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Changing Societies & Personalities is an international, peer-reviewed quarterly journal, published in English by the Ural Federal University. *CS&P* examines how rapid societallevel changes are reshaping individual-level beliefs, motivations and values – and how these individual-level changes in turn are reshaping societies. The interplay of personality traits and sociocultural factors in defining motivation, deliberation, action and reflection of individuals requires a combination of theoretical and empirical knowledge. Since an interdisciplinary approach is needed to understand the causes and consequences of the contemporary world's changing socio-political institutions, moral values, and religious beliefs, the journal welcomes theoretical and empirical contributions from a wide range of perspectives in the context of value pluralism and social heterogeneity of (post)modern society.

Topics of interest include, but are not limited to

- value implications of interactions between socio-political transformations and personal self-identity;
- changes in value orientations, materialist and post-materialist values;
- moral reasoning and behavior;
- variability and continuity in the election of styles of moral regime and/or religious identity;
- the moral bases of political preferences and their elimination;
- social exclusion and inclusion;
- post-secular religious individualism;
- tolerance and merely "tolerating": their meanings, varieties and fundamental bases;
- ideologies of gender and age as variables in political, moral, religious and social change;
- educational strategies as training for specific social competences;
- social and existential security.

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Changing Societies & Personalities, 2019
Vol. 3, No. 4

CONTENTS

Editorial

Majority/Minority Dichotomy in Religions: Theoretical Reflections and Social Practices
Elena A. Stepanova 299

Articles

Religious Freedom in Flux: The European Court of Human Rights Grapples with Ethnic, Cultural, Religious, and Legal Pluralism
James T. Richardson 303

Second-Order Arguments, or Do We Still Need Tolerance in the Public Sphere?
Aleksei V. Loginov 319

From Respected Religion Scholar Expert to Cartoon Character: Reflections in the Wake of the Danish Muhammad Cartoon Crisis and Three Decades as Expert to the Media
Tim Jensen 333

The Norwegian Political Discourse on Prohibiting Muslim Garments. An Analysis of Four Cases in the Period 2008–2018
Bengt-Ove Andreassen 353

Religious Education in Russian Schools: Plans, Pains, Practices
Olga A. Iakimova, Andrey S. Menshikov 373

Changing Societies & Personalities, 2019
Vol. 3, No. 4,

Between Barbarism and Progress: Enlightenment Historical Writings on a Major Conflict in Russian History
Sergei V. Sokolov 388

Book Review

Jonathan Floyd (2019). What's the Point of Political Philosophy? Medford, MA: Polity Press
Daniil I. Kokin 407

Ethical Code 412

Instruction for Authors 417

Changing Societies & Personalities, 2019
Vol. 3, No. 4, pp. 299–302
http://dx.doi.org/10.15826/csp.2019.3.4.078

EDITORIAL

Majority/Minority Dichotomy in Religions: Theoretical Reflections and Social Practices

Today, religions in most countries in the world are involved in political activities, directly or indirectly influencing citizens' perceptions of state legitimacy. In actively investigating alternative strategies for maintaining their media presence, religions enthusiastically adopt electronic and digital media technologies, thereby reconfiguring traditional practices of religious mediation. While approaches to teaching religion in public schools and higher educational institutions can take various forms, the increased involvement of religion in the public sphere can be understood in the context of ongoing changes in value systems. This indicates the importance of placing appropriate emphasis on the agency of religious interest groups from both conceptual and empirical perspectives. The respective role of various religions in public spaces is highly dependent on the historical-cultural background of the particular religion in the given state (although this can change over time); moreover, a religion that is considered to be in the majority in one setting, could be a minority in another, and vice versa. Thus, the question facing contemporary research into religion and society includes a consideration of how the new situation should be understood, studied and analysed.

Generally speaking, relations between religious majorities and minorities, which form the major focus of the current issue of *Changing Societies & Personalities*, depend on the socio-historical context of a particular country. No agreement has so far been reached among scholars concerning the definition of majority/minority. In this respect, various aspects of the problem have been considered, including size, minority-to-majority ratio, objective and subjective criteria, minorities' origin and nationality. Some scholars argue that the very distinction between majority and minority almost automatically imports discrimination, thus leading to disadvantaging certain actors in the public sphere. Indeed, distinguishing groups, which are dangerous to a society and should be subject to state control, is an incredibly challenging task. In addition, the historical majority/minority ratio depends on migration processes, i.e. on the global expansion of religions from those countries, in which they constitute the majority religion, to nations, in which they become one of the many minority religions. At the same time, immigrant groups that are religious minorities in their countries of

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origin become part of the religious mainstream in their host countries. The freedom of religion asserted in Article 18 of the Universal Declaration of Human Rights has always been central to minority rights. Minority rights have been at the root of the development of modern human rights mechanisms; however, they remain contested and frequently ignored. How should a democratic state engage in the protection of minority rights, and what role does historical legacy and tradition play in this process? This is a theme for ongoing academic discussions partly reflected in the current issue of the Journal.

Relations between majority and minority religions are investigated in various fields of social sciences and humanities, such as Religious Studies, Cultural Studies, Political Philosophy, Social Theory, History, etc. On the one hand, scholars approach this problem by emphasizing the necessity to organize a dialogue between majority and minority religions. On the other hand, it is still not quite clear what majority and minority means with respect to religion. The animosity stemming from identification with majority or minority continues to persist in the particular society; nevertheless, the terms "majority/minority" should be understood in quantitative, rather than ecclesiological terms. Surely, the number of adherents does not affect the ecclesiological quality of a community. Therefore, this number should not be the reason for privileging or disadvantaging any confession by the state, and confessions should recognize that their increased number is nothing else by their increased obligation. Majority and minority religions should seek peaceful coexistence, better knowledge and understanding of each other, as well as strive to overcome biases, stereotypes and suspicions inherited from the past.

The present issue of *Changing Societies & Personalities* seeks to elucidate the majority/minority dichotomy from various perspectives: human rights; toleration and recognition; political discourse on religion; the design of religious education at school, etc. In the article *Religious Freedom in Flux: The European Court of Human Rights Grapples with Ethnic, Cultural, Religious, and Legal Pluralism*, James T. Richardson examines the practice of the European Court of Human Rights (ECtHR), which acts according to the "European Convention on Human Rights and Fundamental Freedoms" signed by all original members of the Council of Europe. In particular, Richardson concentrates on the cases of violation of religious freedom and rights of religious minorities. He notes that, in spite of the pledge of member states to abide by the Convention, which also means that the government in question "is expected to modify its laws to comport with Convention values and rulings of the Court", there is a growing number of member states refusing to implement the Court's decisions, including major decisions concerning religious freedom. Richardson examines some recent ECtHR cases in the area of religion to show that these cases could be interpreted as evidence of the efforts made by the Court to accommodate the ethnic, religious, cultural and legal pluralism that exists within the Council of Europe.

Aleksei V. Loginov in his article *Second-Order Arguments, or Do We Still Need Tolerance in the Public Sphere?* raises the question of why toleration becomes so difficult in matters concerning religion. In his view, most of the conflicts today involve some kind of reference to a certain religion; thus, "the growing number of religious conflicts makes it pertinent for political and social theory to revise the already existing

instruments of analysis and to develop new ones for efficient peacemaking and peacekeeping in such situations". Loginov observes various argumentation lines concerning the possibility/impossibility of religious toleration and demonstrates their advantages and shortcomings.

Tim Jensen in the article *From Respected Religion Scholar Expert to Cartoon Character: Reflections in the Wake of the Danish Muhammad Cartoon Crisis and Three Decades as Expert to the Media*, reflects upon the public role of a Religious Studies scholar, who upholds the scientific approach to religion. Jensen observes his own role(s) in the heated debates pertaining to the Muhammad cartoons, which took place in Denmark in 2005–2007. These debates are ongoing, often including issues pertaining to the refugees from Muslim countries. One side of the debaters argued that cartoons published in the popular daily newspaper *Jyllands-Posten* were part of the campaign of political and cultural hegemony directed against Islam and Muslims as minority; the opposite side expressed concern that the freedom of expression was under siege. While stressing his credo as "promoting the scientific study of religion, its approaches and the knowledge accumulated, on the one hand, and the secular, democratic, pluralistic society and public space that would not function if it did not give room to both the science of religion and religion", Jensen also demonstrates the complexities, with which a Religious Studies scholar is faced due to the specifics of mass media coverage of religious topics. At the same time, Jensen urges scholars to provide in public debates "not just brief and accurate information, but also qualified and controversial opinions".

In the article *The Norwegian Political Discourse on Prohibiting Muslim Garments. An Analysis of Four Cases in the Period 2008–2018*, Bengt-Ove Andreassen illustrates how public debates influenced decisions and political propositions in the Norwegian parliament concerning such garments as the *hijab*, *niqab,* and *burqa* with a special stress on the Norwegian state's obligations regarding basic human rights. The political negotiations concerning Islam in Norway are quite typical for many European countries, in which Islam has recently become not only a visible, but also a highly contested and debated religion. Andreassen analyses the provisions of the Norwegian Constitution, which specifies that all "religious communities should be supported on equal terms". Nevertheless, historical prejudices and stereotypes are still affecting the perception of Islam in Norway. Public debates are largely revolving around issues pertaining to the compatibility of Islam with democracy and "Western values" with a particular stress on clothing such as the *hijab*, *niqab*, and *burqa*. In exploring several cases concerning Muslim garments in public places, Andreassen demonstrates the importance of using secular argumentation in public debates on religious issues.

Olga A. Iakimova and Andrey S. Menshikov in their article *Religious Education in Russian Schools: Plans, Pains, Practices*, observe the six-module course "Fundamentals of Religious Cultures and Secular Ethics" (FRCSE) having been taught in Russian schools since 2012 in the light of the international debate on religious education. The authors seek to compare the Russian experience with the generally accepted typology, which distinguishes between (a) "learning into religion" (monoreligious model), (b) "learning about religion" (multireligious model) and

(c) “learning from religion” (interreligious model). A mention is made that “despite the importance of global trends and international debates, it is crucial to observe the local dynamics and discover how particular conceptualizations of religion, education goals, principles and teaching practices affect religion education and its development”. In this respect, the authors focus on the religious education in the Sverdlovsk region questioning whether there are specific regional trends in the selection of FRCSE modules.

Sergei V. Sokolov in the article *Between Barbarism and Progress: Enlightenment Historical Writings on a Major Conflict in Russian History,* takes a historical approach in studying divergent opinions on Russian society in the light of the concept of the change from barbarism to civilization. In particular, various controversies of such a change are examined. He mentions stereotypes about Russia as a barbarian country, which have been common across Europe since the 16th century, and stresses that the discourse of “barbarism” compared to the “civilization” (“progress”) of Europe had different meanings in different times in the writings of both Russian and Western authors. Concerning the Christianization of Russia, Sokolov underlines that, from the point of view of Russian historians, enlightenment by means of baptism was not equal to the European Enlightenment of the 18th century; rather, “baptism was considered a step to enlightenment, the beginning of a long path”. According to Sokolov, such an interpretation agrees well with the position of most European writers, who have never disputed the significance and great influence of religion over European history. It is emphasized that the real picture of the Enlightenment’s attitude towards religion was quite complex. In addition, Sokolov analyses the discussion between Russian and European authors concerning the impact of the Scandinavian invasion at the beginning of Russian history in the context of the barbarism/civilization dichotomy.

Thus, the current issue of *Changing Societies & Personalities* is focused on the analysis of the role played by religions (both majority and minority groups) in history and in the contemporary world. Today, religion is increasingly being acknowledged as an important aspect of national and international politics, a pervasive and contentious cultural force, as well as a subject of significant public concern. All respective issues require extensive scholarly research and thoughtful conversations both within and outside academia to reach a wider public.

Discussions around the topics raised in the present issue will be continued in the subsequent issues of our Journal. In planning to introduce new interesting themes, we welcome suggestions from our readers and prospective authors for thematic issues, debate sections or book reviews.

For more information, please visit our Journal’s website: https://changing-sp.com/

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ARTICLE

Religious Freedom in Flux: The European Court of Human Rights Grapples with Ethnic, Cultural, Religious, and Legal Pluralism

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ABSTRACT
This article examines the growing influences of the European Court of Human Rights (ECtHR), and controversies arising as a result of the Court's movement toward establishing itself as a *de facto* Supreme Court of member nations of the Council of Europe (CoE) in the area of human and civil rights, including religious freedom. Responses to criticisms of the Court are considered, as is the growing problem of some member states refusing to enforce rulings of the Court. Some recent cases, mostly involving Islam, that seem to demonstrate a growing recognition of the ethnic, cultural, and legal pluralism that exists within the expanded CoE are examined. Also discussed is the apparent two-track approach the Court has taken as a result of having to manage religious freedom within such a diverse group of member nations.

KEYWORDS
European Court of Human Rights, religious freedom, legal pluralism, margin of appreciation, pilot judgments, Islam, Russia's extremism statutes, minority religions, Jehovah's Witnesses[1]

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[1] An organization proscribed in the Russian Federation (Editor's note).

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Introduction

The European Court of Human Rights (ECtHR or the Court) is the court of last resort concerning possible violations of human and civil rights for citizens in the 47 member states of the Council of Europe (CoE). It is a major part of the enforcement machinery established after WWII to promote western democratic values as presented in the European Convention on Human Rights and Fundamental Freedoms (herein the European Convention) which was developed by the nascent Council of Europe in 1950 and went into force in 1953, having been signed by all original members of the CoE (Harris et al., 2009). Established initially as a part-time court nearly seven decades ago, the Court was an important part of efforts to preclude atrocities such as occurred during WWII. Establishment of the Court also was meant to deter the spread of communism by emphasizing other values, goals, and methods of societal organization (Madsen, 2016). The Court, which became a full-time court in 1998, has since evolved considerably and grown in influence within the European region and around the world (Fokas, 2015/2016; Fokas & Richardson, 2018; Richardson, 2015; Koenig, 2015; Hammer & Emmert, 2012). The Court has sometimes worked with constitutional and other courts in CoE nations in efforts to promote human and civil rights in CoE nations. This has been especially the case with newer member states of the CoE which were accepted as members by the CoE after collapse of the Soviet Union (Sadurski, 2008/2009; Richardson & Shterin, 2008). The growing influence and power of the Court has suggested to some observers that it is rapidly becoming a *de facto* Supreme Court of Europe in the human and civil rights arena (Harris et al., 2009, p. 2; Koenig, 2015, p. 51; Madsen, 2016, p. 141).

Herein I will summarize some important recent changes in how the Court operates, and also discuss major problems being faced by the Court in recent years. I will also review selected recent decisions of import for religious freedom in the CoE member states. Included in cases discussed are several that involve variants of Islam, and which, taken together, seem to suggest that the Court is becoming more accommodating of the cultural, religious, ethnic, and legal pluralism that exists within the CoE[2]. Also covered will be the large number of pending ECtHR cases deriving from Russia's effort to apply extremism laws to religious groups, including the Jehovah's Witnesses, Islam, and other minority faiths. I will conclude with a brief analysis of how the Court has responded to its many pressures, and of how it seems to be developing a unique pattern of jurisprudence cognizant of the vast differences that exist within the enlarged CoE.

[2] In brief, legal pluralism refers to "…the presence of different legal traditions and institutions within a single political framework such as a state, thereby raising problems about how laws might be enforced and recognizing the prospect of contradictory traditions" (Turner, Possamai & Richardson, 2014, p. 1). For discussions of legal pluralism see Merry (1988), Tamanaha (2009), Berman (2007), and Richardson (2014b). For applications of the concept to Shari'a law in western societies see Possamai, Richardson and Turner (2014), Aires and Richardson (2014), and Richardson (2014a/2014c). For development of specific theoretically grounded hypotheses in this area of socio-legal studies see Richardson and Springer (2013).

Recent Changes in How the Court Functions

Recently, I summarized the history and organization of the CoE and the Court (Richardson, 2017), describing a number of recent significant changes in how the Court operates and in the Court's jurisprudential pattern concerning religion that has developed of late. These changes, a few major ones which will be highlighted herein, were brought about in part because of concern among some both older and newer member states about the growing influence and power of the Court, as well as concern over the huge growth in applications that has occurred in large part because nations formerly dominated by the Soviet Union have affiliated with the CoE. The history and culture of former Soviet nations has had the effect of forcing the Court to take into account significant differences among those nations.

The recent changes have developed against a background of decades during which the Court operated by giving great deference to the "margin of appreciation" doctrine, established early in the Court's history with the *Handyside v. United Kingdom* (7 Dec 1976) decision when the CoE was much smaller and culturally more homogeneous (Adrian, 2018; Beaman, 2016; Jusic, 2018; McGoldrick, 2016). This doctrine allows original member states to monitor their internal affairs in areas of national sensitivity without external interference from the then newly-formed ECtHR. As Fokas (2016, p. 552) has noted, "religion holds a special place in the 'politics of the margin of appreciation'", a point also made by Ringelheim (2012), with the Court often allowing an expanded margin of appreciation in such cases. However, the overall doctrine has evolved in recent decades with the Court issuing rulings viewed by governments of some member states as unduly intrusive and ill-advised. This has been especially the case with the United Kingdom and Russia, but also other member states, including both original and newer member states (Koenig, 2015; Fokas, 2016; Madsen, 2016; Richardson, 2017)[3].

One major way some members of the CoE have attempted to gain leverage over the ECtHR is by gaining support for the principle of "subsidiarity" by which is meant that decisions should be made at the lowest possible political level. To emphasize this concept a new section was added the end of the preamble to the Convention mentioning both the subsidiarity principle and the margin of appreciation. That section, added as a result of the Brighton Statement[4], reads as follows:

> Affirming that the High Contracting Parties, in accordance with the principle of subsidiarity, have the primary responsibility to secure the rights and freedoms defined in this Convention and the Protocols thereto, and that in doing so they enjoy a margin of appreciation, subject to the supervisory jurisdiction of the European Court of Human Rights established by this Convention.

Thus, it is clear that the Court must work with governments to promote the values expounded in the Convention.

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[3] Koenig (2015, p. 61) also makes the point that the growth of concerns about human rights throughout the CoE has also been a major contributor to the huge case growth that the Court has experienced.

[4] See: High Level Conference on the Future of the European Court of Human Rights [Brighton Declration]. Retrieved from https://www.echr.coe.int/Documents/2012_Brighton_FinalDeclaration_ENG.pdf

The "pilot judgment" process is another important change in how the Court operates, and has contributed to the trend toward the Court becoming a *de facto* "supreme court of Europe", establishing precedents that should be followed by member states (Sadurski, 2009; Richardson, 2017). This new procedure is an effort to address the issue of multiple and continuing applications to the Court with similar claims that laws from member states, especially newer members, violate Convention articles. Pilot judgments have become a powerful tool for the Court to deal with what are referred to as structural problems with laws of member states. When the Court issues a pilot judgment against a member state in a problematic area of law, the member state is expected to modify its legal structure to comport with Convention values (as are other member states with similar provisions).

The establishment of a Network of Superior Courts and an agreement allow major courts in member states to request advisory opinions from the ECtHR are other recent innovations designed to encourage dialogue between the ECtHR and court systems in member states (Richardson, 2017). These important changes demonstrated the Court's new willingness to work with national courts to promote ECHR values by educating member state's court personnel about the work and rulings of the ECtHR. The changes, most of which were designed to lessen the Court's dramatically increasing case load as well as limit the Court's reach, also demonstrate that the Court is attempting to involve national court systems in the promotion of Convention values.

The Court's welcoming of intervention by member states and NGOs in cases accepted for adjudication also is a major development with implications for how cases are handled as well as outcomes of the adjudication process (Fokas, 2018; Van den Eynde, 2013/2017). More "friendly settlements" are also encouraged, which means that an agreement between the member state and the applicant has been reached short of full adjudication (Richardson, 2017). Such an outcome has occurred with increasing frequency when it becomes obvious (perhaps because of other "pilot judgments" rendered by the Court) that any forthcoming decision probably will be against the government involved.

Remaining Problems and Issues Faced by the Court

When nations affiliate with the CoE they pledge to abide by the Convention. Thus, when a decision is rendered against a member state the government in question is expected to modify its laws to comport with Convention values and rulings of the Court. There is a growing problem of member states refusing to implement decisions of the Court (Madsen, 2016; Richardson, 2017). This includes some major decisions concerning religious freedom, but also other areas of law as well. A growing number of member states are refusing to enforce decisions of the Court or to modify their statutes and procedures. Some member states simply pay whatever monetary damages are awarded, but do little else to respond to the Court's decisions. Included among this list of recalcitrant member states are Russia, Hungary, Ukraine, Poland, and Turkey, but also the U.K., France, and Italy are balking at fully implementing decisions of the Court.

The worst offenders include Ukraine, which as of 2014 had 1,002 cases filed with the Court and with violations found in all but 10 (Madsen, 2016, p. 172). In 2018

Ukraine has had 12,000 cases referred to the Council of Ministers for final disposition because Ukraine has refused to modify its laws and procedures to address similar problems raised by many applicants. Poland's record is similar with 1,070 cases filed since 2014 and violations found in all but 107 of them (Madsen, 2016, p. 172). Italy's failure to address prison reform has been a continuing issue with the Court (Madsen, 2016, pp. 162–163). And officials the U.K. have expressed considerable concern about ECtHR rulings that would grant voting rights to prisoners, among other issues (Bates, 2014/2015). Turkey and Hungary are other recalcitrant member nations (Madsen, 2016). Some 27,000 applications deriving from the failed *coup d'etat* in Hungary were declared inadmissible because of failure to exhaust internal remedies (which in fact do not exist as an effective way to address the issues raised). Hungary has had over 6,000 cases dealing with prison overcrowding declared inadmissible because of failures to deal with the issues raised internally.

Russia has an especially dismal record overall before the Court. Madsen (2016, p. 171) notes that as of 2014 Russia had been the subject of 1,604 cases with the Court, with violations found in all but 74 of them, which means that 15% of all judgments finding a violation by the Court were against Russia. Russia has lost a number of cases dealing with religion before the Court (Lykes & Richardson, 2014; Richardson & Lee, 2014) and has more recently begun enforcing extremism laws against minority faiths such as the Jehovah's Witnesses, Islamic groups, and others. As of early 2019 there are 49 cases involving the Witnesses filed with the Court because of the drastic actions taken against the group by Russian authorities. Included in these cases are ones concerning the dissolution of the entire national Witness organization, the banning of its website, invasions of churches and homes of members, and the incarceration and even physical harm being visited upon some members and church buildings by Russian police or citizens acting with apparent impunity. The majority of these cases have been "communicated" to the Russia authorities, which means the Court has asked Russia to explain its actions (or inactions), a procedure by the Court that usually precedes a judgment. Russia has made no effort to pass legislation that would require implementation of ECtHR rulings, and indeed, political and national court officials have in recent years been voicing strong criticisms of the ECtHR, claiming interference with internal affairs. So it is unclear what will occur if and when the Court rules against Russia in these Witness cases.

All these criticisms of the Court and its rulings have placed pressure on the Court to more fully recognize the legal pluralism that exists with the many diverse nations that make up the CoE. The following discussion of some recent selected cases may indicate ways the Court is attempting to deal with the many pressures it faces in dealing with the contemporary makeup of the CoE.

Recent Religion Cases of Interest

Some recent ECtHR cases seem particularly of interest in terms of understanding the evolving jurisprudential record of the Court in the area of religion. Perhaps not surprisingly many of these cases involve Islam in some manner. These cases may

demonstrate an effort by the Court to make decisions that increase the chances of successful integration of Islam into the fabric of Europe, as well as show that the Court is not always acting in ways that promote a Christian or even a secular agenda, a controversial and much-discussed claim[5]. Adrian's (2019) discussion of *SAS v. France, Dahlab v. Switzerland, Sahin v. Turkey, and Ebrahimian v. France* illustrates this apparent bias toward a secularist or possible anti-Islam agenda. She states:

> The Court's judgements have barred elementary school teachers from wearing the headscarf in public schools, restricted university students from wearing the veil, banned the face veil from all citizens in most public spaces, and ... stripped civil servants from the right to wear the headscarf at work. Thus the type of wearers (from civil servants to citizens) and the spaces (from schools, to streets, to other public institutions) have broadened in the past 16 years, thereby curtailing the right to manifest religious freedom for more people in more places (Adrian, 2018, p. 9).

Adrian further notes that these decisions represent an expansion of "the already extensive application of the margin of appreciation allowed to states", and that this posture of the Court, "undermines the mandate of the Court to protect vulnerable minority populations in Europe" (Adrian, 2018, p. 10).

Ferri (2018) discusses some of these same cases, among others, asserting that taken as a groups the cases represent the Court's avoidance of its "positive obligation" to promote ideological and cultural pluralism. By this she means that states have a positive obligation to take measures designed to guarantee effective implementation of human rights within their jurisdiction. She too is critical of the wide margin of appreciation granted to some member states in such matters because it seems to absolve states of performing their duties toward their citizens in the area of human rights, including religious rights.

Medda-Windischer (2018) offers a somewhat more sympathetic interpretation of recent decisions by the Court, including those discussed by Adrian and by Ferri[6]. She says (Medda-Windischer, 2018, p. 52):

> If it is true that the Strasbourg Court has in those cases displayed a rather restrictive approach towards accommodating religious diversity, it is also true that, in other cases, the Court has discarded a militant form of secularism and has followed a more pluralistic model of open secularism.

Medda-Windischer (2018, p. 62) goes on to discuss some of the cases she thinks demonstrate a greater appreciation and support for a more pluralistic model, asserting that the Court has sometimes treated the Convention as a "living instrument", and

[5] For discussions pro and con of a possible pro-Christian and/or anti-Muslim bias in the Court's jurisprudence also see the entire volume edited by Durham et al. (2012) as well as Martinez-Torron (2014/2017), Meerschaut and Gutwirth (2008), Kayaoglu (2018), and Barras (2018).

[6] Also see Martinez-Torron (2015) for a more sympathetic analysis of the Court's religion decisions.

that "the Court can be influenced by the development of standards shared by member states of the Council of Europe". She adds (Medda-Windischer, 2018, p. 63):

> The principles applied so far by the Court in cases related to the freedom of religion represent a pragmatic response to variations existing among states in interpreting the right to manifest one's religion. In particular, the most controversial margin of appreciation can be considered as an implementation of the general principle of subsidiarity regulating – in international law – the relation between national and supranational bodies, such as the European Union and the Council of Europe.

The more recent decisions to be discussed below seem to vary from the overall thrust of earlier cases involving aspects of Islam, and may suggest efforts by the Court to accommodate the ethnic, religious, cultural, and legal pluralism that exists within the CoE. Perhaps some of these selected cases demonstrate the pragmatism that Medda-Windischer (2018) claims to see in some recent, but sometimes quite controversial decisions.

Russia's Extremism Statute and the ECtHR

In the wake of the 9/11 attack on the World Trade Center in New York, a number of nations passed various statutes designed to assist in the "war on terrorism"[7]. One of the most far-reaching was passed in Russia, and this new statute has been used since against a number of minority religions, ironically including even ones whose explicit teachings promote non-violence in human affairs. Thus the new extremism law has been used to declare entire groups such as the Jehovah's Witnesses (JW) as extremist, leading to the dissolution of the national JW organization, confiscation of all JW property, and the arrest of practicing members of the group. This in turn has led to the filing of nearly 50 applications with the ECtHR by the Witnesses with the Court having "communicated" with Russia about many of the cases, which means they are being considered for adjudication.

The statute has also been used against the teachings of Islamic scholar Said Nursi[8], a well-known Turkish Muslim theologian who has written about the meaning of the Qu'ran. Applications were filed with the ECtHR by a Russian citizen, a publisher of Nursi's books, and a national religious organization, claiming a violation of Article 9 (freedom of religion or belief) an Article 10 (freedom of expression), and these applications were dealt with together in the 28, August, 2018 decision in *Ibragim Ibragimov and others v. Russia* (Duval, 2018). This important decision, which found a violation of Article 10 in light of Article 9, makes it clear that the extremism statute cannot be applied against a group or publication unless there is an explicit incitement to hatred or violence contained in the writings. The decision also explicitly criticized the Russian courts for accepting one-sided expert reports on the writings in question,

[7] For one example of the reaction see James T. Richardson's discussion of what occurred in Australia (Richardson, 2013).

[8] In Russia, several Nursi's writings has been included into the "Federal List of Extremist Materials" (Editor's note).

and not allowing counter expert opinions to be considered by the courts. This decision focused on the ECtHR's assessment of what constitutes "hate speech" and ruled that the writings in question did not qualify as such, citing as precedent the famous "Pussy Riot" case of 2018 (*Mariya Alekhina and Others v. Russia*)[9]. The ECtHR referred several times in its decision to the report of the Venice Commission (2008) which was critical of the Russian extremism statute and its application to rather selected religious groups and writings. The ECtHR also indicated support for the right to proselytize and promote one's religious beliefs to others. How Russia responds to this quite critical ruling remains to seen. However, this ruling suggests that the eventual decisions on many JW cases will also favor the applicants, thus raising the stakes considerably for Russia, for the ECtHR, and even the Council of Europe itself.

Shari'a and the ECtHR

For nearly two decades the ECtHR has, through its jurisprudential record, posited that the values and principles of Shari'a are incompatible with the values of democracy and human rights enshrined in the European Convention. This was made clear in 2003 with a controversial decision in *Refah Partisi and Others v. Turkey* (13 Feb., 2003) which supported the Turkish government's decision to dissolve the largest political party in Turkey. The *Partisi* decision has been criticized as demonstrating a limited understanding of Islam (see i.e., Meerschaut & Gutwirth, 2008, among others). However, the decision in *Molla Sali v. Greece*, rendered on Dec. 18, 2018 (HUDOC Information Note, *Molla Sali v. Greece*, 2018) might be viewed as undermining the firm stance taken in *Partisi*, although that assessment is controversial (Puppinck, 2018). The case involved a Muslim woman whose husband left her all his property with a common law will properly notarized according to Greek law. However, the will was challenged by the husband's sisters who claimed that since the husband was Muslim inheritance should be dictated under Shari'a law which would result in the two sisters being the recipients of three quarters of the inheritance[10]. The Greek courts, although initially favoring the widow, on appeal issued a ruling siding with the sisters and annulling the Greek common law will. The Court indicated that inheritance had to be settled according to Shari'a law or Greece would be in violation of the Treaty of Lausanne granting the right of the Islamic minority in Thrace to be governed in domestic matters by Shari'a law.

The widow than appealed to the ECtHR, claiming violations of Article 6.1 (right to a fair trial) taken alone and in conjunction with Article 14 (discrimination) and Article 1 of Protocol 1 (property). The case was initially assigned to a section, but then, in a somewhat unusual move, was relinquished to the Grand Chamber for adjudication. In a lengthy and thorough ruling the Grand Chamber unanimously found a violation of Article 14 (discrimination) in conjunction with Article 1 of Protocol 1 (protection of property). The key question addressed by the Court was whether the widow was discriminated against in a manner that would not have occurred had she not been

[9] See Maclean (2018) for a discussion of this and related Pussy Riot cases.

[10] The practice of Shari'a law in Greece in the Muslim community of Thrace is an anomaly which dates back to the terms of a population exchange between Greece and Turkey embedded in the 1923 Treaty of Lausanne.

a Muslim. The Court concluded that indeed she was treated differently because of her faith, thus resulting in the decision that her claim under Article 14 was warranted.

However, the Court, rather than affirming its hard stance against applications of Shari'a, indicated that, if a country desired, Shari'a could be acceptable under certain circumstances that involved an informed choice by all parties to allow domestic matters to be governed under Shari'a. But the Court's explanation of what circumstances might warrant acceptance of Shari'a were not entirely clear, leaving room for debate and needing further clarification (World Politics Review, 2018; Puppinck, 2018).

The implications of the *Molla Sali* decision may be immense, as the decision may be viewed ultimately as another example of the Court recognizing legal pluralism in the contemporary world, and an effort by the Court to find ways to better integrate Islam into the fabric of Europe[11]. Greece seems in the process of attempting to address the discrepancy between European anti-discrimination law and the practice of allowing Shari'a personal law in the Thrace area, as per the Lausanne Treaty of 1923. It recently modified relevant laws prior to the *Molla Sali* decision (which was decided under extant law prior to the change), allowing for the optional application of Shari'a law. However, this recent action by the Greek government have been subject to considerable criticism as potentially limiting personal choice of women in the Muslim community because the family and societal pressures they may face to submit to Shari'a law may render moot the 'optional' aspect (World Politics Review, 2018).

Blasphemy and the Prophet Mohammed: E.S. v. Austria

On October 25, 2018 the ECtHR decided a quite controversial case from Austria, *E.S. v. Austria*, ruling that Austria had not violated Article 10 (freedom of expression) when its courts refused to overturn a decision that the applicant had violated the criminal code of Austria making it illegal to disparage religious precepts. The applicant had referred to Muhammad as a pedophile during presentation at a seminar entitled "basic Information on Islam" presented by right-wing Freedom Party Institute, resulting in the charges against her and a resulting fine. This claim about Mohammed was based on the apparently historical fact that Muhammed had, at the age of 56, married a nine-year-old girl.

The Court ruled that the application of the law had a legitimate aim of preventing disorder by safeguarding religious peace and protecting religious feelings of Austrian citizens who were Muslims. The Court indicated that the seminar presentation had been misleading and was not in fact an objective treatment of Islam. The Court thus granted a very wide "margin of appreciation" to Austria in the matter, indicating that government officials were closer to the situation and better able to understand the importance of applying the statute in this matter.

Note that this decision, while of concern to advocates of freedom of expression, aligns, for good or ill, with much earlier decisions where the Court upheld restrictions on

[11] It is noteworthy, as the Court notes, that Shari'a law is allowed in at least one other CoE country under limited circumstance (domestic law in the U.K.), and applications of Shari'a rules in the area of finance are also spreading among CoE member nations (Possamai, Richardson & Turner, 2014; Ahmed Aries & Richardson, 2014).

blasphemy against Christianity. These early decisions include *Otto-Preminger Institut v. Austria* (20 Sept., 1995), and *Wingrove v. UK.* (20 Nov., 1996), which were at the time also controversial in part because they seemed to be supportive of efforts to control blasphemy, but only in favor of Christianity. Perhaps the recent *E.S.* decision will level the playing field a bit and indicate that the Court is seeking a path that recognizes the extant pluralism of many CoE countries. However, for proponents of free speech *E.S.* and the *Otto-Preminger* and *Wingrove* decisions represent significant limitations of freedom of expression.

Religious Attire in the Courtroom: Hamidovic v. Bosnia and Herzegovina

The wearing of religious attire in public has been a major point of contention throughout Europe in recent years, mainly provoked by the desire of many Muslims to wear apparel that identifies them with their faith. And usually the ECtHR has seemed tone-deaf to the concerns of Muslims, rejecting most applicants who bring cases dealing with religious dress to the Court[12]. However, this attitude of the Court may be shifting somewhat, as indicated by a recent case.

The *Hamidovic* case, decided in December, 2017, involved a member of a fundamentalist Islamic religious community who was called to testify in court in Bosnia-Herzegovina (BiH), but who refused to take off his Islamic skullcap as instructed by the judge. The witness was respectful of the court and willing to testify but unwilling to remove his headgear for religious reasons. He was sanctioned for contempt and fined 5,000 Euros (later reduced on appeal to 1,500 Euros), but he did not pay the fine and thus was sentenced to 30 days imprisonment. After he was released Hamidovic sought relief from the Constitutional Court of BiH which ruled against him, stating that his contempt citation was a lawful interference with his religious rights. Hamidovic then applied to the ECtHR for relief, claiming that his rights under articles 9 and 14 of the Convention had been violated.

The ECtHR took considerable care in analyzing the case, noting that among other things BiH was 51% Muslim and 46% Christian, with a constitution that guaranteed religious freedom and was based on secular principles. The Court presented results of a comparative analysis focusing on rules applied to the wearing of religious symbols in court proceedings in 38 CoE member states. This research revealed that only four states required removal of headgear in court proceedings and that in those four the rule was not enforced consistently. The Court then focused on whether such a requirement concerning the removal of religious headgear was necessary in a democratic society, and ruled that in this case it was not. The Court found a violation of articles 9 and 14.

The Court tried in its ruling to make it clear that this decision was unique to the facts of this case and did not overrule earlier ECtHR decisions concerning religious dress in public spaces. It also stated that there might be future cases where removal of religious symbols, including headgear, in courtrooms would be justified. Thus,

[12] One exception is Ahmet Arslan v. Turkey App. No. 41135/98, decided Feb. 23, 2010, in which Turkey was found to have violated Article 9 when it found 127 members of an Islamic sect to have violated Turkish laws when they refused to remove their turbans during court proceedings. But see Jusic (2019) for a discussion of contrary cases involving religious garb in legal proceedings.

the Court tried to limit application of the decision, but nonetheless the decision may represent a recognition of some circumstances where basic tenants of Islamic sects could prevail within a courtroom setting.

Conclusions

The European Court of Human Rights has become one of the most powerful international courts in the world. But the gradually accruing success and growing influence of the Court over the decades since its creation have raised concerns among several of its original sponsors in the CoE. Also, the operating environment of the Court has undergone a dramatic change with the collapse of the Soviet Union and the subsequent addition of many former Soviet-dominated nations to the CoE. Thus, the Court has been forced to respond to growing disquiet among some original sponsors while at the same time it is grappling with thousands of applications from citizens of newer member states whose backgrounds and cultures have not been supportive of human rights.

Not surprisingly the Court has, in the face of these two major concerns, developed a complicated bifurcated response and may be in the process of developing a dual track jurisprudence in the area of religious regulation as well as in other areas (see analyses and empirical evidence offered in Cali, 2018; Jusic, 2018; Stiansen & Voeten, 2019). Thus the "judicialization of religious freedom" (Mayrl, 2018; Richardson, 2015) within the much-enlarged CoE has evolved in a manner cognizant of the vast cultural and historical differences among CoE nations. The Court's more recent jurisprudential record seems to promote legal pluralism as it grapples with many differences present within the CoE concerning religious practices, as demonstrated particularly by the cases cited above involving Islam.

One track seems to treat most original members of the CoE with considerable deference involving an expansion of the margin of appreciation, an approach that has resulted in allowing those member states to exercise substantial control over human rights matters including religious practices as well as other areas. This broad margin of appreciation has resulted in the Court often deferring to national governments' attempts to regulate religion in cases dealing with Islam but other cases as well. If the member state's governmental review of the issue involved has been demonstrably thorough then the ECtHR has begun to use this as grounds for deferring a substantive analysis and finding in favor of the member state. This recently developed track seems designed to maintain favor with and support from original member nations.

The second track appears to treat most new members of the CoE (and also sometimes Turkey and Greece) as being in need of considerable hands on guidance in how it deals with matters involving religious freedom and other human rights. This approach can involve a more thorough substantive analysis of the claims before the Court and less deference to claims of the member state, even as the Court recognizes historical and cultural differences within the newer members of the CoE. This second track also has had implications for how the Court has recently been adjudicating cases involving Islam, and this development has had an impact on some cases concerning Islam brought before the Court from original members of the CoE. This

newer jurisprudential pattern involving Islam cases appears to represent a recognition of the legal and cultural pluralism that exists not only within newer CoE members, but also with original member states as well.

Thus, the Court seems in the process of developing a quite complex jurisprudence in its efforts to manage the vastly differentiated landscape of a much enlarged CoE. The consequences of applying this complicated mode of operation adopted by the Court, and how it comports with the "judicialization of religious freedom" concept remains to be seen. As the Court begins to develop a jurisprudence that seems more deferential to the cultural and legal pluralism that exists within the new (and older) CoE nations, can it succeed in "educating" newer CoE members, some of whom are quite recalcitrant and openly hostile to the Court's rulings and overall authority, while treating more consolidated democracies with greater deference? Or will the Court end up effectively neutered with respect to older CoE members and ignored by newer members? Indeed, there are ultimate questions to be posed concerning the future of the Court and of the CoE itself given these recent developments. Can the Court and the CoE survive in the modern era with so many conflicting demands being made on it? That seems the major question of the time.

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ARTICLE

Second-Order Arguments, or Do We Still Need Tolerance in the Public Sphere?

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ABSTRACT
A number of widely discussed court decisions on cases of insults against religious feelings in Russia, such as the relatively recent "Pokemon Go" case of blogger Ruslan Sokolovsky or the lawsuit filed against an Orthodox priest by Nikolai Ryabchevsky in Yekaterinburg for comparing Lenin with Hitler, make pertinent the question of why toleration becomes so difficult in matters concerning religion. In this paper, I revise the classical liberal concept of toleration (David Heyd, Peter Nicholson, and John Horton), arguing that it is challenged by contemporary philosophers, who see no room for applying this concept in the "domain of identities". The most prominent case of "primordial" identity, that is, the notion of identity as a given, is the claim of devoted believers for recognition. Should we replace the principle of toleration by the principle of recognition since the latter better corresponds to identity claims? To address this question, in the first part of the article I describe the mechanism of tolerant attitude (Nicholson, Heyd) and in the second part, I analyze the debates about the possibility or impossibility of inner religious toleration (Avishai Margalit, Cary Nederman, and Maxim Khomyakov) and further compare toleration and recognition as normative principles. In the light of the debates I took part in the conference hosted by the University of Southern Denmark in October 2019 as part of the project "Religious Majority/Minority in Public Space in Russia and Northern Europe: Historical-Cultural Analysis", I come to the conclusion that the principle of toleration is preferable to the principle of recognition because the "second-order" arguments for toleration in a secular state will be universally acceptable (pragmatic argument) and, therefore, the principle of toleration is more logical

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(analytical argument). Following Peter John's thesis about minimal recognition embedded in toleration, it may also be concluded that we need a normatively charged idea of citizenship, which could provide us with universal "second-order" foundation.

KEYWORDS
tolerance, religion, recognition, identity, citizenship

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Introduction

Contemporary society is ridden with conflict, especially religious conflict. Broadly understood, any conflict can be described as religious if at least one of the sides involved makes references to a certain religion in its claims or argumentation. Even though in this case the conflict may still be rooted in economic or political disparity – the fact that both political theoreticians and practitioners are well aware of – it does not exclude the possibility of an opposite situation – that the conflict is rooted in religion or stem from different interpretation of the sacred texts (Stepanova, 2017). The growing number of religious conflicts makes it pertinent for political and social theory to revise the already existing instruments of analysis and to develop new ones for efficient peacemaking and peacekeeping in such situations. One of the possible solutions could be the promotion of toleration (or tolerance), primarily in its egalitarian and liberal meaning, in post-secular society.

It should be noted that much effort was put into the promotion of tolerance in Russia some ten years ago and the academia made a major contribution to this trend. However, recently, this trend has been subsiding. Can the results of that intellectual work aimed at finding grounds for toleration be of any use in solving the conflicts that rage in the public space of contemporary Russian society? This refers primarily to the so-called "difficult cases" which made the news and were widely discussed in Russia: that of blogger Ruslan Sokolovsky, who played Pokemon Go in a church (Sokolovsky! Nichego Sviatogo, 2017), and the libel lawsuit filed by Nikolai Ryabchevsky against archpriest Evgeny Popichenko for comparing Lenin with Hitler. In the latter case, during the course hearing, the defense lawyer suggested that the plaintiff should demonstrate their kinship with the alleged object of insult (Ignatova, 2018). The first case triggers debates about the balance between the right to freedom of conscience with its 'lexical priority' – the right to freedom of speech – and the right to protection of religious feelings. This case has already been discussed in academic literature the following way:

> The notion of 'religious feelings of the believers' is highly problematic. It cannot be clearly defined since feelings are subjective and when religious feelings are separated into a distinct category it is either narrowly understood in specifically

> confessional terms or it is completely devoid of any specific content as religious feelings are compounded with religious beliefs and convictions. Thus, if under the guise of religious feelings it is religious convictions that are to be protected, we face inevitable violation of the right to freedom of conscience for non-believers, while positively discriminating religious believers, as well as freedom of speech for all, as freedom of speech is lexically prior to freedom of conscience and religion (Menshikov, 2017, p. 35).

The second case apparently implies the need to prove that secular views as well as religious views can be constitutive of human identity and the feelings based on these views can be offended in the process of communication in the public space. Therefore, the question arises as to whether toleration, or to be more precise, its classical liberal (negative) version can be effective as a tool for solving such conflicts in modern pluralistic society? Or should the principle of negative (liberal, minimal) toleration be replaced by the principle of *acceptance* of the differences significant for one's identity since this principle is unable to regulate the relationships between the majority and a minority or between minorities? (For more on this see Ceva, 2015).

Characteristics and Structure of Toleration

Toleration can be briefly described as a virtue of non-interference in the existence of a deviation seen as morally significant by the subject of toleration. Peter Nicholson (1985) points out five major characteristics of toleration:

1. Deviance. A pivotal requirement here is that the subject of toleration should disapprove of the other party's beliefs or conduct, in other words, the very fact of difference should be considered as essential.

2. Importance of the deviation. The subject of toleration should find the deviation significant, important.

3. Moral disapproval of the deviation. The subject of toleration is aware of their own negative attitude to the deviation and this attitude has moral (not aesthetic, pragmatic or any other) underpinnings. Since disapproval has a moral character, the subject may feel that the evaluations they express are of social significance, that they are speaking on behalf of other people, because moral norms, unlike aesthetic preferences or specific pragmatic interests, are not localized only in the sphere of private life of individuals.

4. Power (to suppress deviation). This means that you have the power (which interpreted rather broadly by Nicholson: from the real ability to use physical coercion to the potential ability to influence the situation through criticism, propaganda and so on) or the ability to suppress the deviation. Therefore, we cannot speak of toleration in situations one is powerless to change.

5. Non-rejection. Even though one has the power and morally disagrees with a certain practice, one still chooses not to interfere with the practice or not to prohibit it.

Nicholson comes to the conclusion that toleration is a moral idea and puts forward the fourth (debatable) characteristic of toleration – goodness, explaining that

the tolerator is morally virtuous, that is, does what is morally right (Nicholson, 1985). Some philosophers, for example, Robert Forst (2003), identify fewer criteria. In Forst's opinion, we can speak of toleration as long as the following three conditions are met: first, the subject of toleration disapproves of the deviation; second, the subject of toleration can interfere (act against the deviation) but chooses not to interfere; and third, still there is something in deviation that the subject of toleration cannot accept completely. In general, all the conceptual debates surrounding toleration are connected to the paradox inherent in this definition and widely discussed in Russian and international literature (Horton, 1994; Khomyakov, 2003). If we take a closer look at the relationship between Nicholson's criteria 3, 4 and 5 or Forst's transition from the first requirements to the second, we will see that toleration implies the subject's choice of non-interference in a significant situation despite their personal moral beliefs. As Bernard Williams (1996) puts it, it is "impossible" or extremely hard to be tolerant. Does it mean that objects of tolerance are bound to disappear, as they fall into classes of those phenomena which either can be tolerated (minimum disapproval, criteria 1–3 in Nicholson's definition are not met) or are absolutely intolerable (criterion 5 in Nicholson's definition is not met)? People obviously can find ways to get along and live together even though their moral principles are sometimes at odds with each other.

Therefore, there should be some special grounds to justify "switching" from personal disapproval of a deviation (the disapproval itself does not disappear) to refraining from action of coercion. In my view, there are two possible ways. The first way is that we need to prove that toleration in our value system occupies the supreme position. In this case the imperative of interference on the level of first-order morality is weakened and this is the way chosen by Nicholson, who contends that tolerance is a moral ideal. The second way is to find other arguments, outweighing moral disapproval of the subject of toleration in specific cases, and try to conceptualize them to reach the level of theory. The first way seems quite problematic since we have to agree beforehand with the view that toleration is a supreme value in order to make it work *in practice*. The second way opens the door for a multitude of philosophical, historical, psychological, and cultural studies. The theories of toleration which follow the second way generalize and formalize these premises. Is it possible to imagine the work of tolerant consciousness as using second-order arguments? My answer is yes. At first view it appears that in this case, the so-called paradox of toleration can be resolved: If one's moral disapproval is based on certain grounds (first-order arguments) but is neutralized by *other,* weightier arguments (second-order arguments), then there is a chance of avoiding moral schizophrenia – a situation when both disapproval and non-interference (acceptance, toleration) are based on the same premise.

According to the classical theories of toleration, toleration implies a "switch" of the subject's attention from "morally objectionable" beliefs to the person who upholds them, followed by balancing of arguments in favour or against interference. In David Heyd's view, "the virtue of tolerance consists in a switch of perspective […] Thus, to be tolerant one must be able to suspend one's judgement of the object, to turn one's view away from it, to treat it as irrelevant, for the sake of a generically different perspective" (Heyd, 1996, p. 12). Real toleration requires us to see a certain action or belief as "anchored"

in the personal background of the object of toleration. This background consists of motivations, intentions and other beliefs, in other words, the whole cognitive system of this person: "We do not tolerate opinions and beliefs, or even actions and practices, only the subjects holding disliked beliefs and the agents of detested actions" (Heyd, 1996, p. 140). It is true. But why do we tolerate these people? What outweighs our disapproval of their actions? In other words, we "switch" to second-order arguments turning these people into valuable (or describing them as such). What is important is our willingness to value people more than our detestation of what we had to face when we dealt with them. I believe that specific cognitive and psychological features of this or that person do not play a significant role in the situation of toleration unless they are a part of our ideas (or theory) *about him or her.* Broadly speaking, if I have to deal with a detestable person and I have a more or less clear idea about which of their personal qualities have led to the appearance of deviation, these qualities as such, outside of the theory about why I have to take them into consideration, will not have the force of second-order arguments[1].

I also think that the perceptual shift does not have to be directed specifically at the personality of the tolerated: what is important is for the tolerator to switch the attention from arguments in favour of interference to arguments against interference (even in the absence of real experience of interaction with the object of toleration). In my view, Heyd is right to point out that empathy, an ability to put oneself into the other's shoes, provides a good training of our cognitive and psychological ability to be tolerant. To sum it all up, we can say that in order for toleration to appear logically possible in each and every sphere of society, it should either be the "first commandment" in itself or we should find grounds (second-order arguments) for non-interference.

Toleration always serves as a principle of interpersonal communication. In the domestic policy of a state, that is, in the way state institutions treat individual citizens and groups, neutrality is necessary and sufficient. The key challenge for the classical theory of toleration is that it can no longer be applied (it is both unproductive and dangerous) to the sphere of primordially described identities. There is a widely spread view about the "end" of liberal toleration just because it cannot be applied to conflicts in contemporary societies – these conflicts no longer tend to take the form of opinion conflicts (opinions can be separated from those who express them) but instead turn into identity conflicts (separation is impossible or difficult) (Khomyakov, 2013). Identity of a devoted believer can serve as a good example of such identity – identity as a given. Is inner religious toleration possible in this case? In other words, it is possible to tolerate a representative of another religion or an atheist, if one morally disapproves of the very fact of existence of this religion or atheism and has the power to interfere? Is it possible that one will choose to refrain from interference proceeding from religious, that is, "inner" premises? I am going to discuss these questions in more detail in the following parts of this article. It should be added that the second-order arguments for

[1] In this case it would make no significant difference if toleration was realized through the mechanism of weighing the two sets of arguments – in favour of interference and in favour of non-interference – or of there was a "perceptual shift" from religious views to the person adhering to these views, as Heyd (1996) described it, since some kind of foundation still is required for this shift to happen.

religious toleration can be (a) religious in their nature, that is, stem from the core of religion, or (b) external but evidently holding more force than religious arguments to preclude the disapproval based on the latter.

Debate on Religious Pluralism

Avishai Margalit (1996) believes that religious toleration and religious pluralism are impossible due to the following reasons:

1. Revelation is propositional, that is, it is uttered in the way allowing for evaluation of truth and falsity;
2. Revelatory truths are constitutive of religion and of religious salvation (salvation is dependent on veracity of the fundamental religious propositions);
3. Religions become inherently valuable because they open a path for salvation (based on revelatory truths) to an individual;
4. There are contradictions between the truths of each pair of the three traditional monotheistic religions (Judaism, Christianity, Islam);
5. The fact that the source of truths is revelation means that a "false" religion, unlike, for instance, erroneous scientific theories, does not hold any value;
6. Premises 1–5 correspond to the historical reality of the three major religions (Margalit, 1996).

This reasoning seems logically immaculate and it leads us to the question about inner religious toleration:

> How can, for example, a Christian, for whom belief in the Holy Trinity is a necessary condition of salvation, be tolerant towards the concept of the unity of God, which rejects the Trinity doctrine, in Judaism or vice versa? Accepting one, aren't we bound to reject the other, which means that this rejection contains an imperative for a believer to fight to the best of their ability against any beliefs that are false, heretical or sinful (and therefore corruptive)? A. Margalit's argument might seem compelling and the feasibility of religious pluralism might cause doubt only if we disregard the complexity of the issues in question (Khomyakov, 2004, p. 387).

Logically, inner religious toleration is possible if Margalit's arguments are weakened (but still retain some weight otherwise what we get is acceptance) and/or if we manage to find weightier arguments to prove that the perceptual shift *ad hominem* described by Heyd (1996) as a mechanism of tolerant consciousness (intolerance to sin appears to hold less power than the arguments in favour of the "sinner") would make sense. It should be noted that since our task is to justify the possibility of inner religious toleration, we first of all need to search for and describe the religious "component" of the first- and second-order arguments. According to Maxim Khomyakov (2004) and Cary Nederman (2011), history of thought provides a range of conceptions which can weaken Margalit's arguments. Let us consider these counterarguments.

1. Skepticism undermines the propositional nature of revelation: "Moderate skepticism of religious theories undermines but does not shatter the propositional

nature of revelatory truths, in reality the adoption of skepticism by certain thinkers often led them to more tolerant attitudes to other religions" (Khomyakov, 2004, p. 393).

2. The indifferent things theories (*res adiaphora*), popular in the Reformation era (John Locke), can also weaken the second of Margalit's premises. There is, however, a logical risk inherent in these theories associated with their bringing together toleration and indifference.

3. The third premise cannot be disputed (the value of religion lies in the fact that it grants a path to salvation) but it can be expanded: the value of religions can be connected not only to the fact that they give a path to salvation but also to the fact that religions can help maintain moral standards and "social order" in societies. The subtlety of this argumentation is that moral standards and social order have to somehow fit into the way the subject of toleration understands the religious good and this understanding has to proceed from the revelation truths otherwise a religious argument will be replaced by a purely functional argument.

4. Margalit's fourth premise is weakened by rational reductionism (for example, Nicholas of Cusa formulated the principle of religious peace ("*una religio in rituum varietate"*), mysticism (if all things are theophanies, then toleration to differences in this world is justified), and early nationalism (nations "develop their own ways of worshipping God (signs for the signified) and people performing their rituals (differently) worship God in the way most pleasing to Him" (Nederman, 2011).

5. Finally, the counterarguments to Margalit's system of premises will be pragmatism (from negative pragmatism, in which interference would be deemed too costly, to functionalism, in which moral disapproval of the subject of toleration would be compensated by the good the object of toleration brings into society) and the liberal discourse of human rights (Immanuel Kant, John Stuart Mill), in which

> intoleration is unacceptable not for the reason that we "almost agree" with deviation and not for the reason that the supposedly deviant individuals deserve respect because they contribute to the social good of society but for the reason that any person (including those whose views and conduct deviate from what is considered to be a moral norm) has an inalienable right to live the way they think best (Khomyakov, 2004, p. 398).

This, however, does not mean that the topic of this debate is exhausted. The first and the most natural reaction to these arguments would be a certain intellectual confusion. First, is skepticism really compatible with religion and revelation truths which need to be taken on faith? The point might be that

> revelatory propositions are either false or true, that is, revelation is propositional, but we (due to the deficiency in our capacity to make judgements or for other, deeper reasons) are unable to ascertain the truth or falsity of these propositions. We only assume that our religious beliefs are true but it is not enough to justify intolerance towards heretics" (Khomyakov, 2004, p. 392).

I believe (despite the weight of the skeptical argument and the support provided for this argument by agnosticism) that in this form this argument will be valid only *within the framework of academic debate*. The question about how a supposition (hypothesis) and *at the same time* faith in the truth of this hypothesis coexist (or can coexist) in religious consciousness deserves to be a subject of more detailed discussion. Nevertheless, the following statement more or less sums up the idea: "The mitigation of the disagreement in scepticism, however, would not lead to toleration if it was not conjoined with certain forms of positive appraisal respect. In the majority of the cases of theological scepticism, this is a respect for God's omniscience and his absolute right to judge" (Khomyakov, 2013, p. 228).

Second, the theory of indifferent things appears to border on indifferentism and, therefore, the second and third criteria of toleration in Nicholson's definition will be weakened to an extent that it would be more appropriate to speak of transformation of toleration into neutrality. Moreover, rational reductionism is quite suitable for addressing these tasks on the condition that we share the premise that revelatory truths do not just take the form of propositional statements but can be subjected to rational analysis (in this case our mind – as opposed to skepticism – should have *a strong ability* for reasoning). As a result, we would be able to find something that different religions have in common, these shared grounds will be properly substantiated and adopted as a practical guidance for people who "happen" to have faith. On the other hand, if the strategy of reductionism proves to be successful, this will eliminate the first of Nicholson's items – significant deviation. Mysticism appears to be a religious although excessively narrow argument – up until the point when we can demonstrate that it is possible to transfer mystical medieval theories into the modern context. Early nationalism the way it is described by Nederman, in my view, cannot be easily transferred into the modern context or, in other words, it is hardly compatible with nationalism in its modern understanding, at least the way Benedict Anderson (1983) and other proponents of the constructivist approach saw it. This argument (diversity of nations means diversity of ways to worship God) leaves little space for the third criterion in Nicholson's definition (moral disapproval). Functionalism as defense of religious toleration is quite effective but to what extent can this argument be described as religious? With a considerable degree of simplification, we may suppose that this argument can be religious only in the case when salvation of the soul is inseparable not only from the faith in revelatory truths but also to a certain level and order of social, that is, secular life.

Finally, the human rights discourse in its liberal understanding does not change the balance of power: religion, *along with any other* lifestyle not prohibited by the law, becomes a matter of personal choice of individuals and up until the moment when a certain lifestyle becomes harmful to other people, it should be tolerated out of respect for the right of a person to freely choose whatever they wish in accordance with their (diverse) nature. It is likely that toleration of this kind will turn out to be just a particular case of negative liberal toleration, whose endless potential is insistently emphasized by difference-blind liberalism. The practical implication of such perspective would be a complete and real separation of the state from the

church and consequent "privatization" of all group differences (including religious ones) by an individual (Barry, 2013).

I think that there is a certain tension inherent in this debate associated with different argumentation formats or with different criteria for including religions in the "ring" (here I am alluding to Margalit's seminal work "The Ring: On Religious Pluralism"). For example, Margalit builds a logically immaculate model and invites us to launch a scholastic assault on his "fortress". Proponents of the possibility of inner toleration can breach Margalit's "fortress" by using examples from history and practices mirrored in the intellectual reflection of different epochs. If we look at those religions that John Gray considers to be the least prone to inspire confrontation in his chapter on the post-liberal perspective of toleration, we will find that "for the post-Christian unbeliever, as for the adherent of particularistic faiths such as Judaism, Hinduism, Bonism, Shinto and Taoism, which make no claim to possess a unique truth authoritative and binding for all people, old-fashioned toleration is irrelevant in respect of the religious beliefs of others" (Gray, 1995, p. 42). Nevertheless, at this stage appeal to purely religious argumentation as a core element of inner religious toleration appears problematic to me, which renders the whole phenomenon of inner religious toleration problematic as well. My thesis in its strong and weak versions is as follows:

1. Toleration in religious matters *becomes logically possible* when it is based on what cannot, strictly speaking, be called religious argumentation – the argument about salvation of the soul if one follows the revelatory truths.

2. If the second-order arguments in relation to *non-religious and other objects of toleration* remain religious, they cannot be presented as universal and shared by all members of contemporary society.

From the list of "external" arguments such as pragmatism, functionalism, and human rights, it is the latter – the liberal concept of autonomy – that proves to be the most stable: one would be tolerant towards deviation even if interference is both cheap and efficient and even if the object of toleration does not contribute to the common good in any way. Religious toleration becomes possible where classical negative toleration is possible and on the same grounds. Does it mean that minimal negative toleration is what we need to promote? Or should it be turned instead into positive toleration – the attitude to differences based on valuing the differences as such?

Toleration in the Public Sphere: "Parade of Identities"

Among the arguments against toleration, one can come across the argument shrewdly expressed by Thomas S. Eliot the following way: "Christians don't want to be tolerated" (as cited in Khomyakov, 2013, p. 231).

> For example, if a devoted believer, in her thinking about herself, doesn't really make a distinction between her "self" and her "religious commitments", she wants to be recognized exactly as a religious believer, and not as merely as a human being who has certain rights. But this is exactly what toleration cannot provide, since it consists of "bracketing" the disagreement and, therefore, of not paying attention to

> her religion. Those who see themselves as bearers of thick identities are then seen by the tolerators merely as humans. I wonder if this is not one of the meanings of a famous saying of T. S. Eliot, "the Christians don't want to be tolerated", or Goethe's claim that "to tolerate means to insult" (Khomyakov, 2013, p. 231).

This maxim refers to unwillingness to consider one's identity as a result of choice (or possible reconsideration of this choice in the future). From this perspective, toleration may seem offensive to its object as if their own beliefs did not matter in view of the very possibility to choose. At this point, let us go back to the model of Heyd, who believes that in order to refrain from exercising one's power, a subject of toleration needs to switch their attention from what they choose and consider right to the person who adheres to these (or other) beliefs. Doesn't it mean, however, that your own beliefs are not taken seriously? What matters for us is what we have chosen while for those who are tolerant towards us what matters most is the person who has made this choice. "It seems to me that asymmetry between the tolerator and the tolerated on this matter can be explained by the fact that the subjects of the beliefs or the agents of the practices in question find it harder to make the perspectival shift […] because they identify with their beliefs and practices in a much stronger way" (Heyd, 1996, p. 16). A strong identification with one's views and actions can provide a foundation not only for the demand of "simple" toleration, when those who demonstrate toleration are always right, but also, to say the least, for the demands of different forms of recognition. Does it mean that toleration as recognition is a better version of toleration as non-interference? To answer this question, we need to make certain clarifications in our initial premises and in the general logic of our reasoning.

1. Toleration (negative, minimal) implies non-interference into what you morally disapprove of. In order to refrain but at the same time not be indifferent, one needs certain grounds. We can speak of toleration if the arguments in favour of non-interference are stronger than the arguments in favour of interference. If these are *different* arguments, then the paradox of toleration disappears:

> It is dissolved when one considers that what one really has is a *pro tanto* moral reason – an other things being equal reason – to intervene, but a *stronger pro tanto* moral reason not to intervene and hence an all things considered moral reason not to intervene. Thus, I may for instance have a pro tanto moral reason, given my strict outlook on sexual morals, to intervene in my neighbor's life of debauchery, but an even stronger pro tanto moral reason to respect her right to run her own life (as long as she respects the rights of others), given that I accept that a just basic arrangement of society should allow all of us the maximum degree of autonomy compatible with everyone's right to the same. There is no paradox or dilemma here, since the moral reason to tolerate simply overrides the moral reason to be intolerant (Binderup, 2011, p. 158).

2. For the liberals, autonomy – people's right to live the life they have chosen for themselves – serves as a preferable basis for second-order arguments (non-

interference). The breach of autonomy by default defines the boundaries of toleration.

3. In order to value autonomy more than lifestyle, you have to be able to distinguish between them, separate them from each other (perceptual shift). Such separation is either impossible or difficult or offensive for those who describe themselves in terms of thick identity.

4. Therefore, in order to minimize the conflicts rooted in encroachment upon someone's identity, including conflicts involving devoted believers, we need to move from understanding toleration as non-interference to toleration as recognition (for more on this, see Galeotti, 2002).

5. Recognition means that you start valuing precisely what is important for the object of recognition – his or her beliefs – rather than his or her right to have them. Such strategy should be productive in the conditions of identity claims.

Nevertheless, the potential of toleration as recognition has certain limitations[2]. These, which could be described as logical, genealogical and pragmatic counterarguments. The first limitation is connected to the "return of the paradox" in the form of a logical contradiction: what makes us experience moral disapproval is simultaneously what we have to recognize, that is, accept. Arguments "not to tolerate" and "accept", therefore, stem from the same premise. In the case of religious conflicts, the formula may be as follows: "I tolerate you, a heretic, for the reason that you are a heretic" / "I tolerate you, an atheist, because you are an atheist".

If we refrain from *disapproval*, then in the structure of toleration-as-recognition, toleration will all but disappear and we cannot speak of a coherent genealogy (history) of toleration, ending with toleration as recognition.

Finally, if we not *tolerate*, but *recognize* differences as differences, doesn't it mean that we are thus losing the foundation necessary for public consensus? What I mean here is that, instead of one common ground for toleration (or its limits) shared by all citizens of the state, we would, in the best-case scenario, have to deal with a multitude of objects of recognition, which means that we would also have to regulate the relationships between them. My pragmatic argument is that autonomy and respect for individual rights have more potential to become general "second-order" arguments among citizens than any other premises, since we are living in a society comprising atheists as well as religious adherents. Even if autonomy and rights are not the best premise in principle, they remain the only second-best option available to everybody. On the contrary, politics of recognition can impede real integration of individuals and groups since they create and maintain boundaries between individuals and groups (for more on this, see Binderup, 2007).

This naturally takes us back to the question of what identity is. Well, I do think that identity might be described and conceptualized by someone as given unchangeable unity. But it is not given in real! It might be only *described* as given and stable one – but really any identity is constructed within and through social communication processes

[2] I am grateful to Lars Binderup for discussing this question at the conference hosted by the University of Southern Denmark in October 2019 as part of the research project "Religious Majority/Minority in Public Space in Russia and Northern Europe: Historical-Cultural Analysis".

and network of our relations in any culture – even we prefer to think about it differently. The idea of social reality as constructed reality, defended by Peter Berger and Thomas Luckmann more than fifty years ago (Berger & Luckmann, 1966), can hardly be challenged nowadays. Finally, in order to show that toleration may be combined with recognition in a non-contradictory way, I would like to quote Peter Jones (2015), who contends that realization of *negative toleration* also means recognition – its *thin* version, since each time one is tolerant towards another person, one recognizes them as a citizen with their own autonomy and rights. Therefore, it would be better in my view to focus not on the politics of recognition but on the development of the normatively charged idea of citizenship to facilitate negative toleration. The question about alternatives to autonomy as a value that should be shared by all citizens remains open for further discussion.

Conclusion

I was trying to show that negative toleration or old-fashioned toleration, as John Gray (1995) puts it, has certain advantages in comparison with politics of recognition in the complex world we live in. My main argument to support this point is that the "second-order arguments" in the case of liberal toleration – autonomy and human rights – stand more chances of being shared by all citizens. I sought to demonstrate by using religious toleration as an example that any other premise, even if it is applicable in a specific historical situation, cannot be extrapolated to the relationships between atheists and believers and to the relationships between adherents of different confessions and religious movements. I am well aware of the fact that the desire to find the best premise is normative in itself and it implies certain understanding of how people should benefit from philosophy and political theory. Nevertheless, the absence of any normative orientations – reasonable normativity – makes such choice problematic in the first place. Since justification and critique of toleration, as I was trying to show, depend on how we understand identity, I believe that Russia, like any other country, has to deal with pluralism of opinions about the best way of life and, therefore, faces the need to choose which identity model the state education policy will be oriented towards. Another question to be addressed is the following: should we support the inseparability of personal convictions and subjectivity or promote the idea that subjectivity is realized in the *right to choose*. Since autonomy is also a value as well as neutrality, that is, normativity cannot be completely eliminated from politics, I believe that we need to focus on the development and defense of the normatively charged idea of citizenship as a universally valid second-order argument in favour of toleration in people's interactions.

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ARTICLE

From Respected Religion Scholar Expert to Cartoon Character: Reflections in the Wake of the Danish Muhammad Cartoon Crisis and Three Decades as Expert to the Media

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ABSTRACT
Respected scholar, expert, public opinion maker, oracle, under-cover politician, charlatan, cartoon character – all roles "out there" waiting for scholars sharing knowledge with a wider public. Scholars of religion trying to carve out more room in the public arena for a non-religious, scientific approach to religion always risk digging their graves as (respected) scholars. What's worse, they also risk digging the grave for a valuable and respectable, as well as publicly valued and respected academic, scientific study of religion. The scholar popularizing scientifically based knowledge, not least via the mass media (daily newspapers or public television), may "become" political and controversial to such a degree that s/he becomes a problem for the scientific study of religion, the community of scholars of religion, and the university with which s/he is affiliated. The otherwise valuable engagement threatens the reputation of science as being something valuable, "pure" and "neutral," elevated above the dirty business of politics and power. In spite of the risks, the engaged scholar, it is, however, also argued, actually can help to strengthen the position, inside and outside the academy, of scientifically based knowledge and of the critical, analytical, scientific study of religion.

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Introduction

In the abstract to his 2005 article "The Politics of Wishful Thinking? Disentangling the Role of the Scholar-Scientist from that of the Public Intellectual in the Modern Academic Study of Religion", Canadian scholar of religion Donald Wiebe wrote:

> Although religion may well have relevance for various social, political, economic, cultural, and other related issues in society, I will argue here that this does not oblige the academic student of religion to become engaged with those matters. Indeed, to do so – not as a citizen but as a member of the academic guild which has responsibility to the field/discipline of Religious Studies and the modern research university at large – is to fuse and therefore confuse advocacy and scholarship. The task of the student of religion, *qua* scientist, is to seek to understand and to explain religion and religions, not to create the good society (Wiebe, 2005, p. 7).

With reference to e.g. Weber's "teachings" about the (ideal) separation of and difference between value-free scholarship of communication thereof and a value judgment (be it religious, moral or political), Wiebe warns about the risks implied if the scholar becomes a *public intellectual*. The fundamental risk, he argues, is that it "may well put academic credibility of this discipline into question" (Wiebe, 2005, p. 8). Moreover, he warns, "[r]eligious and political goals [...] are replacing the scientific agenda of seeking disinterested knowledge about religion and religions" (Ibid.).

Wiebe, in this article, attacks not only religio-theologian public intellectuals but also scholar of religion Russell T. McCutcheon. Wiebe, as also e.g. Ivan Strenski, opines that McCutcheon has become spokesman for an activist and anti-religious application of the study of religion, which, at the end of the day, is no better than a religious-theological pro-religious approach (Strenski, 2006, p. 339 ff.). *En passant,* one may, however, note that McCutcheon, the same year he is criticized by Wiebe, directs a not dissimilar criticism against another US scholar of religion, Bruce Lincoln (2005). McCutcheon (2005) criticizes Lincoln for – in regard to his study-of-religions based critical analyses of e.g. the rhetoric of former US President Bush – for abusing his academic title and status to legitimize what, at the end of the day, are his personal political opinions and agenda. An accusation not dissimilar to the one directed at me by Danish daily *Jyllands-Posten* (*JP*) in the debate following the publication of the Muhammad cartoons. Let us therefore, before we get back to some key methodological

issues take a look at religion scholar Jensen's role(s) in the debate pertaining to the Muhammad cartoons. As a case.

The Cartoons: Islam-Bashing or Freedom-Fighting – or Raising a Debate?

September 30, 2005, *JP*[1] published "The Face of Muhammed" containing twelve cartoons[2], including one of a man with a bomb and the Islamic creed in his turban. Mentioning what he considers examples of self-censorship due to fear for Muslim reactions, culture editor Flemming Rose concludes:

> The public space is being intimidated. Artists, authors, illustrators, translators and people in the theatre are therefore steering a wide berth around the most important meeting of cultures in our time – the meeting between Islam and the secular society of the West, which is rooted in Christianity. [...] Some Muslims reject modern, secular society. They demand a special position, insisting on special consideration for their own religious feelings. It is incompatible with secular democracy and freedom of expression, where *one has to be ready to put up with scorn, mockery and ridicule* (Director of Public Prosecutions, 2006; trans. and italics mine)[3].

"The Face of Muhammed" inspired heated debates[4]. About freedom of expression versus religion and religious sensibilities (especially Islam and Muslim sensibilities) and about religious versus secular worldviews, and the Muslim world versus the West. These debates are ongoing, often including issues pertaining to the refugees from Muslim countries, and often framing controversies in terms of "culture wars".

Reasons for this and for the events, including the violent ones[5], that unfolded in late January and early February 2006, are many[6]. One obvious reason is that quite a few Muslims *did* feel provoked and offended, and that some of them did see "The Face of Muhammed" as part of a defamatory campaign directed against Islam and Muslims[7].

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[1] https://jyllands-posten.dk/

[2] I use "cartoons" rather than "drawings" because this is the term most frequently used to refer to the drawings and the "affair" in question. The letter from Rose to members of the Danish newspapers illustrators' union invited them to "draw" Muhammad as they "saw" him (twelve out of forty responded positively by submitting the published drawings).

[3] Flemming Rose, when looking back in 2019 characterizes his then position as somewhat "naïve" (or too black and white) (Krasnik, 2019).

[4] For analyses, debates and documents with specific regard to Denmark, see Jensen (2006a/2006b/2006c), Jerichow and Rode (2006), Rothstein and Rothstein (2006), Larsen and Seidenfaden (2006), cf. also Repp (2006), and Modood et al. (2006).

[5] That the controversy was also played out in threats, violent protests, and even in killings, must be mentioned because those reactions became part of the debates. However, the number of Muslims engaged in street fighting was next to zero compared to those who watched such happenings on TV.

[6] Cf. Jensen (2006a; 2006c) for interpretations of some reasons and contexts.

[7] This is true for the Danish Muslims travelling to the Middle East in late 2005 as well as for the eleven ambassadors who wrote a letter (October 12, 2005) to the Danish Prime Minister referring to what they saw as an "ongoing smear campaign".

Another reason is that quite a few of *non*-Muslims, including Islamophobs, considered the reactions of some Muslims, especially the violent ones, as a proof that *JP* had been right from the beginning: freedom of expression *was* under siege, threatened by fanatical Muslims or by Islam *as such*. In their view the cultural war against these Muslims had to be intensified[8].

Other non-Muslims, though equally critical about the violent protests and in favour of freedom of expression, warned that freedom of expression should not be taken as an absolute right, and that dominant discourses on Islam tended towards legitimating almost any kind of verbal attack on Islam and Muslims. The publication of the cartoons in *JP* was an unnecessary demonstration of power and cultural hegemony directed against an already marginalized minority. The cartoons, in their view, were but one more example of Islam-bashing dressed up as freedom fighting[9].

At the time when the "affair" turned into a crisis (late January 2006), with fighting in the streets and boycotts of Danish goods, *JP* published a statement saying that *JP* regretted that the cartoons had been offensive to Muslims. That had never been the intention. "At the time they had not", editor Rose wrote in *Washington Post* February 19, 2006, "realized the extent of the issue's sensitivity for the Muslims, who live in Denmark and the millions of Muslims around the world". He had only "tried to test the limits of self-censorship by calling on cartoonists to challenge a Muslim taboo". And, repeating what he had written in the article of September 30, 2005, he added that Muslims, like everybody else, have to put up with "scorn, mockery and ridicule" (Rose, 2006).

JP was adamant in insisting that the newspaper never intended to offend Muslims. Interpretations differing from this official statement have either been totally rejected or labelled as "mean lies", and *JP* has proven to be extremely zealous in countering opinions differing from their own[10]. The publication of the cartoons was solely intended to provoke a *debate* on the conceived threat to freedom of expression. It was an act of resistance to this threat and an act of freedom fighting[11].

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[8] A group of intellectuals and opinion makers promoting such opinions were gathered in the so-called *Trykkefrihedsselskab* (cf. below). Some (Brix & Hansen, 2002; Brix, Hansen & Hedegaard, 2003; Pittelkow, 2002) published influential books on the perceived Islamic threat. Similar opinions can be found amongst politicians and political parties. *Dansk Folkeparti* ("The Danish People's Party") is the most famous, but in Denmark as elsewhere in Europe others have come into being, e.g. *Sverigedemokraterne and Alternative f. Deutschland*. See e.g. Andreassen (2005), Jensen (2006a/2006c), Hervik (1999/2002/2006), and Hussain (2000) for instances of Islamophobic discourse in Denmark.

[9] This view comes close to the qualified opinions of e.g. former minister of Foreign Affairs, U. Ellemann-Jensen (2007), and former editor-in-chief of *Politiken*, a Copenhagen-based daily, T. Seidenfaden (2007). Cf. Repp (2006), Larsen and Seidenfaden (2006), Hedetoft (2006), Rothstein and Rothstein (2006), and Skadegaard (2006). The view of Jensen (2006a/2006c) is in line with this view, though I suggest that JP had several motives, including the one claimed by the newspaper itself.

[10] *JP* in some cases accused the "offender" of defamation and slander. This was the case with the lawyer who, on behalf of some Muslims, filed a complaint against *JP* for defamation and slander.

[11] Consequently, JP, Rose and supporters were pleased when Rose was awarded the "Sappho Prize" by the mentioned (see note 8) *Trykkefrihedsselskabet* ("Free Speech Society") March 27, 2007. *Trykkefrihedsselskabet* was established in 2004 with the aim of defending freedom of expression, not least against attacks from religious groups.

The Cartoons: Jensen vs. Jyllandsposten, or Jensen vs. Juste

Episode 1:
September 30, 2005, a journalist phoned to ask my opinion on a project of *JP* to have illustrators draw Muhammad. I said that irrespective of the not unanimous prohibition against making drawings of Muhammad, some Muslims no doubt would take offense and see it as a provocation and thus get angry with *JP*. I added that I personally saw no reason for publishing such images: the Muslim minority had been the object of more than enough Islam-bashing. But, of course: *JP* had the right to freedom of expression.

I was *not* informed that the cartoons *had* actually been published on the very same day!

Episode 2:
Next time I got involved was late January 2006 when the whole thing had become regular front-page news due to demonstrations, burning down of embassies, etc. Sunday January 30, 2006, the face of scholar Jensen with a headline "*Jyllands-Posten* was warned" covered the front page of *Politiken* (Høy-Jensen, 2006), a daily critical of *JP*'s publication of the cartoons. In the article, I, "leading scholar of religion" – having been phoned on the day before by a journalist from *Politiken* saying she had had an anonymous email according to which *JP* had contacted Jensen *before* publishing the cartoons, asking his qualified opinion about possible Muslim reactions to drawings of the prophet – was correctly quoted as having answered *JP* journalist that it was his guess that some Muslims would take offense. *Incorrectly*, though, this front-page article also presented me as *warning JP* that the drawings might lead to "*violent* protest". These words had, moreover, been inserted in the article *after* I reviewed and accepted the quotes right after the interview!

With this photo, headline and article, I got my break-through as a religion scholar-expert, and the same evening, scholar Jensen, but now also "warner-oracle" Jensen appeared on *al-Jazeera* as a Danish Muslim told his Muslim brothers that *JP*, thanks to Jensen, actually knew very well what they were doing – and had done.

Episode 3:
JP denied ever having contacted, not to say *consulted* me, postulating that Jensen himself "made up" the front-page "story": a media-stunt! A journal for journalism followed up on the story, and after a series of denials from *JP*, they finally (mid-February) found an *JP* editor who admitted that a journalist *had* called Jensen. But, they said, she had called in regard to another matter, only, at the end of the interview, mentioning the cartoons *en passant*. I was not quite happy with this version but did not react: I was primarily relieved that my memory had not played me a trick. I *had* been asked my opinion by *JP*, and I *had* said almost what I remembered saying.

Alas! In early March a journalist from *JP* called again. They have retrieved a tape recording of that interview, and it "proved" that the interview had taken place not *before* the publication of the cartoons but on the very same day. They admitted

that I had had but the very best reasons to think so, but that, of course, did not matter much to them.

What mattered, though, not least to me, was that *JP*, in another front-page headline, a few days later triumphantly "revealed" that leading scholar of religion Jensen *had* been wrong: *JP* had *not* been warned. Though *JP did* mention that I had good reasons for remembering as I did, the whole story, of course, made readers wonder: is Jensen (ever) telling the truth?

Seeds of suspicion were sown, and details of the story, to this day, have never been told in the Danish dailies.

Episode 4:

September 3, 2006, a *JP* journalist presented a "top 20-list" of academic experts frequently quoted in Danish media during the cartoon crisis. The article, "Experts: Oracles", claims that the influence of experts on public opinion is considerable, raising the question to what degree the experts "fall prey to the temptation of propagating political messages under cover of an academic title?" (Hundevadt, 2006a). Each of the 20 was evaluated according to some (undisclosed) criteria of the journalist: To what a degree does s/he present academic, neutral analyses and to what degree private or political opinions?

Jensen came in number ten, said to, with another scholar of religion, "swing the baton in a more general debate on religion". Number one and a few others are judged to be predominantly "objective" commentators, Islam scholar Bæk Simonsen to be predominantly a debater. Jensen is judged to be fifty-fifty. Bæk Simonsen and Jensen and a few others (with no documentation) are said to have been "among the most severe and unrelenting critics of the drawings of *Jyllands-Posten* and the way the Danish government handled the situation".

This article foreshadowed the core of the criticism and accusations (see the bibliography for relevant references) later raised against several scholars, not least Jensen, by *JP*, but also by MP Naser Khader, a leading politician, as well by leading MPs from *The Danish People's Party*.

Episode 5:

October 14, 2006, *Politiken* publishes "From Scorn to Hysteria?" (Korsgaard, 2006), an article that, via interviews with several scholars, Jensen being one, focuses on differences and similarities between *JP*'s Muhammad cartoons and later incidents in which various groups of people ridiculed Muhammad by way of caricatures. Jensen – originally turning down the journalist because she first asked his (personal) opinion rather than a qualified opinion as a scholar on how "insightful Muslims in Denmark" might possibly think about the various incidents in comparison to (what they thought about) the *JP* cartoons – said that he was fairly certain such Muslims would think that there was an important difference (discussed below) between the cartoons and later "happenings". If this reference to what insightful Muslims might think is not taken seriously or neglected, the article *can* be read as expressing Jensen's (own) opinion on the publication of the cartoons by *JP* rather than his understanding of the opinion of some Muslims.

Episode 6:
Soon after this article, Carsten Juste, editor-in-chief of *JP,* wrote scholar Jensen, with a copy to *JP's* lawyer and the Vice-Chancellor of Jensen's university. The letter reproduced the quotations from the article in which Jensen commented that some ("insightful") Muslims might infer that the cartoons were "published deliberately to mock and ridicule an altogether central and sacred figure in Islam", and "to lecture other people and to say 'You have not at all reached our level of civilisation, and now we will teach You how to act'", and that the drawings, "were produced to openly and in public tread on somebody's toes". These statements, the letter from Juste said, were untrue. Juste went on accusing Jensen of having, on more than one occasion, used his academic title, along with "dirty tricks and shady methods", to cast aspersions on *JP* and "promote certain political ideas" (From the letter in Jensen's custody).

Finding this letter rather intimidating, I did not respond. Instead, I wrote my Vice-Chancellor asking him to write to Juste expressing the university's unanimous support, stressing the right of Jensen and other scholars to express themselves freely in the media. I did not get the support I wanted: the Vice-Chancellor responded, *inter alia*, that "if one participates in the Islam-debate, one no doubt cannot avoid running into trouble [...]". He ended saying – as his "personal opinion" – that he finds it important for everybody to try his best to make sure that his opinions are based on facts more than on (personal) attitudes. "I know", he concluded, "that it is hard to strike that balance, and that not all readers will agree whether it has been struck or not" (From the letter in Jensen's custody).

Episode 7:
Juste and *JP* clearly did *not* think I had struck the balance. December 17, 2006, in an interview with a *JP* journalist Kim Hundevadt, Juste, now in public, attacked me and other scholars: "They lie about the motives of *JP* for publishing the cartoons", he said, "and they abuse their titles to pursue political aims" (Hundevadt, 2006b). In the case of Jensen, said Juste, we have to do with nothing but mean political points of view, with no scientific basis at all.

Receiving no response from me, Juste wrote the Vice-Chancellor directly. The Vice-Chancellor advised *JP* to file a complaint to the university's Ethics Committee if *JP* intended to accuse Jensen of bad "scientific practice".

Episode 8:
On December 17, *JP* actually did so, stressing that *JP* did not question the right of Jensen to freedom of expression. No, the complaint was solely directed at his behaviour as a scholar. *JP* requested that the Committee consider whether Jensen had deliberately abused his academic credibility to propagate his personal opinions.

Together with my legal advisers I was of the opinion that the Committee should decline to deal with the complaint. The issue had nothing to do with "scientific dishonesty" or "bad practice" as defined in the Committee's mandate. The Committee, nevertheless, opened the case, requesting me to respond to the complaint.

In my response, I stated that the affair and complaint raised interesting and relevant methodological questions, familiar to the philosophy of science and of great importance to scholars, the community of scholars, and to the universities. I, furthermore, pointed out that scholars, according to the Danish University Act, are obliged to share their knowledge with the wider community, and that the university is obliged to encourage employees to engage in public debates. Finally, the response stated that I had (good) reasons for saying what I did, adding that nothing prevented me from expressing interpretations of *JP*'s motives differing from the declarations by *JP* itself.

Episode 9:
The Committee concluded that the issue raised did *not* fall within the mandate of the Committee. While several media outlets had written extensively about the case, the acquittal of scholar Jensen made no headlines, nor did it ever figure on the website of my university. Apart from a follow-up article in the journal of my labour union, it was only *JP* that made a story out of it. *JP* did so by way of an editorial "I Løgnens Tjeneste" ("*In the Service of Lie" or "Serving Falsehood"*) (Editorial, 2007b). While acknowledging the support expressed for me by the Practice Committee and Vice Chancellor, it nevertheless continued to accuse me of having abused my role as scholar and the "authority" of my office:

> Like everybody else, Tim Jensen has the right to criticize Jyllands-Posten. The problem is, however, that he persists in his mendacious accusations in spite of his knowing better, and, even worse, he does so "on the background of years of research", therewith clothing his lies with a cloak of scientific authority. And here we thought that a scholar holding a university office was supposed to strive for the truth (Editorial, 2007b).

Episode 10:
As you can see, everything was now ready for scholar-expert-warner-oracle-public opinion maker-undercover politician and liar Jensen to take upon him one more role, that of a character in a cartoon, a laughing-stock. All it took was for *JP* to link it to their—at the same time – ongoing smearing campaign against Jensen's colleague Mikael Rothstein: the two of us started to appear as characters in *JP*'s daily satirical cartoon. For more than a week, two figures were inserted, in a most unusual way, into cartoons commenting on other political and cultural happenings.

Rothstein was cast as a missionary man, named "The Hornblower", with a Watchtower-like magazine in his hand. The other, Liar Jensen, next to "The Hornblower", was portrayed as constantly trying to convince readers that he was not lying, e.g. saying: "I am not lying when I say that the Hornblower is a wise guy!"

This series of cartoons was brought to an end in an almost ingenious way: commenting on the political turmoil caused by a new political party, the cartoonist portrayed the parties as ships and boats sailing a stormy ocean. In the shape of a shark, the new party cruised the waters while ships and boats manned with leaders

of the old parties were either about to sink or boldly riding the waves. Inserted into the background, left behind on a proverbial deserted island, are the two scholars, hanging on to the lonely palm tree, crying out: "We are still here!"

Some Methodological Reflections

Several episodes have been omitted in this brief *exposé*, and only some key methodological issues can be mentioned in what follows. Allow me to first get back to Wiebe (2005), who at the same time as he wrote as quoted above, also seems to find it alright, nay even valuable and good, if the scholar of religion contributes to public debates about religion. The scholar of religion, he writes, can very well point out and demonstrate "the relevance that knowledge about religions and religion may have for policy issues in the public square" (Weibe, 2005, p. 9), and he ends:

> The academic student of religion *qua* human being [...] is more than merely a scholar/scientist; s/he is also a citizen with socio-political, economic and other personal concerns that go beyond science and the agenda of the modern research university, and there is no reason why s/he should not, as an ordinary citizen, engage in the debates related to such concerns in the public square. Moreover, the scholarly/scientific expertise of the engaged academic may even have some instrumental relevance to the achievement of particular social goals, even if these goals involve metaphysical and/or religious assumptions, beliefs and commitments (Weibe, 2005, p. 34).

I think, just like Wiebe, that it is in the interest of the "public good" if the scholar of religion makes his expertise and academic knowledge available to the public, using it to qualify, correct and inform the public and political debate. I also agree with Wiebe that the broader role of *public intellectual*, however, as well as direct efforts to promote religious or explicit or narrowly party political aims rather than efforts to communicate sound knowledge about religion *can* turn out to be very counterproductive as regards the reputation of the science of religion – and equally counterproductive in regard to a society in need of scientifically based knowledge about religion.

But I do *not* share the optimism of Wiebe when he seems to think that "we" are on the safe side as long as the scholar avoids playing the role of a public intellectual (who can express an opinion on almost everything at debate) and avoid using his scholarship to promote religious or specific political agendas. I, on the contrary, claim, based on, on the one hand, some 25 years of experience, the case rendered above being central to this experience, as an expert to the media on things religious (religio-political/religio-social/religio-cultural), and, on the other, on general methodological arguments, that the "renommé" and value of the science of religion can also be put at risk when the scholar tries his best to be a classical expert communicating sound knowledge.

The boundaries between the various roles a scholar can play (or be "accused" of playing) are porous, and the scholar cannot always decide what role he comes to

play. Quite often he will be seen as politicizing, promoting some kind of agenda, e.g. an apologetical pro-Islam agenda. This holds good, of course, also when the scholar, just like me, Bruce Lincoln, and e.g. Ira Chernus (see ahead), is of the personal and political opinion, that the public debate and good not infrequently is suffering from a lack of basic knowledge of facts, a lack of historical, comparative, and analytical-critical distance and approach to religion (*inter alia* to Islam), *and* that the scholar therefore as an engaged citizen cannot but engage himself in the public debate.

It also holds good if the scholar is of the opinion, as I am, that scientifically founded knowledge and critical-analytical competences also as regards religion is a *sine qua* non for an enlightened, pluralistic, and open-democracy[12]. A stance no doubt making it very difficult to draw a line between, on the one side, the scholar-expert sharing his academic knowledge with the public at large, and, on the other, the scholar-citizen (citizen-scholar) struggling to promote a political agenda, namely the agenda he finds in line with his vision of the good society. It is, I claim, not easy, if at all possible, whether in theory or practice, to uphold a "wall of separation" between the scientific-academic and the political-ideological when it comes to communicating religion-related research-based knowledge and qualified opinions to the public at large.

I would like to emphasize that the basics of what I say now 2019, I said also in 1998, e.g. in the US religion journal *The Bulletin* in an article on "The Scholar of Religion as a Cultural Critic: Perspectives from Denmark" (Jensen, 1998)[13].

Yet, important changes *have* come about, primarily due to 9/11, the London and Madrid bombings, the Cartoon case, the Charlie Hebdo killings, as well later terrorist killings and attacks in Paris, in Copenhagen and elsewhere. The entire debate on Islam and Muslims *has* become more poisonous, religion and not least Islam more "securitized". Discussions about the (im-)possibility of the integration of Islam or Muslim immigrants into the "Western" democratic political systems and societies have not become less frequent and polarized, often drawing on and recycling well known Islamophobic and anti-Muslim stereotypes, generalisations and reifications. Add to this, e.g. in Denmark, years of public "Islam-bashing", also from leading politicians and political parties, for decades from or inspired by the *Danish People's Party*, a right-wing party and the parliamentary basis for the government 2001–2010 and beyond. A party that made anti-Muslimism and xenophobia central to its own as well as to the government's policy. Today's social-democratic (2019–) government to a large degree has copy pasted its politics of anti-Muslim immigration of the past government and the *Danish People's Party,* at the same time as even more outspoken anti-Muslim political parties has come into being.

These changes are important changes, and it is noteworthy that the Danish association of scholars on Islam did *not* call for a conference on the implications of

[12] Cf. the more elaborate argument in e.g. Jensen (2017).

[13] Thus, this article is not the first one from my hand that deals with relevant methodological issues, nor is it the first that does so with special regard to the Muhammad cartoon affair. It is, though, the first to do so in a more comprehensive manner in English. Consequently, though parts of this article are new, others are identical to, or another version of, earlier writings, the titles of which can be found in the references.

the politicization of the study of Islam in 1998, the year of my article in *The Bulletin*. They did so, however, in 2007, and today, with continued criticism of Danish Islam-scholarship not being "critical" enough as regards the so-called dark sides of Islam, discussions among scholars on these issues have become commonplace.

The Royal Danish Academy of Sciences and Letters, likewise, did *not* find it necessary in 1998 to publish a booklet on *Academic Freedom and Freedom of Expression at the Universities*. In 2007 they did, and they did so, *inter alia*, because of what happened to scholars on religion and Islam during and after the cartoon affair.

Nevertheless: Basics are, as said, more or less, the same: Jensen (1998) wrote: "The present re-politization of religion leads to a re-politization of the study of religion, or at least to a re-consideration of the political implications of our work." Maybe one can add that "the on-going mediatization of the public sphere and of politics and of religion" need must lead the scholar of religion to carefully consider the ways in which he "shares" academic knowledge with the public at large. The discourse of and within the academia is not the same as the discourse of the media and the journalists, – and the discourse of the scholar-experts to the media may therefore come out as some strange liminal "beast", betwixt and between.

Though many, including scholars of religion, are able to uphold the role of a classical expert (see below), doing a great job to the benefit of both research and society while communicating via mass media and participating in the public debate, the road from respected and trustworthy "leading" scholar to disrespected and untrustworthy scholar and public opinion maker is not long. When well-meaning experts participate in public, politicized and charged debates, there is always a risk that they may undermine the otherwise existing respect for scientific knowledge.

Mentioning "values" and "value-free", and thinking about Wiebe and other scholars referring to Max Weber, I recall sociologist of religion Ole Riis' contribution to a conference in Aarhus in 1998 on *Værdier i religionsforskning og – undervisning i Danmark* ("Values in the Study of Religion and Religious Education"). Riis discussed – *inter alia* in continuation of a critical review of claims of and aspirations for objectivity and neutrality, as well as discussions on the (Weberian) ideal of a "wall of separation" between fact and value, or value freedom in scientific research and personal, political and social commitments – what he thought might be a historical, logical, and unavoidable link between intrinsic scientific values and external, social, or political values. Riis, as I understood him (cf. Jensen, 2001, pp. 41–42), emphasized the value of having the scholar influence the (value) "charged" and anything but value neutral public debate, at the same time as Riis distanced himself from "debaters who are so eager to highlight their values (preferences) in public that the factual basis [of their research based intervention] is gets into the background". Riis concluded saying that research (as a social institution) has "a responsibility to put forward the relevant factual knowledge, without obscuring its linked values" (as cited in Albinus et al., 2001, p. 32).

What Riis said was familiar to me but not at the time to many others. At the same conference (Jensen, 2001, pp. 41–42), I formulated an invitation to the scholar of religion

to participate in the public debate and apply his research in defense of a pluralistic and secular society that accepts the distanced attitude to religious phenomena practiced by the scientific study of religion.

This, in fact, has been my "activist" agenda ever since: promoting the scientific study of religion, its approaches and the knowledge accumulated, on the one hand, and the secular, democratic, pluralistic society, and public space that would not function if it did not give room to both the science of religion and religion.

But today, as before, I find it important to continue the discussion on the many problems associated with doing what I (and Riis) think the scholar of religion should do. To, as prescribed by Riis, "present factual knowledge, without obscuring its linked values", is easier said than done. The scholar can, of course, decide to share knowledge or to participate in the public debate only in the form of, for example, essays or letters-to-the editor, where he as the author is in control of the final product, except as regards context and maybe headline. However, if he makes himself available to journalists who, for example, call him for an opinion, he can and should check quotes. But what about "indirect" quotes, i.e. the summarizing of the journalist, of e.g. half-an-hour of conversation, into a few two-line quotes, and what about the other part of the text written by the journalist that clearly refers to the conversation? What about the context, the heading, the subtitle?

And, what about interviews for radio or TV with half-an-hour's interview cut to 30 seconds? Without a possibility to check the final product and make objections. What about statements to media in faraway countries? Even if direct and indirect quotes are checked, you can be surprised about the result. It certainly also makes a difference if an interview and a statement appear in a front-page story or on certain page, with a photo of the scholar or without.

The "language" of the media is, as emphasized by Tim Murphy (2001), different from that of the scholarly community, and as pointed out by Klaus Kjøller (2007) in connection with *JP* vs. Rothstein, the scholar, moreover, comes, willingly or not, to play a role in a dramatic and dramatizing media "world", where a scholar who wants to get through to the audience has to appear as a "whole person", thus not just as a scholar-expert. Moreover, journalists in many cases ask for not just expertise and qualified knowledge. In addition to that they also ask for a "qualified opinion". And, even if the qualified opinion is fact- and research based, it is, as I once stated in an interview (Young, 2006), nevertheless an opinion, and thus not barely part of the political debates.

It actually seems to be a general feature of a recent (1961–2001) development that social science scholars in particular but also human science scholars are increasingly used as experts, at the same though also increasingly assuming (or being "assigned") various kinds of roles (cf. Albæk et al., 2002). One is the "classical" expert role, the scholar delivering "factual knowledge, concrete, professionally-based assessments and corrections to claims that concern the public", cases in which the scholar's "special knowledge and insight enriches the [...] the public debate". In direct contrast to this, you find the researcher who writes essays, op-eds,

letter-to-the editor etc., which are nothing but, and also meant to be nothing but, "pure political comments".

But, as the report continues, the scholar increasingly appears in a mix of the two roles, "both informing *and* giving a value-based comment", and it is most likely this mix that has given scholars and scholarship a new and more significant role. It should also be mentioned, as in the report mentioned, that journalists in this way can more easily appear as "neutral" reporters, leaving it to the expert-scholar to express an opinion. An expert presenting not just brief and accurate information, but also qualified and controversial opinions are, as also noticed by Kjøller (2007), often preferable to the one who "just" provide "naked facts".

A propos, "naked facts": That too is, of course, not as simple as it might seem at a first glance. Just think of the scholar who – on the basis of repeated claims made in public by e.g. politicians that Muslims are overflooding Denmark, that there are at least 800,000 Muslims in Denmark, and that they are all fanatically religious – comments on this by way of providing the facts that can correct the erroneous claims and thus qualify the debate. The scholar in the "classical" and neutral expert role. Yes, but also a scholar who enters and becomes part of the political debate for and against Islam, for and against immigration of Muslims, etc.

The boundaries between the "classical" expert, the expert-opinion maker, and the politicizing expert-opinion maker *is*, as said above, porous, and it is not rarely very hard if at all possible for a scholar-expert to uphold or signal these boundaries or the transition from one to another role.

Another problem is linked to the fact that the scholar-expert is not just used as an expert in a specific and narrow field but also as a "generalist"-expert. Thus, for example, both Rothstein and Jensen as scholars of religion can (be asked to) comment on matters which strictly speaking are not matters pertaining to their narrower research field, be it to Islam and Christianity or to religious developments (including political debates about religion) in Denmark. Though this generalist-expert role is, I think, perfectly in line with the competences of a classical scholar of religion, actually an expert in "religion in general", and though the comparative-historical perspective applied to specific contemporary instances of what is called religion is extremely valuable and important as regard the qualification of the public debate on religion, it does, of course, also imply some risks – for example, if the generalist-expert for some reason is accused of not being an expert in regard to the matter at hand, e.g. Islam or Christianity. It is difficult for many people to understand that one can also be an expert on religion in general and on "religion" in public discourses, and that a generalist-comparative perspective on say Islam or Christianity can shed a lot of new light on this religion and the debates about it.

It is an important task, I think, for the scholar of religion to provide critical analysis not just of "religion(s) out there" but of the public debate *on* religion. In many cases, this is actually what journalists ask for and would like to qualified opinions on. Religion is a public and political phenomenon and today a highly politicized public matter, and the researcher who may well provide factual knowledge is also asked, based on his knowledge, his opinion on e.g. some political action. Is it a "smart move", is it out of line with the "facts on the ground", etc.?

The scholar-expert can of course choose not to answer such a question, but he can also choose to say that this or that political move, in view of his analysis and knowledge, seems more or less based on facts or not, seems more or less wise or strategic. Certainly, a role fraught with dangers, not least in a "post-factual period" or in countries, like Denmark, where e.g. the government in power from 2000–2010 time and again has frowned at experts accusing them of being but "nitpicking".

The accusations levelled against me and other researchers at the time of the cases mentioned, namely that they (ab-)used their academic titles to give their personal political opinions a higher degree of credibility entail a linked yet implicit claim: scholars operating in the public space as experts should not be allowed to do so unless they are able to demonstrate that their statements are based on facts, good arguments, the results of a specific research project, etc. Implicit in these claims, some of which (e.g. that one ought not and cannot give a qualified comment unless it is based on a quite specific and explicitly linked research project) most certainly, as indicated above, are based upon a limited understanding of what it means to be an expert and a scholar on religion.

However, implicit are also other ideas (shared also by some scholars) about science and the role and function of the scientist/scholar. One such widespread and deeply held idea is that not just the scientific research process but also the dissemination of the research results, also via mass media, must and can be totally "objective", "neutral", and "value-free". According to the same cluster of ideas, science can and must be kept completely separate from all personal and political ideologies and statements. If it is not *Dr.* Jensen, the scholar of religion from the University of Southern Denmark, who puts forward objective facts and conclusions derived from objective and neutral research, then it is *Mr.* Jensen, who propagates his own personal opinion, and in that case it is bad and wrong, at least if it is not stated loud and clearly: "I now do not speak as Dr. Jensen, the scholar of religion, but as Mr. Jensen, the engaged citizen".

Included is, thus, a notion of a neat and clear difference between, on the one hand, the scientist and, on the other, the private person, debater, and the citizen. The former completely neutral and the latter "biased" due to his ethical, political or religious preferences. You either speak as a scholar or as a private person.

Wiebe (2005), cf. the introductory remarks, seems to share this view at least partially. But while Wiebe, no doubt, is well aware that this notion or idea has been the subject of much scholarly debate, and that questions pertaining to apolitical, objective, neutral, and value-free research, as well as to the dissemination of research results or scholarly knowledge is immensely complex, then neither *JP* nor Khader seemed aware of it.

As noted by Kærgård et al. (2007, p. 25), the discussion of "what scientists should and should not say in the public debate" reflects a conception of science that science has largely left behind, namely, that "Science" (with a capital S) holds the ultimate truth, not to be discussed. A conception, accordingly, which, paradoxically, places research results somewhere far "beyond and above the public debate" (Kærgård et al., 2007, p. 26).

Fact and value, as well as science and politics, can at times be sharply separated from each other. At times, though, it is not so. Neither in theory nor in practice. It is often equally impossible to separate the scholar from the individual person. A scholar is not just a scholar eight hours a day, but rather 24–7. To demand that scholars should not have or express personal opinions is, as Kærgård et al. (2007, p. 29) points out, as absurd as requiring politicians to function without "no knowledge of the world". To demand that scientists only speak publicly if they have the ultimate truth will, moreover, cause everyone, especially the most honorable ones, to remain silent (Kærgård et al., 2007, p. 26).

During the 2006 and 2007 debate, it was proposed that scholars should be allowed to express themselves publicly about their scientific work *only* if and when their work had been through a peer-review process. This proposal was strongly rejected by others, including Kærgård et al. (2007, p. 28), who emphasized that this would make sense only in very specific cases. For example: it hardly can consider good scientific practice if, immediately the first successful experiment in the laboratory, the scientist runs into the streets proclaiming that he has found a new and miraculous medicine. But it doesn't make sense to require that a scholar who wants to participate in the public debate on the basis of his scholarly knowledge or who is asked some questions by a journalist, cannot do so until having submitted his statements to a peer-review panel.

The scholar-expert, as a matter of course, ought to be capable of serving up sober arguments in favor of his interpretations and qualified opinions, but elaborate explanations, lots of details and reservations are rarely possible. Footnotes, so to say, are not commonly used in mass media, and if Jensen is asked, for instance, to give a one and a half minute statement on television on the difference between Sunni- and Shia-Islam, then he can, at the most, make a brief remark saying that time prevents him from going into any detail. But if he has agreed to participate, i.e. because one and a half minute is better than nothing, and because he may actually be good at "boiling things down" in such a situation, then it makes no sense to judge his one and a half minute by the same standards that apply to a dissertation or article in a peer-reviewed journal.

Concluding Remarks

In the article "The War in Iraq and the Academic Study of Religion" (2008), Ira Chernus praises (cf. above for the criticism of McCutcheon, 2005) Bruce Lincoln (2005) for his contribution to the public debate with his historical, analytical-critical studies of former US President Bush's rhetoric (Chernus, 2008). In a closing paragraph, Chernus argues, and convincingly so, I think, that it is difficult, if at all possible, to keep separate from each other what he, with reference to the terminology used by the American Academy of Religion, calls, respectively, "historical/analytic-descriptive analyzes" and "constructive-reflective" scholarship. Not just when it comes to a war (in this case the US war in Iraq), but also more generally.

Although Chernus does find a separation between descriptive and prescriptive (normative) scholarship both necessary and possible in many cases, he also finds it possible to connect Weber's separation of teacher and preacher with the same

Weber's idea that the scholar/teacher through a presentation of his analysis paves the way "self-clarification". Chernus continues: "The claim that self-clarification has a moral value is especially compelling when applied to the political body", and he then goes on to quote Gitlin: "[E]ducation's prime bond to the public weal in a democratic society is to improve the capacity of citizens to govern themselves, and to meet this requirement, educators must 'spur reasoned participation in politics and the accumulation of knowledge to suit" (Chernus, 2008, p. 865). Chernus believes that it is possible, both in theory and practice, to reconcile "good scholarship" and "good citizenship", and that a scholar of religion such as Lincoln (2005) has managed to do exactly that. He ends, with reference to the current US political and cultural situation:

> At such a time, we are particularly called upon to be scholar-citizens, always concerned to serve the demands of good scholarship by upholding their highest standards but, at the same time, equally concerned with practicing our scholarship in the service of good citizenship (Chernus, 2008, pp. 867–868).

I think this can be said with reference to the situation today too, in the US, in Denmark, and most other places. But again: in practice, it is not so straightforward to realize the effort to, at one and the same time, promote and strengthen the scholarship and science/study of religion as well as, at the same time, the pluralistic, enlightened and open society.

It cannot be denied that some scholars may be better than others at doing so, without putting their scholarly reputation as well as that of the community of scholars and scholarship "as such" at risk. Jensen (and Rothstein) maybe did not strike the right balance between the scholar and the engaged citizen, maybe did not master the art of communication via the mass media. Moreover, the context for the cases mentioned may be said to have been particularly "poisonous" due to the extremely controversial cartoon case and the very tense political climate.

Nevertheless, most of the problems that I have touched upon are not caused by personal deficiencies or deficiencies linked to particular "methods". Rather, they are structural, methodological challenges and problems "by default" so to say. It is important, I think, to make this clear if scholars really want to learn from the cases, not least as regards how to best handle the media now and in the future. And, handling the media and sharing scholarly knowledge with the wider society, also by participation in the public debate, has, today even more than before, become part of many scholars' everyday lives, something the universities encourage employees to do, something that is part and parcel, not of the "modern research university" that Wiebe (2005) propagates but of the "post-modern" contract university having to prove itself, its employees, its scholarship, and the future candidates produced, of "use" to society and societal challenges.

The cartoon case incidents, on the one hand, have given me a better understanding of why Wiebe (2005) really has some good reasons for repeatedly warning about the risks associated with "going public". They have, on the other, also made it clearer to me that Wiebe is mistaken if he thinks the scholar-expert can engage in and contribute

to public debates with his scholarly based factual knowledge if he only can refrain from embracing the role as "public intellectual". It is not that easy and it is not entirely up to the scholar.

Moreover, the cartoon case incidents, and the developments in Danish society in and in societies around the world ever since, have made me even more convinced that it is absolutely necessary, that at least some (not all, of course) scholars of religion share their knowledge with the community at large. Also, through mass media and by way of active participation in public debate.

The scholar, and the scientific or scholarly study of e.g. religion, certainly always risk "losing face", inwards and outwards, among colleagues and with the public at large. But this loss is nothing compared to the loss suffered in regard to the quality of the public debate and in regard to the whole ideal of an enlightened democracy if (some) scholars of religion do *not* try to share their approach to religion and their knowledge of religion with society and the public at large. Facts (and facts *do* exist, also in regard to religion and the study of it)), *qualified* opinions, and not least qualified *questions* and *problematization* of what otherwise appears to be unproblematic, are vital to an open democratic, society – and to the freedom of science and scholarship.

At the same time, I am still also convinced that propagating the science and scholarship of religion, not just by writing books and articles for other scholars to read in "the ivory tower" but also by way of making science and scholarship of religion known to the public at large, thus trying to make it (more) obvious why having universities with departments for the study or science of religion is of value. I think it "pays off" in the long run, and that the gains by far outweigh the losses that may be the result of, say, the damage caused by the abovementioned cases.

True: the values "at work" within and uphold by the work by scholars inside the walls of the academy, in the "ivory tower", must be nursed and guarded. But this must be done at the same time as the work done by scholars trying to share with the public at large, whether as expert-scholars, expert-opinion makers, or, maybe one of the "safest" ways to do it, by being university teachers for religious education teachers in public schools.

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ARTICLE

The Norwegian Political Discourse on Prohibiting Muslim Garments. An Analysis of Four Cases in the Period 2008–2018

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ABSTRACT
The public and political debate about Islam and Muslims in Norway have revolved around issues like topics of integration and "radicalisation" and the compatibility of Islam with democracy and "Western values". Clothing related to Muslims – i.e. Muslim women – such as *hijab*, *niqab*, and *burqa* are in the public and political debate often referred to as examples that Islam is not compatible with "Norwegian" (or "Western") values. Several political initiatives in order to ban Muslim garments in public places or in school has been rejected with reference to the Norwegian state's obligations to Human Rights. This article will illustrate how the political debate about Muslim garments have evolved in the period from 2008 to 2018. Four cases will be presented to illustrate this development, and show how each case have been evaluated by the Ministry of Justice in order to decide whether or not the propositions could be a violation of the Norwegian state's obligation to Human Rights. The fourth case will illustrate how secular arguments, and the strategic understanding of *niqab* and *burqa* as "neutrally designed", paved the way for a national regulation and a ban on clothing covering the face in educational settings.

KEYWORDS
Islam, Muslims, Human Rights, Norway, secularization

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Introduction

As in most European countries, Islam has become a visible but also a highly contested and debated religion in Norwegian society. This article's aim and scope is to illustrate how public debate has influenced decisions and political propositions in the Norwegian parliament concerning garments like the *hijab*, *niqab,* and *burqa* in the period from 2010 to 2018. The article will illustrate the constant political negotiation – or ambivalence – on how to deal with clothing related to Muslims. One continuing point of reference in the political debate is the Norwegian state's obligations concerning basic human rights. Several propositions about prohibiting "Muslim garments" (*hijab*, *burqa,* and *niqab*) have been rejected in deference to human rights. However, in 2018, parliament sanctioned a general ban on clothing that covers the face in educational settings (kindergarten, primary to upper-secondary schools, university colleges and universities) ending what seems to have been a process, for over a decade, of finding a way to formulate a law that is not a violation of the Norwegian state's obligation concerning human rights.

Norway – a Christian State, a Secularized Society?

The first Norwegian constitution was written in 1814. This was an important first step towards becoming an independent nation in 1905, when the union with Sweden was dissolved. In its original form, the constitution stated that all citizens were bound to follow the Lutheran confession in all their actions, and that the inhabitants had to belong to the Lutheran faith. The so-called dissenter movement opposed the exclusiveness of the Evangelical-Lutheran religion and fought for extended justice for minority groups. In 1845, parliament passed an act allowing "dissenters" (Christian groups that did not belong to the Evangelical-Lutheran state church) to practise their faith; this also included Jews (Oftestad, 1998, p. 117). Since the revision in 1845 allowed dissenters to practise their religion, it also allowed parents who did not belong to the Lutheran state church to have their children exempted from Lutheran catechismal instruction in school. The Education Acts of 1889 and 1936 confirmed this right.

As late as 1964, a revision of the constitution, which allowed for the free exercise of religion, was added, and § 2 now reads:

> All inhabitants of the Realm shall have the right to the free exercise of their religion. The Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same manner.

This applied until 2012, when changes concerning religion were made in the constitution, following a process of disentangling the Evangelical-Lutheran state church from the nation state. Adjustments were made in the constitution's paragraphs concerning religion. Chapter A, article 2, now reads:

> Our values will remain our Christian and humanist heritage. This Constitution shall ensure democracy, a state based on the rule of law and human rights (The Constitution of the Kingdom of Norway, 1814).
>
> Chapter B, article 16, now reads:
>
> All inhabitants of the realm shall have the right to free exercise of their religion. The Church of Norway, an Evangelical-Lutheran church, will remain the Established Church of Norway and will as such be supported by the State. Detailed provisions as to its system will be laid down by law. All religious and belief communities should be supported on equal terms rights (The Constitution of the Kingdom of Norway, 1814).

Even after the adjustments to the constitution in 2012, there remains a special focus on Lutheranism, and there is no legally defined relationship between Islam and the state. However, from the vantage point of religious minorities, such as Muslims, the focus on human rights and the legal requirement that all "religious communities should be supported on equal terms", are important. This means, among other things, that formally approved and registered religious and secular humanist groups receive economic support from the state. This arrangement has been applied since 1969[1].

The explicit reference to the Evangelical-Lutheran religion can be said to be a particular emphasis on Christian values and thus form a particulate value basis for the state (Lindholm, 2006, p. 194). Therefore, in the question concerning whether the State of Norway, with reference to the Constitution, can be regarded as secular, one can hardly answer a simple yes. If one looks at established researchers' definitions and understandings of what a secular state is, such as Donald Eugene Smith's classic definition of a secular state, the Norwegian constitution must be regarded as Christian:

> The secular state is a state which guarantees individual and corporative freedom of religion, deals with the individual as a citizen irrespective of his religion, is not constitutionally connected to a particular religion nor does it seek either to promote or interfere with religion (Smith, 1963, p. 4).

However, there is no single generally accepted standard definition of what a secular state is, as Smith's working definition offers. Nevertheless, the description of a secular state is generally used when referring to a state's constitution, without any special emphasis on specific religious values (Juergensmeyer, 2008). If a state is to be understood as secular, religion must be understood separately from the value of being anchored in the state's constitution, although in practice there will be a constant negotiation between religion(s) and state(s) with regard to values. By being explicitly rooted in religious values, and in reference to Smith's definition, it is clear that Norway

[1] The amount of financial support varies. In 2017, religious groups were supported to the tune of about 55€ for each member (Jacobsen, 2018, p. 15).

cannot be understood as a secular state, even though the constitution also stipulates religious freedom as a principle.

The Norwegian state has strived to be a national state that values basic human rights. In 1994, a "human rights law" (Norwegian, *Lov om styrking av menneskerettighetenes stilling i norsk rett*) was introduced (The Constitution of the Kingdom of Norway, 1999). This started a process of a formal implementation of international conventions on human rights as a part of the Norwegian constitution. In order to be in accordance with international conventions, the law has been adjusted several times, in 1999, 2003, 2005 and 2010. In cases where there is conflict between national law and international conventions implemented in the "human rights law", the latter should be preferred.

Despite the explicit reference to Evangelical-Lutheran religion in the constitution, Norwegian scholars, Knut Lundby and Pål Repstad (2018, p. 13), have argued that Norwegian society, as the rest of Scandinavia, can be described as having a dominating "self-understanding of liberal open-mindedness, and secularity is often taken for granted." A part of this is that equality between the sexes is a core value, and that conflicts are usually handled in negotiations within a neo-corporatist system, between the state and collective institutions, or in open public debate (Lundby & Repstad, 2018). Thus, a nuanced description of Norway might argue that, although the constitution is based on Evangelical-Lutheran Christianity, the society appears secularized.

Even if one agrees with Lundby and Repstad's description, it is obvious that Christianity still serves as an important reference in different parts of society that are regulated by law. This becomes evident in public and political debates about what one should accept or decline, especially when it comes to religions that are not considered Norwegian/Christian. In school law and curricula, Christianity is still highlighted as the religious tradition that has influenced Norwegian society and today is a part of "our" cultural heritage. However, the latest school reform has diluted it somewhat.

In the early 1990s, Minister Gudmund Hernes, the Minister for Church, Education and Research, representing the Labour Party, prepared a new Education Act. An important part of this work was to include all levels of public school in a legally binding document, and, in 1993, Minister Hernes presented a completely new core curriculum, which applied to primary, secondary, upper secondary and adult education. The core curriculum was a general national guideline, describing in depth values for the school system formulated in the Education Act.

Perspectives in the 1993 core curriculum were linked to a renewed interest in the family, internationalization, the explosion of mass media, and an emphasis on multiculturalism. Religion, and especially Christianity, was given an important place in the core curriculum in the first chapter, entitled the "Spiritual human being". The first sentence states that education shall be based on fundamental Christian and humanistic values. It should uphold and renew our cultural heritage to provide perspective and guidance for the future (The Royal Ministry of Education, Research and Church Affairs, 1993, p. 7).

Christianity is further elaborated as "a deep current" within Norway's (our) history:

> The Christian faith and tradition constitute a deep current in our history – a tradition that unites us as a people across religious persuasions. It has imprinted itself on the norms, world view, concepts and art of the people. It bonds us to other peoples in the rhythm of the week and in common holidays, but is also an abiding presence in our own national traits: in architecture and music, in style and conventions, in ideas, idioms and identity.
> Our Christian and humanistic tradition places equality, human rights and rationality at the fore. Social progress is sought in reason and enlightenment, and in man's ability to create, appreciate and communicate.
> Together, this interwoven tradition provides us with unwithering values both to orient our conduct and to organize our communities. They inspire selfless and creative efforts, and encourage honourable and courteous behaviour (The Royal Ministry of Education, Research and Church Affairs, 1993, p. 7).

In other words, by forming society's norms, world view, concepts and the art of the people, Christianity forms the common and normal state of society and even unites people across religious persuasions. "We", the Norwegians, are united on the basis of Christianity, and references to "our history" and "our Christian and humanistic traditions" are applied as if all citizens share a common history. Christianity is communicated as a common national narrative, serving as a starting point or the main perspective for teaching in public schools (cf. Andreassen, 2014).

In addition, Christianity is related to humanism, to the modern nation-state and democracy, and to our cultural heritage. Christianity is solely understood through content and values other than strictly religious content. Christianity is a culture and it is part of the nature of this culture to understand "others", in order to better foster tolerance which unites "us" (the Norwegians) with other cultures, and it also even unites us with other religions.

The core curriculum applied in the period from 1993 to 2017. In 2017, a new core curriculum was introduced. The role of Christianity in Norwegian society was somewhat toned down, and the reference to humanism was highlighted: "The core values are based on Christian and humanist heritage and traditions" (The Norwegian Directorate for Education and Training, 2017, p. 3). The core curriculum also placed more emphasis on basic human rights. A part of that is to work with the Norwegian state's commitment towards indigenous people (in Norway, the Sami) and national minorities (the Forest Finns, Jews, Kvens/Norwegian Finns, Roma (Gypsies) and Romani people/Tater), and their right to exercise their culture, language and religion. The Norwegian state has ratified international conventions, securing the rights of indigenous people and national minorities. This is also a part of the "human rights law".

The point of referring to the constitution and school curricula is to provide an example of how Christian values are preserved and continued in different parts of the Norwegian legal system, together with human rights. Legal documents and formal practice constantly have to create a balance between the emphasis on Christianity as "cultural heritage" and human rights (freedom of religion, or indigenous or national minorities' rights). If one isolates the formal documents, it is a paradox that Norwegian

society is described as secularized. Perhaps it captures the fact that people inhabiting the Norwegian realm do not think much about religion (Christianity) and, in the legal system, there is the possibility of being indifferent, as long as people are not faced with "other" religions, which appear strange or even provocative, demanding religious freedom. Statements demanding religious freedom bear the risk of being characterized as radical or extreme.

Muslims in Norway

As a growing religious minority in Norwegian society since the 1960s and 1970s, a general estimate is that there are about 200,000–230,000 Muslims in Norway, which is about 4–5% of the total population (see also Bøe (2018) and Bangstad (2018) for estimates). According to official statistics, there were 166,861 registered members of different Muslim religious groups in 2018 (Statistics Norway, 2019). The Muslim groups comprised 156 organizations with names referring to Islam. These include the Ahmadiyya, as well as Sunni and Shia groups. The number of Muslim organizations illustrates researchers' comments about the Norwegian Islamic landscape being rather fractured and polarized (cf. Bangstad, 2018, p. 497). As a religious minority, Muslims do not have any specific rights such as those of Jews, who are formally recognized as a national minority. This is to do with the criteria for national minorities in international conventions.

Like any religion, Islam is diverse. Muslims vary, and answers to the question "What is Islam?" – no matter to which source it is directed (texts, classical/canonical or others, to learned or unlearned Muslims, men or women, devout or non-devout) – will probably range on a wide scale. Islam in Norway and Europe in general, including what has been called "Euro-Islam", is no exception to this. Even within discernible institutionalized "Islams" in the EU, Islam comes in many more than one shape. Muslims in the EU and the European nation states come with various languages, educational, political, ideological, socio-economical and religio-theological backgrounds, agendas and aspirations. Some are Sunnis, some Shi'ites, some Alawi. Some are Salafi, others Wahabi, others again may be Salafi-Sufi. Some are well integrated, others are not.

The pluralism within Islam in the EU also has to do with the fact that the presence of Muslims and their communities has different histories in the different countries[2]. In some EU countries, it goes way back in time, in others it is relatively recent, and, in Norway for example, Islam is made up of Muslims of different nationalities than those in, for example, France, Holland and England. Furthermore, the various Muslim groups, societies and/or institutions exist within different legal frameworks and must adjust to differing regulations for the majority as well as minority religions and differing laws and policies regarding integration. In addition, a rather complex matter is whether one is dealing with institutionalized or less institutionalized forms of Islam. The number

[2] In the presentation of the European context, I have to some extent relied on Tim Jensen's (2007b) introduction on Islam in Denmark. Both Denmark and Norway are a part of the same European context, and similar tendencies can be detected in each country. This especially concerns the discourse on clothing (*hijab*, *niqab*, and *burqa*) and the integration of Muslims in Norwegian society.

of Muslim organizations is one thing, but there is probably is a large number of silent, unorganized, and maybe less practising, Muslims, who do not belong to an organized group and thus do not have or want to have a "spokesman". One might thus assume that this group of Muslims does not want to be categorized or represented primarily as "Muslims" but, instead, address themselves through ethnicity or other categories.

Stressing that Islam is not a monolith is of course a sort of banality that can be said concerning any religious tradition. However, the need to stress the existence of many Islams and Muslims is even more acute, due to the sweeping generalizations and gross stereotypes central to the Islamophobic debates: debates that go back long before 9/11, and debates that may have far-reaching consequences (e.g. Jensen, 2003). It may be argued that continuously representing and discriminating against Muslims – as "foreigners", "newcomers", fifth-columnists and potential terrorists, a threat to political, military and social security, and as a potential threat to "Norwegian or European values", democracy and human rights – may be highly counterproductive to integration and security. Islamophobic discourses, often buying into the very interpretations of Islam propagated by (militant) Islamists, arguably may play a role in the making of militant, anti-Western Muslim fanatics.

Consequently, general academic efforts to describe and analyse diversities and pluralism within a religion tend to become more than an academic virtue when it comes to Islam (Jensen, 2007a). The politicization of Islam in Europe and elsewhere is, of course, associated with instances of political Islams, outside and inside Europe. It is, however, also a consequence of the extreme degree to which Islam, for a variety of reasons, has become the most disputed issue in public and political debates in many countries. This debate is, of course, largely triggered by incidents such as 9/11 and the bombings in Madrid (in 2004), and London (in 2005), and the terror attack on Charlie Hebdo in Paris in 2015. Aspects of academic research and representations of Islam no doubt have been influenced by this in different ways (Hughes, 2012; Rennie & Tite, 2008). The politicization of religion in general, and of Islam in particular, leads to a kind of politicization of the academic study. As a result, the role of the religious scholar in public debate has become a crucial question within the academic study of religions (e.g. Jensen, 2007b/2008; McCutcheon, 2001).

Any survey on Islam must include a discussion about the debates or discourses on Islam. Some debates, current stereotypes, and uses of Islam and "the Muslim" as the significant Other are comparable and similar, if not identical, to what has been found since the beginnings of Islam. It may be hard to document and explain in detail transmissions of stereotypes. Nevertheless, it may be contended that the long history of the use of Islam as the significant Other has provided Europeans with a vast number of images and stereotypes. Analysis of media and popular culture discourses, such as films, has displayed how these media provide stereotypes and set the agenda for public debate and opinion on Islam and Muslims. More than ten years ago, the report, *Images of Islam in the UK* (Moore, Mason & Lewis, 2008), documented stereotypical representations of Islam and Muslims in British newspapers in the period from 2000 to 2008. The coverage of Islam and Muslims in Britain was documented to be rather extensive. An analysis of 974 newspaper articles about British Muslims in the British

press documented how language used to describe Muslims was related to negative or problematic issues. Nouns used in relation to British Muslims were "terrorist", "extremist", "Islamist", "suicide bomber" and "militant". The most commonly used adjectives were "radical", "fanatical", "fundamentalist", "extremist" and "militant". References to radical Muslims outnumbered those to moderate Muslims by seventeen to one (Moore, Mason & Lewis, 2008, p. 3). Overall, 26% of the stories presented in the British media analysed Islam as dangerous, backward or irrational.

Research from other European countries coincides with this picture (Sharbrodt, 2017). In Norway, a report from The Directorate of Integration and Diversity (IMDi, 2010) documented similar tendencies. The public debate concerning Muslims or Islam in Norway has been characterized by stereotypical ideas. Islam and Muslims have come to represent something new, strange and even a threat to Norwegian society and Norwegian and Christian values. Discussions like these prove that a more visible Muslim presence in society over recent decades has resulted in public tensions over radical Islamism, (Muslim) immigration and globalization, which have triggered new right-wing populism (cf. Døving, 2012). In 2017, a report on attitudes towards Jews and Muslims in Norway (Hoffmann & Moe, 2017, p. 11) showed that negative attitudes towards Muslims are rather common. This periodically results in a difficult cultural climate for Muslims. In general, the Norwegian public debate about Islam has revolved around issues like integration and "radicalization" and the compatibility of Islam with democracy and "Western values" (Bangstad & Elgvin, 2016, p. 515). In the public debate, clothing such as the *hijab*, *niqab,* and *burqa* are often referred to as examples of Islam not being compatible with "Norwegian" (or "Western") values (Døving, 2012).

In the last two decades, Islam has become a central topic in Norwegian politics, which it never was before. A recurring discussion has involved questions concerning clothing. I will illustrate this tendency, by drawing attention to four cases of political debate concerning Muslim garments.

Case 1: *Hijab* in the Police

In 2008, a 23-year-old woman sent a letter to the Directorate of Police, asking if she could wear the *hijab* with police uniform. The woman, an immigrant from Algeria arriving Norway in 2000, had, according to newspaper coverage, dreamt of becoming a police officer since she was little. However, she feared that the dream could not come true since, a few years earlier, she had decided to wear the *hijab*. The Norwegian Police University College's admission office had earlier rejected such practice among its students. However, this request from the 23-year-old woman was directed to the Norwegian Directorate of Police, the first time the Directorate had received a letter on this matter. The question was now no longer a question of what to wear with the police uniform during education at the Police University College but a principal question applying to the police uniform as such. Therefore, the Directorate made inquiries into how regulations regarding wearing the *hijab* with police uniform were dealt with in other countries. In Sweden and the UK, the *hijab* is permitted but, in Denmark, such use is not permitted.

Seemingly, the Directorate of Police's written statement was not meant for publication. Nevertheless, after intense pressure from the Norwegian press, the newspaper, *Verdens gang* (*VG*), got to see – and on March 4 published – the written statement, dated January 29, 2009. Shortly after *VG* had published it, the statement was also published on the ministry's homepage. In the statement, the leader of the Directorate of Police, Ingelin Killengreen, concluded that the *hijab*, adjusted to match the police uniform, should be permitted.

> *Politidirektoratet har vurdert de sikkerhetsmessige og praktiske sidene ved bruk av hijab eller annet religiøst hodeplagg som en del av politiuniformen, og kan ikke se at det ut fra slike vurderinger kan reises innvending mot dette. Det forutsettes imidlertid at hodeplaggene utformes som en del av uniformen og at det finnes praktiske løsninger som forhindrer at hodeplagget kan brukes til å skade tjenestemannen/kvinnen* (Directorate of Police, 2008).

> The Directorate of Police has assessed the safety issues and practical aspects of the use of the hijab or other religious headscarf as part of the police uniform. No objection can be raised to this. It is assumed, however, that such a headscarf should be designed as an integrated part of the uniform and that there must be practical solutions to prevent the headscarf from being used to harm the officer (Directorate of Police, 2008, my translation)

> Thus, the Directorate concluded:

> *Politidirektoratet er ut fra en samlet vurdering av de hensyn som er nevnt foran, positiv til at det gis anledning til å benytte religiøst hodeplagg til politiuniformen. Vi mener at hensynet til å rekruttere bredt og sikre at politiet representerer alle samfunnslag uavhengig av livssyn og etnisitet, må komme foran et strengt krav til en nøytral politiuniform.*

> Based on an overall assessment of the considerations mentioned above, the Directorate of Police is positive that wearing a religious headscarf with police uniform will be allowed. We believe that the need to recruit widely and ensure that the police represent every layer of society, regardless of religion and ethnicity, must come before the strict requirement of a neutral police uniform (Directorate of Police, 2008, my translation).

When the statement was published, the Director of Communication at the Ministry of Justice, Gunnar A. Johannessen, confirmed that "Police uniform regulations shall be amended so as to provide an opportunity for the use of religious headgear along with the police uniform" (Regjeringen.no, 2009a). The Directorate's acceptance of the use of the *hijab* with the police uniform of course caused a massive public debate. This debate brought to the surface negative attitudes towards accepting the *hijab* with the police uniform, seemingly among a majority of the Norwegian people. In addition,

the police organization, *Politiets fellesforbund*, reacted negatively to the Directorate's decision. In a statement to the newspaper, *Stavanger Aftenblad*, the leader of the police organization, Arne Johannessen, stated that "The police represent the state and no other. Until today, the police uniform was clean. Now that time is past"[3].

The Directorate's statement ended with a clarification that it would be necessary to make adjustments to uniform regulations for the police. In Norway, such regulations are dealt with in the Cabinet and must be presented in parliament for approval and for the king to sanction. However, a proposal to change the uniform regulations never got this far. The Minister of Justice, representing the Labour party, Knut Storberget, apparently affected by the public debate and public opinion, in a press release on February 20, 2009 (Regjeringen.no, 2009b), stated:

> *Det er avgjørende for tilliten til politiet at etaten speiler befolkningen. Vi har vurdert om en endring av politiets uniformsreglement ville bidra til økt rekruttering av folk med minoritetsbakgrunn. Jeg har nå landet på at dette ikke er et egnet virkemiddel og debatten har vist at en slik endring kan svekke opplevelsen av et nøytralt politi. Derfor har jeg bedt om at den videre prosessen i Politidirektoratet stoppes* (The Royal Ministry of Law and Police, 2009).

> It is essential for confidence in the police department that it reflects the population. We have considered whether a change in police uniform regulations would contribute to increased recruitment of people from minority backgrounds. I have now come to the decision that this is not a suitable measure, and the debate has shown that such a change could undermine the experience of a neutral police force. Therefore, I have asked that the further process in the Directorate of Police be stopped (The Royal Ministry of Law and Police, 2009, my translation).

Minister Storberget's decision came after a period of heated public debate after the Directorate of Police was positive about changing uniform regulations. Politicians from both left and right disagreed with the Directorate; several public polls showed massive resistance to the *hijab* in the police, and Facebook groups against *hijab* in the police were established and had thousands of followers. In addition, the *hijab* was discussed in every debate program on different TV channels.

What was seemingly a small question addressed to the Directorate of Police by a potential police student developed in a few months to a massive public debate and obviously affected the political level. After the original positive response from the Directorate, the Department of Justice for a long time put a lid on the case. This of course led to conspiracy theories and speculations of disagreement within the government. However, when Minister Storberget sent out a press release on February 20, 2009, it was clear that the massive negativity regarding the *hijab* in the police that had surfaced in the public debate put the minister in a difficult situation. The Directorate of Police, which he was politically in charge of, had made a very

[3] http://www.aftenbladet.no/innenriks/982903/-_Overraskende_og_meget_skuffende.html [accessed and downloaded November 18, 2010]. The link is currently dead.

unpopular decision. Even if the Directorate's justification was to recruit police officers from different minorities, to reflect the growing diversity in Norwegian society, it did not appeal to the Norwegian people, politicians or to the police. Therefore, Storberget's problem was whether to listen to the Directorate of Police or to the opinions presented in the public debate. He chose the latter. In the press release, he even used public opinion and related it to the public's confidence in the police. This confidence was related to a neutral police force with a neutral police uniform. A police uniform is, of course, in itself never neutral. One can, rather, consider it a symbol of the state, the executive power of the state.

> *I perioden som har gått etter at det ble bedt om grundigere utredning i saken, er det blitt klarlagt at det er liten støtte i politietaten, befolkningen og i Stortinget for å foreta endring i politiets uniformsreglement.*
> *En endring av uniformsreglementet, med en åpning for tildekking av hår, har aldri vært et mål i seg selv. Det har hele tiden vært tenkt som et mulig virkemiddel for å øke rekrutteringen til politiet fra minoritetsgrupper i samfunnet* (The Royal Ministry of Law and Police, 2009).
>
> In the period that has elapsed since a more thorough investigation of the case was prompted, it has become clear that there is little support in the police, the population and in parliament to make changes to police uniform regulations.
> A change of uniform regulations, with the opportunity to cover the hair, has never been a goal in itself. It has always been thought of as a possible means to increase the recruitment of police officers from minority groups in society (The Royal Ministry of Law and Police, 2009, my translation).

An interpretation of Storberget's decision, as presented in the press release, is that an adjustment in the uniform regulations, which implies the covering of hair, is not an appropriate measure in terms of recruiting police officers with immigrant backgrounds. Whether this was Storberget's point of view all along, or if his decision was a result of public opinion, is difficult to tell. Nonetheless, this case clearly showed that neither the public nor the government was ready to allow the *hijab* – a symbol of Islam, which, in the last decade, has been widely disputed and debated in Europe – in the Norwegian police force.

In an official report (NOU, 2013:1), a group appointed by the government referred to the debate in 2008 and 2009 and recommended that the *hijab* should be allowed in the police. However, the suggestion did not result in any changes.

Case 2: *Hijab* in Schools

About a year after the heated public debate on the *hijab* in the police, and in the wake of it, a public debate regarding whether schools had the opportunity to ban headscarves in their house rules, the Royal Ministry of Education asked the Justice Department for an assessment of current law.

Hence, the Minister of Education, Kristin Halvorsen, representing the Socialist Left Party (abbreviated SV in Norwegian), in a letter dated February 26, 2010, asked the Law Division of the Ministry of Justice to evaluate the following question:

> *Er religionsfriheten, jf. Grunnloven § 2, EMK artikkel 9, Barnekonvensjonen artikkel 14 og Den internasjonale konvensjon om sivile og politiske rettigheter artikkel 18, til hinder for å innta et forbud i ordensreglementet mot bruk av hijab?* (The Royal Ministry of Law and Police, Law Division, 2010).
>
> Is the freedom of religion, cf. Constitution § 2, ECHR Article 9, Article 14 of the CRC and the International Covenant on Civil and Political Rights, Article 18, an obstacle to adopting a prohibition in the order of rules on the use of the hijab? (The Royal Ministry of Law and Police, Law Division, 2010, my translation).

In addition, the Ministry of Education requested an answer to the questions regarding whether the Education Act § 2–9 and 3–7, respectively, may provide municipalities and counties with sufficient authority to establish such a ban in schools' rules and regulations.

In a 16-page-long letter, dated March 19, 2010, the Law Division of the Ministry outlined their interpretation of national and international laws at stake in relation to prohibiting Muslim students from wearing the *hijab* in schools. The conclusion was that such a prohibition could not be effectuated in Norwegian schools (The Royal Ministry of Law and Police, Law Division, 2010). In the letter, the Law Division put special emphasis on the Norwegian constitution and paragraphs ensuring freedom of religion. The Law Division's assessment, however, referred to the fact that the European Court of Human Rights (ECHR) had, in some cases, accepted the ban on headscarves in some countries. These decisions, however, must be contextualized to each country's constitution, i.e. France and Turkey, where there is a fundamental distinction between state and religion. This does not exist in the Norwegian case, in reference to the position the Evangelical-Lutheran religion had before 2012 (and to some extent after). The Law Division's conclusion was that, in order to be in accordance with international conventions, such as the European Convention on Human Rights (ECHR), the Committee on the Rights of the Child (CRC), and the International Covenant on Civil and Political Rights, Norway could not prohibit the use of the *hijab* in schools. Nonetheless, The Law Division also commented that the legal situation regarding this issue was unclear. Still, the conclusion was that it would not be enough to make changes in the Education Act to prohibit the *hijab*:

> *Når det gjelder spørsmålet om hjemmel for et eventuelt hijabforbud, tilsier både følgene for elevene som rammes av forbudet og det faktum at et forbud reiser spørsmål i forhold til både Grunnloven og menneskerettskonvensjonene, at et generelt forbud mot bruk av hijab krever hjemmel i lov. Vi antar videre at dagens hjemler i opplæringsloven neppe gir grunnlag for et generelt*

> *forbud mot hijab i skolen. Et eventuelt forbud vil også måtte vurderes opp mot lovskravet i EMK* (The Royal Ministry of Law and Police, Law Division, 2010, p. 16).
>
> The question of the authorization for any hijab ban suggests both the consequences for students who are affected by the ban and the fact that a ban raises questions in relation to both the Constitution and human rights conventions that a general prohibition on the use of hijab requires statutory authorization. Furthermore, we assume that the current legal basis in the Education Act hardly provides a basis for a general ban on headscarves in schools. Any ban would also have to be weighed against the requirements of ECHR law (The Royal Ministry of Law and Police, Law Division, 2010, p. 16, my translation).

In a press release on March 22, 2010, Minister of Education Halvorsen stated that this meant that the government would not take any further measures to prohibit the *hijab* in Norwegian schools:

> *Jeg mener lovavdelingens vurdering viser at et forbud kun mot hijab vil være diskriminerende og dermed i strid med menneskerettighetene. Vurderingen viser også at opplæringsloven neppe gir hjemmel for et generelt forbud mot hijab, og loven gir heller ikke hjemmel for et generelt forbud mot alle religiøse plagg. Det er ikke aktuelt for regjeringen å foreslå endringer som kan åpne for slike forbud* (The Royal Ministry of Education and Research, 2010).
>
> In my view, the review by the Ministry of Justice shows that a ban only on the hijab would be discriminatory and thus in violation of human rights. The assessment also shows that the Education Act hardly provides grounds for a general ban on the hijab, and the law provides no legal basis for a general ban on all religious garments. It is not appropriate for the government to propose amendments that could open the way for such a ban (The Royal Ministry of Education and Research, 2010, my translation).

The minster also explained that it was important to get an evaluation of these matters, in case any proposals to change the legislation should appear. At that time, Norway had experienced an extensive debate on the *hijab* in the wake of the police uniform question. However, an internal debate in the Socialist Left Party and Minister Halvorsen's statements in the newspaper, *Dagbladet,* trigged that debate. On March 2, Minister Halvorsen wrote:

> *I tråd med sentrale, liberale frihetsverdier mener jeg derfor både at jeg har rett og plikt til å si ifra at det ikke er ønskelig at småjenter går med hijab. Hva unge og voksne kvinner selv velger å gjøre ut fra sin tro er selvsagt en helt annen sak* (Halvorsen, 2010).

> In accordance with central, liberal values of freedom, I mean that I have both the right and the duty to say that it is not desirable that little girls wear the hijab. What young and adult women themselves choose to do, based on their faith, is, of course, a completely different matter (Halvorsen, 2010).

Several other politicians also made similar statements and openly stated that they would consider suggesting a prohibition of the *hijab* in schools. In March, when the statement from the Department of Justice was presented, the debate on a possible prohibition of the *hijab* in schools was not completely silenced. The public debate on Islam continued in relation to a proposition in the Norwegian parliament to prohibit the *niqab* and *burqa* in public places, described in Case 3 below.

However, the discussion concerning banning the *hijab* in schools was not over. In December 2010, representatives from the political party *Fremskrittspartiet* – a right-wing party known for their restrictive policies regarding immigrants and Islam – presented a proposal to ban the *hijab* in primary schools (Stortinget, 2010–2011a). The proposal was dealt with in the Committee for Church, Education and Research (Stortinget, 2010–2011b). The discussion referred to the decision the year before and came to the same conclusion: A law against the *hijab* would be in conflict with the Norwegian state's commitments to basic human rights.

Case 3: *Niqab* and *Burqa* in Public Places

On March 3, 2010, representatives, Siv Jensen and Per Willy Amundsen, also from the political party *Fremskrittspartiet*, sent a proposition to the Norwegian parliament, in which they proposed prohibiting garments covering the face in public places. In the proposal to the parliament (Stortinget, 2009–2010a), it is made clear that the *niqab* and *burqa* are the core issue. In their background comments, Amundsen and Jensen write that the *niqab* and *burqa* might be considered suppressive towards women. In addition, they emphasize that such clothing makes identification difficult and represents a hindrance when it comes to integration. In the proposition, parallels are drawn to similar proposals in several European countries, such as Belgium, the Netherlands, Denmark, and France.

After a debate in parliament, a majority supported the proposition. Thus, the formal document referring to the debate (Stortinget, 2009–2010b, p. 3) reads:

> *Stortinget ber regjeringen legge frem nødvendige lovforslag for å nekte å yte offentlige tjenester til personer som opptrer i heldekkende plagg.*
>
> *Stortinget ber regjeringen legge frem nødvendige lovforslag for å forby bruk av heldekkende plagg på offentlig sted.*
>
> Parliament requests the government to present the necessary bill to refuse to provide public services to persons acting in full-covering garments (my translation).

> Parliament requests the government to present the necessary bill to ban the use of full-covering garments in public places (my translation).

The Committee of Justice in parliament dealt with the proposition (Stortinget, 2009–2010b) in May 2010, and the majority voted against it. As part of the discussions, the committee had asked Minister of Justice Knut Storberget for a statement from the ministry, regarding the proposition. The minister's written statement, dated April 21, 2010 (and also published in full on the ministry's website), concluded with a recommendation not to accept the proposition. The minister emphasized that "there is great danger that the general ban on wearing full-covering garments in public places will be in breach of ECHR Article 9" (Stortinget, 2009–2010b, p. 7, my translation). ECHR Article 9 addresses the freedom of religion and belief in particular, and it forms the main reason for the minister's recommendation to abandon the proposition. However, the minister ends his statement with a quite interesting remark:

> *Bruk av heldekkende plagg som burka og niqab synes å berøre et begrenset antall kvinner i Norge i dag. Jeg er enig i at denne type plagg gir uttrykk for et menneske- og kvinnesyn som bør motarbeides, men det er grunn til å spørre om dette gjøres best og mest effektivt gjennom andre virkemidler enn et generelt forbud mot bruk av heldekkende plagg i det offentlige rom* (Stortinget, 2009–2010b, p. 7).

> The use of full-body garments, such as the *burqa* and *niqab*, seems to apply to a limited number of women in Norway today. I agree that this type of clothing provides a view of men and of women that should be opposed, but there is reason to question whether this is done best and most effectively through other means than a general prohibition against the use of full-body garments in public places (Stortinget, 2009–2010b, p. 7, my translation).

To some extent, Minister Storberget clearly expresses agreement with Amundsen and Jensen. He finds that the *niqab* and *burqa* should be opposed in Norwegian society but not by making it illegal to wear them. In addition, the minister regards Norway as committed to international conventions, which are ratified and implemented in Norwegian law. A general ban might conflict with the Norwegian state's commitment to human rights concerning freedom of religion. Hence, the Committee of Justice in parliament stopped the proposal.

Case 4: *Niqab* and *Burqa* at Universities

In February 2012, a professor at the UiT – The Arctic University of Norway reached national headlines when he refused to lecture, while a student[4] wearing *niqab* was attending (Ostring, 2012). The professor said that he used his right as a lecturer to reject this student's attendance. According to him, this was a matter of principle, and he compared the *niqab* with other clothing that covers a person's face. The professor

[4] The student was a woman of Norwegian origin and a convert to Islam.

referred to the possibility of making regulations locally concerning clothing, which applied to schools, universities and university colleges. The professor's decision created another public debate concerning the clothing of Muslims, this time with reference to the *niqab* and *burqa*, garments understood as more radical than the *hijab*. The debate also showed that the possibility of making local regulations was interpreted and practised rather differently in schools and universities.

In 2016, three representatives from the Labour party sent a proposal to parliament, suggesting "national regulations that ensure that pupils', students' and teachers' faces should be fully visible in schools, universities and university colleges" (Stortinget, 2016–2017, my translation). The argument was the importance of good communication in teaching processes and the need for national regulations concerning this. Neither the *niqab* nor *burqa* was mentioned in the proposal. In parliament's treatment of the suggestion, it was made clear that this would especially affect garments like the *niqab* and *burqa* (Stortinget, 2017–2018, p. 12). The majority of political parties and representatives agreed with the suggestion. The result was a national regulation of clothing at all levels in the Norwegian education system, from kindergarten to primary, secondary and upper-secondary schools, university colleges and universities, and even private schools[5]. With effect from 2018, this applies to children in kindergartens, pupils in schools, students in university colleges and universities, as well as teachers.

In the background document, the Law Division of the Ministry of Justice assessed the question of whether this suggestion could be a violation of human rights. The proposition emphasizes that a teaching situation is a context that makes such a ban possible:

> *Lovavdelinga meinte at forbod som er grunngitt i eit sakleg formål, som er nødvendig, og som ikkje er uforholdsmessig inngripande, ikkje vil vere i strid med trus- og livssynsfridommen eller diskrimineringslovverket. Lovavdelinga slo fast at praktiske utfordringar med kommunikasjonen i undervisningssituasjonen og det sosiale samværet mellom elevane, kan gjere at eit forbod mot bruk av ansiktsdekkjande plagg, som er nøytralt utforma, ikkje er i strid med menneskerettane.* (Stortinget, 2017–2018, p. 17)

> The Law Division argued that prohibitions that are based on a factual purpose, which are necessary, and which do not disproportionately interfere, will not be contrary to the freedom of religion or the discrimination laws. The Law Division stated that practical challenges with communication in the teaching situation and the social interaction between pupils may mean that a ban on the use of face-covering garments, which are neutrally designed, does not violate human rights. (Stortinget, 2017–2018, p. 17, my translation)

Thus, the arguments that paved the way for a ban on face-covering garments was the importance of communication in teaching situations. Since this is a matter of

[5] In the Education Act for primary, secondary and upper-secondary school, the paragraph was § 9–7 (Law on Primary and Secondary Education, 1998).

principle, and the law does not mention any specific garments, it can be accepted or interpreted as a regulation that does not discriminate against individuals belonging to religious groups. However, it is worth noticing that, in this case and this line of argument, the *niqab* and *burqa* are considered to be "neutrally designed". This is clearly a new way of talking about the *niqab* and *burqa* in the Norwegian political discourse.

The Final Solution – Making Muslim Clothing Secular

In the years between 2008 and 2011, there were several political and public debates about Muslims and clothing. While the Directorate for Police was initially positive about allowing the *hijab* in the police (Case 1), although it was understood as a "religious headscarf", the public and political debate rejected the idea. In the year after, when the suggestions of a ban against the *hijab*, *niqab,* and *burqa* in public places and in schools were discussed (Case 2 and 3), they were refused with reference to the Norwegian state's commitments concerning basic human rights. The final solution, to ban Muslim garments, was in the educational sector (Case 4), with reference to the importance of communication.

The political debates and the different propositions seem to have been aimed at curtailing Muslim women's rights to wear the *niqab* or *burqa*. Analysing the political debates and propositions, it is obvious that Norway's obligation to international conventions has functioned as a prevention to toughening existing laws. It is obvious to argue that politicians seem to have learned from these processes, and "finally" found a way around the human rights obligations: to define Muslim garments, such as the *niqab* and *burqa*, as "neutrally designed" and to use secular arguments (the importance of communication in teaching processes). This way, it is not related to freedom of religion, and the Norwegian state's commitment to human rights is not challenged. It is about ensuring good conditions for teaching and learning.

In many ways, all four cases might be interpreted as an attempt to force the use of religious symbols in the public sphere back to the private sphere. All four cases, in some way or another, illustrate the political reluctance to allowing the *hijab*, *burqa,* and *niqab* in public places. Wearing those kinds of garments is associated with religious radicalism, which is not appreciated in Norwegian society, and often addressed in public and political debates.

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ARTICLE

Religious Education in Russian Schools: Plans, Pains, Practices

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ABSTRACT
Since 2012 the compulsory course "Fundamentals of Religious Cultures and Secular Ethics" has been taught in all public schools of Russia. The introduction of the course compelled Russian scholars to engage in comparative research on the development of normative framework and teaching practice in religious education. Despite the importance of global trends and international debates, it is crucial to observe the local dynamics and discover how particular conceptualizations of religion, education goals, principles and teaching practices affect religious education and its development. In our research, we focus on the case of religious education in Sverdlovsk region with the view to discover how successful are the plans which originated in the efforts of the Russian Orthodox Church to gain entry to public schools, but were moderated by the resistance of educational and academic community. How effective are the practices? What unforeseen issues transpired in its implementation? Intending to highlight some major characteristics of the emerging model of religious education in Russian Federation we conducted a set of semi-structured interviews with the representatives of major groups involved in teaching (public authorities; established religious organizations; education officials; educators; parents whose children attend the course modules and, finally, academic community in Religious Studies) and on its basis we conclude that religious education at Russian schools today rests on a discrepancy between the alleged goals of the course "Fundamentals of Religious Cultures and Secular Ethics", which emphasize multicultural education, and its implementation, which stems from practical constraints and local agendas.

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Introduction

After nearly seven decades of official atheism, it took twenty years for Russia to introduce religious education in public schools. This decision was extremely controversial at the time and remains quite polarizing now. Since 2012, the compulsory course "Fundamentals of Religious Cultures and Secular Ethics" (FRCSE) has been taught to fourth-year students (aged 10–11) and includes six elective modules. Four modules represent religions "traditional"[1] for Russia such as Orthodox Christianity, Islam, Judaism, Buddhism; the fifth module purports to provide an overview of world religions; and the sixth module should enlighten students about secular ethics. Parents (and schoolchildren) are supposed to choose which module to study. There is no exam or grades for this course. There is a variety of textbooks and teacher manuals, ranging from deeply confessional to "culturological" approaches in dealing with study materials (Blinkova & Vermeer, 2018/2019; Ozhiganova, 2017; Shnirelman, 2017).

The introduction of the course in Russia compelled Russian Religious Studies scholars to join in the international debate on the religious education in schools and to engage in comparative research on the development of normative framework and teaching practice in religious education. In 2017, the special issue "Religion and School in the 21st Century: The Experience of Russia and Europe" appeared in a leading national academic journal *Gosudarstvo, Religiia, Tser'kov' v Rossii i za Rubezhom* ("State, Religion, Church in Russia and Worldwide", No. 4(35), 2017), covering current debates and trends in the European context as well as analyzing the regional cases of Scandinavia, Tatarstan, Tambov, and Russian national textbooks for the course. In 2018, another special issue "The Politics and Pedagogy of Religion Education" appeared in the journal *Changing Societies & Personalities* (Vol. 2, No. 3, 2018[2]) offering a more diverse perspective with analyses of such cases as India, Zambia, South Africa, UK and Russia.

[1] "Traditional religions" is a term attributed to the religions mentioned in the preamble to the Russian Federation 1997 Federal Law "On Freedom of Conscience and Religious Associations". In the preamble, the special role of Orthodox Christianity in the history of Russia, and in the establishment and development of its spirituality and culture, is recognized; the respect toward Orthodox Christianity, Islam, Buddhism, Judaism as religions constituting an integral part of the historical heritage of the peoples of Russia is expressed (On Freedom of Conscience and Religious Associations, 1997).

[2] https://changing-sp.com/ojs/index.php/csp/issue/view/7

The concept of postsecularity underpins the discussions and analyses as it allows to account for the revitalization of religion in the public sphere and highlights the entanglements of secular and religious dimensions in political and cultural life of contemporary societies (Uzlaner, 2013; see also Uzlaner, 2019). In contrast, though, with some occasionally alarmist conclusions about the "return of religion", it is important to note that in regard to the introduction of religious education in public schools, the dynamics of postsecularity is far from straightforward, but rather, as Tim Jensen argues,

> there have been some changes to RE (Religious Education – *O. I., A. M.*) as a reflection of and response to the changes taking place in society and in the world at large as regards religion, but […] some of the responses and changes to RE seem to be changes and responses meant to counter, if not stop, the changes that have to do with religion, the role of religion in society at large and the meaning (or not) of religion for individuals" (Jensen, 2017a, p. 50).

Thus, the educationalist slogan of "religious literacy" can have quite a variety of meanings and serve different pragmatics in local contexts. In the next part, we offer an outline of approaches to religious education with the view to highlight the diversity of its possible conceptualizations.

Conceptualization of Religious Education

In contemporary Religious Studies, a typology has gained currency, which distinguishes between (1) "learning into religion" (mono-religious model), (2) "learning about religion" (multireligious model), and (3) "learning from religion" (interreligious model) (Jackson, 2014/2019). If a particular religious tradition is prevalent in a society and its teachings are regarded as the moral foundation of communal life, the educational system tends to foster certain confessional identity and leans towards "learning into religion". It would tolerate minority religions, but approach to other religions would be primarily critical. In contrast with mono-religious situation, secular societies with sizable religious minorities may encourage "learning about religion(s)" in a comparative and neutral way because it is assumed to be conducive to developing tolerant attitudes, communication skills and respect for diversity as well as shared civic identity for a pluralist society. Finally, a focus on personal development may lead to an educational preference for philosophical and moral resources which religious traditions can provide to students. Therefore, religions are approached as different sources of spiritual growth and one can draw from any of them looking for one's own truth in the interreligious dialogue by "learning from religion(s)". It is evident that each model is rooted in certain historical and social context and is based on specific normative arguments and teaching practices (Arweck & Jackson, 2014; Berglund et al., 2016; Jensen, 2017b; Shakhnovich, 2017; Hvithamar & Stepanova, 2011; Stepanova, 2011).

Tim Jensen, on the other hand, develops this typology in greater detail with respect to the European context. Jensen identifies (1) confessional; (2) interreligious (intercultural or multicultural); (3) non-confessional religious education. Also, he points

out *Ethics, Ethics and Values, and Philosophy* as alternatives to confessional RE, and describes *Citizenship Education* as another possible response to contemporary social challenges, pluralism in particular (Jensen, 2017a). In what follows, we present our version of the typology of religious education (see also Menshikov & Iakimova, 2017).

In discussions of religious education at schools, it is crucial in each situation to disentangle what is understood by the notion of "religion"; what goals school education in general and religious education in particular are intended to serve; which form the teaching of religious education can take in specific national or local context; who are the major stakeholders that push forward religious education; and what overarching moral or philosophical principle justifies the introduction of religious education and guides the practice of teaching it.

In the discussions about religious education, we can discern at least four different meanings of what "religion" implies for different parties. Religion can be understood as (1) a religious doctrine ("credo" and dogmatics); (2) a religious worldview (philosophical foundations and moral orientations associated with a certain religion); (3) a religious way of life and cultural practices (ranging from dietary and clothing preferences to calendar); and (4) a historical-cultural artefact (cultural heritage, historical tradition). It is apparent that these possible meanings are not mutually exclusive and often overlap, but it is also clear that teaching religion will be different as a result of the implied understanding of "religion". In teaching, one can focus either on indoctrination and religious precepts, or on dialogue with moral and philosophical insights inherent in religion(s), or on "lived religion" and its today's relevance for orientation in the contemporary world, or on universal erudition and detached knowledge of religious mythologies, arts, theologies, customs, etc.

The educational goals can vary with respect to religious education from (1) outright catechization to (2) developing an attitude for dialogue in multicultural modern society, or, to (3) fostering national or civic identity and patriotism, or, finally, to (4) disseminating neutral research-based knowledge. It is again obvious that these goals are not mutually exclusive. They can actually be mutually supportive in different combinations. They all include both cognitive and moral elements, too. However, one can see that the dominant "loyalty" transmitted through education will be significantly different: there can be a focus on loyalty (1) to a religious community, (2) to a wider civil society, (3) to a nation-state, or (4) to a cosmopolitan "*République des Lettres*".

Here it should be highlighted that we do not presume to assert that each notion of religion or preference for certain learning outcomes exclusively belongs to a specific party or stakeholder such as (1) religious organizations, (2) state agencies, (3) NGOs or (4) academic and teaching community. Each faction always encompasses a variety of attitudes and views. For instance, many Orthodox Christians are wary of the prospect of the compulsory course at schools and fear it might repel children's genuine interest in religion. Many ethnonationalists, too, are less concerned with Christian message and are keener on promoting patriotism – too often understood as servility to the state, or even more specifically present incumbents, – and "traditional" identity and values. Moreover, the diversity of meanings is a resource rather than a problem because in polemics conceptual indeterminacy can be very valuable as it

allows to shift the ground and manipulate the opponents, and occasionally "troll" the discussants. Therefore, each party in religious education discussions can navigate between these meanings and appeal to different interpretations in different contexts while pursuing their strategic agenda. The variety of notions of religion, goals, forms and stakeholders of education, and justificatory principles are summarized in the following table. However, we would like to emphasize that it is a spectrum rather than a classification and various combinations might be possible. In the European context, on the other hand, the overarching tendency is a move from "educating into religion" towards "educating about religion" (Table 1).

Table 1. *Characteristics of different types of religious education*

	Criteria	Types of religious education				
		Confessional	Life orientation	Civic education	Religious studies	
Educating into religion	*Religion understood as*	Religious doctrine	Religious world view	Specific way of life and cultural practice	Religion as a cultural-historical artefact	Educating about religion
	Goals of education	Catechization	Development of cognitive and communicative skills for the life in multicultural society ("aptitude for dialogue")	Fostering of civic identity and patriotism	Neutral research-based knowledge	
	Teaching	Confessionally trained instructors; separative education	Secular instructors; intercultural dialogue; compulsory integrative education	Secular instructors; national tradition and civic values; opt-out possibility	Secular university-trained instructors in Religious Studies; compulsory	
	Principle	(Mono) confessionalism	Inclusivism and individual autonomy	Human rights and/or civic virtues (depending on national context)	Secularism and pluralism (neutrality to and equality of religions); no confessional education in public schools	
	Actors	Religious communities and organizations	NGOs	State agencies	Academic and teaching community	

Thus, despite the importance of global trends and international debates, it is crucial to observe the local dynamics and discover how particular conceptualizations of religion, education goals, principles and teaching practices affect religious education and its development. In our research, we focus on religious education in Sverdlovsk region with the view to discover how successful are the plans which originated in the efforts of the Russian Orthodox Church to gain entry to public schools, but were

moderated by the resistance of educational and academic community. How effective are the practices? What unforeseen issues transpired in its implementation? Further, on this basis, we intend to highlight some major characteristics of the emerging model of religious education in Russian Federation.

Research Design: Sampling and Methods

For the empirical part of our research, we selected a case of religious education in Sverdlovsk region[3] and, in particular, Yekaterinburg. The city of Yekaterinburg has often been named the "third capital of Russia" since it ranks third in the size of its economy exceeded only by Moscow and St. Petersburg. Its estimated population is approximately 1,500,000 citizens. The city is one of the largest educational centers in the country with 164 educational institutions and about 173,000 students (secondary schools and universities taken together). Although it is generally assumed that the predominant religion is Christianity, mostly represented by adherents of the Russian Orthodox Church, the city also has a large community of Muslims. Other religions practiced in Yekaterinburg and Sverdlovsk region include Judaism, Buddhism, Old Believers, Armenian Apostolic Church, Roman Catholic Church, various Protestant denominations, and several NRM (New Religious Movements) groups.

Since the 1990s, the role of religion in the public life in Russia increased and the courses on religious education appeared in the schools of Sverdlovsk region (as in many other Russian schools) as a part of the regional component of the syllabus. These were mostly the courses on Orthodox culture and ethics because what was seen as Orthodox culture and morality were regarded "traditional" and essential for Russian identity. In 2010, Russia adopted a new Federal Educational Standard; in 2012, an academic course "Fundamentals of Religious Cultures and Secular Ethics" was officially introduced on the national level, and it was declared compulsory for all public schools. During the period of transition (2010–2012), several regions had been selected for this course to be introduced on a compulsory basis two years earlier than in all other Russian schools. Sverdlovsk region was in this experimental group.

In our case study of religious education in Yekaterinburg, we planned, firstly, to find out: (1) Is it possible to demonstrate distinctive preference of modules in certain regions of Russia? (2) Are there specific, regional trends in the selection of FRCSE modules? To answer these questions, we used the relevant data collected by the Ministry of Education and Science of the Russian Federation[4] from 2012 to 2018

[3] Sverdlovsk region is one of the largest and most developed in Russia. Its total area is about 195,000 sq. km and the population is approximately 4,300,000 inhabitants (84 percent are urban dwellers). Historically, the region has been ethnically and religiously diverse. About 90 percent of the people are ethnically Russian, although this would imply all kinds of Slavic origins (Ukrainians, Belarusians); Sverdlovsk region also includes substantial numbers of Tatars and Bashkirs. Since economic development has gained momentum the region attracts substantial inflows of labour immigrants from the former Soviet Central Asian republics such as Kyrgyzstan, Tajikistan and Uzbekistan. The administrative center of Sverdlovsk region is Yekaterinburg. Geographically, the city is situated between Central Russia and Siberia, making it a transport hub between the Western and the Eastern parts of Russia.

[4] Since 2018, it has been divided into the Ministry of Education (*Prosveschenie*) and the Ministry of Science and Higher Education.

(Monitoring of the FRCSE course in RF). For the evaluation of this data we employed cross-tabulation analysis.

Secondly, we aimed to analyze religious education practice in public schools and conducted a set of semi-structured interviews with the representatives of major groups involved in teaching. We distinguished six groups of stakeholders depending on the role they played in the educational process: (1) public authorities and (2) established religious organizations (these two groups exist at the institutional macro-level); (3) education officials and (4) educators (meso-level); (5) parents whose children attend the course modules (micro-level); and, finally, (6) academic community in Religious and Cultural Studies (independent expertise, the expert-level).

The guide for expert interviews comprised the following sections of questions:

(1) The variety of ways religion enters the educational process. In this part, we gauged opinions in what forms religion's presence in contemporary schools is considered acceptable or not acceptable for religion to be present in contemporary school, for example, religion as a personal identity, a religious practice, a religious organization, a subject of study, etc.;

(2) The practice of teaching the FRCSE at school. Here, issues related to the educational process were explored, such as the procedure for choosing modules and instruction resources (course regulations and guidelines, teaching methodologies, teacher manuals, textbooks, teachers training, etc.);

(3) The evaluation of principles, objectives, strengths and problems of religious education in Russian public schools in general.

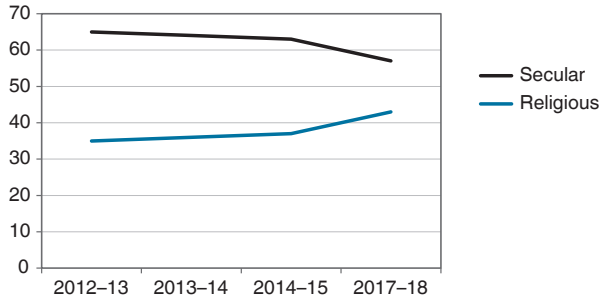
In 2018 (from June to December), we conducted twelve interviews with representatives of all groups (two experts from each group), all from Yekaterinburg. Our interlocutors were people from the Administration of the Governor of Sverdlovsk region; the Ministry of Education of Sverdlovsk region; teachers and parents from secondary schools; representatives of the Orthodox Metropolitan Diocese in Yekaterinburg; academics from the Ural Federal University specializing in Religious Studies.

"Fundamentals of Religious Cultures and Secular Ethics": The Structure and Dynamics of Selection of Modules (within Russian Federation)

The analysis of the structure of module selection and its dynamics over the time provides us with some interesting findings. Firstly, the so-called "secular" modules, which include "Secular Ethics" and "Fundamentals of World Religious Cultures", are more popular among students (and parents) than those related to religious cultures. Graph 1 shows that "secular" subjects were chosen for more than a half of 4th graders – 65 percent in 2012 and 57 percent in 2018 respectively.

According to the data in Table 2, "Secular Ethics" is more than twice as preferable in schools as is the "Fundamentals of World Religious Cultures". For example, during the academic year of 2017–18, about 41 percent of 4th graders studied ethics and only about 17 percent chose world religious cultures in general.

Secondly, although modules related to particular religious cultures have been less popular, as we can see in Graph 1, they show an upward trend. The number of those who chose to study specific religious cultures has increased by 8 percent in the last six years. Moreover, the data in Table 3 specifies that it was the course "Fundamentals of Orthodox Culture" that was favored. In 2012, only one third of the parents decided that their children should study Orthodox culture, but in 2018 almost half of them did so (about 40 percent).



Graph 1. *The dynamics of selection of modules (persent)*

Table 2. *The dynamics of students' module selection (2012–2018) in Russia (percent)*

Modules	Time intervals			
	2012–13	2013–14	2014–15	2017–18
Secular Ethics	44.8	45.8	44.6	40.6
World Religious Cultures	20.6	18.8	18.4	16.5
Orthodox Culture	30.4	31.2	32.9	38.5
Islamic Culture	3.8	–	3.6	3.9
Buddhist Culture	0.4	–	0.4	0.3
Judaic Culture	0.02	–	0.02	0.06

Table 3. *Distribution of module selection within federal districts in Russia in 2017–18 academic year (percent)*

Modules	Federal districts							
	Central	Volga	Far Eastern	Ural	North Western	Southern	North Caucasian	Siberian
Secular Ethics	33	40	51	56	48	30	23	55
World Religious Cultures	11	19	16	23	18	8	23	20
Orthodox Culture	55	41	32	20	34	61	15	23
Islamic Culture	.2	.8	.05	1	.07	1	39	.22
Buddhist Culture	.02	.002	.01	.002	.01	1	0	1
Judaic Culture	.02	.02	.02	.02	.02	.002	.01	.33

Note: Since the beginning of the new millennium, the country has been divided into eight federal districts: (1) Central Federal District; (2) Volga Federal District; (3) Southern Federal District; (4) North Caucasian Federal District; (5) Northwestern Federal District; (6) Ural Federal District; (7) Siberian Federal District; and (8) Far Eastern Federal District. In 2014, the ninth – Crimean Federal District – was added.

To place Sverdlovsk region in the national Russian context it is important to assess the distribution of data over the territory of Russia.

The distribution of data in Table 3 shows that studying "Orthodox Culture" prevails in Central and Southern Federal districts: 55 percent and 61 percent of choices respectively. In Volga Federal District, the number of 4th graders who studied "Fundamentals of Orthodox Culture" is also significant: 41 percent, which is approximately equal to the number of those who preferred secular ethics (40 percent). If we relate this data with the percentage of schools (Table 4), we can notice that Central and Volga federal districts are those territories where almost a half of all schools in Russia are situated (44 percent in total). If we add the Southern Federal District with its 9 percent of schools, we have a territory that contains 53 percent of Russian schools and where the "Fundamentals of Orthodox Culture" are chosen.

Table 4. *Distribution of schools in the federal districts of Russia*

#	Federal district	Number of schools	%
1	Central	8,909	21
2	Volga	9,775	23
3	Southern	3,632	9
4	North Caucasian	3,286	8
5	Northwestern	3,066	7
6	Ural	3,337	8
7	Siberian	7,227	17
8	Far Eastern	2,226	5
9	Crimean	626	2

The preference for the module "Secular Ethics", in its turn, is more characteristic of the Eastern part of Russia. Geographically, this cluster contains Ural, Siberian and Far Eastern Federal Districts. In each of these districts, more than a half of 4th grade students chose to study "Secular Ethics" in the school year 2017–18. It is interesting that the Urals and Siberia appeared to be the most secular oriented parts of the country: 79 percent of elementary school children in the Urals and 75 percent in Siberia studied secular modules in 2017–18 school year. One of our experts explained this as follows:

> In our case, the situation can be explained by the fact that historically, the region is a multinational territory (female, an education official in the Ministry of Education of Sverdlovsk region).

Although, as has been mentioned, this choice can hardly be explained by the reference to ethnic and religious diversity because the majority are ethnically Russian, similar to the European part where the number of students opting for the course "Fundamentals of Orthodox Culture" increases.

To summarize, the statistical data reveal that preferences for one or the other module of the course FRCSE differ in administrative and geographical territories of Russia and do not solely depend on ethnic origins or assumed ethno-religious belonging, which is often invoked by religious leaders who are prone to claim, for

instance, that all Russians are Orthodox and constitute their flock by the very fact of being ethnically Russian.

Practices and Problems (the Case of Sverdlovsk Region)

In principle, the declared goals of the course "Fundamentals of Religious Cultures and Secular Ethics" conform with "Toledo Principles"[5] and seek to promote better understanding of religious diversity of the contemporary world. Nevertheless, despite the important idea underlying the introduction of the course, its implementation prompted strong criticism from the academic community, who highlighted the dangers of confessional indoctrination and emphasized the fact that this form of religious education is separative.

Our academic experts in the field of Religious Studies argue that

> under the guise of a neutral course which views religions as cultural entities, in fact, a kind of religious upbringing has been implemented in schools (female, Research Fellow in Religious Studies).

Thus, the contradiction related to this course is between its proclaimed aim (which is multicultural education) and its implementation (which entails learning a particular doctrine and separation of students on the basis of their or rather their parents' religious beliefs). Academic experts see the reason for this in the

> concept of the course per se, because it tries to combine moral and patriotic upbringing with religious indoctrination (female, Associate Professor at the Ural Federal University).

Nevertheless, both academic experts and parents do not blatantly reject the course or religious education in general. They all agree that the course just needs to be better prepared, textbooks must be more interesting, and teachers should be more competent.

In fact, educators and school officials are aware of these concerns. In their view, there are two main problems with this course. Firstly, it is difficult to manage in terms of schedule:

> From the perspectives of making a schedule and managing the process of education in school, for school officials it is more convenient if students choose the same module out of six. Given that we have a great deal of schools which work double shifts, it goes without saying that this issue is very sensitive for a schedule (female, schoolteacher, engaged in teaching the course FRCSE).

[5] The Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools (OSCE, 2007) is an influential document in debates on teaching religion in Europe.

Secondly, not all teachers feel confident to instruct on world religions from the perspective of Cultural and Religious Studies:

> There were no barriers for teachers of history or social science to get involved into teaching this course. Yet, the way schools work does not let them do this. If we move educators of secondary school to elementary school, that would entail poaching a part of teaching hours from teachers of elementary school, from their teaching load. So, they started sending teachers of elementary school to re-training programs. And then there was an outcry from people. God knows what happened. That is, when they were introduced to the content – that was it, they had their minds totally blown (female, educational official, the Institute of the Development of Education of Sverdlovsk Region).

Thus, at the moment, most teachers who teach this course are instructors of elementary school. To teach the course on "Fundamentals of Religious Cultures and Secular Ethics" they need to improve their qualifications, but the existing program of upskilling is not enough. For example, a standard upskilling program consists of 72 academic hours, only 12 hours are devoted to the content, that is, to all four world religions and two secular modules:

> Thus, the main program was a program with 72 hours, where, generally speaking, for the content of the course per se – there were only two hours per each module, that is 6 by 2 – it is 12 hours. The rest of 60 hours: approximately 8 hours – for the new federal standard of education; approximately 8 hours – for the course regulations (recommendations, official documents, the Constitution and so on, that is everything, on the basis of which we teach "Fundamentals of Religious Cultures and Secular Ethics"). You see, there are already 16 hours against 12! And the rest of the time is for teaching methods, traineeship, and project work. The main part of the upskilling program had nothing to do with religion! (female, schoolteacher, participant of the upskilling program).

The fact that each world religion is allowed only two academic hours in teacher upskilling programs shows that even the re-training and advanced qualification institutes are not ready to offer sufficient expertise on this matter. Apparently, this is the main reason why schools prefer to insist on the modules of "Secular Ethics". Their available instructors lack competences and confidence to teach religious cultures:

> After an upskilling program in Moscow, a number of people immediately said – no, we do not want to conduct this course because its content is difficult, we are not ready for it. Because you can be a perfect teacher of elementary school but after the university you have not had any concern with philosophy of religion or ethics. Frankly speaking, many of those who went to Moscow for upskilling even at university studied Marxism and Leninism but not the

> history of religions or ethics. A lot of people refused to teach this course (female, educational official, the Institute of the Development of Education of Sverdlovsk region).

On the other hand, parents would prefer their children to study a general course surveying world religions:

> I think it would be reasonable to tell children what makes people different, to explain them why there are people who have beliefs and follow traditions different from the beliefs and traditions of one's family. That is, a course like this must exist in any case (female, a parent to a 4th *grade girl* who just passed the course FRCSE).

It is worth noting that representatives of religious communities argue for a more developed module structure of the course, which would be extended and include successively various religions:

> Selection of a module based on parents' choice should be canceled. There are four official religious cultures in Russia, and all of them can be studied by students successively for four years. As for "Secular Ethics", they have it anyway from the first to eleventh grade because all school life is connected with it (male, Orthodox priest, the Yekaterinburg Diocese).

"Four official religious cultures" here refers to recognition of Christianity (Russian Orthodoxy, in particular), Islam, Buddhism, and Judaism as "traditional" religions that made the greatest contribution to Russian history and culture.

To summarize: officially the course "Fundamentals of Religious Cultures and Secular Ethics" has a module structure and is based on Cultural and Religious Studies approach. It is also supposed to foster the responsible choice of parents and children in accord with their beliefs and values. The practice of teaching this course in Sverdlovsk region proves that:

> When we evaluate why a particular module was chosen, we need to take at least three parameters into account: (1) the number of educators qualified enough to teach all these modules – because teachers have their rights, too, – if, for example, Muslim culture is close to them, they teach it; (2) unwillingness of parents to separate their kids on the basis of religion; (3) the number of available textbooks on the module. These parameters are very important and, surely, they bring a lot of effort to nothing (female, education official, the Institute of the Development of Education of Sverdlovsk region).

Thus, in fact, freedom to opt for a preferable module exists formally but no major group of stakeholders is interested in ensuring the diversity of modules. Educators are not willing to deliver the optional modules because diversity is always difficult

to manage and it means trouble with a schedule, expenses on purchasing a full set of textbooks for each elected module and on upskilling and re-training of teachers. Parents do not wish to separate children and thereby to risk potential conflicts caused by religious affiliations. Finally, religious community representatives favor a non-competitive and more extended course of study that would include all major religions traditional for Russia (starting with and showcasing Russian Orthodoxy), and prefer to exclude secular ethics altogether.

Conclusion

The introduction of religious education to Russian schools was regarded by many commentators as a success for the Russian Orthodox Church, which managed to introduce covert catechization into the public educational system. The declarations of "culturological" approach in the course "Fundamentals of Religious Cultures and Secular Ethics", and the right to choose the module – among the modules on "traditional" religious cultures of Russia, overview module on religious cultures, or secular ethics module – did not abate the misgivings. The experts of the Institute of Philosophy (Russian Academy of Sciences), for instance, were outspoken in their assessment of the offered selection:

> Ethics can be taught at schools as a separate subject, but not as an artificial appendix to religious modules, as a poor show of imitating political correctness. The very title "Secular Ethics" demonstrates unprofessionalism and servility of those who stand behind the whole affair. Briefly, neither the title, nor the position of the module in the course are acceptable (Zubets).

The ideologues and state officials, on the other hand, expected that religious education, more specifically, "traditional" religious education, would foster "patriotic" development of young children (and their parents) and ensure "moral and spiritual consolidation of Russian society, its unity in the face of external and internal challenges, its strong social solidarity, confidence in Russia, in its citizens, society, state, the present and the future of our country" (Daniliuk, Kondakov & Tishkov, 2009, p. 5). The resulting compromise – separative confessional[6] ethno-nationally biased[7] civic education – is, however, at odds with the resources of schools, competences of teachers, and orientations of parents. The schools lack the capacity to satisfy the diversity of formally proclaimed selection and insist on the uniformity (due to the demands of the existing timetable, affordability of textbook sets, and teaching load distribution). The teachers lack the confidence and competence to teach and instruct on certain or all modules and seek to push for one module for all (either secular modules or confessional module of their personal preference). The parents

[6] As most of the experts on textbooks and content of the course demonstrate (see the references in the Introduction).

[7] This implies that in the design and content of the course the underlying understanding of citizenship is based on the ethnic origin(s) and "tradition".

fear that the separative confessional education will foment religious conflicts among the students and will hinder the development of children's communicative skills in a pluralistic society. It remains to be seen what actual learning outcomes this experiment will result in.

Thus, our findings show that religious education at Russian schools today rests on a discrepancy between the alleged goals of the course "Fundamentals of Religious Cultures and Secular Ethics", which emphasize multicultural education, and its implementation, which stems from practical constraints and local agendas.

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ARTICLE

Between Barbarism and Progress: Enlightenment Historical Writings on a Major Conflict in Russian History

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ABSTRACT
The dichotomy of barbarism and progress has long been a focal point for the discussions about Russia's past and present. The discourse on Russian barbarism had been known in Europe since at least 16th century, but Enlightenment thinkers gave it a new shape by juxtaposing the ancient conception of barbarism with the rather modern idea of progress. In this article, Enlightenment historical writings are examined; the focus is on the question of how Russian history was studied in order to find signs of barbarism and the different guises of progress. The primary sources for the article are mainly Russian historical writings; however, relations and interactions between Russian and European intellectuals, as well as intellectual exchange and influence, are also noted. As there were no word "civilization" in 18th-century Russian, enlightenment was deemed by Russian thinkers as the antipode to barbarism. It is concluded that most Enlightenment writers saw Christianization as a step forward from barbarism in Russian history. Parallels between Russia and Scandinavia as they were drawn by August Schlözer are also analyzed. The article shows how the idea of conflict between barbarism and progress altered the understanding of Russian history in the Enlightenment.

KEYWORDS
barbarism, civilization, progress, the Enlightenment, intellectual history, historical writings, Christianization, Scandinavia

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Introduction

The discourse on issues of barbarism and civilization in relation to Russia have been well studied in the recent academic literature. Several volumes containing quite thorough research into the subject have appeared over the last three decades (Scheidegger, 1993; Wolff, 1994; Poe, 2001; Velizhev, 2019). There is also an endless list of less comprehensive academic and popular books and articles dedicated to the search for Russia's place among civilized or underdeveloped nations with assessments of the various primary and secondary sources. However, despite how massive the literature is, there is still a lack of works discussing the ways in which ideas of barbarism and progress were used in the study of Russian history during the Enlightenment. This caesura is the reason I decided to join the international horde of scholars by making a small contribution to this astonishingly dense field.

As is obvious, the subject of barbarism, progress, and civilization in Russia is infinitely greater than the scope of a journal article. I have no intention of offering a comprehensive treatment of the subject. My goal is to study an Enlightenment perspective on barbarism and its opposites (enlightenment or civilization) in Russia's history with an emphasis on interpretations of the conflict between barbarism and progress. In other words, this study is focused on the Enlightenment vision of barbarism and civilization in the Russian past, the numerous meanings that the term *barbarism* had, and the role of the phenomena in country's history. I will try to show divergent opinions on the history of Russian society and its change (or inability to change) from barbaric to civilized. Historical treatises on Russia which lack the word *barbarism* or challenge the idea that Russia was once a barbaric commonwealth are also worthy of note.

In this work, I will pursue the goals and approaches usual for intellectual history. Probably, the most useful methodological approaches belong to the German and Anglo-Saxon schools: here, I refer to the German school of Reinhart Koselleck (*Begriffsgeschichte*) and the Cambridge-born Anglo-Saxon "history of concepts" (the main figures of which are Quentin Skinner and John Pocock). Both approaches are relevant for my study, but Skinner and Pocock's methods will be employed to a greater extent. Skinner's methodology has won wide acclaim in Russian academia in recent years (Timofeev, 2015) and has seen great success in studies of political ideas and social processes (Bugrov, 2015; Redin & Soboleva, 2017; Prikazchikova, 2018), and even in the studies of administrative development (Kiselev & Graber, 2015; Lazarev, 2017) during the Russian Enlightenment.

This study is mainly based on 18th-century Russian historical writings, as Russia's history was rarely examined closely in other European languages during the Enlightenment. There is another reason for the choice of source base: different European traditions and languages in the 18th century possessed slightly different understandings of civilization and progress. In French, civilization was more often used to talk about education and the refinement of manners (the French word *civilisation* was often translated as "polished" in 18th-century English); in Britain, *civilization* was more about economics, the perception of civil rights, industrial development, and

social progress; and in German the term had close ties with culture and the nation's spirit (Velizhev, 2019, pp. 34–50).

The types of historical writings used in this study vary from long narratives (Tatishchev, 1768; Shcherbatov, 1770; Karamzin, 1818) to reviews and publicist works (Boltin, 1788; Karamzin, 1991). It is difficult to draw a line between academic and amateur Enlightenment historical writing. Both groups are studied together in the Russian historiography, since the works of non-professional and professional historians had much in common in the 18th century.

It is necessary to describe how barbarism in Russian history was categorized, which nations were considered barbaric, and on which occasions the term was applied. It is also necessary to provide a comparative perspective. That means observing how historical Russians, their society, customs, etc., were juxtaposed to or equated with neighboring nations and societies. The primary sources mostly originate between 1750 and 1820. Although the word *barbarism* can be encountered in the connection to Russian history before 1750, the idea of a conflict between barbarism and progress had not yet clearly emerged. By 1820, the Enlightenment historical perspective had evolved into something very different, and therefore deserves special study.

European Notions of the "Barbarian" in Relation to Russia and 18th-Century Dictionaries

The historiography shows that the first modern accounts of travelers and various thinkers contained ideas about Russia's barbarian past and/or present. As the first eyewitness testimonies arrived, later travelers and writers began to expect barbarity and ignorance in Russia, especially from the common people: the whole country was branded as barbarous or savage. For example, the English traveler and merchant Richard Chancellor, despite his admiration for the Ivan the Terrible's court, called the people "barbarous Russes" (Cross, 2012, p. 18). Giles Fletcher, who was on a mission to Russia in 1588, was very critical of Russia's "true and strange face of a tyrannical state […] without true knowledge of God, without written law, without common justice" (Fletcher, 1591, Epistle). As Anthony Cross writes: "For many in Britain, Russia represented an unknown; it conjured up images of a barbaric people living in arctic cold and ruled by tyrannical despots – a view established by English travel accounts of the 16th century" (Cross, 2012, p. 92).

All these stereotypes about *Moscovia* were common across Europe. Even those who had some sympathy towards Russia were certain that Russians had a kind of barbarous history. They were "formerly called Scythians" (Wolff, 1994, p. 10), as Captain Jacques Margeret put it, and were surrounded by "the most vile and barbarous nation of all the world (Cogley, 2005, p. 781).

Furthermore, in some European languages the words *Moscow* and *Muscovite* had negative connotations. For instance, there is the Italian word *Moscoviteria*, a derogatory literary designation of behaviour supposedly characteristic of Russians: the term *Muscovite* "could be equated with Asiatic" (Berezovich & Krivoshchapova, 2015, pp. 132, 147).

However, only in the 18th century was the almost unequivocally acknowledged barbarism of Russia placed on a scale of progress according to which all nations could be measured in compliance with universal laws of social development: this replaced the rather vague juxtaposition of Russia with "our" culture or religion, as was common among 16th- and 17th-century writers. As Larry Wolff has accurately concluded, "it was [...] the Enlightenment […] that cultivated and appropriated to itself the new notion of "civilization", an eighteenth-century neologism, and civilization discovered its complement, within the same continent, in shadowed lands of backwardness, even barbarism" (Wolff, 1994, p. 4). Paradoxically, the idea of Russia's barbarism was reinforced at the time, when the country became much better known due to its military victories and active diplomatic travelling of tsar Peter (Redin & Serov, 2017, p. 477).

At the beginning of the 19th century, the discourse of barbarism and civilization even became a tool for justifying Napoleon's campaign against the Russian Empire. There are numerous accounts of soldiers and officers from the 1812 campaign who labeled Russia "a barbaric country" and branded Russians as "barbarians". Napoleon himself on Saint Helena claimed that "the courage of the French was defeated by frost, the fire of Moscow and Russian barbarism" (Segur, 1859, p. 311). Thus, the conflict between the two empires was interpreted as a conflict between barbarism and progress (civilization).

Civilization was represented in this conflict by Western Europe. Russia, due to its position on the map, was perceived as an Asiatic country, even if it possessed a European façade in the form of its capital. Count de Segur, a French envoy to Russia in 1784–1789, described St. Petersburg as a combination of "the age of barbarism and that of civilization, the tenth and the eighteenth centuries, the manners of Asia and those of Europe, coarse Scythians and polished Europeans" (Segur, 1859, pp. 329–330). His son Philippe-Paul, an army general who took part in the Russian campaign of 1812 and became the author of a memoir, used "barbarism" quite often, although mostly in relation to Cossacks or Bashkirs.

The position of Russia in between the civilized and barbaric worlds became a typical matter for reflection in the first decades of the 19th century both in Russia and in the West. In his *Lettres philosophiques*, Chaadaev wrote that Russia is "situated between East and West, resting with one elbow on China and the other on Germany": "We should have combined within ourselves these two principles of intelligent nature imagination and reason, and unite in our civilization the histories of the whole globe" (Aizlewood, 2000, p. 28). Writing in French and using the word "civilization" quite frequently, Chaadaev was deeply pessimistic about the past and future of Russia. "We belong", he wrote, "neither to the West nor to the East": "We are an exception among peoples. We belong to those who are not an integral part of humanity but exist with the sole goal to teach the world some type of a pitiful lesson" (Aizlewood, 2000, p. 29).

Unlike "civilization", the term "barbarism" has had a much longer history and possessed quite similar meanings in major European languages in the 18th century. The literal meaning of "barbarian, barbarous" etc. was "non-Greek or Roman tribes, which once lived by the borderline of those ancient states". However, this meaning was quite specific, and another, figurative meaning was very widespread. Figuratively,

"barbarism", as it was defined in an English dictionary from 1708, meant "inhumanity, cruelty", while "barbarous" referred to "wild or rude people" (Kersey, 1708).

Ten years later, *Nouveau Dictionnaire de l'Académie Françoise* provided almost the same meanings for *barbare* and *barbarie*, but with two significant additions. According to the French Academy, *barbarous* could mean "lack of politeness". *Barbarian* or *barbarous* more often than not referred to a "broken language", "a language, which has no relation to ours and which is harsh and shocking" (*Nouveau Dictionnaire*, 1718, p. 131).

Twelve years down the line, the new *Dictionarium Britannicum* mentioned both new meanings: "Barbarous […] savage, wild, rude; also improper with respect to speech"; "barbarism […] an impropriety of speech, a rudeness in language" (Bailey, 1730). "A form of speech contrary to the purity of language" was the first meaning of "barbarism" offered in the 1768 edition of Samuel Johnson's *Dictionary* (Johnson, 1768). In 1781, the same definition was the first one provided for *barbarisch* in *Grammatisch-kritisches Wörterbuch der Hochdeutschen Mundart,* a dictionary of the German language by Johann Adelung (Adelung, 1781). All dictionaries maintained "cruelty, cruel" as the proper synonyms for "barbarity, barbarous".

By the last decades of the 18th century, the situation had changed significantly. With the appearance of a clear antonym for *barbarism* (i.e. *civilization*), the meaning of this long-extant word began to change. From the 1770s, the conception of "civilized or polished nations" influenced the meanings of *barbarism* in European languages. For example, the British clergyman and historian William Tooke when writing about Russia held that without "agriculture […] the nations would be called savage", while without commerce "they might be deemed barbarous" (Tooke, 1799, p. 231). This judgement is characteristically 18th-century British due to the peculiar perception of *civilization* as a term describing economic and social development. Such a view was not universally shared in France or Germany. However, there were some remarkable exceptions, such as the Göttingen professor August Schlözer, an anglophile and historian of Russia who maintained an understanding of barbarism and civilization very close to Tooke's. The influence of Schlözer's research was immense, particularly in the Russian Empire of Alexander I.

Barbarism Versus Progress in Russian History

The word *barbarian* and its derivatives can be found in the Russian language long before the 18th century. Obviously, the term was borrowed from Greek and became popular in Mediaeval Rus'. "Barbarian, barbarism, barbarous" had both literal and figurative meanings in Russian, as was the case in English, German, and French. The Russian Primary Chronicle called the cruel Biblical tribes *barbarians*. In 13th-century Old Church Slavonic texts, barbarism was a typical synonym for heresy (Avanesov, 1988, p. 359). 17th-century Russian inherited the latter meaning. In the Kievan *Synopsis* of 1674, the word *barbarians* is applied only to the Mongols and was often collocated with the adjective *nechestivyi* or *zlochestivui* (*Kievskiĭ sinopsis*, 1836, pp. 125, 158), literally *dishonourable* and figuratively *sinful*, *godless* or *impious*. *Nechestivyi* was

routinely interchangeable with *pagan* or *non-Christian* in the language of the time (Shmelëv, 1986, p. 350).

The first comprehensive dictionary of the Russian Academy refers to the same two (literal and figurative) meanings of *barbarian* and its derivatives. It points out that the figurative meaning of *barbarian* was more popular in Russian at the time. *Barbarous*, according to the dictionary, meant "cruel, fierce, and inhuman" (*Slovar' akademii rossiĭskoĭ*, 1789, p. 492). However, the Academy's dictionary, unlike its European counterparts, does not include the meaning "broken language"; apparently, this meaning did not exist in 18th-century Russian.

Barbarism had several meanings in the historical writings of the Russian Enlightenment. First, Russian authors used this term in the ancient style: barbarians are peoples outside Greece and Rome. The Scythians, Sarmatians, Goths, Roxolanians, and others were called *barbarians*, with references to ancient and Byzantine writers (Lomonosov, 1766, p. 51; Tatishchev, 1768, pp. 40, 123, 125; Shcherbatov, 1770, pp. 136, 49, 114). Figuratively, *barbarism* was often used as a synonym for cruelty, just as in most other European languages (Shcherbatov, 1770, p. 291; Shlëtser, 1819, p. 223; Karamzin, 1991, p. 94).

Enlightenment Russian historians did not regard Russia as Asia. On the contrary, they believed that barbarians like the Huns or Mongols brought barbarism to Russia from Asia (Karamzin, 1818, p. 43). Catherine the Great stated in her *Nakaz* of 1768 that "Russia is a European state" (Velizhev, 2019, p. 71), and Russian intellectuals seemed to share this view. In the 18th century, Russia did not associate itself with Asia and connected barbarism with Asian tribes. This distinguished 18th-century Russian thinkers from their contemporaries in the West and from later Russian thinkers, who, like Chaadaev, the Slavophiles, and 20th-century disciples of Eurasianism, saw Russia as at least semi-Asian.

The Slavs were regarded by Greek and Roman authors as barbarians. 18th-century Russian historians seemed to accept this in two respects. Sometimes (although still quite rarely), they directly called the Slavs *barbarians*. Another method was to call the whole epoch *barbarous*, thus moving the emphasis from their ancestors to a vaguely determined area or group of nations.

It seems that the barbarism of the Slavs was a matter for debate, but the number and quality of works written in defense of these ancient ancestors was limited. Such texts are mostly restricted to the so-called "Norman" or "Varangian" question, which made its first appearance in 1749 during a discussion between Gerhard Miller and Mikhail Lomonosov, professors of the Academy. Miller, following his mentor Gottlieb Bayer, proclaimed that the Varangians (Scandinavians) had once ruled over Russia and founded its first dynasty. Lomonosov set out his objections, postulating that the Slavs had their own rulers. In the following decades, both sides had their disciples.

However, this early discussion had very little to do with the issues of social development, progress, etc. The divisive issue was ethnicity, principally the ethnic origin of Russia's first princes. To this the idea of glory and splendor of national history was added. Both sides believed that conquests, battles, plunder, and military victories were symbols of national glory. In this respect, *barbaric* Slavic acts at the dawn of

their history were praised rather than dismissed. Lomonosov's fierce response to the idea of the Scandinavian origin of the Rurikids was grounded in the same logic: if the first prince of Russia (Rurik) had been a Scandinavian, this would bring disgrace on the Russian people (Bugrov & Sokolov, 2018, pp. 107–108). This is why although the word *barbarian* was (rather rarely) invoked by Miller and Lomonosov, neither found any conflict between barbarism and progress in the first centuries of Russian history. Moreover, Lomonosov did not hesitate to use "barbarian, barbarous" in reference to the Slavs (Lomonosov, 1766, pp. 19, 79).

Along with the negative connotations of the word *barbarism*, the concept of the noble savage also existed in 18th-century literature. This idea embodies the notion of people as yet uncorrupted by civilization. Many of the philosophers of the Enlightenment held that humans have an innate moral sense, a mirror of humanity's inherent goodness. This goodness can be preserved, but it is threatened by a "dirty" and immoral modern world.

It is interesting that Enlightenment European writers of the 18th century showed no inclination to portray contemporary Russians and their ancient ancestors as noble savages. Most probably, Russians did not resemble the sentimental archetypal look of a noble savage, in contrast to the native Americans or some other peoples discovered by Europeans. However, the idea of a noble savage had its place in 18th-century Russian historical writings. For example, Mikhail Shcherbatov applied this notion to the ancient Scythians, who once had "a higher standard of morals than the most learned nation in the world [the Greeks]" (Shcherbatov, 1770, p. 10).

In the 18th century, there were two main approaches to the conflict between barbarism and progress. The first approach, which can be called "cultural" and had its roots in Greco-Roman narratives, implied that civilization is under constant danger from barbarism. The danger may come from without or from within (Ionov & Khachaturian, 2002, pp. 61–78). A great example of the practical application of this approach can be found in Edward Gibbon's *The History of the Decline and Fall of the Roman Empire*. Gibbon portrayed the fall of Rome as a result of a deluge of barbarians made possible by internal crisis (Gibbon, 1891, p. 113). Even more interestingly, Gibbon fantasized about the possibility of a new barbaric invasion into Europe. He seems optimistic and suggests that European nations (including Russia) would withstand the invaders together (Gibbon, 1891, p. 493). Such a union of "civilized" nations would be unimaginable without a complete understanding of a principal conflict between civilization and barbarism.

Another approach was represented by a linear conception of progress. Adam Ferguson, a Scottish philosopher, was probably the first to introduce this approach in his *Essay on the History of the Civil Society*. Ferguson believed that every society goes through the same three stages in its social development. The three consecutive stages are: savageness, barbarism, and civilization (enlightenment) (Ferguson, 1782). This approach does not necessarily imply conflict, as barbarism was seen only as a stage. However, barbarous nations are such not because they are insufficiently "polished": their aggression is caused by the pursuit of material goods, not an intense hatred of civilization. This approach became popular in Russia after 1800, when

British philosophy became better known. At the same time, August Schlözer's book about early Russian history was published: he promoted the Fergusonian triad.

At this time, the period when historians ascribed striving for glory to the ancient barbarians as a motive for military campaigns was coming to an end. The discourse on "glorious deeds and greatness" fell into decline: in its place, the main characteristics of barbarians became seeking profit ("predation") and amorality. Karamzin wrote that the barbarian invasion of Rome (which had earlier often been attributed to the Slavs) was caused not by the desire for glory, but the appetite for prey "which the Huns, Goths, and other peoples possessed: the Slavs sacrificed their lives to this, and were not inferior to other barbarians in this regard" (Karamzin, 1818, p. 58).

However, during the second half of the 18th and the early 19th centuries, the concept of "civilization" did not yet exist in the Russian language. As such, it is not fully correct to talk about a contraposition between barbarianism and civilisation. Nonetheless, the French word *civilisation* was well known among the European educated elites, who spoke French well. The French phrase "*civilisation en Russie*" would not have surprised the literate Russian public, since it was used in one of the chapters of Denis Diderot's book (Mezin, 2016).

Instead of the dichotomy between barbarism and civilisation, we find in 18th-century Russian an opposition between barbarism and enlightenment. Indeed, the concept of "enlightenment" was so close to the meaning of "civilisation", which became entrenched in Russian in the 1830s, precisely because the former was placed in opposition to barbarism by Russian history writers at the end of the 18th century. One of the meanings of *enlightenment* was the "softening of morals", society's achievement of a certain level of culture. The "softening of morals" was pointed out as one of the possible meanings of "civilization" in the *Complete Dictionary of Foreign Words* published in 1861 (Geĭze, 1861, p. 549). Mikhail Velizhev observes that this was the first dictionary to cement the concept of civilisation in Russian, but we should note that Ivan Poplavskii's German-Russian dictionary of 1856 directly connected the two concepts (Velizhev, 2019, pp. 81–83). The other meaning of the word enlightenment, education, was also maintained in the 19th century as one of the meanings of the concept of "civilisation".

As soon as "enlightenment" was designated as a synonym for the later concept of civilization (at least in Russian), the opposition between barbarism and civilization could be extended to enlightenment. At the turn of the 18th century, barbarism was seen not only as alien to enlightenment but also as openly hostile to it. Nikolai Karamzin pointed out in his *History of the Russian State* that the conflict between barbarians and the Roman Empire was not merely a military conflict, but a horrible long-term war between "barbarism and civil enlightenment, which eventually ended with the downfall of the latter" (Karamzin, 1818, p. 12). In the war against civilized nations, barbarians always had an upper hand and a near certain chance of winning. This was not just because of their ferocity, military capabilities, or indefatigable character. Civilized or enlightened nations are susceptible to laziness and the corruption of morals, the main reason for their defeat. As Karamzin wrote, "pampered by luxury, Rome lost its noble pride together with its civil liberty" (Karamzin, 1818, p. 12).

However, the invasion of barbarians did not necessarily lead to the complete destruction of a civilized nation. Barbarians might enslave a more civilized nation instead of eliminating it. Although such enslavement certainly brought absolute disgrace on a nation, it gave its people a chance for future liberation. 18th-century Russian writers stated unequivocally that the Mongols were barbarians. The period of the Mongol rule was deemed a "yoke" (*igo* in Russian): *barbarous* was often the word used to describe it. It is interesting that Russian and European historians employed the same words about the period. In his *History of Russia*, William Tooke labeled the Mongols as barbarians, writing that they "marked their footsteps with barbarities and devastations"; he characterized the period of Mongol rule in Russia as "the yoke of the barbarians" (Tooke, 1800, pp. 240, 327). Tooke's contemporary Nikolai Karamzin, in the *Memoir on Ancient and Modern Russia*, called the period between the 13th and 15th centuries the "barbaric time of the Khan's yoke", noting that the Russian people "tamed by the barbarian yoke thought only how to save their lives and property and cared very little about civil rights" (Karamzin, 1991, pp. 22, 78). Earlier in the 18th century, Archbishop Feofan (Prokopovich) invoked the "barbarian yoke" to describe the aftermath of the Mongol invasion.

Moreover, 18th-century authors saw enlightenment as a reversible process. The entire matter could be returned to an earlier stage thanks to either internal or external reasons. The Mongol invasion was viewed as an obstacle in the path of Russia's progress and was believed to have had a hugely detrimental effect on Russia's morals, culture, literacy, and politics. From the 18th-century point of view, other events might also contribute and reverse the progress of enlightenment. Schlözer believed that the enlightenment of Russia, triggered by the introduction of Christianity, had been interrupted by "internal strife and the raids of the Kipchaks and the Mongols" and had therefore been postponed for 400 years (Shlëtser, 1816, p. 181). All the cases mentioned by Schlözer represent incursions of barbarism into the territory of enlightenment. For a historical writer of the 18th century, the Mongols and Kipchaks were two barbarian nations, and the ruthless strife between the Russian princes was by no means an example of enlightened behaviour. Furthermore, Schlözer sincerely believed that the Russian conquest of Siberia had seriously damaged the enlightenment in Russia because the region was peopled with savage tribes.

Christianization as Civilization

It was almost a universal idea among Russian scholars from 1750 to 1820 that Russia took a path towards enlightenment after the baptism by Prince Vladimir in 988. Mikhail Shcherbatov wrote about the event: "The gloom of idolatry was changed thanks to the light of the holy Gospels, presenting to us a new condition in Russia: ferocious hearts softened by good moral teachings no longer appear barbarian to us. Although the ancient severity and remnants of idolatry still often occurred, virtues either equal to them or exceeding them presented themselves before our eyes" (Shcherbatov, 1770, p. 271).

Ivan Boltin, on many occasions an opponent of Shcherbatov, agreed with him that Christianity began to enlighten Russia. Moreover, he pointed out the forceful character

of the baptism and explained that the Eastern Slavs withstood Christianization because of the principal conflict between their ignorance and paganism. This was a new explanation for the presumed conflict at the time of Christianization (Boltin, 1788, p. 543). At the beginning of the 19th century, Schlözer concluded that "the introduction of the Christian faith was" the strongest possible impetus for enlightenment (Shlëtser, 1816, p. 181).

For enlightenment thinkers, the most important thing was that baptism brought with it not only faith but also Christian morality. Shcherbatov wrote that "Christian law, when directly understood, instructed us to honour our unity with our brothers: as a consequence of this teaching, barbarism was suppressed at its very roots" (Shcherbatov, 1774, p. 121). Lomonosov concluded that Princess Ol'ga "turned her thoughts to Christian law, in which she saw greater humaneness and enlightenment than in the earlier barbaric ignorance" (Lomonosov, 1766, p. 79). In his essays, M. M. Shcherbatov called the Greeks from whom Rus received baptism an "enlightened people" (Shcherbatov, 1770, p. 270).

One of the main characteristics of an enlightened society was held to be its high level of morality in comparison with the preceding epoch (or, as Shcherbatov put it, its "softened morals") (Shcherbatov, 1770, p. 270). In contrast, barbarian society was characterised by its crude morality, which constituted its social unenlightened condition. According to views from the era of the Enlightenment, barbarian crudity in moral matters would be gradually overcome. Some historians, such as Shcherbatov, suggested that the meaning and content of historical development were determined by the "softening" and "improvement" of morality. Discussing the baptism of Rus, he wrote that upon Princess Ol'ga's conversion to Christianity the new religion did not successfully spread "because of the crudeness of morals" (Shcherbatov, 1770, p. 269). Rudeness was a characteristic of Prince Vladimir before Christianization. He conquered Cherson in Crimea and demanded baptism in return for the town. Immediately after the baptism his personality changed: unlike barbarians he kept his promise and returned Cherson untouched. It is interesting that real Vladimir probably destroyed the town, at least archaeological findings can be interpreted this way (Romantchuk, 2016, p. 204).

Enlightenment through baptism was sometimes connected with the spread of literacy. The Russian Primary Chronicle noted Prince Vladimir's foundation of a school: "He took the children of the best families, and sent them for instruction in book-learning" (Cross & Sherbowitz-Wetzor, 1953, p. 117). Historians of the Enlightenment necessarily focused on this fact (Shcherbatov, 1770, p. 215). Schools were important not only because they made people more educated but also because they facilitated the "softening of morals". In Shcherbatov's conception, Prince Vladimir very well understood "that the seven Holy Gospels, sown everywhere, could not take root in peoples converted from idolatry if the previous severity and ignorance [continued] to abide in them: for this reason, he instructed that a school be established" (Shcherbatov, 1770, p. 272).

Baptism was probably regarded as an escape from barbarism and a start to the enlightenment of the nation because the word *prosveshchenie* (enlightenment) has

close ties with religion in the Russian language. A modern dictionary of medieval Russian gives "baptism" as one of the five meanings of the verb *prosveshchati* – "to enlighten". According to the dictionary, the noun *prosveshchenie* can be used not only as a substitute for the word *baptism* but also as a synonym for "a space where baptism takes place, a baptistery" (Bogatova, 1995, pp. 213–214).

Christian people could again become barbarians if they persecuted religion and the church. A remark of I. P. Elagin's in an unpublished section of his *Experience of Telling Stories about Russia* is entirely indicative of this notion. Discussing the contemporary situation, Elagin wrote that the most beastly habits were currently being observed among the Turks and the French (this was during the events of the French Revolution). Elagin called both peoples barbarians (Elagin, 1791). Of course, calling the French a "barbarian people" might have been connected with more than just the persecution of the church; however, the context of Elagin's comments allows us to suggest that it was the rejection of Christian morality by the Muslim Turks and the atheist French that, in his view, made these nations barbaric. It is curious that Schlözer, when discussing the same "anarchic" times of the French Revolution, did not refuse the French the title of enlightened nation; however, he did decisively condemn their crimes. Thus, each historian individually made their own decision about whether to label contemporary European countries as barbarian. In any case, by the end of the 18th century a specific set of barbaric characteristics had been formulated, which included crudity, ignorance, murderousness, rejection of religion and the church, and other crimes.

From the point of view of Russian history writers, enlightenment by means of baptism was not equal to true Enlightenment in the spirt of the 18th century. Rather, baptism was considered a step to enlightenment, the beginning of a long path; nonetheless, without this step, reason would never triumph. Furthermore, Christianity was portrayed as a sort of surrogate of Enlightenment for those social estates in which reason and science had yet to flourish due to their lowly position. In this regard, it necessary to once again turn to Shcherbatov's essays, which are well known for their critical attitude towards the enlightenment of the peasantry. In his essay "On the Corruption of Morals in Russia", he demonstrated that the measures taken by Peter the Great against superstition had both positive and negatives consequences. Shcherbatov considered the main negative consequence to be the "harm" done to peasant morality: "At a time when the nation was still unenlightened […] by taking superstition away from an unenlightened people, he [Peter] removed its very faith in God's law […] superstition decreased, but so did faith". "Morals", concludes Shcherbatov, "for lack of any other [form of] enlightenment used to be improved by faith". When the tsar began to suppress superstition, faith lost this basis and "began to fall into dissolution" (Shcherbatov, 1969, p. 155).

Surprisingly, this excerpt is somewhat close to what Georg Wilhelm Hegel had to say about the Enlightenment attack on miracles some 50 years later: "When all prejudice and superstitions have been banished, the question arises: Now what? What is the truth which the Enlightenment has disseminated in place of these prejudices and superstitions?" (Outram, 2013, p. 114). Hegel saw a severe danger

in the Enlightenment's reckless disregard for religion and was much concerned with the undesirable prospect of religion's complete destruction.

The great significance given to Christianization as a step forward from barbarism might seem quite counterintuitive when we talk about 18th-century thinkers. Indeed, many contemporary historians hold that the Enlightenment was "characterized by deliberate efforts to undermine religious belief and organizations" (Outram, 2013, p. 114). However, when we take a closer look at the issue, it becomes obvious that, while organized religion was indeed under attack from the best minds of the epoch, the significance and great influence of all the good religion brought (including literacy) was never disputed. Moreover, the fierce criticism of the Enlightenment was aimed mostly at "bad beliefs", namely miracles and superstitions. The idea of an omnipotent God was rarely in doubt: even when it was challenged, the debates revolved around the question of God's power and his willingness to intervene in the established laws of nature. As Keith Thomas argues, the Enlightenment view was confined to a God who worked "through natural causes" and "obeyed natural laws accessible to human study" (Thomas, 1983, p. 659).

The real picture of the Enlightenment's attitude towards religion is much more complex, especially if we depart from the views of a relatively small group of anti-religious French writers. In fact, Enlightenment thinkers provided different arguments to pursue a divergent set of purposes ranging from religious obscurantism to the promotion of religious orthodoxy. Furthermore, the Enlightenment saw the rise of powerful religious movements: The Great Awakening in North America, Pietism in Germany, English Methodism, and others. The Enlightenment did not see an absolute decline in religious belief, so there still existed grounds to regard Christianization as progress. Even the very first conception of civilization put forward by Victor Riqueti, marquis de Mirabeau, in 1756 held that European civilization was based on Christian belief and its ideals (Ionov & Khachaturian, 2002, p. 59). This notion reflects 16th- and 17th-century perceptions of religion and its role in the battle against barbarism. In this context, it is interesting to mention that 16th- and 17th-century Europeans "represented the [Russian] land as decidedly un-Christian, cruel and barbaric, Asian as opposed to European, and some even suggested that the Russians were in league with the Turks and Tartars to destroy Christianity" (Cross, 2012, p. 135).

To sum up, we should not be surprised that baptism was regarded as a giant leap towards enlightenment by Russian thinkers. As Immanuel Kant famously put it, "we are now not living in an enlightened age, but we do live in an age of enlightenment" (Kant, 1784, p. 491). Equally, Denis Diderot, a great philosopher of the French Enlightenment, wrote in his *Sur la civilisation de Russie* that the progress of civilisation is a result of a social development, and civilisation can not be established from without. Diderot believed that Russia had embarked on the path to enlightenment, although barbarism still had a considerable influence (Mezin, 2016, p. 62). So, we see that even the strongest proponents and most beautiful minds of the Enlightenment believed that process was far from concluded by the end of the 18th century. Perhaps it had indeed started in the 10th century?

Barbarism in Russia and Scandinavia: August Schlözer's Perspective

August Schlözer, one of the biggest enlightenment names in the field of Russian history, wrote what is probably the most elaborate piece on history of barbarism in Russia. Schlözer's sources of inspiration were the works of Adam Ferguson. Schlözer admired the Scottish and English Enlightenment, could read English, and was acquainted not only with Ferguson's treatises, but also with works by David Hume, Edward Gibbon, and other minor authors. He regularly reviewed new publications from the British Isles in the several journals he edited.

Apart from his widely acclaimed book *Nestor. Russische Annalen in ihrer Slavonischen Grundsprache verglichen, übersetzt und erklärt* (Nestor. Russian Chronicles in the Old Russian Language Compared, Translated and Explained), Schlözer authored some publications on universal history. Especially popular was his 1779 children's book *Vorbereitung zur Weltgeschichte für Kinder* (An Introduction to World History for Children). In this book Schlözer formulated (like Ferguson) five fundamental factors for social progress from savageness to civilized status: lifestyle, climate and nutrition, the form of government, religion, and experience (of a nation or neighboring nations) (Shlëtser, 1829).

At the turn of the 19th century, there were only a few authors who investigated Russian history within the Fergusonian (or British) paradigm of civilization. Semyon Desnitsky, a legal scholar at Moscow University, studied law in Glasgow and attended the lectures of Adam Smith. Desnitsky's own research was not specifically aimed at the issue of barbarism or progress, but he formulated a theory of four stages in world history, quite like what Schlözer and Ferguson had put forward. According to Desnitsky, every society goes from primitiveness through nomadism and agriculture to commerce (Ionov & Khachaturian, 2002, pp. 110–113). A universalist, Desnitsky made no exceptions for Russian history. In this respect he was close to Russian masons such as Ivan Lopukhin (Prikazchikova, 2018, pp. 713–719). Nikolai Karamzin, whose works enjoyed great popularity in the first decades of the 19th century, was somewhat connected with British thought. Karamzin used the word *civilisation* (although in French) and understood progress as a steady process from barbarism to enlightenment.

Unlike all of the above, Schlözer went very deep into the details and conceived his own conception of the civilizational development of Ancient Russia, Scandinavia, and Eastern Europe. Although Schlözer did not mention the term *civilization*, he adopted *Aufklärung* (enlightenment) or *Kultur* instead: as I showed earlier, this was normal usage in the 18th-century Russian tradition.

The theme of the first volume of Schlözer's *Nestor* was the historical roots of nations. This was an important motif for early modern European historians. The creation of a glorious and ancient history was one of the most significant national tasks required of intellectuals. They had no doubts regarding the historical antiquity of nations. As Schlözer opined, "in the childhood of historical science [...] our great grandfathers assumed that since our ancestors have existed for more than 2,000 years, similarly [they assumed] each nation had to come into existence after the fall of the Tower of Babel" (Shlëtser, 1809, p. 60).

As I discussed above, in 18th-century Russia the idea that the greatness of a nation's history was defined by its antiquity and the glorious deeds of their ancestors dominated. Therefore, Russian authors in the mid-18th century sought to describe, in as much detail as possible, the early history of the Slavs. All this was absolutely unacceptable to Schlözer. Indeed, he wrote his book as a refutation of the widespread and generally accepted reconstruction of the ancient history of the Slavs: "Better 600 years of authentic history than 3,000 years of fairy tales and fables", confirmed Schlözer in an earlier work from 1768 (Shlëtser, 1809, p. 60).

Schlözer's main idea was the savageness of the Slavs before Riurik formed his new state. He suggested that the early Slavs were like "the inhabitants of Siberia, California and Madagascar: split into small hordes and lacking a political order, relations with other tribes, literacy, art, and religion (or only having a foolish religion)" (Shlëtser, 1809, p. ND). His chief argument in favour of the savageness of the Slavs was theoretical: savageness is the natural condition of a people emerging from a primitive state. As Schlözer notes in his *Universal History*, all nations can be categorized as "savage, barbarian, or enlightened" (Shlëtser, 1829, p. 59).

This was the key moment in Schlözer's historico-geographical views. He examined the social development of not only the Eastern Slavs but also of the entire region, which he dubbed "the High North". Besides Rus, Poland, the Baltic, Denmark, and Scandinavia belonged to this area. The notion of the High North was a manifestation of Schlözer's German-centric viewpoint. He juxtaposed this region with the Centre (Germany and Pannonia), which in turn was juxtaposed to the Northern Mediterranean (southern Europe), where the Greek states and the Roman Empire had once been located (Shlëtser, 1809, pp. LE–LZ). Step by step, these enlightened peoples had discovered and enlightened Europe: around the 9th century, in the times of Charlemagne, they had discovered the High North.

According to Schlözer's theoretical postulations, the majority of nations received enlightenment from without. "The Germans", declared Schlözer in his *Universal History*, "were for 2,000 years half savage: The Romans educated them". After Germany was enlightened,

> the Germans on this side of the Rhine, and especially in Francia, were appointed by fate to sow the first seeds of Enlightenment across the vast north-western world. Only with the help of the Germans did the Scandinavians begin, little by little, to become human. Prior to the arrival of the Normans, it seemed as if the Russian had been forgotten by the father of humanity because there, in the harsh north-western region, not one German landed on this side of Baltic Sea thanks to its great remoteness (Shlëtser, 1819, p. 178).

After the arrival of the Scandinavians, Rus began to move from savagery to barbarism.

However, as I pointed out earlier, Schlözer argued that real enlightenment only began after baptism. This means that the real "enlighteners" of the Russian land were the Byzantines, from whom Rus accepted baptism in the 10th century. From the

Scandinavians "there remains not the slightest trace – even Scandinavian personal names disappear from the princely house after Igor and were replaced with Slavic ones" (Shlëtser, 1809, pp. 21–22). The Scandinavians had not been enlightened when they took over Novgorod in the 9th century. Their way out of barbarism had just started, so they could not transfer enlightenment to the Slavs.

A heated dispute was sparked as soon as Schlözer's book came out in Russian. His theories about the barbarism and savageness of the Slavs were heavily infused with the idea of a Scandinavian invasion at the beginning of Russian history, which provoked a negative response from the proto-Slavophiles and some conservatively oriented thinkers. They believed that Schlözer was driven by a prejudice that our Slavs were civilized by the Normans. At the same time, there were scholars like Karamzin and Mikhail Pogodin who followed the scheme and defended Schlözer and his ideas. Schlözer has long been a divisive figure in Russian historiography.

Schlözer's main idea was not confined only to enlightenment as a synonym for social progress. Thanks to him, the early centuries of Russian history were placed on the developmental scale, and the country, although barbarous, was seen as gradually overcoming backwardness. This means that Schlözer, like Ferguson earlier, did not see civilization as the antipode to barbarism, but rather as a new stage in unstoppable social development. In this context, even the most barbarous facts of Russian history (the Mongol yoke, slavery, tyranny) were no longer seen as insurmountable obstacles on the pathway to civilization. On the contrary, civilization was deemed an inevitable station on the road of history. Following Schlözer, Karamzin wrote about barbarism of the Slavs. According to him, this was not a reason for national embarrassment, but was rather a common stage for all nations (Karamzin, 1818, p. 27). Schlözer's British sources shared the same view. William Tooke, describing Russians at the time of Prince Sviatoslav, concluded that they were barbarians: but "all nations have once been barbarians" (Tooke, 1800, p. 181).

Conclusion

As we can see, enlightenment thinkers appropriated and enhanced a discourse on barbarism and civilization that had persisted in European thought for centuries. This discourse heavily influenced discussions about peripheral countries and cultures in the 18th century. There were numerous treatises discussing the exact position of Russia and its people among civilized/barbaric nations at the turn of the 19th century. Russian historical writers of the time followed the European fashion and reflected on the question. The word *civilization* may have not been incorporated into the Russian language before the 1830s, but, nevertheless, enlightenment was regarded as the antipode to barbarism. In this context, social development was often associated with Christianization, education, and the progress of morals. Russia's place and role in European politics and culture were hotly disputed, and the assessment of the country's level of development was an important matter for foreign and domestic thinkers.

This article was written as a contribution to a research project launched at Ural Federal University by a team of historians and philosophers. This project is dedicated

to concepts of conflict and concord in Russian and European intellectual spaces in the modern era. The very concept of conflict presupposes identifying the sides of any given encounter and the reasons for the clash. Civilizational differences (or at least as they appeared in the early 19th century) may well be regarded as such a reason. Such a difference shaped the ways in which each side understood one another and even helped develop the self-identities of both Russia and the West. Thus, the discourse on barbarism became a justification for Napoleon's Russian campaign of 1812. The response to these ideas in Russian historical writings and media should not be omitted in future studies, both because of their potential in studying an early example of so-called "information war" and as an essential preliminary to the discussion between the Slavophiles and the Westernizers that sparked off in the 1830s.

At the same time, the conception of "a broader European civilization", which was put forward during Enlightenment discussions, worked as a staging ground for ideas of concord and peace between similar ("civilized") cultures. The dichotomic idea of barbarism/civilization survived long after its 19th-century heyday: to an extent, it still contributes to a stereotypical image of the world today, although in most cases it is not articulated openly. So, I believe that this article and the broader research project may be useful not only for educational or academic purposes, but also for achieving a better understanding of others in the current tumultuous political climate.

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BOOK REVIEW

Jonathan Floyd (2019). What's the Point of Political Philosophy? Medford, MA: Polity Press

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During a conversation with scholars concerned with political philosophy, it is highly likely to hear that only political philosophers themselves are fond of reflecting upon their subject. It is far more fascinating to discover the field through vivid examples, key concepts, notable authors, or relevant political events that bother us. Numerous introductory books on political philosophy usually introduce the subject to a reader exactly this way. This concerns both monographs and collected papers. Take, for example, *Oxford Very Short Introduction* written by David Miller (2003), or Blackwell's *Companion to Contemporary Political Philosophy* (Goodin, Pettit & Pogge, 2007). However, the audience may vary: some books are made for students to "ease their sufferings" (Mansfield, 2001), as well as for politicians (Swift, 2019), or for the general public (Parvin & Chambers, 2012), or, of course, for scholars themselves (Estlund, 2012). However, all these introductions have certain drawbacks.

Jonathan Floyd's new book *What's the Point of Political Philosophy?* is special in this context. Although it is considered as introductory reading, it proposes an original and vivid approach. It is relatively short, written in a simple and lively language, has great examples, discusses current cases, and includes ideas and arguments from key figures in political philosophy. Finally, this book is universal, that is, everyone can find something useful for oneself.

The aim of the book is to provide "an original but accessible account of our subject" (p. 4). Political philosophy has three main tasks or points: to analyze ideas, to critique them, and to attempt to order them in the best way possible. The fourth point is "to reflect upon these very points" (p. 3). The author distinguishes three groups of potential readers that can have their points of the book. Scholars can "push forward our understanding of the nature, methods, and purposes of our field" (p. 4). Students can use it as the subject guide and methodological

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advice. The general public can use it to understand what political philosophy "involves" and "why it matters" (p. 5).

Floyd tries to foresee and answer the possible pushbacks his book might cause. Does this book change the world? It is quite obvious that political philosophy does not play a visible role in the "contemporary public climate of opinion" (p. 9). By saying that people rely on experts in different spheres, Floyd believes we need experts in politics as well, who are none other than political philosophers. He considers politicians, "gurus and columnists, or maybe think tanks" (p. 10), have nothing to say about the nature and importance of the core ideas that shape our political realm. The main point is "about the wider understanding of key political ideas" (p. 11) in society, which is why he clarifies that the goal he is pursuing is enlightenment, not coercion. Floyd realizes that his book is just "a drop in the ocean" and he hopes that it triggers a chain, comparing it with a "drop of blood in a sea of sharks" (p. 14). Political philosophy, he concludes, has more point "when more people are aware of it" (p. 14).

The book consists of three chapters, each of them discovers the particular point of political philosophy. Floyd writes that the book's structure is simple. However, it is only partly true. Floyd does not show his cards right away and keeps his reader intrigued, thus motivating her to read it to the end while making things more complex. The first chapter, which explains what political philosophy is, has eight sections. At the same time, perhaps the hardest "how-to" chapter has only three parts (introduction and conclusion do not count), each representing a task (or, more precise, a way of doing political philosophy). Finally, the last chapter explaining why doing political philosophy is divided into five essential parts. It is noteworthy that the first and last chapters are divided into more subsections than the how-ish one. Floyd hopes that through this book he would be able to alter the role of political philosophy in the "wider public imagination" (p. 9).

The first chapter is devoted to answering the question what political philosophy is. Starting with simple accounts and coming to the big question "Political philosophy is a subject concerned with […] what?" (p. 16), Floyd provides a number of the subject's definitions. He aims to formulate here the proper definition of political philosophy. By giving some of the examples, Floyd, first of all, elaborates the working definition of political philosophy, saying that its primary business is "prescription and proscription", "rather than understanding, explanation, comparison, prediction" (p. 17). Through a three-stage argument (premise, deduction, further deduction), the author comes to the two options: conceptual and institutional approaches. He also adds to this puzzle a blurring of two quite separate domains: normative and descriptive, which is clearly arguable. Floyd realizes that all these distinctions eventually create a total terminological mess. That is why he offers to consider definitions that describe the subject "in terms of specific problems, each of which combines both concepts and institutions" (p. 22). Floyd tries to discover the rationale behind selections of the set of chosen relevant problems. The essential role in this enterprise is given to interpretation. There are problems, tasks, concepts, or even thinkers that define the subject. But what unifies those things? How to find the golden mean in defining political philosophy, making it neither too narrow, nor too broad? To determine the scope

and borders of the subject, Floyd defines philosophy through its organising question, namely "How should we live?", which has "both sufficiently inclusive and sufficiently exclusive" (p. 32) focus and starting point. He thinks that political philosophy should be separated from moral philosophy ("How should I live?") on the one hand and social science ("How do we live?") on the other. The question of separation is one of the hottest topics of the disciplines, and I think this kind of argument needs more elaboration. After that, Floyd emphasizes the importance of subordinate (or second) questions to the organising question while also acknowledging the role of alternative questions. In the last section, Floyd explains why answers to the organising question have different forms. He is sure that it should be principles, not precise policies, although they are inseparable because the "whys" always follow the "hows" (p. 40). What principles or combinations of principles answer the organising question best? Floyd concludes that all considered definitions complement each other and attempt to answer the organising question.

The second chapter is devoted to explaining three constitutive tasks of political philosophy: these are analysis, critique, and ordering. Floyd notices that these tasks are "complementary, not competitive" (p. 44). Analysis is aimed to clarify concepts understood as "particular variable-ideas and problem-ideas" (p. 46). Variables are ideas we want to control, problems are ideas we want to avoid. However, Floyd claims that we also can analyse principles as well. He provides numerous examples of this kind of activity, such as analysing the concept of equality that breaks up into either formal (focusing on racism, religious intolerance etc.), or substantive (similar chances) equality of opportunity (the same options), and equality of condition (equal amount of goods).

Regarding the second form of activity, critique, Floyd holds that the key claim of this way of doing political philosophy is understood in three variants: "Dangerous implications, inconsistency, suspicious roots" (p. 59). Problematic implications can be either wrong assumptions or negative consequences of a given view. Inconsistency implies that a principle has two or more incompatible ideas or commitments within it. "Suspicious roots" means that the origins of the idea (or set of ideas) can be misleading because of its history, and thus rejected. The author considers Marx's claim about the ruling class and Nietzsche's idea of genealogy as examples. Floyd concludes that although critique does not answer the organising question, it greatly contributes to it.

Ordering, as the third stage in the process of political philosophizing, is aimed "to build on earlier critical work by telling us exactly which answer to our subject's organising question should guide us" (p. 74). It has two criteria: to be convincing and to be meaningful. Floyd calls the standard way of ordering as mentalism or "thinking about thinking" (p. 76). This form of the ordering process is composed of two steps: extraction and elimination. Extraction, meaning deriving principles from our normative thoughts, has three forms: impartial choices of the ideal state, considered judgements, intuitive choices of abstract principles. However, extraction is problematic because it may lead to incompatibility of many normative principles. Elimination is a key stage, aimed to leave us with only one answer on political philosophy's organising question.

The role of elimination is paramount: Floyd states that it is "three-quarters" of our argument. It is similar to critique but is used "as a means of undermining particular ordering" (p. 81) of a set of principles and also engages feasibility constraints: "Because we cannot achieve such things, we ought not to pursue them" (p. 83). The result of ordering our thoughts is flexible in three ways. First, it can be either universal and timeless or just local and contemporary. Second, it can be more or less idealistic, and, finally, individually or collectively established. However, it all "ultimately depends on the content of the normative thought we work with" (p. 84). It is possible to use various methods to prove our way of ordering. Here Floyd employs the findings from his previous book (Floyd, 2017) by offering the alternative way of ordering called normative behaviourism. Its key feature is that normative principles are based not on thoughts and normative commitments but the practice of people, on their behavior.

The final chapter starts with exploring the reasons why one might want to do political philosophy. The first reason is intrinsic interest. A person can just find the subject curious, intriguing, and fascinating in many ways. Second, doing political philosophy can be motivated by the wish to orient yourself "in the face of confusion, complexity, and conflict" (p. 96). Finally, one can have in mind the goal of making a society she lives in a better place both in theory and practice. For through doing political philosophy you spread ideas, arguments and thoughts making people think about the way they would like to live. In the final sections, Floyd reflects on how much influence political philosophy has today in real politics. The key thought here is that political philosophy influences our lives in numerous, sometimes unexpected, ways. He claims that rather than trying to educate the leaders, "we should think about reaching thousands, millions, even billions of people" (p. 125). The overall idea of the last chapter is to show that the key point of political philosophy is to change the world by orientating individuals and by benefiting societies through the production of ideas and arguments.

The book might leave a mixed impression. The reader can think that there is only one true answer to the organising question. However, I believe that political philosophy is not only about searching for truth in the political realm. It is also about elaborating valid and reasonable positions, arguments, and principles that are relevant for the particular *Zeitgeist,* and do not relate to the organising question in any way. As the work might be of interest for scholars, they can easily notice some inaccuracies across the quotations and references. For instance, some definitions of political philosophy are taken out of context (McAfee & Howard, 2018), some concepts are used terminologically inaccurately (Rawls' reflective equilibrium), some books have only a part of their names (Blau, 2017). However, it does not make Floyd's overall argument less valuable or less valid, for it remains clear throughout the book.

Floyd hopes that after reading this book one would want to read more political philosophy. Whether he succeeded in explaining the point of political philosophy is up to the reader, who, I believe, will enjoy this book, either by agreeing or disagreeing with the main argument or by reflecting upon the role of political philosophy. In other words, after finishing the book, the reader will not remain indifferent to its points, regardless of the group s/he belongs to.

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Multiple volumes from a multivolume work	Levison, D., & Ember, M. (Eds). (1996). *Encyclopedia of Cultural Anthropology* (Vols. 1–4). New York, NY: Henry Holt. Use Vol. for a single volume and Vols. for multiple volumes. In text, use (Levison & Ember, 1996).
A single volume from a multivolume work	Nash, M. (1993). Malay. In P. Hockings (Ed.), *Encyclopedia of World Cultures* (Vol. 5, pp. 174–176). New York, NY: G.K. Hall. In text, use (Nash, 1993).
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One author	Author, A. A. (2011). Title of Article. *Title of Journal*, 22, 123–231. doi:xx.xxxxxxxxxx Provide the issue number ONLY if each issue of the journal begins on page 1. In such cases it goes in parentheses: Journal, 8(1), pp–pp. Page numbers should always be provided.

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Organization as author	American Psychological Association. (2003). Title of Article: and subtitle. *Title of Journal*, 2, 12–23. doi:xx.xxxxxxxxxx
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Thesis	Author, A. A. (2012). *Title of Thesis* (Unpublished doctoral dissertation or master's thesis). Name of Institution, Location.
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Forthcoming article	Author, A. A., Author, B. B., & Author, C. C. (in press). Title of article. *Title of Journal*. doi:xx.xxxxxxxxx
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Reports	
May or may not be peer-reviewed; may or may not be published. Format as a book reference.	Author, A. A. (2012). *Title of work* (Report No. 123). Location: Publisher. Author, A. A. (2012). Title of work (Report No. 123). Retrieved from *Name website*: https://www.w3.org
Working paper	Author, A. A. (2012). *Title of work* (Working Paper No. 123). Location: Publisher. Author, A. A. (2012). Title of work (Working Paper No. 123). Retrieved from *Name website*: https://www.w3.org
Discussion paper	Author, A. A. (2012). *Title of work* (Discussion Paper No. 123). Location: Publisher. Author, A. A. (2012). Title of work (Discussion Paper No. 123). Retrieved from *Name website*: https://www.w3.org
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Other reference types	
Patent	Cho, S. T. (2005). U.S. Patent No. 6,980,855. Washington, DC: U.S. Patent and Trademark Office.
Map	London Mapping Co. (Cartographer). (1960). Street map. [Map]. Retrieved from http://www.londonmapping.co.uk/maps/xxxxx.pdf
Act	*Mental Health Systems Act*, 41 U.S.C. § 9403 (1988).
Audio and visual media	Taupin, B. (1975). Someone saved my life tonight [Recorded by Elton John]. On Captain fantastic and the brown dirt cowboy [CD]. London: Big Pig Music Limited. Author, A. (Producer). (2009, December 2). *Title of Podcast* [Audio podcast]. Retrieved from *Name website*: https://www.w3.org Producer, P. P. (Producer), & Director, D. D. (Director). (Date of publication). *Title of Motion Picture* [Motion picture]. Country of origin: Studio or distributor. Smith, A. (Writer), & Miller, R. (Director). (1989). Title of episode [Television series episode]. In A. Green (Executive Producer), Series. New York, NY: WNET.

	Miller, R. (Producer). (1989). The mind [Television series]. New York, NY: WNET.
Database	Author, A. A., Author, B. B., & Author, A. A. (2002). A study of enjoyment of peas. *Journal Title*, 8(3). Retrieved February 20, 2003, from the PsycARTICLES database.
Dataset	Author. (2011). *National Statistics Office Monthly Means and other Derived Variables* [Data set]. Retrieved March 6, 2011, from *Name website*: https://www.w3.org If the dataset is updated regularly, use the year of retrieval in the reference, and using the retrieval date is also recommended.
Computer program	Rightsholder, A. A. (2010). *Title of Program* (Version number) [Description of form]. Location: Name of producer. Name of software (Version Number) [Computer software]. Location: Publisher. If the program can be downloaded or ordered from a website, give this information in place of the publication information.

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