Intentionality and Consciousness”.

³² Seneviratne, “Fyodor Dostoevsky and His Falling Sickness”, 428; emphasis added; for review, see Gschwind and Picard, “Ecstatic Epileptic Seizures”.

Sigmund Freud analyzed mystical experience as an *oceanic feeling* (oceanic boundlessness)³³, in which the boundaries of the ego are dissolved³⁴: “a sensation of eternity, a feeling as of something limitless, unbounded, something ‘oceanic’ [. . .] a feeling of indissoluble connection, of belonging inseparably to the external world as a whole,” which is essentially “a purely subjective experience, not an article of belief.” For Freud, “mysticism is the obscure self-perception of the realm outside the ego, of the id”³⁵. Both the ecstatic aura and mystical experience are described as being beyond description or ineffable³⁶.

Dalton, for example, suggests that *the ecstatic aura is in fact mystical experience per se*, both representing regressions toward an infantile state of functioning, in accordance with Freudian psychoanalysis and metapsychology³⁷. In fact, people with temporal lobe personality do manifest “*low ego strength*”³⁸. The experience itself lasts mere seconds, with appearances of a light which is the “*source of unattainable understanding*,”³⁹ leading to unaware-

³³ Arthur Koestler (Koestler, quoted in Stace, *Mysticism and Philosophy*, 120–121): “When I say ‘the I had ceased to exist’ I refer to a concrete experience . . . The I ceases to exist because it has, by a kind of mental osmosis, established communication with, and been dissolved in, the universal pool. It is this process of dissolution and limitless expansion which is sensed as the ‘oceanic’ feeling, as the draining of all tension, the absolute catharsis, the peace that passeth [sic] all understanding.”

³⁴ Dimkov, “A Philosophical Study of Freudian Primary and Secondary Thought Processes”; Freud, *Civilization and Its Discontents*, 11–12.

³⁵ Freud, quoted in Schneider and Berke, “The Oceanic Feeling, Mysticism and Kabbalah”, 133.

³⁶ Dimkov, “A Philosophical Study of Freudian Primary and Secondary Thought Processes”, 94–95; Picard and Craig, “Ecstatic Epileptic Seizures”, 539.

³⁷ Dalton, quoted in: Morgan, “Dostoevsky's Epilepsy”, 415; see Dimkov, “A Philosophical Study of Freudian Primary and Secondary Thought Processes”; Dimkov, “Third Thought Process at the Intersection of Metapsychology, Cognitive Science and Neuroscience”; Dimkov, “The Genius of Creativity and the Creativity of Genius”.

³⁸ Persinger, “Temporal Lobe Signs and Personality Characteristics”, 50.

³⁹ Bucke lists the following essential features of the cosmic sense as he terms it: subjective light, moral elevation, intellectual illumination, sense of immortality, awakening, loss of the fear of death and of the sense of sin (Bucke, *Cosmic Consciousness*, 65–66). Mystics describe their paradoxical experiences of Eternal Light, dazzling obscurity, darkness, emptiness, nothingness, silence, nakedness, nudity, desert, radiance (Stace, *Mysticism and Philosophy*, 94, 97, 100, 112, 115). Here is such an experience: “I immediately saw a bright yellow-white light directly in front of me. I chose to open to it. I was consumed by it

ness of one's surroundings⁴⁰. Such a light can be found in the descriptions of mystical experiences⁴¹.

There is a blurring of the subject-object barrier as well:

[E]cstatic seizures are dominated by a feeling of a conscious self-presence, characterized by a *heightened self-awareness*, and a *feeling of union with the world*, the "*All*," with *break-down of the barrier between the subject and surrounding* [. . .] This paradox of the *heightened self-awareness in combination with a feeling of union with the world*, could be related to an *intensification of the "sentient self"* and a *functional extinction of the "narrative," autobiographical self*, which is prominent during mind wandering and related to the activity of the *default mode network*⁴².

6. Neuroscientific Explanations of Ecstatic Aura as Mystical Experience

Picard, and Craig⁴³ linked self-awareness and ecstatic auras—or seizures—to strong activation of the anterior insular cortex (AIC) or anterior insula (see: Craig 2009). Tsakiris et al. link AIC to bodily self-consciousness⁴⁴. Gu et al. link anterior insula to emotional awareness⁴⁵. The AIC and the anterior

and became part of it. There were no distinctions—no figures or lines, shadows or outlines. There was no body or anything inside or outside. I was devoid of self, of thought, of time, of space, of a sense of separateness or ego, or of anything but the white light. There are no symbols in my language that can begin to describe that sense of pure being, oneness, and ecstasy. There was a great sense of stillness and ecstasy" (Strassman, DMT: The Spirit Molecule, 244; my emphasis; cf. Strassman, DMT and the Soul of Prophecy). Hagen and Nixon report that experiences were observed in persons who recovered from psychosis with content such as powerful encounters with God, white lights, and divine energies (Hagen and Nixon, "Psychosis as a Potentially Transformative Experience", 724).

⁴⁰ Morgan, "Dostoevsky's Epilepsy", 415; emphasis added.

⁴¹ Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes", 96–98, 102, 108, 112.

⁴² Gschwind and Picard, "Ecstatic Epileptic Seizures", 14–15; emphasis added.

⁴³ Picard and Craig, "Ecstatic Epileptic Seizures", 543; see Picard and Kurth, "Ictal Alterations of Consciousness" and Gschwind and Picard, "Ecstatic Epileptic Seizures".

⁴⁴ Tsakiris et al., "Neural Signatures of Body Ownership".

⁴⁵ Gu et al., "Anterior Insular Cortex and Emotional Awareness."

cingulate cortex are linked to a "state of union with God" and to hallucinogenic (psychedelic) states⁴⁶. The anterior insular cortex, the dorsal anterior cingulate cortex (dACC), amygdala, hypothalamus, thalamus, and the ventral tegmental area (VTA) are part of the *salience network*⁴⁷. The salience network acts on identified salience in both internal and external environments, striving to maintain a homeostatic balance⁴⁸.

From pathology, it is known that the dopaminergic midbrain brain structures such as VTA mediate the identification of salience (salience attribution), including the aberrant salience found in schizophrenia⁴⁹. Concerning the functioning of salience attribution, it has been reported that "a perpetual process of predictions is generated and extrapolated from the present state and is then continually compared to the actual incoming signals, generating prediction errors and an update of the next predictions"⁵⁰. The central executive network (CEN) also acts on identified salience⁵¹.

I recently hypothesized that the salience network, along with the central executive network, are the brain representatives of the Freudian ego⁵². The naturalistic-reductionist explanations of the ecstatic aura enumerated above point toward a role of the ventral striatum and the dopaminergic activity found in this brain region in ecstatic aura and mystical experience. Salience attribution beyond normal levels can result in ecstatic auras found in Dostoevsky's epilepsy. The state clearly corresponds to an intense activation of the whole salience network, and not only of specific regions in it. With respect to the

⁴⁶ Craig, "How Do You Feel — Now?", 60; see Dimkov, "The Genius of Creativity and the Creativity of Genius".

⁴⁷ Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes"; Dimkov, "The Genius of Creativity and the Creativity of Genius".

⁴⁸ Seeley et al., "Dissociable Intrinsic Connectivity Networks for Salience Processing and Executive Control"; see Menon, "Large-scale Brain Networks and Psychopathology"; Menon, "Salience Network"; Gschwind and Picard, "Ecstatic Epileptic Seizures", 16.

⁴⁹ Kapur, "Psychosis as a State of Aberrant Salience"; Heinz and Schlagenhauf, "Dopaminergic Dysfunction in Schizophrenia".

⁵⁰ Gschwind and Picard, "Ecstatic Epileptic Seizures", 14.

⁵¹ Seeley et al., "Dissociable Intrinsic Connectivity Networks for Salience Processing and Executive Control"; see also Menon and Uddin, "Salience, Switching, Attention and Control", and Palaniyappan et al., "The Concept of Salience Network Dysfunction in Schizophrenia".

⁵² Dimkov, "The Genius of Creativity and the Creativity of Genius".

salience component in ecstatic aura, it has been reported that “during ecstatic seizures, the capacity to feel “more present” and have an increased perception of external stimuli could be related to a sustained activation of the salience network despite the absence of salient stimuli”⁵³.

If one accepts the premise that the ecstatic aura of Dostoevsky’s epilepsy is identical or akin to mystical experience, it turns out that both involve a super-activation of brain areas high in dopamine, such as the ventral striatum, but mostly the *nucleus accumbens* and the “pleasure areas” in the hypothalamus. The state is a peculiar one: “[. . .] in the ecstatic auras the mechanisms of interoceptive prediction error generation are blocked, the comparator between the actual and the predicted state no longer functions, and that there is no more mismatch. This may lead for a few seconds to a *pathologically-induced (epileptic) “stable state” without any generated prediction error, without ambiguity, causing a feeling of certainty and intense serenity and inner peace*”⁵⁴.

Such a plausible hypothesis points out that Dostoevsky’s epilepsy with ecstatic aura selectively affects the above mentioned brain areas as a part of the disease process, but we must keep in mind that additional symptoms can accompany the experience. The neuroscientific explanation offered above translates into the fact that in such experiences there is a *hyper-activation of the ego*. At first glance, such a conclusion is paradoxical since in such experiences there are a regression toward a primordial way of functioning. However, on a closer look, it is evident that this hyper-activation reaches a state of *excitability beyond the normal limit*, which in fact leads to *inhibition, instead of excitation*, thus leading to *regression and functional impairment*.

7. Philosophical Elucidation of Ecstatic Aura as Mystical Experience

One of the curious aspects of the need for philosophical elucidation of experiences such as the ecstatic aura and mystical experience is the differentiation between *natural* and *induced* or *artificial* experiences. Robert Zaehner, for example, opines that “to accept drug-induced religion and mysticism as genu-

ine [...] would be to *reduce the most profound human experience to a brain malfunction*”⁵⁵. From a neurological perspective, such states are actually brain malfunctions, as evidenced in the example of epilepsy which is a genuine neurological illness classified today as a neuropsychiatric illness. Indeed, epilepsy provides the naturalistic-reductionist explanation for such peak experiences. Interestingly, such experiences could provide a plausible basis for religion from a historical perspective because mystical experiences are most often characterized by *an ecstasy* and *a union with God*⁵⁶.

As discussed in the previous sections, my review of the literature has led to the neurophenomenological conclusion that a hyper-activation of the *anterior insula*, *ventral tegmental area* (VTA), and the *salience network* are involved in such states⁵⁷. Classical psychedelic compounds such as psilocybin and LSD-25 are used for the induction of such experiences⁵⁸. They alter the function for *prediction error identification* of the *salience network* in the brain and induce an altered state of consciousness via activation of the *serotonergic 5-HT_{2A} receptors* which contain *primary thought process* features⁵⁹. The phenomenology of such a state is intense, picturesque, and florid. Indeed, Dostoevsky argued that he would exchange years of his life—even his whole life—for one such experience.

Another curious aspect lies in the long-lasting effects of such experiences and their positive effects on the psychological and behavioral functioning of a person: “ecstatic seizures are above all extraordinary emotional experiences, which in some cases can be

⁵⁵ Zaehner, quoted in Grinspoon and Bakalar 1983, 198; emphasis added; see Dimkov, “Intentionality and Consciousness”, 316.

⁵⁶ See Previc, “The Role of the Extrapersonal Brain Systems in Religious Activity.”

⁵⁷ See Dimkov, “Intentionality and Consciousness”, 317–318.

⁵⁸ See Dimkov, “A Philosophical Study of Freudian Primary and Secondary Thought Processes”, 101–114; Dimkov, “The Genius of Creativity and the Creativity of Genius”; Dimkov, “Large-scale Brain Networks and Freudian Ego”, and Picard and Kurth, “Ictal Alterations of Consciousness”, 60.

⁵⁹ Dimkov, “A Philosophical Study of Freudian Primary and Secondary Thought Processes”, 73; Kraehenmann et al., “Dreamlike Effects of LSD on Waking Imagery in Humans Depend on Serotonin 2A Receptor Activation”; Kraehenmann et al., “LSD Increases Primary Process Thinking via Serotonin 2A Receptor Activation”; see Craig, “How Do You Feel — Now?”, 60.

⁵³ Picard and Kurth, “Ictal Alterations of Consciousness”, 59; emphasis added.

⁵⁴ Gschwind and Picard, “Ecstatic Epileptic Seizures”, 14; emphasis added; see Picard and Friston, “Predictions, Perception, and a Sense of Self”.

'life-changing' [and] never felt in everyday life"⁶⁰. Indeed, ecstatic aura as mystical experience has an *afterglow effect* which can last years. An experience lasting mere seconds changes one's life forever. Such an afterglow effect is reported for psychedelic use⁶¹, most probably due to their ability to induce an artificial or drug-induced mystical experience. Precisely due to this fact, psychedelics have been successfully used to battle addiction, such as addiction to tobacco⁶². The stronger the peak experience, the better the chance of terminating the craving. This makes the peak experience of ecstatic aura a valuable and desirable experience. The translational aspects of psychedelic use for battling addiction thus are very good.

As mentioned, there are only approximately fifty documented cases of ecstatic aura and only twelve cases of Dostoevsky's epilepsy⁶³. This phenomenon is really rare. Mystics have traditions including practices for inducing mystical experiences. There are usually only few occasions of such experiences during one's lifetime—most often only one. Most of the time, people do not experience such peak experiences in their life. The information is not easily accessible, and it is difficult to understand what the mystical experience itself is unless one has had at least one such experience⁶⁴.

I have coined the term *mystical capacity*⁶⁵ to define the chance or ability to have a mystical experience during one's lifetime. The chance is very low. Usage of drugs can induce such experiences and their phenomenologies are almost identical. Introvertive and extrovertive mystical experiences are identical at their core⁶⁶. Mystical experiences actual-

ize the functioning of a *zero thought process*⁶⁷. This is a thought where there is only presence in the "now" or simply self-consciousness, a thought without any content. For example, such experiences are defined as: *substantial matrix of consciousness*⁶⁸; *mold of "man"*⁶⁹; *trans-subjective self*⁷⁰; and *field of consciousness*⁷¹.

To conceptualize ecstatic aura as mystical experience is easy. It is to say that during the ecstatic aura or seizure, mystical experience that lasts only a few seconds can occur. The identification of ecstatic aura as a mystical experience reveals *how a neurological illness can lead to the most profound human experience*. The writings and the personal experience of Dostoevsky are a sign pointing toward a naturalistic-reductionist *Weltanschauung*. The most valuable human experience is reduced to a hyper-synchronization leading to hyper-activation of specific brain regions which induce the experience. Drug-induced experiences are analogical.

8. Conclusion

Dostoevsky suffered from epilepsy. His type of epilepsy has since been termed "Dostoevsky's epilepsy with ecstatic aura." Ecstatic aura can be mystical experience in itself—mystical experience is an ecstatic state of a union with a deity, a principle, or nature. The anterior insular cortex (AIC) and ventral tegmental area (VTA) anatomically, and salience network (SN) functionally, positively correlate with the mystical experience during the ecstatic aura. In meta-psychological terms, primary thought process manifestations during ecstatic aura occur, as well as a regression toward a primordial way of functioning due to hyper-activity of the ego leading to "beyond limit inhibition" and functional impairment of the latter. Dostoevsky presented most of the features of the temporal lobe personality in accordance with the hypothesis of temporal lobe epilepsy. The current research points toward a role of dopaminergic systems in the manifestation of mystical experience in ecstatic aura. Dostoevsky has openly expressed his willingness to exchange his whole life for one sec-

⁶⁰ Gschwind and Picard, "Ecstatic Epileptic Seizures", 12–13; emphasis added.

⁶¹ Majić et al., "Peak Experiences and the Afterglow Phenomenon".

⁶² Garcia-Romeu et al., "Psilocybin-occasioned Mystical Experiences in the Treatment of Tobacco Addiction".

⁶³ Gastaut, "Fyodor Mikhailovitch Dostoevsky's Involuntary Contribution"; Morgan, "Dostoevsky's Epilepsy: A Case Report and Comparison", 413; Picard and Craig, "Ecstatic Epileptic Seizures", 539; Gschwind and Picard, "Ecstatic Epileptic Seizures", 2.

⁶⁴ For review of the essence of mystical experience, see Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes"; Dimkov, "Intentionality and Consciousness".

⁶⁵ Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes", 102–103.

⁶⁶ Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes"; Dimkov, "Intentionality and Consciousness".

⁶⁷ Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes," 109–110.

⁶⁸ Dimkov, "A Philosophical Study of Freudian Primary and Secondary Thought Processes," 111.

⁶⁹ Castaneda, *The Fire from Within*.

⁷⁰ Stace, *Mysticism and Philosophy*, 149.

⁷¹ Forman, "What Does Mysticism Have to Teach us About Consciousness?", 368, 375.

ond of this experience—the experience itself has long-lasting effects on the human psyche. It is a life-changing experience. It possesses anti-addiction properties as well, and thus represents a valuable translational aspect for medical treatment.

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EPILEPSY AND PSYCHOSIS: A COMMENTARY ON ECSTATIC AURA AS MYSTICAL EXPERIENCE IN DOSTOEVSKY'S EPILEPSY

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1. Background

In his original paper, Petar Dimkov raises the critical issue of ecstatic aura in Dostoyevsky's epilepsy by interpreting it as a kind of mystical experience. He sets the ingenious background for analysis of the problem from phenomenological and cognitive points of view. In this commentary, we reflect on the clinico-philosophical interface in the conceptualization of epilepsy as an essentially neuropsychiatric disorder.

The causal connection between brain processes and disease in human experiences was a highlight for classical neuropsychiatry research. For instance, German psychiatrist Hans Berger discovered electroencephalography (EEG) in the 1920s. Its introduction into clinical practice has been a turning point in the diagnosis of paroxysmal diseases. By the way, Berger was led in his research by the idea of searching for the physical basis of mental functions and actually determined one of these physical foundations. In the 1930s, the leading Gestalt psychopathologist Klaus Conrad conducted some of the most serious studies of the heritability and constitutional features of epilepsy. Further, Carl Kleist placed in his classification of neuro-psychiatric dis-

orders epilepsy, affective psychoses and cycloid psychoses in one group of the so called "*transient disorders with autogenic fluctuations*." Also, Ernst Kretschmer outlined the viscous-explosive (epileptoid) proportion in his classification of temperaments.

Karl Jaspers considered genuine epilepsy to be one of the three endogenous psychoses, which he defined as pathological processes of the psyche with respect to the broader sense of the term psychosis which is conceptually divergent from the current exploitation of the same term. They are circles of forms of psychosis in that paradigm, between which no clear boundary can be set; however, there is a clear boundary between them and normal psychological experiences¹. In Bulgarian psychiatry, a similar position was promoted by Nikola Shipkovensky.

2. Epilepsy and Psychosis

Probably, most epileptic forms of experience infiltrated with religious and mystical content are likely auras and post-ictal psychoses: aura is a subjective ictal phenomenon which can progress further to

¹ Jaspers, Allgemeine Psychopathologie.

a fully developed seizure or not, and postictal psychoses follow seizures with a lucid interval between them.

Axial syndrome in epileptical psychopathology is a consciousness disorder, and this disorder may take different forms. Alvarez-Silva et al. in their article "Epileptic consciousness: Concept and meaning of aura" (2006) outlined the specifics of psychopathological phenomena during aura, calling them *paroxysmal psychic automatisms* (PPAs). The authors considered them as definitive of epileptic consciousness. This term provides an umbrella for cognitive automatisms (forced thinking, derealization, depersonalization), affective automatisms (joy, sadness, fear, alteration of opposite emotions), and perceptual phenomena similar to hallucinations². Important characteristics include suddenness, strangeness, passivity, and great intensity of experience, all of them also being characteristics of a number of mystical experiences. Álvarez goes further with his idea of "hyperia", or hypersynchronous states of the brain, which is the basis for unusual—including higher (i.e. extraordinary and spiritual)—states of consciousness³.

Postictal psychoses usually appear within 7 days after a seizure, a series of seizures, or status epilepticus. These are most frequently seen in temporal lobe epilepsy. There are pronounced productive symptoms with delusions of grandeur, delusions with religious and mystical content, paranoid ideas, and affective fluctuations; also, consciousness may be clouded or clear. There is an analogy with Todd's paralysis (viz. a brief state of paralysis following a seizure), but on a higher level of brain organization. EEG displays delay with slow waves, or spikes of interictal activity. Mechanisms were proposed for disturbances of homeostatic brain mechanisms, or the balance between inhibition and excitation. Dysregulation of dopamine, GABA, adenosine, and nitric oxide mediation is involved⁴.

3. Epilepsy as ictal condition versus epilepsy as psychopathological experience

In his later philosophical texts, Jaspers claimed that the similarity between psychotic and mystical experiences is a profound disturbance in subject-

object relations. He was nonetheless skeptical about their value with respect to everyday life.

His most outstanding disciple, Kurt Schneider, excluded epilepsy from the group of endogenous psychoses. At that time, in the mid-twentieth century, neurological diagnostics began to develop rapidly; parallel to that, the neurological approach began to be the dominant approach to this group of diseases and more attention was paid to ictal phenomena (seizures) as such. There is recorded an obvious physical electrical, and therefore objectively identifiable and measurable, "substrate" of epileptic seizures. It is already difficult to consider epilepsy as "endogenous psychosis" in the classical sense of the term. Schneider also focused on the seizures ("...something physical") as a central manifestation of epilepsy and, contrary to the previous psychiatric tradition, presumes psychopathological phenomena as secondary⁵.

4. Prospects from Phenomenological Psychopathology

The psychological and psychopathological manifestations of epilepsy seem to be neglected and regarded by most psychiatrists as entirely organic. In turn, the so-called "*organic psychopathological phenomena*" are perceived as less psychiatric, which would be logical in terms of a dualism. Yet, it appears as a great surprise and disappointment, given the progress of biological psychiatry and the remarkable achievements in the field of biology of mind⁶. Essentially, neuroscientific inquiry is in quest for a substrate of psychological and psychopathological phenomena; but, when it is found, phenomena can no longer be interpreted as psychological/psychopathological⁷.

It seems that, over the last 10-15 years, there has been a renaissance in interest among psychiatrists concerning epilepsy, and a new psychiatric (or integrative neuropsychiatric) approach is formed. For example, acute polymorphic disorders are thoroughly studied by Vaaler et al. in Norway⁸. Their findings remind us of the descriptions of French classics like Falret and Magnan from the nineteenth

² Alvarez-Silva et al., "Epileptic Consciousness: Concept and Meaning of Aura."

³ Álvarez, "Neuronal Hypersynchronization, Creativity and Endogenous Psychoses."

⁴ Glauninger et al., "Die Psychosen bei Epilepsie"; Brown, "Managing Severe Epilepsy in the Community."

⁵ Schneider, *Clinical Psychopathology*.

⁶ Dzupanov et al., "Some Aspects of Epileptical Affective Disorders."

⁷ Stoyanov et al., "Some Aspects of Epileptical Affective Disorders."

⁸ Vaaler et al., "Acute Unstable Depressive Syndrome (AUDS) is Associated More Frequently in Epilepsy than Major Depression."

century. It is of interest that, in a more recent article, Vaaler et. al reported that patients with epilepsy-related depressive syndromes show higher scores for trait characteristics like "religious convictions," "philosophical and intellectual interests," and "sense of personal destiny"⁹. In this flow of thought, as further developed by Emil Krepelin's ideas, seems to be the description and interpretation of interictal dysphoric disorder of Blumer. In his viewpoint, interictal psychosis (when delusional and hallucinatory symptoms develop independently from seizures) appears to be an interictal dysphoric disorder with psychotic symptoms¹⁰. Our clinical experience is in accord with these research data.

The American evolutionary psychiatrist J. Andersson Thomson has expressed the view that transcendental, religious, and mystical experiences could be considered a byproduct of a faculty of our "psychencephalon." Called cognitive decoupling, this is the ability to detach from what is concretely given in the present in order to wander in the past or in the possible future. On balance, this is an evolutionary gain¹¹. Further, mystical experience could be considered an extreme byproduct, a form of decoupling from the usual experience of time and space.

Persinger, a Canadian psychologist and explorer of paranormal phenomena, sees a connection between electrical instability of the brain (especially in temporal lobe and paranormal) and mystical experiences. While the form of experience is very similar in different cultures and ethnicities, the content is highly dependent on cultural background¹².

Petar Dimkov has correctly pointed out the important similarity between experiences in oneiroid syndromes observed in schizophrenia¹³ and those in aura. More broadly, there is a clinical impression that one may more frequently see delusions and hallucinations with religious and mystical content in epileptic psychoses and in paraphrenic states in the course of schizophrenia. From the standpoint of

Jaspers' approach, this is explicable when taking into account that no clear boundary may be delineated across endogenous psychoses, instead being only overlapping circles of forms. On the level of personality traits, Geschwind syndrome has been described by changes presenting in personality in some patients with temporal lobe epilepsy: one of these traits is hyper-religiosity; others are hypergraphia, hyposexuality, and irritability¹⁴.

5. Conclusion

It would be interesting to draw a parallel between mystical phenomena during meditation. On the other side, some data point to the possibility that aura (and some temporal lobe epilepsy experiences) could be a manifestation of cognitive kindling. There is a view that epilepsy is the quintessential neuropsychiatric disease, and we tend to support this view: epileptic mental phenomena have the potential to show us so much about our nature in health and disease. This is a field from which we can gain enormous knowledge about the function and dysfunction of the human psychencephalon.

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⁹ Vaaler et al., "Religious Convictions in Patients with Epilepsy-associated Affective Disorders: a Controlled Study from a Psychiatric Acute Department."

¹⁰ Glauninger et al., "Die Psychosen bei Epilepsie."

¹¹ Thomson, "The Past of an Illusion."

¹² Persinger, "The Neuropsychiatry of Paranormal Experiences."

¹³ Stoianov, "On the Clinical Aspects and Psychopathology of Oneiroid States Arising During the Course of Schizophrenia"; Stoianov, "Clinico-statistical Characteristics of the Pathokinesis of the Uninterrupted form of Schizophrenia Reaching the Paraphrenia Stage in its Development."

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Book reviews

THE CONCEPT OF “UNITY” IN THE POLITICAL THOUGHTS OF IMAM KHOMEINI

[Review of the research book of Bogdana Todorova on the topic of
“The position of ‘unity’ in the political thought of Imam Khomeini”]

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The relevance and significance of the work of Bogdana Todorova on the topic of "the position of 'unity' in the political thought of Imam Khomeini" is determined by its problem-content connection with the imperative of global time, which is the task of uniting for the sake of preserving the fundamental value of human life.

The author focuses on the concept of unity for Imam Khomeini, which is based on the idea of uniting and returning to a "pure Islam" which is free from dogmatism, nationalism, despotism, extremism, terrorism, and separatism. The concept of uniting for the Muslim thinker in the era of globalization, as the author clearly shows, proves to be an effective, constructive, and promising idea of the civilizational development of humanity on the basis of the revival of a true and pure faith in one God present in the heart of every person.

According to the author, the Iranian thinker develops the concept of combining unique original cultures based on this true faith of the heart—"pure Islam" according to essential principles of equivalence, justice, the common good, love, and peace. It is also about the process of integrating the following: religion; science; politics and philosophy; the universal, the national, and the local; tradition; and modernization.

Bogdana Todorova conducts a consistent socio-philosophical analysis of the integration of socio-economic political projects by Imam Khomeini—"theodemocracy," "moderate progress," "and rational reform" are successfully implemented in modern Iran. Thus, the author reveals the role of Imam Khomeini in the actualization of Islam as a socially practical religion for the unification and harmonization of society. The research emphasizes the key role of religion in the formation of a spiritual and ethical foundation for economic and political transformations in order to achieve the common good and happiness.

It should be noted that the theme of the revival of true faith—of true Islam—is exemplified by the virtuous activities of the prophet Muhammad, and it is particularly relevant at the present time for the spread of pseudo-religions, Islamophobia, distortions of Islam, and the use of religious factor by international terrorism. As the author rightly points out, the significance of Imam Khomeini's activity lies in the fact that the representative of the Shi'a clergy appeals to pristine faith, to "pure Islam" as a religion of spiritual unification and universal virtue.

Following the logic of objective research, the author clarifies the spiritually-humanistic, dialogically unifying, and the developing potential of Islam. As Todorov points out, the mission of Islam is to

renew society on the basis of the integration of body and spirit, reason and faith, religion and politics. According to the author, Imam Khomeini singles out three concepts that form the basis for new integration: first, this is the concept of the unity of the human race; the second concept is the world as a family; the third concept is the divinity of humanity.

The author clarifies the meaning of Khomeini's "unity": it is a unity of "pure spirit" and action. This principle forms the basis for a new approach to the transformation of Iranian society and the Muslim world on the basis of "pure" and practically ethical Islam, the integration of religion and politics.

Source-study, along with consistent analysis of ideas and social projects of Imam Khomeini, allows the author to see the realistic perspective of Iran's development, which consists in the following integration tasks:

1. Develop the new policy of "civilization opening" in the context of new unions (France–Syria, Iran–EU) and to connect "hinterland" (the Middle East) with "heartland" (Europe).
2. Develop and pursue a new legislative policy that allows for the use of Islamic law advances to construct the European policies given the increasing Muslim population.
3. Apply the Iranian system of social care as a model of addressing the social-economic, political and national-cultural problems considering the national patterns of traditional Islam and Islamic values.
4. Promote the Khomeini's idea about "Unity – a great Truth" in constructing the theodemocratic model of a Muslim nation.

Todorova analyzes and determines the positive experience of Iran as a process of constructive integration of traditional values and modernization, religion, philosophy, and politics based on the Islamic

principles of Divine Oneness (*tawhid*) and "Velayat-e-Faqih." The Iranian model of societal renewal, based on Khomeini's idea of reviving the pure faith of divine spiritual unity, is a constructive alternative to the Western model of democracy which is based on the secular principles of individualism and freedom.

The author convincingly reveals the special third, eastern Islamic way of civilizational development in the world—a way of integrating faith and reason based on the spiritual unity of humanity. It is a way of preserving the national sovereignty of states and original cultures, as well as a way for a balanced combination of theocracy and democracy. It is a path of integration for the East and the West, a way to establish social justice, social equality, social mutuality. The path of establishing a wise government and the path of spiritual purification.

Following from the work of Todorova, the Islamic paradigm of integration and spiritual unity represents an alternative to technical Europeanization and the Americanization of the world—the cultivation of materialism which destroys the spiritual foundations of being for the living, dialogical heart-connection of a person with God.

The relevance and value of Bogdana Todorova's research lies in the fact that, on the basis of a comprehensive and correct analysis of the ideas and activities of Imam Khomeini, the spiritual and humanistic potential of Islam in the renewal and harmonization of society is revealed. The way out of the spiritual crisis of modern society and civilizational conflict is determined. This is the way to integrate faith, reason, religion(s), and politics on both a national and global scale. The author's reasoned conclusions make it possible to clarify Iran's global perspective in the unification of the Muslim world and the integration of East and West on the basis of a "pure faith" which is cleansed of nationalism, racism, hegemony, and extremism.