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VALUES AND POWER DYNAMICS OF LANGUAGES IN HIGHER EDUCATION



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Globethics Foundation
150 Rte de Ferney
CH-1211 Geneva 2, Switzerland
Email: publications@globetics.net
Website: https://www.globethics.net/jehe
Phone: +41 22 791 6342

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Language and Value Orientations in Higher Education

An African Socio-Ethical Understanding

Chijioke F. Nwosu

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Keywords

Language, value orientation, higher education, ethics, diaspora, Africa.

Abstract

Language plays a central role in the life and activities of our world. This article is a theoretical analysis of the dynamic powers of language in driving possible value-based orientations in higher education. The multilingual nature of the continent of Africa and its bilateral lingual experiences during the colonial eras should be considered as both factual and impacting factors in evaluating language dynamics within value orientations and learning in the African case study. To this end, the article attempts to contribute to the fact that there is a need to find or reinstate value in Africa's linguistics dynamics and its complexities, as well as give them properly structured orientations within the new phase of repositioning Africa in the global spaces.

Corresponding Author: Chijioke F. Nwosu, Ludwig Maximilian University, Munich, Germany. Email: chijioke.nwosu73@yahoo.com

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1. Introduction

One of most influential philosophical works of the 20th century, Ludwig Wittgenstein's *Tractatus*, has been presenting great difficulties of interpretation, although it is clear that the relation between language and thinking for Wittgenstein or between language and the statement of facts – as representing the world of realities– are grounded in the understanding of logic[1]. Should this entail that we can *define* in a *definite way* the *world*, or formulate a logically well-formed *worldview*, is much less clear following Hans Blumenberg and Otto Neurath critical reception of the Austrian's philosopher's early philosophy of language. Following logical positivism, words can only describe reality if they follow logical forms, but terms as world are not scientific, therefore should not be captured by positivist terminology without further explanations (Monod, 2016, 123)[2]. Mere and pure logical propositions cannot or may not be integrally sufficient to depict everything that language is or can stand for. Some possible unspeakable parts of reality, or what shows itself without words, are limits to the idea that human natural language or systems of signs based on logic exhaust the richness of all possible worlds. Nevertheless, language has powerful dynamics rooted in life and existence, which, apart from formal logic, can be intuitional and inspirational.

Thus, human volition, recognised as an intrinsic human faculty, is not just a calculator waiting to add, subtract, divide or multiply information with which

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[1] Ludwig Wittgenstein, T*ractatus Logico-Philosophicus*, transl. by C. K. Ogden, 1922, Standard Books, 2019. https://standardebooks.org/ebooks/ludwig-wittgenstein/tractatus-logico-philosophicus/c-k-ogden

[2] Hans Blumenberg's reading of the metaphors of Wittgenstein's *Tractatus*, are certainly worth, see in particular: Monod, Jean-Claude. "'"The world is. . ." Readings of Tractatus by Blumenberg", *Archives de Philosophie*, vol. 79, no. 1, 2016, pp. 121-134. For a nice short introduction to Wittgenstein's logical positivism at the time of his *Tractatus*, discover: Buckingham, W., P. J. King, D. Burnham, M. Weeks, C. Hill, J. Marenbon, S. Tomley, eds. 2011. *The Philosophy Book*, *Big Ideas Simply Explained*. Great Britain: Dorling Kindersley Limited, 250.

it is fed. Volition also encompasses the capability of certain forms of first ideas, the formulations of which could be experience-based or intuition-based. When formulations of such microstructures (values) become acceptable modes and conventions in any human society, they form an integral part of the powers and dynamics on which the language of such society could be based in matters of valuation.

In relation to the citadel of human intellectual and character formation, higher education, it becomes not just relevant but deeply inevitable to recognise both the need to teach values and the powers and influential dynamics of the mode of knowledge and communication – Language. This is deeply important because the status of values in social and human sciences has generated a debate over time between those interested to keep linguistic statements their normative power in practical human activities - such as ethics, religion and politics, whether or not their measure be justified scientifically (Adorno, Horkheimer, the Frankfurt School), whereas others affirm that deductions cannot be ignored in practical fields of human activities, which are not simply a matter of communicative debate or based on the ground of a democratic principle of rational discourse (Popper, the Vienna Circle), but primarily related to a purely formal projects of unifying all sciences, distinct from the way scientists and philosophers may debate, in case bas case contexts, on the subject of knowledge or it's epistemological methods (Vrahimis, 2020, 562)[3].

If we argue that knowledge and learning sit predominantly on the volition platform where the perceptive capability cannot be disassociated from the lingual mode that carries the message or information to be communicated. Furthermore, in this case, since the fundamental relationship between perception and knowledge lies in the very nature of their unifying focus, namely the examination of the forms, scope and origin of an image or object of learning, the applied didactic powers through the scientific and sensorial choice of language, must be able to provide the volitional faculties with the

[3] Andreas Vrahimis, "Scientism, Social Praxis, and Overcoming Metaphysics: A Debate between Logical Empiricism and the Frankfurt School", *HOPOS*, Vol. 10, 2, 562–597, 562, Fall 2020, https://doi.org/10.1086/710184

communicable principles necessary for proper examination of possibilities and reliability regarding objects of knowledge. In other words, the lingual choices must aid sensory differentiation and classification (Detel, 2017)[4]. This is to say, on the line of the Frankfurt school, that proper value orientations are correlational to the scientific choices of language, didactics and communication methods.

2. The concept of value: A theoretical approach

There are diverse approaches to what value in itself means and the elements that could be associated with it. Henckmann proposes that under the concept, values are those "circumstances of any kind that satisfy a need or interest, evoke a feeling of pleasure, deserve recognition, appear to be desirable, and as such worth striving for" (Heckmann 2003: 648)[5]. In other words, value encompasses such expressions as 'veritable, the good, beautiful, holy' (Fees 2000: 12), worthy, acceptable, applicable, etc. The central focus of the value concept is on what counts and qualifies as practicable, adaptable, suitable and sharable. In philosophical contextualisation, value is considered central from the point of view of ethical decision-making. It serves as the reference point upon which actions and their moral impacts are to be evaluated. Again, in its sociological connotations, value stands as the empirical image through which a people's defined and acceptable mode of life could be measured and dimmed operational (Lindner, 2017)[6].

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[4] Detel, W. 2017. *Grundkurs Philosophie, Band 3: Philosophie des Geistes und der Sprache*, Philipp Reclam jun. Stuttgart. Also: Detel, W. 2017: *Grundkurs Philosophie, Band 4: Erkenntnis- und Wissenschaftstheorie*. Stuttgart: Reclam Universal-Bibliothek.

[5] Henckmann, W. 2003. "Art. Wert I. Philosophisch", TRE 35, 648–653.

[6] Fees, Konrad, 2010. "Bildungstheoretische Sicht". In: Zierer, Klaus (Hg.). Schulische Werteerziehung: Kompendium. Baltmannsweiler: Schneider-Verlag Hohengehren, 95-101. Lindner, Konrad. 2017. *Wertebildung im Religionsunterricht Grundlagen, Herausforderungen und Perspektiven*, Paderborn: Verlag Ferdinand Schöningh.

Furthermore, based on the conceptual background above, this article agrees with the post-metaphysical opinion of Jürgen Habermas, who, in his *discourse ethics*, opined that any meaningful discussion about values should be predicated on their cultural and contextual relevance[7]. In other words, they constitute specifics upon which individuals or groups measure their relationship with one another. Hence, the binding character of values needs to be predicated on the power of intersubjective forms of 'rational discourse' concerning forms of mores that should guide what is to be taken as common or communal. The realm of this rational discourse is, for Habermas, the realm of morality (Lindner 2017), which remains an inseparable correlate in all bodies of formulations to which the name value can be ascribed. Thus, for Habermas, that which is moral, and by implication valuable, is "the sum of the intuitions that inform our behaviour towards being careful and considerate in relating to one another and avoiding the exploitation of the extreme vulnerability of people" (Habermas 1991: 14)[8]. Against this backdrop, there are six dimensions of understanding the ethical (philosophical) importance of values in relation to their sociological connotations and relevance:

Values are culture-dependent

Values flow from an individual's or group's feelings and volitions about a particular way of life. They relate to what is suitable for a person or what can be shared collectively on a relatively enduring basis. Thus, values shape the identity of individuals or groups, and Habermas 'sees in them integrated parts that are culture- and person-dependent' (Lindner 2017: 86)[9]. Values, as culture-dependent, influence the attitudes required for specific collective behaviour.

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[7] Habermas, J. 1991. *Erläuterungen zur Diskursethik*. Frankfurt/Main.

[8] Habermas, J. 1991, op. cit.

[9] Lindner, K. 2017. *Wertebildung im Religionsunterricht Grundlagen, Herausforderungen und Perspektiven*, op. cit, 86.

Values are teleological

While norms spell out obligations and, therefore, are deontological, values themselves have a teleological character in the sense that they provide the content upon which the normative orientations and purposes of individual and collective interests are based. They help assess what should be "ingrained or adopted as a society's way of life" (Habermas 1992: 72) which eventually would give rise to norms[10]. They provide moral exclusivity for behaviours and actions that should be deemed permissible. In other words, what becomes or should become adopted as permissible is the moral destination of values (Birnbacher 2016) since what is known as moral judgement is often 'all that reflects the value standard and their interpretations within specifics of cultural and intersubjective world picture' (Habermas 2004: 311)[11].

Values are not independent of their agency – the human person

It would be contra-intuitive to accept the existence of values that are conceivable without their agency, the human person. Thus, in the post-metaphysical pluralistic society, the emergence of values themselves is intrinsically predicated on the first challenges placed on the individual human persons to defend and master their freedom of choice about what is best for them, the identity they want to preserve and the person each of them wants to be (Habermas 2002)[12]. This central role of the agent is also the background upon which Sen's capability approach is built, where all *capabilities* are first taken to be individual values, which should integrate with the collective values to create the needed *functionings*, in other words, 'a focus on what people are effectively able to do and to be, that is, on their capabilities'

[10] Habermas, J. 1992. *Faktizität und Geltung. Beiträge zur Diskurstheorie des Rechts und des demokratischen Rechtsstaats*, Frankfurt/Main, 72.

[11] Birnbacher, D. 2016. "Heiligen die Zwecke die Mittel? Einführung in die Konsequenzialistische Ethik". In: Johann S. A./Kurt B./Michael Q./Ludwig S. Eds. *Grundkurs Ethik: Grundlagen 1*. Ventis Verlag, Münster.

[12] Habermas, J. 2002 "Werte und Normen. Ein Kommentar zu Hilary Putnams Kantischen Pragmatismus". In: Raters, M./Willasschek, M. Eds. *Hilary Putnam und die Tradition des Pragmatismus*, Frankfurt/Main, 280–305.

(Robeyns 2003: 5)[13]. This means in effect that in the agents subsists the responsibility for "the development and setting of values and contribute to the reproduction of such values in support of their socio-cultural contexts, all in a socially integrative manner" (Lindner 2017: 89, op. cit.).

Values are intersubjectively communicable

Values need to be communicable for them to be legitimate. The expected action of communicating happens intersubjectively and, therefore, gives values acceptance and authenticity. With reference to Habermas, this communication factor is the prerequisite for defending and legitimising values. It is the weapon for reconciling conflicts of action and interest (Lindner 2017: 89, ibid.). The intersubjective relation to values, therefore, must be able to integrate and incorporate the interest of the 'other', admit mutual exchange of perspective, and, in this way, bring about a form of 'We-Perspective' that has inclusive character in approach (Habermas 2002, ibid.). The known traditional forms of solidarity are built upon this characteristic of values, where partners entrust one another with their intersubjective interests and value orientations.

Values are universalisable (generalisable) through norms

When the intersubjective level is made functional and legitimate, it would lead to the emergence and recourse to integrated and generally accepted norms (Habermas 1983). The universalisation of values, in other words, the possibility of collective participation, therefore, becomes drawn from the socio-culturally mediated (negotiated) norms. The character of such collective participation should support the application of general and shared

[13] Robeyns, I. 2003. "The Capability Approach: An Interdisciplinary Introduction". Preprint. https://www.academia.edu/621260/The_capability_approach_an_interdisciplinary_introduction.

moral insights and foster motivations for translating them into individual and collective moral actions (Habermas 1983: 119).[14]

Values are relative

Because values are fundamentally anchored in particular systems and are primarily encountered by individual freedom of choice, they are considered relative. However, in a situation where this relativity elicits conflict of interests, disagreement or consensus disorder, which often characterises the post-metaphysical age with its strong affinity for plurality, the choices would need to be negotiated, thereby giving rise to shared norms of behaviour (Habermas 2002: 295f; Lindner 2017: 91). Nevertheless, the emergence of such norms does not destroy the relative independence and freedom of the subject himself or herself. It instead coordinates its intersubjective value of it.

In line with the above-discussed properties on values, it is revealed that the general discussion on the subject is an intrinsic part of the way of life that is operational among individuals and groups. Higher educational institutions themselves are forms of human and intellectual societies where intersubjective levels of life mingle to produce intellectuals, leaders, innovators, managers and motivators. Thus, the value orientations employed as formation instruments play a decisive role in shaping both individual person's approaches and volitions, and the norms that guide character, behaviour and relationships in a given society. So, what then defines these value orientations?

3. Value orientation in higher education: A normative ethical approach

To define an approach as normative and ethical is to see in its forms of moral impacts that affect individuals and society. Value orientation as normative, on the one hand, means that values fundamentally help in the prescription and

[14] Habermas, J. 1983. *Moralbewußtsein und kommunikatives Handeln*, Frankfurt/ Main.

evaluation of both actions and omissions. The mode of assessment based on known value orientations is often associated with words like "good, atrocious, friendly, holy, illegal, delicious", etc. (Bayertz, 2018)[15]. On the other hand, value orientation as ethical means that they provide the contents upon which shared principles and norms that guide behaviours and attitudes in a society are based – the guiding principles of actions for good and acceptable life. It is against this backdrop that this article tries to understand the concept of value orientation.

Value orientation as a concept

First, orientation is an attitude, an approach or interest directed towards a purpose that is related to things and activities. In the Afro-Igbo understanding, orientation is defined by the word *ńhàzí*, which relates, by extension, to such concepts as leadership, governance, or management. Thus, value orientation, in its most everyday understanding, would describe the state of managing, governing or administration of values to harmonise individual lives with shared interests, especially with regard to the plural society and the global spaces. The very act of orientating oneself towards established value systems is already a normative attitude to the norms that emerged due to those values and which tend to be universally applied. Kluckhohn and Strodtbeck mentioned such values as "honesty, courage, peace and wisdom" (Hills 2002: 3)[16].

The attitudinal basis of value orientation is predicated on the essential biological traits which characterise and form the basis for the development of cultures. With such characteristics, individuals or societies always have the intrinsic feeling, in other words, the orientation that 'their own cultural beliefs and practices are normal and natural, and those of others are strange, or even

[15] Bayertz, K. 2018. "Drei Moralitätskriterien". *Vorlesung: Modul I, Theoretische Grundlagen der angewandten Ethik. Weiterbildungsstudiengang Angewandte Ethik VIII*, Westfälische Wilhelm-Universität, Münster.

[16] Hills, M. D. 2002. "Kluckhohn and Strodtbeck's Value Orientation Theory". *Online Readings in Psychology and Culture, 4(4)*. https://doi.org/10.9707/2307-0919.1040.

inferior or abnormal' (Hills 2002: 4). Value orientation by inference, therefore, represents both the implicit and explicit character of an individual or a group adopting socio-cultural desirables and making them available modes, means and expected ends of actions and volitions (Hills 2002; Kluckhohn 1951)[17].

In the end, value orientation becomes the orientation towards the normative levels of both individual and intersubjective relationships under such shared principles and modes of living as prudence, the observance of customs and traditions, religious beliefs, applicable laws, aesthetic norms, norms guiding professions, institutional norms, technological norms, environmental norms, human rights laws, etc. Inbuilt into such norms is their prescriptive power which awaits conformity with individual or group orientations.

Value orientation in higher education

Perhaps, the most standard description of a Higher Educational Institution for the ordinary person on the street would be an institution that imparts values. Thus, the fundamental question about the quality of education in a given society is invariably the question about the value it holds for its products (the beneficiaries) and the general future of such a society. To this end, discussing value orientation in higher education is to ask fundamental questions about the integrative and sustainable platform upon which the philosophy and ideology of the institution are built. It is, in the context and focus of this article, to evaluate and emphasise the critical role which language and modes of communication play in the formation and transformation of the beneficiaries of the institution.

This article considers values orientation as having three characteristics, namely cultural, educational and normative. Its cultural character defines the fact that it is integrally attitudinal and volitional. In other words, it is built on modes of life, motivations and aspirations of the human agents themselves,

[17] Kluckhohn, C. K. 1951. "Values and Value Orientations in the Theory of Action". In: T. Parsons and E. A. Shils. Eds. *Toward a General Theory of Action*. Cambridge. Massachusetts: Harvard University Press.

whether as individuals, groups, institutions or society. The educational character defines the communicability of values and their intersubjective relevance. They can be learned, transferred and shared by agents or groups who form the recipient of their emergence and operation. The normative character of values attaches to them moral meanings and responsibilities. Thus, they are looked upon as principles upon which shared patterns of behaviour can be based and practised.

With reference to higher education, value orientation builds on vital ethical policymaking towards "a top-down political (and administrative) willingness" (Ozumba 2018: 28) in the pursuance of value-based transformations and in reducing the ills of entropic institutional attitudes which may lead to dishonesty and irresponsibility[18]. This oriented platform for policymaking is foundational to institutions – educational, political, economic, cultural or religious. When we interpret Hills with reference to Kluckhohn and Strodtbeck's Value Orientation Theory, a common denominator would be that the orientation itself is always the power to discover values, challenge problems and institute alternatives and solutions as responses (Hills 2002), whereby, "All alternatives of all solutions are present in all societies at all times but are differentially preferred" (Hills 2002: 4). It means that value orientation accounts for all the efforts to be invested at any time among a wide empirical range of opportunities, possibilities and alternatives. All of these go into the systematics in building strategies for containing the demands, problems and challenges of a given society. Following the analyses of Hills, this article reflects on and develops a unique form of five integrative and interrelated ideological focuses predicated on the five criteria given by Kluckhohn and Strodtbeck as determinant factors for problem-solving and the eventual orientation towards differentiated values proposed to be present in any known society:

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[18] Ozumba, B. 2018. "Going Ethical for University of Nigeria. Global Implications for Policy and Practice". In: Obiora F. I/Onyia, C. Eds. *Ethics in Higher Education: Foundations for Sustainable Development*, Education Ethics Series No. 2. Geneva: Globethics Publications, 27-35.

— **Time-Consciousness (-Differentiation) Value Orientation**, which suggests that the temporal phases like the past, present and future influence the shared orientation of a people in a given society. Thus, while some cultural conventions lay emphasis on the central role of the past, mainly identifiable with the teaching of traditions and belief systems, others concentrate more on planning for a more safeguarded future, perhaps through forms of belief and practice, reconstructions and modifications, for example, through economic savings, sustainability discourses, etc. Again, the third group invests more in the 'here and now', evaluating what the givens are and their relevance in making everyday life bearable and liveable (Hills 2002).

— **Ecology-Based Value Orientation**, focuses on the relationship and dialogue between humans and their natural environment. Differentiations in this dialogue elicit forms of orientation like submission to nature, harmony with nature or dominating nature: "In certain cultures, people submit to nature, in others, there is harmony between the actors, and still, others want to dominate nature" (IKUD Seminare)[19]. The contemporary debates within the focus of this value orientation have given rise to the developing discourses on Anthropocene. Vogt proposes, in line with this value orientation, a form of modern anthropology which would support "a kind of *human-ecological* Anthropocene research (on the) conditions and criteria of responsible coevolution of ecological, socio-cultural and economic systems" (Vogt 2016: 97).[20]

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[19] IKUD Seminare, "Value Orientation Theory von Kluckhohn and Strodtbeck"; https://www.ikud.de/glossar/value-orientation-von-kluckhohn-strodtbeck.html.

[20] Vogt, M. 2016. "Humanökologie – Neuinterpretation eines Paradigmas mit Seitenblick auf die Umweltenzyklika Laudato Si", In: Haber, Wolfgang/Held, Martin/Vogt, Markus, Eds. *Die Welt in Anthropozän: Erkundungen in Spannungsfeld zwischen Ökologie und Humanität*, München: oekom.

— **Intersubjective Value Orientation**, seeks to establish specifics between the individual and communal levels of relationship. It is an orientation to answer questions about autonomy and heteronomy, individual and community, hierarchy and consensus among *lineal* (higher authority or authorities within the group) and *collateral* (consensus within the extended group of equals) groups (Hills 2002: 5).

— **Volitional Value Orientation**, where the emphasis is placed on the 'life activity and self-realisation' (IKUD Seminare) of the human person, seeking the 'prime motivation for behaviour' (Hills 2002: 5). This level integrates the self-actualisation concepts like *being*, *becoming* (to grow, to progress) or *doing* (achieving), as found in a nutshell through the whole post-metaphysics thought of Amartya Sen.

— **Ontology-Based Value Orientation**, concerns itself with the constant effort to grapple with the 'nature of human nature' (Hills 2002: 6). In relation to society's experiences and the observed behavioural patterns of the humans themselves, emerges the orientation to understand the dynamics of the good, bad or a mixture of the two, the mutable or immutable (Hills 2002: 6) regarding the human person, his or her natural self, as well as other conditionalities that may impact on character. H. G. Wells once opined that laws are made for the recalcitrant. In other words, there exists, in actuality, behavioural traits which could inform some kinds of *human-nature-based* categorisation as good or bad, mutable or immutable.

Based on the above categorisation, value orientation in higher education is none other than the expounding of these basic levels of approaches through institutional policymaking and curriculum structuring. It is the orientation to form the human person within the individual's self-awareness, in relation to the *other-selves* outside the individual and, of course, with regard to the natural environment. To this end, the general purpose of higher education (or education in general) is to build in the beneficiaries a mindset capable of

engaging the outer societies and the world with a sense of freedom, autonomy, intersubjectivity, responsibility, etc. Therefore, both the general academic programmes and choices of the language of communication must integrate to achieve the orientations needed to answer the sensitive question about 'the purpose of schooling and the nature of the society we want to create both now and in the future' (Scoffham 2020: 23)[21].

4. The role and power of language in value communication

Culturally speaking, language itself is a value. It is a value in communication, relationship and interaction. Iroegbu described the role and value of language by alluding to the fact that 'the linguistic expression of a people is definitional of their essential being and acting. For it is the soul of culture, the heart of the environment and the spirit that innovates and directs a people's life' (Ozumba 2017: 135; Iroegbu 1994: 134)[22]. The three metaphysical terms employed by Iroegbu – soul, heart and spirit – are pointers, not just to the mere use of language, but to the mental and psychic powers and influence embedded in it. To this end, one can rightly say that language is motivation, the force of influence, instigator and action initiator. It can shape and determine behaviour, etc. With regard to value communication and orientation, language is not just spoken. The choices of words have and should have meaning in relation to the desired value orientation.

When we discuss the role and power of language within the philosophy of language, it would be ascertained that this power lies in integrating the three most basic characters of 'speech acts', namely the descriptive, which is the subject of the statement made; the expressive, which defines the attitude of

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[21] Scoffham, S. 2020. "In Search of Core Values". In: Bamber, P. Ed. *Teacher Education for Sustainable Development and Global Citizenship. Critical Perspectives on Values, Curriculum and Assessment*, New York: Routledge, 23-30.

[22] Iroegbu, P. 1994. *Enwisdomization and African Philosophy*. Owerri: International Universities, 134-5.

the speaker himself or herself, the statement carrier; and the appellative, which represents the quality and ability of the statement to lead into action (Detel, 2017, op. cit.). It means that there is always, in the first instance, a unity between the statement carrier, the statement itself and the intended purpose. In a second instance, the three characters of speech acts mentioned above are bound by the subject known as the *interlocutor* – individual, group or the public. Furthermore, between the speech act and the interlocutor, two categories of linguistic effect are identified, namely, first, the *illocutionary effect*, under which are to be found the descriptive and expressive speech acts and which carries explicitly formulated language conventions meant to be direct assertions, declarations, commissions or directives; secondly, there is the *perlocutionary effect*, under which one finds the appellative speech act and which elicits characteristics like persuading, convincing, scaring, enlightening, inspiring, motivating, etc., (Detel 2017, 142ff). This article argues, therefore, that value orientation in higher education is shaped by the quality of the perlocutionary language of communication.

The above position taken is predicated on the definition of education itself, based on the Latin root *educatio*, which translates such expressions as breeding, bringing up, rearing, etc., or the verbal form, *educare*, meaning to lead out from something (etymology: *e* and *ducere*). To this end, the prime language of such leadership or upbringing should be the *language of instruction* – a choice of language that communicates, persuades, motivates and inspires. In this concept of the language of instruction, an active dialogue is established between the communicator and the interlocutor. All that qualify as values with their activated orientations are all products of this intersubjective dialogue – cultural, institutional, socio-political or socio-economic. However, the very act of making a choice for such language remains as delicate as it is complex. While it may be more unilateral and easily adaptable in most homogenous societies, it is more complex and unstable in other socio-cultural pluralistic societies. This is the case in Africa.

Linguistic conundrum in higher educational value orientation: The case of Africa

The *designate-language* for value orientation in the experiences of most African states suffered varieties of mixtures due to exogenous encounters during the colonial and missionary periods. Before the colonial experiences, however, the indigenous African people had their cultures and traditional values upon which the then-existing societies, communities and relationships were based. This article maintains that what happened was a cultural encounter which left some imprints of ethnological, political and economic excesses. Since then, approaches to and from Africa have always been to reconstruct, rediscover, re-evaluate, redefine, resolve, recover, etc. That aside, one of the peculiar transformations that happened during the encounter was the emergence of public schools in the form, structure and system as they exist today in most African states. However, the issue of language and the role it played during the colonial era have had impacts on matters of value orientation and the governance of higher education.

The above claim is predicated on the linear fact that the educational institutions that emerged and stayed after most of the African regions gained independence were all colonial establishments. These continued with their bequeathed legacies, structures and systems. The initial curricula told more of transnational and international histories. Thus, exogenous language was made the priority for easy access to the trends and standards of the time. Of course, it became a socio-political culture in almost all African states that an average African is bilingual, if not multilingual. This article defends the emergence of this situation as a value and an enrichment. As history shows, efforts remained sporadic at the initial stage but later intensified to retreat and restructure curricula, develop more indigenous works of literature and develop history from within. A most recent effort is the current partnership within the African Union (AU) to publish the Africa Fact Book.

However, there was a form of 'linguistic conundrum' which attacked and debased African indigenous languages while institutionalising and professionalising colonial languages even to date in institutions of higher learning across Africa. With respect to backgrounds and differences in

experience, this article uses Nigeria as an example: stringent measures were adopted and passed into education laws that a non-negotiable criterium to gain admission into higher institutions must be a credit-pass in the colonial language. Developing the system and structure, as well as interest in your own language, did not necessarily matter; penalties and punishments were inflicted in schools for anybody who dared to use the local language or the mother tongue outside the limited period it was permitted; the ability to speak the colonial language became criterion to acquire status and respect, while your inability in doing so makes you the so-called bushman, an illiterate or a *village champion*. Furthermore, because Nigeria is a multinational federation under a forced embrace of unity, varied administrative demands helped catalyse the need for linguistic homogeneity. This led to the insistence on the colonial language as the official language and, of course, the language of commerce.

While this experience enriched the linguistic culture of Nigeria, the indigenous linguistic value orientation, which is integrally tied to culturally shared values, was detracted. Today, many cannot boast of writing or speaking the indigenous language coherently. A majority of the children born in suburban, urban and metropolitan areas of the Nigerian polity cannot speak the mother tongue of their parents, which already severs them from their real identity, culture and people. All these ambivalences unite to constitute forms of conundrum which challenge the precise and successful development of the core values which should characterise higher educational policies for the formation of cultured, disciplined and patriotic beneficiaries of the institution. However, waves of postcolonial mentality and discourses are ongoing and identifiable with varied groups of scholars, governments, NGOs, individuals and societal groups to reposition the mindset and revalue methods and approaches.

5. Specifics for African value orientation in higher education: A postcolonial reflection

Postcolonial discourses with African backgrounds are predominantly concerned with research and studies towards recovery and repositioning. Mastering the not only linguistic skills but refined historic and cultural orientations and consequently delivering a precise communication on given values and precise identity is central to such a recovery process. Where such orientation becomes noticeably deficient, it elicits varied forms of sociocultural struggles predicated on the confusion of identity. This was precisely the imagery portrayed in Achebe's *Things Fall Apart*, in the dialogue between Obierika and Okonkwo concerning the ambivalences surrounding the clash of civilisations involving the colonial (Whiteman's, missionaries') ideologies and the indigenes of Umuofia[23]. While answering Okonkwo's question on whether the Whiteman actually understood the custom about land, Obierika, in a concise form of suspense and soliloquy, was able to extoll the power of language and its centrality in the protection and promotion of values:

> "How can he when he does not even speak our tongue? But he says that our customs are bad; and our own brothers who have taken up his religion also say that our customs are bad. How do you think we can fight when our own brothers have turned against us? The white man is very clever. He came quietly and peaceably with his religion. We were amused at his foolishness and allowed him to stay. Now he has won our brothers and our clan can no longer act like one. He has put a knife on the things that held us together and we have fallen apart (Achebe 1959, 2010: 124).

[23] Achebe, Chinua, 2010. *The African Trilogy. Things Fall Apart, No Longer at Ease, Arrow of God*. Everyman's Library, London.

The above argument references the power of language in the communication and development of values within the colonial past, which met both the masters and their subjects with different consequences. Again, this language deficiency eventually expunged mutuality in relationships, leading to mere rejection or discarding of what seems unintelligible to one due to linguistic gaps. What followed was an uneven promotion of the language of communication which helped to boost colonial and missionary administrations, religion and commerce. However, the communication, transmission and transitions of indigenous cultural values suffered forms of latent disdain. Furthermore, there seemed to be a crisis of identity bemoaned by Obierika when he regretted that even "our own brothers who have taken up his religion also say that our customs are bad… (they) have turned against us…" (Achebe 1959, 2010: 124).

The Africa of today exists within a postcolonial era being shaped by research and critical study of the past in order to understand and participate better in the *great transformation* movement of our world. To do this better, its higher education policies must be regenerated and reformed to mirror its identities, integrate more the indigenous language(s) of its value systems, redefine the colonial and missionary encounters with tools of adaptation, assimilation and diffusion, as well as investing on further research programmes and efforts to balance better and close its multilingual gaps. This article argues that value orientation in postcolonial African higher institutions can no more be tracked down or forced to be exclusive to the indigenous linguistic formats. That would amount to persistence in viewing Africa predominantly from some irredeemable 'crisis perspective' (Quayson 2013: 628)[24]. Contemporary value orientation discourses must begin to understand postcolonial Africa and the concept of *diasporas*. According to Quayson, the approach would be to open up a new form of understanding the impactful socio-cultural changes that have taken place and permanence in the case of postcolonial Africa: 'the dimensions of nation and citizenship; the significance of both intrinsic and extrinsic migration ebbs and flows that have served to structure African

[24] Quayson, A. 2013. "Africa and its Diasporas". In: Huggan, G. *The Oxford Handbook of Postcolonial Studies*. United Kingdom: Oxford University Press.

society over the past four centuries; the relation of these to transnationalism and globalisation' (Quayson 2013: 628).

Based on the opinion above, the specifics of value orientation in higher education should re-develop the perlocutionary language of communication to better represent Africa's *diasporisation* status. Thus, when the African Union in May 2005 alluded to the African Diaspora as the 'sixth region' of the continent through its Council of Ministers (Quayson 2013: 629), it was to remind the continent itself that approach to Africa in all facets of its existence can never be unilateral anymore. Nevertheless, the *diasporisation* must not mean a further loss of identities. It would rather be a rediscovering of the core values within the indigenous tools and agencies of communication – the indigenous languages and people themselves – but in a multilateral process of interpretation, diffusion and transmission. In this form, the perlocutionary investment in higher education would work to rebuild at least intrinsically and integrally six value orientation specifics, namely identity remediation, endogenous capacity building, the resilience of character, investment in aptitude, subsidiarity consciousness and thoughts in sustainability.

This article proposes a further characterisation of the diasporisation concept to include its general sense, namely diasporisation ad extra (externally), and its narrow sense, namely diasporisation ad intra (internally).

The general sense treats Africa's postcolonial status which recognises that Africa itself exports its values (and should do so) in the teeming number of its human resources, estimated in 2010 to the tune of about 30.6 million all around the globe, putting "France (as) the highest recipient of African migrants at 9 per cent of the total, followed by the Ivory Coast at 8 per cent, with the UK and the US at 4 per cent each (Ratha 2011: 9-11, 15-26)" (Quayson 2013: 629). These figures may be changing now. It describes an African status with a *diasporic identity* and not a *dispersal identity*.

Thus, it is only the diasporic identity that reserves the agency that could be identifiable with the values of the homeland, however, in a way predicated on notable conditions that need to be met, namely:

> "the time depth of dispersal and settlement in other locations; the development of a myth of the homeland…; the attendant diversification of responses to homeland and host nation; the evolution of class segmentation and conflict within a given diaspora; and the ways in which contradictions among the different class segments end up reinforcing different forms of material and emotional investment in a utopian ideal of the homeland (Quayson 2013: 631).

This condition of linking the diaspora with the emotions of the homeland is the defining consciousness that should link diasporisation with the indigenous forms of value orientation.

The narrow sense reflects the influence of the diaspora on the lives, experiences and encounters of indigenous Africa, be it cultural, institutional, educational, economic or political. This began already with the colonial experience,

> "the period between the early 1800s to roughly the 1960s, the period in which the current forms of diasporic Africa and black identities came to be consolidated in the ways in which we recognise them in the world today (Quayson 2013: 631).

Again, it represents the influence of the diaspora with the *diasporic experiences* of the Africans themselves, who are either pure- or quasi-products of exogenous orientations. Consequently, there is a growing diversity of influences from such diasporic categories, which participate in dialoguing and shaping modern thoughts, strategies and approaches within the homeland. Such encounters also bring conditionalities that should be met with dialogue, evaluation, integration, diffusion and assimilation. To this end, therefore, the language of communication might well be powerful and

perlocutionary enough to incorporate the two senses discussed, while at the same time preserving the distinctness of the indigenous value orientations.

6. The Socio-ethical implications of language dynamics in higher education for Africa: an evaluation

Based on our arguments regarding the specifics of appropriate language dynamics in higher education and the African case, some moral implications are consequential to the need for ethical guidance. Again, the application of the word, moral, is also indicative of all the critical effects that actions, omissions, inertia or concessions would have on a given society faced with value-based options for harmonious and shared interests. Thus, a socio-ethical evaluation, in this context, focuses on the society called Africa with its tool as an enquiry towards the ethical criteria upon which the opinions and arguments of this article find justification. This is the core of social ethics – "the extending (and application) of ethical questions on the changing (and transforming) order and structure of the society" (Vogt 2017: 1096).

The social structure which provided the specimen for reflection in this article is the institution of higher learning.

The ethical evaluation here, therefore, takes up the issue of language dynamics provided by this moral object as a social concern, which this article has tried to examine in the context of Africa, its experiences with the colonial cultures and what those experiences have engendered within the continent. The opinion is, that the language dynamics have a struggle between indigenous and exogenous language speech acts, as well as between cultural diasporisations that have forever impacted mixtures in orientations, attitudes and behaviours. Therefore, there is a moral need to recognise and define the specifics involved in the general encounter between indigenous Africa and its linguistic uniqueness, and the colonial (and now postcolonial) Africa with all its influences, restructures, impacts, as well as socio-political and economic structures. This single moral need, the article argues, can never again be

brushed aside in matters of contemporary social transformations and value orientations. To this end, if higher education should still play a central role in crafting and shaping the models of societies that should be transformative and sustainable, the policies and communication dynamics must be forceful enough to equip the beneficiaries with the necessary tools for both individual self-mastery and true socio-cultural citizenship. Christian social ethics would locate this tool in not just education, but rather in purposeful and value-based education.

As an ethical criterium, such value-based education must recognise that its linguistic dynamics should be persuasive enough – perlocutionary – as to integrate sufficiently the socio-cultural necessities and specifics that drive the generic sphere, in other words, the realm of shared values and orientations. Concrete ethical criterium from a Christian ethical perspective is to, *first*, perceive and pronounce the language disparity in value and cultural orientations as a socio-political and socio-cultural challenge. *Secondly*, to see the need for a transition from a crisis perspective with regard to Africa's multilingual climate to an adaptive and integrational perspective; and *thirdly*, to convince the indigenous societies that concrete actions should be realised to make the mitigation of this challenge one of the demands of *social security* – both for the individual persons, who have the right and freedom to protect their choices of value orientations and for the generic sphere, where the society plays a central role in developing, communicating and educating shared value systems.

7. Conclusion

Based on the above specifics, value orientation dynamics in higher education for Africa remains an ongoing educational investment in repositioning the polity itself, remodelling the Africans' minds to face the reality of identity and linguistic conflicts due to colonial encounters. This reference to the word *conflict* is to re-enact, on the one hand, the varied forms of existent crises which higher educational institutions in most African states are facing in their postcolonial eras, notably the dispossession which most indigenous cultures and value systems suffered in the face of colonial and exogenous standards.

On the other hand, the conflict-awareness is to trigger the already discussed sense of *diasporisation* in order to institutionalise modern diffusions for a liberated and decolonised value orientation in education. Orientation as *ńhàzí* is, in the main, an attitude which begins first with the autonomous self, be it that of an individual, a group or society described as a moral person–a perspective based on 'innate human propensities' (Scoffham 2020: 23), and which is to be harnessed and garnished with the powers of the adaptable means of communication[25]. Therefore, the language of instruction in higher education must see this as a necessary sign of the time.

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9. Short biography

Chijioke F. Nwosu studied Applied (Philosophical), Theological and Christian Social Ethics, with research experiences from across Nigeria, Germany, Austria and Switzerland;

Email: chijioke.nwosu73@yahoo.com.

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Language Dynamics as an Interpersonal Phenomenon

The African Experience

Blessed Frederick Ngonso/
Peter Eshioke Egielewa,
Depart. of Mass Communication,
Edo State Univ. Uzairue, Nigeria

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Keywords

Language dynamics, interpersonal communication and relationships, Africa.

Abstract

This study uses secondary data to explore language dynamics in interpersonal communication for interpersonal relationships in Africa. Specifically, it looks at how the African society thrives in the use of this form of communication for the preservation of its culture and values and concludes that for these reasons interpersonal communication will continue to remain an intrinsic part of the African life and society.

Corresponding Authors: Blessed Frederick Ngonso, Ph.D, Senior Lecturer and the Acting Director of General Studies, Edo State University, Uzairue, Nigeria.
Email: ngonso.frederick@edouniversity.edu.ng
Peter Eshioke Egielewa, PhD, Head of the Department of Mass Communication, Edo State University Uzairue, Edo State, Nigeria.
Email: peter.egielewa@edouniversity.edu.ng
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1. Introduction

Human relationship is a function of interactions between parties. Interpersonal relationship is a relationship between two persons. This form of relationship exists in all spheres of life. In the family which is the smallest unit of the society begins the interpersonal relationship. The husband who later becomes the father establishes the interpersonal relationship with the wife before the birth of the children who then learn the process of interaction first with the mother and then with the father and other members of the family.

Primarily, human communication starts from intrapersonally communication and graduates into interpersonal communication. However, as a pattern of communication, interpersonal communication allows for interactions between two persons in the communication encounter to exchange and share ideas, feelings, thoughts, experiences and world views. Interpersonal communication is also a communication process that enables the encoding and decoding of messages between encoder and decoder for mutual understanding and peaceful co-existence. Odoemenan, Afunanya and Onus (2021) noted the impact of language on human peaceful co-existence and averred that "since the origin of humanity, all cases of wars have always been traced to language use. Hence, when language is used such that the parties feel threatened, they tend to retaliate using yet another form of language to express their disgust towards the sender" (p.17).

Interpersonal communication, like any other form of communication, has seven basic elements which include stimulus, the encoder, decoder, message, the medium, noise and feedback.

Stimulus simply means the motivating force that triggers the desire to engage in communication experience. Stimulus can also be seen as the idea that prompts such an interpersonal communication. Interpersonal communication carries the most powerful communication stimulus because of the proximity between the communicators; the sender and the receiver.

The encoder is the source, the transmitter, the initiator and the sender in the interpersonal communication encounter. In every communication, someone must initiate the conversation. The initiator may want to share painful, joyful,

doubtful experiences with another or may want to find out something bothering him or her. According to Okesipe and Okolo (2013, p.5), "interpersonal communication is a dyadic communication that usually involves two people in an informal setting. It is the face-to-face, one-on-one communication involving two people who are close''

On the other hand, in an interpersonal communication encounter, two persons are usually involved. One is the sender, the initiator of the conversation while the second person is the listener who is the decoder. The decoder receives the message from the sender (initiator) and reacts to the message that has been received. The receiver upon receiving the message also shares his experiences with the sender who then becomes the receiver. Interpersonal communication is a form of face-to-face interaction or communication, which allows the experiences shared to have greater impacts even more than the mass media messages. Ogbulogo (2004, pp.14-15) captures it succinctly thus, 'interpersonal communication involves two people. It may be face-to-face by letter writing or by telephone conversation. It is very effective in business and social relationships because it ensures immediate feedback. It is also reinforced by gestures, body language and paralanguage''

In interpersonal communication, the message is shared. What is the message? It is the feelings, ideas, and thought of the initiator of the conversation. Both the initiator (sender) and the receiver share their feelings in the communication encounter. It is the shared feelings (messages) that influence behaviour and initial perception, position and pre-conceived belief of any of the parties in the communication encounter. The import is that in an interpersonal communication, any of the parties can be influenced irrespective of who initiates the conversation. For instance, an initiator of interpersonal communication may want to share a feeling about the failure of his country's political system and may also want to use the opportunity to persuade his listener (receiver) not to support the government in power only for the receiver to convince him (sender) why the government needs their support.

One of the impacts of communication is to share values. Oftentimes, people communicate to share their values with others. Amongst other forms or

patterns of communication, interpersonal communication allows people to share their values with their communication partners. Ngonso and Egielewa (2018) write:

> "Communication of values is the sharing of ideas, thoughts, feelings and emotions among individuals. In every communication experience, there is usually a sharing of what the communicator believes is right or wrong. What is right is dependent on one's values. In communication philosophy, it is believed that the primary access to the realm of values is through acts of feeling and preference that are directed upon objects and persons bearing the values.

In interpersonal communication, the medium is also the channel. This is the language used in the face-to-face communication encounter. The unique nature of interpersonal communication is that the parties in the communication encounter use a common language that is understood by the parties involved. However, noise may occur due to several factors such as one party not being interested in the conversation, lack of comprehension of the topic, or external factors such as incoming phone calls, distraction by an intruder or horn from incoming vehicles or children crying in an attempt to attract their parents' attention. In interpersonal communication, feedback is *a sine qua non* in every communication experience. The canon of interpersonal communication is feedback. In the case of interpersonal communication, feedback is instantaneous. It is the instantaneous reaction that makes interpersonal communication an interactive experience. The parties in the interpersonal communication encounter share their thoughts and feelings in real-time. Feedback can lead to arguments, quarrel, and fight and can also lead to resolutions of problems, understanding, reconciliation and peace. In any case, it is the language used in the communication environment that determines if arguments, quarrels, and fights or understanding, peace, love and unity hence good relationship would be achieved.

While the above understanding of interpersonal communication seems somewhat generic, it is important to make a distinction about how this applies to the African context. In Africa, interpersonal communication is referred to

as "direct communication" in the sense that it involves the meeting of two persons involving the use of typical African mannerisms accompanied by raised voices. Thus, it is typical for Africans to address themselves in loud tones and pitch which in western cultures may be described as "shouting" (Communication, 2015). This kind of interpersonal communication is normally done with what Anedo (2011) terms the "good face". "Good face" in interpersonal communication means that such conversation must begin and end with a smiling face of reception and warmth. Otherwise, interpersonal communication won't be said to have taken place.

To properly discuss the subject matter of this study, this article will first attempt to define the main properties of Interpersonal Communication which include the main theme of shared values. Secondly, the different nuances of interpersonal communication from an African context especially Nigeria will be discussed with an emphasis on how language permeates the different levels of such communication.

2. Language Dynamics in Interpersonal Communication

Language in the context of this study, implies the way words are used in a one-on-one communication encounter in the African context. Odoemenan et al (2021, p.18) see "language as a purely human and non-instinctive method of communicating ideas, desires, and emotions through a system of voluntarily produced symbols". Okesipe and Okolo (2013, p.30) look at language as a system of signs and symbols through which the community communicates. The scholars also list eight characteristics of language which include: arbitrariness, conventionality, displacement, cultural transmission, creativity/productivity, semanticity, structure dependence, and vocal-auditory channel. Ogbulogo (2004, p.24) added duality, genetic transmission, pattern congruity, constancy, total feedback, versatility and specialization. But the interest in this study is not to go into the details of the above but is rather concerned with the functions of language since this study is focused on

the impacts of interpersonal communication on interpersonal relationships. Thus, Okesipe and Okolo and Ogbulogo (2004) listed the functions of language in communication and these will be examined in line with interpersonal communication for interpersonal relationships: the African society experience.

i. Referential function- this explains the idea that language in the communication context is used to refer to things and situations. In the African communication environment. Speakers use the language to refer to things and events. In fact, in Africa the more the speaker explains his or her experiences with another person the more he or she attracts the partner to himself or herself.

African society is made up of different languages. Primarily, African languages are used by the people to transmit ideas, knowledge and values from generation to generation. Africans used their language to relate their past with the present and predict the future. In their daily communication encounter, they can describe their daily life experiences and share their feelings through the use of descriptive words. Africans like to paint their world with descriptive words. Egbe (2004, p.293) writes: "situation often arises when the speaker has to paint the world of his imagination with words. He could present objects, create episodes and state of affairs, which exploit to the fullest, the resources of his language." It is in this light that, Cheo et al (2021) assert that indigenous languages are indispensable cultural legacies.

ii. Expressive function- this is the use of language to express one's feelings. Africans are very articulate and expressive people. Africans like narrating their experiences.

Egbe (2004) writes:

> "It should be stressed once more that linguistic competence or the effectiveness of expression… can be attained only when the stock of words at the disposal of the people approximates closely to the objects, actions, and situations obtained in the world that they live in. It is this that

account for the ability to capture moods and situations intimately and accurately. They easily reconstruct the past, project into the future and determine clearly, the relationship between events in all spheres of human endeavours.

iii. Aesthetic function-this is the use of language for beauty for the sake of pleasure derived from it. African society is known for its poetic orientation. Songs, proverbs and folklore are essential parts of the African communication system. Africans communicate with one another using any of these channels.

iv. Regulatory function-this is the use of language to regulate one's action. Africans share anything that helps them protect themselves against danger. A typical African hunter when he encounters danger in the forest will like to share his experience in an interpersonal communication with another hunter, the nearby fisherman or farmer and all the people living in the same neighbourhood.

v. Phatic function- this deals with the use of language for social interaction in society. African culture, norms and values are usually communicated in the form of greetings and responses. Africans have a culture of greeting before conversations. A typical African greets first before starting a conversation. Sometimes they go further to have a handshake before a real conversation starts.

vi. Social bond- language is used to create social bonds. Africans' interpersonal communication is usually a show of social bonds. Often, Africans in their interpersonal conversation do not welcome a third party because of the social bond associated with interpersonal communication in the African setting.

vii. Metalinguistic function- this is the act that interrogates an intent. Africans ask questions in their interpersonal

communication experience to probe an intent. For instance, at first sight of a person in a compound, the speaker may ask, who are you looking for? Sometimes the question may just be rhetorical when the speaker is with a partner discussing an issue.

viii. Informative role of language- language is a medium through which information is shared. Through interpersonal communication, Africans share information with one another. It could be information about business, health, family, community tasks, forthcoming cultural or religious festivals and pending danger.

ix. Directive role of language- language is used to influence behaviour. It is important to note that partners in interpersonal communication can only build a strong inter-personal relationship on the grounds that both of them share the same values. This means that their conversation influences each other.

x. Ideational role of language-this is the role of language when language is used to control the force of nature. This may represent a form of extra-mundane communication, such as rituals, incantations, libations, and prayers. Africans establish a strong bond with their friends or other neighbours through libation, incantation and even prayers. Those who share in the value allow for incantation and libation. In African society when a friend visits his friend as part of welcoming the person, the host could present local gin which may first be offered to the gods as a libation before it is shared.

xi. The performing role of language- language is used to perform a certain function. In African society, language could be used to acquit a friend of accusation and praise a friend for his or her achievement. It could also be used to reprimand a fellow for unacceptable behaviour.

In this study, oral communication is the focus of the study. Oral communication encourages the free expression of feelings, thoughts, and ideas. Ogbulogo (2004) opines that oral communication is expressed by word of mouth. It encourages feedback which is necessary for the improvement of the communication process. Oral communication enables clarification, simplification and understanding of the message. Okesipe and Okolo (2013) write, ''oral communication is vocal because it uses voice''. In discussing the advantages of oral communication these scholars assert that oral communication gives room for immediate feedback, which is an opportunity for the communicator to modify his/her message in response to the feedback received from the other participant. The researchers also argued that oral communication saves time because it gives room for other communication processes such as the use of non-verbal cues to support the voice conversation. They also noted that oral communication gives room for clarity and quickens decision-making. In an African setting, interpersonal communication mostly takes the oral communication form. African families build their intimacy through oral communication, viz interpersonal communication which allows parties in the communication encounter to share deep feelings thoughts and experiences such as their marital experiences, business experiences, religious experiences, social experiences, political thoughts, self-promotion and achievements, hate speeches, rumours, gossips, and fear.

Depending on the level of intimacy, Africans may resort to the use of slang and language constructs which defies the standard English grammar rules. However, in Africa, interpersonal communication experience is usually in the local language other than English or French depending on the official language of the country. Egielewa and Balogun (2021) argue that interpersonal communication becomes difficult when a foreign language such as French is used for such communication. In the real sense, it is really "foreign" in the sense that the communicators are not able to express themselves in the deepest sense of the context. The dialogic philosophy of communication illustrates the philosophy of language as a feasible communication model that is applied universally (Ngonso & Egielewa, 2018). However, social interactions are influenced positively by the kind of

language used and the meanings assigned to the language in the communication experience. Adejimola (2009) in his explanation of the functions of language seems to toe the same line as he avers, ‘‘language may be used to address burning issues, to declare war, to incite, provoke, oppose ideas, intentions and actions, to influence personalities, to scatter, condemn, blackmail, insult, destroy, falsify, despise, abuse and to generate violence, to entertain, appeal, inspire, comfort, amuse, appreciate, build, enlighten, educate, settle disputes, establish a cordial relationship and make peace with people.’’ This presupposes that language constructs our social reality as Mbukwe and Afutendem (2022.p.60) write, ‘‘language helps us to understand the way societies operate, given the fact that it is a social practice and not a phenomenon external to society.’’

Odoemenan et al (2021) retort, there are different levels of language (*literally and metaphorically*), and each of these levels could determine the communicative functions that language plays. For instance, literary meaning refers to the surface meaning while the language used in a metaphorical sense is characterized by connotations, allusions, referents, nuances and underlying sub-terranean meanings. In Africa, a language with other meanings is usually avoided. This is the reason why people in traditional African society live in peace. However, connotations, allusions, referents, nuances and underlying sub-terranean meanings are not the same as proverbs and folklore which in African society are used to explain concepts or for didactic purposes.

3. African social groupings and interpersonal communication

Africa has unique social groupings that promote interpersonal relationships. A typical African community is stratified. We have from top to bottom hierarchical system. In this system, the council of chiefs, superintended by the village head, is on the top of the pyramid, closely followed by the elders' council, and various age groups (they are groups born around the same period and inducted by a special ceremony). The village heads are the symbols of authority in their respective communities. They live exemplary life by having

a good interpersonal relationships with members of their families through effective interpersonal communication. Egbe (2004) opine that ''communication at the grassroots level often emphasized the methods used, which include the activities of town crier, the meetings of the village heads, the activities of age groups and the role of the marketplace." Egbe (2004) notes that these groups make communication effective because they allow information to flow to households (families) in the villages and such communication at the grass root level promotes family solidarity, upliftment and achievement within the context of the village. African families are usually the first place where interpersonal communication exists and intimacy culture/interpersonal relationship is established. Ebunuwele and Uchenunu (2022) commenting on the family role in nation-building said that the family is the basement upon which character is formed and shaped as well as a place for value orientation.

One of the impacts of communication is to share values. Oftentimes, people communicate to share their values with others. Amongst other forms or patterns of communication, interpersonal communication allows people to share their values with their communication partners. Ngonso and Egielewa (2018) write:

> "Communication of values is the sharing of ideas, thoughts, feelings and emotions among individuals. In every communication experience, there is usually a sharing of what the communicator believes is right or wrong. What is right is dependent on one's values. In communication philosophy, it is believed that the primary access to the realm of values is through acts of feeling and preference that are directed upon objects and persons bearing the values.

The rural African communication system thrives on interpersonal communication. However, recently due to the impact of globalisation and ease of digital access to information, African rural dwellers now also look up to the broadcast media for information at critical times such as COVID-19 and the health crisis period (Ngonso & Chuckwu, 2021; Egielewa, 2022). Other than the health disaster period, a typical African may seek information

through the mass media (Egielewa et al, 2023). However, information in the mass media particularly, television may only reinforce the pre-existing belief of an African that has been rooted in interpersonal communication through various inter-group interactions and influence (Uchenunu & Ngonso, 2021). Interpersonal communication exists strongly at each level or group in African society which makes it easier for sharing values amongst members of each group. Africans believe so much in moral values and share the same in their interpersonal communication. Africans become more attached to one another because the parties share the same moral and ethical values. Africans draw their friendship line to transform, protect, preserve, safeguard and maintain high moral standards through the interpersonal communication (Ngonso, 2022). Similarly, Egbe (2004, p. 286) notes that ''relationships between neighbours and relations are based on strong moral ethics and this is usually reflected in the moral undertones in the day-to-day discussions.''

Age group is another power sub-group in African society that promotes good interpersonal relationships through interpersonal communication. At the age group level, members recognized themselves as friends and can easily develop interpersonal communication culture. This is very common in Africa, their intimacy is usually known by the common name they call each other. For example, in the Obolo in Rivers and Akwa Ibom State, Nigeria, age group members call themselves *Ogu*, the Igbos in the Eastern part of Nigeria call it *Nwukem,* the Uzairue in Edo North, Nigeria call it *Otu*, in Efik and Ibibio it is called *Da.* Today's African youths and teenagers who are born and bred in the cities may not understand this African interpersonal communication culture but are likely to be influenced by social media and Western communication culture (Ngonso, 2019), Egielewa and Ate (2020) have found out that social media distort the effectiveness of interpersonal communication the way Africans understand interpersonal communication that is usually tied to African culture and value systems. In Africa, age groupings affect the relationship between a younger person and the older one. The younger person is expected to keep quiet when an elderly person is talking but he/she is also expected to supply answers to any question asked by the elder. Interpersonal communication between an elder and a younger person is usually a

demonstration of the virtue of humility on the part of the younger person and a display of wisdom on the part of the older person.

4. Conclusion

After having examined the concept of interpersonal communication in its generic understanding and how that is understood and applied in the context of Africa which reflects in the different strata of a typical African society, we can conclude that African interpersonal communication has become the most basic form of communicating through which shared values and the African culture are preserved, propagated and even promoted. However, due to the advent of new technologies propelled by globalisation, western media culture is fast penetrating this most treasured form of communication in Africa and changing in many ways the unique African form of interpersonal communication and migrating it to a digitally-mediated communication both for the old and young but disproportionately by the young. Nonetheless, it doesn't seem that Africans are ready to let go of interpersonal communication despite the inroad globalisation has made in Africa. Africans still see interpersonal communication as intrinsic to their core life and values.

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6. Short biography

Blessed Frederick Ngonso, Ph.D holds a Bachelor's Degree in Mass Communication from Anambra State University, Uli, Anambra State, a Master's Degree in Mass Communication (Print option) and Doctor of Philosophy in Mass Communication (Broadcast option) from the University of Nigeria, Nsukka, Enugu State, Nigeria. Dr Ngonso also has a Certificate in Values-

Centered Leadership Level I and Level II from Vincent DePaul University, Chicago USA. He is a Senior Lecturer and the Acting Director of General Studies, Edo State University, Uzairue and Director of Broadcasting as well as Director of Studies in the Department of Mass Communication, Edo State University, Uzairue. He is the Founder and Editor of "International Journal of African Language and Media Studies", hosted at the University of Bamenda, Cameroon. He is also a member of the West African Association for Commonwealth Literature and Language Studies (WAACLALS) and the African Council for Communication Education (ACCE).

Email: ngonso.frederick@edouniversity.edu.ng

Peter Eshioke Egielewa holds a PhD in Religious Communication from the Johann Goethe University, Frankfurt, Germany and an MA in International Media Studies from the University of Applied Science, Bonn, Germany. Dr Egielewa teaches Journalism and News Media Courses and is currently the head of the Department of Mass Communication, Edo State University Uzairue, Edo State, Nigeria. He is the author of The Print Media as a Tool for Evangelizations in Auchi Diocese, Nigeria: Contextualization and Challenges, Media Writings in the 21st Century: The Nigerian Perspective and Philosophy, Logical and Human Existence: A General Studies Textbook. He has also published several scholarly articles in local and International Journals. His major research interests lie in the areas of Print, Conflict Reporting, New Media, Digital Journalism and Religious Communication.

Email: peter.egielewa@edouniversity.edu.ng

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Music as an Universal Language for Peacebuilding

A Review of Counter-arguments

Anja Andriamasy

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Music, language, universal language, Socratism, peace, Arthur Schopenhauer, inner life.

Abstract

Many people claim that music is a universal language considering the impact and beneficial results that it usually triggers, whereas others reject the idea due to contextual or cultural sentiments and parameters that must be considered. Both sides' arguments make sense but, despite skepticism, music should be considered as a universal language, which becomes clear by depicting it in the context of peacebuilding and by exploring its linguistics and therapeutic effects, through various domains such as philosophy, music theory and the contemporary world. The author argues that considering the counter-arguments and balancing it with this central claim, it is possible to reach an inspiring and complementary common ground between performing arts as music and philosophy.

Corresponding Author: Anja Andriamasy, Globethics Online Library Assistant. Email: andriamasy@globethics.net To quote this article: Andriamasy, Anja. 2023. "Music as an Universal Language for Peacebuilding: A Review of Counter-arguments" *Journal of Ethics in Higher Education* 2(2023): 45–67. DOI: 10.26034/fr.jehe.2023.4022 © the Author. CC BY-NC-SA 4.0. Visit: https://www.globethics.net/jehe

1. Introduction

In his straightforward speech on the importance of the role and value of music to the world, in 2019, Antonio Guterres, as the UN Secretary General, conveyed the following message:

> “First, music is a universal language. Music brings us together. Music is a symbol of peace. But, at the same time, music represents diversity. In each country, in each region of each country, in the talent of different people, you have all kinds of different expressions of music. And that diversity is an enormous richness, not a threat, and it is exactly what we need in today’s world.[1]

The allocution depicts the challenges that the world is facing regarding issues on human rights and diversity (be they social, cultural, political, religious) to which values need to espouse social cohesion for peace.

The vision raised in the speech delivered by Antonio Guterres was also the theme of the Third International Conference of Globethics on 25-29 January 2009 in Nairobi, Kenya on “Care and Compassion. Sharing values across Cultures and Religions” to which “significant time and energy was spent/endowed on determining a methodology for sharing values across religions”[2].

This philosopher Michel Serres, has genuinely and artistically outlined the topic of this article, without mentioning the word “music” as a crucial need to find a connecting language for peacebuilding:

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[1] Guterres, António, “Music Represents Diversity, Brings People Together, Says Secretary-General at the Day of Action Event with United Nations Peace Messenger” (27 May 2019), *Day of Action with United Nations Messenger of Peace Yo-Yo Ma Event*, United Nations, Vienna.

[2] *Globethics Principles on Sharing Values across Cultures and Religions*, Texts Series, No. 1, Geneva: Globethics Publications, 5.

> "In his latest book, *Relire le relié* (2019)[4], the French philosopher Michel Serres explains that the spirit of synthesis is becoming important in our time, because we live in an era where a global perspective on things and people has become crucial. Perhaps one of the most important reasons could be the meeting between the visible world and an invisible world, in a "blinding" and "incandescent" new horizon offered by the semantic of both terms "relire", *to reread*, and "relier", *to connect*.[3]

Music better than any other form of either literary or performing art seems a good candidate for reaching some kind of "connecting" universality. Many people claim that music is a universal language considering the impact and beneficial results that it usually triggers, whereas others reject the idea due to contextual or cultural sentiments and parameters that must be considered. This topic is often discussed yet rarely understood as both sides' arguments make sense and, therefore, require more detailed explanations and inputs in order to reach a common ground. Thus, despite the scepticism about this, this article would attempt to defend the challenging opinion that music is a universal language by depicting it in the context of playing and living the experience together for peace in diversity with the clear purpose and understanding of peacebuilding. It will therefore explore its linguistics and therapeutic effects through various domains such as philosophy, music theory, and the contemporary world, while considering the counter-arguments and balancing them all to reach a common ground, for unity in diversity.

2. Understanding the language

The idea of peacebuilding in this article refers to the notion of pacifism, which is inspired from the Latin origin of the word "pacific", which means

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[3] Serres, Michel. 2019. *Relire le relié*. Paris: Ed. Le Pommier, quoted from : Introduction. In: Ike, Obiora. 2020. *Applied Ethics*. Geneva: Globethics Publications, 9.

"peace-making"[4], whose objective is to apply non-violence in all actions, rejecting war as a justified means for settling disputes and therefore building peace.

In fact, music, understood as the vehicle that allows people to communicate and speak out, even without *wordy* speeches, can be used to convey emotions, ideas and sentiments, which can also be a powerful tool to connect cultures and human beings. If we see music as providing a warm environment which helps balancing, regulating or controlling moods and energy, indeed, we can find evidences that musical effects on physical and mental health may help overcoming stress and operates regulating effects on the character. Music is not only a source of personal expression for the artist, it is as well a source of comfort and joy for the auditor, helping to prevent negative emotions of all sorts, regardless of the genre[5].

When it comes to discern and analyse the distinctions that contribute to the assertion that music is a universal language, we propose to first introduce a perspective focusing on the language as such, then on an art or a metaphysic of art with at its core music as key element, and finally we would articulate better the idea of a therapeutic of the soul by the means of music, which could enforce our self-knowledge, in particular the part of self-knowledge related to emotions, feelings and even moral sentiments. After this preliminary conceptual clarifications we will show how it relates to peace, how our music could be a solid ground for peacebuilding.

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[4] Fiala, Andrew, "Pacifism", *The Stanford Encyclopedia of Philosophy*. (Fall 2021 Edition), Edward N. Zalta (Ed.), URL: <https://plato.stanford.edu/archives/fall2021/entries/pacifism/>

[5] This seems to be recognized since Epicurus and even perhaps Pythagoras. See: Konstan, David, "Epicurus", *The Stanford Encyclopedia of Philosophy*. (Fall 2022 Edition), Edward N. Zalta, Uri Nodelman (Eds.), URL: https://plato.stanford.edu/archives/fall2022/entries/epicurus Of course, the opposite claim has also be made, that music may induce some additional instability in case there is a melancholic tendency in the soul, see Jean Starobinski. 1960. *Histoire du traitement de la mélancolie*, quoted by Ignace Haaz. 2006. *Nietzsche et la métaphore cognitive*, Paris: L'Harmattan, 244.

2.1 The linguistics

Music is a universal language that can be understood and appreciated by people of all cultures and backgrounds. The language of music is mainly made of sounds, rhythms and musical notes, rather than spoken words. Similarly, as all other types of language in order to sound coherent and perceptible, there are "grammar rules" which will be characterized as "musical rules" in this context. From the perspective of a composer and a musician, the rule is clear: aligning the notes in the melody composition according to a universal syntax and a certain prosody in order to spark off particular or intended emotions and sentiments[6].

Boleslas Gajewski, in his article "Solresol, grammar of the musical language"[7], endeavoured to make up a universal language of music called "Solresol", based on Jean-François Sudre's model. Gajewski shows well how music solfa (*solfège*) does not necessarily require to be learnt for understanding it and that it crosses over all borders of communication and cultures. The French linguist goes as far as claiming sophisticated semantic structures related to set of musical melodies (e.g. DOFATISOL = honesty[8] or DO-RE TI-DO-TI= I am learning[9]) He creates melodies to which the public can identify and influence mind-sets and environments. Therefore, from this theory, music is the most reachable language that the human being can easily capture, both cognitively and emotionally as a natural language perceptible by all.

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[6] The basic notes that are famously known are composed of DO RE MI FA SOL LA SI DO (A, B, C, D, E, F, G) embellished with flats and sharps in consonance with the scales, measures, pitches, rhythms and the emotional intention conforming to the musical inspiration and partitions to order the form and create the harmony in aligning a musical phrase.

[7] Inspired by Gajewski, B. 1885, « Le langage universelle de Sudre », In: *Bulletins et Mémoires de la Société d'Anthropologie de Paris*, Issue No.3, Vol. 8, <https://doi.org/10.3406/bmsap.1885.6405>

[8] Gajewki, « Langage universelle de Sudre », 613, op. cit.

[9] Gajewki, 608, ibid.

It is however important to note that even though this syntax is universal, the way the music is composed (i.e. pitches, measures, rhythms, tempos, structure) differs from cultures as this difference represents their unique cultural and proud identity that makes the rich history of the culture itself.

Furthermore, to illustrate this thought, whatever the context, from this musical theory, despite the cultural differences (e.g. instruments played or types of vocals) musicians, or whoever inspired by music, can play music together disregarding each and everyone's culture, education and background. Music allows experiencing life in a transcendence outside the reality of the phenomenal world, without prejudices and judgements. Music is as-if we were reaching the experience of new-born babies and children who ignore each other's backgrounds but who love to play together, enjoying the moment, in some form original experience. This alignment of the notes, tempos and rhythms respecting the prosody rule to express sentiments builds the orchestra, which transforms the polyphony of the instruments and voices in the melody to a greater sentiment of unity in the diversity of the world.

Although the picture of music painted as a universal language depicted through music theory is appealing for us, because the assertion that the language of music does not require training to be captured may be partly true, this is also partly incomplete. Music deserves in our view a more profound study and some deeper arguments, especially if the value it is expected to deliver is not only an entertaining one, but music is seen as providing a real access to a form on transcendence *within the world* as natural original presence to the world, and f*rom the world* as liberating power from empirical attachments, servitude and/or lack of proper good balance of our capacities.

The particular criterion of the language of music, to be connecting us with the "will of the world" as a deep and partly immanent conception of nature as *a will* drawn by Arthur Schopenhauer's metaphysic of the art, where the language of music, as the most formal or abstract art among all arts, may claim universality and even a proper *sense of the world*. It is striking, to take concrete examples, how the bird's music, the natural breath of the wind at

sunset, or the waterfall's burble easily convince us of a dual attributes of both extension and a musical spirit, of a same substance, as Spinoza already formulated it in his *Ethics* the World, which is also conceived a diving pantheistic presence, for both Spinoza and Schopenhauer[10].

2.2 The language of the sentiments

To a have deeper understanding of music as a universal language, we require a deeper exploration of how pure music could be seen as a language on its own, what human speaking and writing could not translate. All human art and mastering could be seen as aspiring to the perfection of music, which in turn echoes essential aspects of the human sentiments. Indeed, it is universally understood that music is a significant engine generating emotions and sentiments. According to Arthur Schopenhauer, music wears a universal characteristic as a language by its capacity to inspire or influence the sentiments made out of love or fear, impacting human thoughts, behaviours and actions (e.g. joy. peace, hatred, sadness, etc.). Music helps us incarnating the *Will of the world* and communicating straight to the human sentiments, as an "objectification and copy of the whole *will* as the world itself":[11]

> "music (…), since it passes over the Ideas, is entirely independent of the phenomenal world, ignores it altogether, could to a certain extent exist if there was no world at all (…)[12], a world that would exist even without the empirical world raising it to a higher meaning of the

[10] Inspired by Haaz, Ignace, « Schopenhauer, Nietzsche et la musique comme expression du monde », *Nietzsche et la métaphore cognitive*, 71-72, op. cit. See also : Jean-Pierre Leyvraz, « Variations sur Schopenhauer et la musique », *Revue de théologie et de philosophie*, 121, 1989, 377-89.

[11] Schopenhauer, Arthur. 1818. Representation of the Will and Ideas, *The World as Will and Idea*, Vol. 1. Everyman Paperbacks; 1995, Abridged edition, 336.

[12] Schopenhauer, ibid., 336.

> representation of the empirical world, as the incarnation of the Will[13].

Following this deep understanding of music as a universal language, we would need to distinguish aspects or faculties which are necessarily innate from our self-development through learning skills.

When we interrogate on this point Sudre's theory on the language of music acquisition, as well as considering the language of music as related to the language of the sentiments, musical training seem to be to large extend required. This aesthetic education produces a consciously orientated opening of the minds to ethical sensitivity and universality. Therefore, music is a language that everyone can speak, regardless of background and culture, and it can be a powerful tool for unifying and connecting people around the world, communicating to the sentiments and thus to the soul.

2.3 Music as the language of the soul

On one hand, political and religious leaders have clearly understood that music is a powerful tool for communicating a message that each and every one is able to understand, apart from entertainment and advertisement it produces. In addition, since the classical Greek Socratic dialogues, we discover throughout history that many have mainly supported the position that music, as language of the soul, endorses the incentive that can stimulate the inner morals and can help to order the human character. In transmitting Socrates views, Plato shows that there are reasons to be convinced that harmonies and notes deserve to be learnt and trained to be understood in a more profound manner. On teaching the language of music:

> "(…) musical training is a more potent instrument than any other, because rhythm and harmony find their way into the inward places of the soul, on which they mightily fasten, imparting grace, and making the soul of him who is rightly educated graceful, or of him who is ill-

[13] Cf. Haaz, Ignace, *Nietzsche et la métaphore cognitive*, 73.

> educated ungraceful (…) and when reason comes he will recognise and salute the friend with whom his education has made him long familiar.[14]

Musical education does not necessarily mean that anyone with musical education will definitely think, behave in a reflective and reasonable way. If music is to be considered as a powerful universal language for peacebuilding, considering both natural and unique characteristic to speak to the inner being as the language of the sentiments, we need to further clear some possible objection against its irrational aspects. As a matter of fact, music can help building bridges, fostering understanding and inducing dialogue[15], regardless of language barriers or cultural differences, but why should it do that without any noise at all?

3. Music as comprehensive and expressive therapeutic

The general understanding of music as a capacity to bring peace and educate the heart should not exclude the possibility that negative emotions are also provoked, which destructive not only on a personal level, could harm also the collective context. Let's only think about some music which historically reminds us of negative events, as conflicts, leading in turn to negative thoughts or memories, and eventually spreading to behaviour and action. If we consider that traumatic events and sad emotions can be revealed by music, is that a strong objection against the listening to music or the performing of music? This is not at all sure as psychological research reveals.

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[14] Plato, *Republic*, Book III, 401D-E, 402A, translation by Jowett, Benjamin, Oxford: UP, 1888, 2017.

[15] Reeve, C. D. C., "Plato on Friendship and Eros", *The Stanford Encyclopedia of Philosophy* (Summer 2016 Edition), Edward N. Zalta (Ed.), URL=<https://plato.stanford.edu/archives/ sum2016/ entries/plato-friendship/>

Instead of thinking that some types of music may inspire war rather than peace and thinking therefor that music might shape the human character in the wrong way. We could rescue music is a useful universal language that can move and change the world considering the unique experience of each person, and the concrete collective experience of each society if we can recognize concrete benefits to music which soothes the spirit or at least reveal specific destructive tendencies, which even if they cannot be balanced trough musical harmony, could help predict further imbalances.

Probably in some cases, a few people may also need specific medical therapeutic attention, which music may not be able to provide on the long-term. Overall, depending on how we define musical education, it could either assist a person in his training and discipline, or it is more likely to arouse emotions, but not necessarily those type of emotions which as feelings, dispositions related to clear intentions. Therefor one should distinguish between perception of music and a contemplative activity and the expressive use of music by the artist. First listening to music, and contemplating the performance of the artist might help us to recover and connect with who you were when we first listened to the same performance, usually between age 14 and 24, and it helps to remake connections between strong emotions we first made in these early years and which are essential for our constitution all our life. Second, important work has been done over more than a decade, proving how much *writing about traumatic events* is important. The written expression and literary form of arts (Pennebaker, 2011) brings fundamental structuring therapeutic results. By analogy, other experiences have shown that playing music, dancing and most of the performing arts bring healing, not only against pain but the cause of the pain itself (Rabbani, 2022)[16].

[16] Pennebaker, James W. & Chung, C.K. "Expressive Writing, Emotional Upheavals, and Health", In: H.S. Friedman (Ed.), *The Oxford Handbook of Health Psychology*. NY: Oxford University Press, 2011. Rabbani, N.S., Azami, N., Makka, S.A., Sodeifian, F., Mohamed, K., Rezaei, N. (2022). "Art Therapy: An Innovative Approach to the Treatment of Cancer". In: Rezaei, N. (Eds.) *Handbook of Cancer*

It appears consequently that music should not become only an abstract language, on the contrary the universal healing effect of language can take the colour and form of communication between peoples, varying across cultures. Different cultures have different musical styles and rhythms, and even within one culture, different groups may interpret the same piece of music differently.

Let's seen how reasoning as key role of philosophy could challenge this universal language, which claims to have further advantages absent in musical forms of comprehensive therapeutic or performing art.

4. Reason and philosophy: Socrates and Socratism

It has been proven that music owns regenerative and inspiring qualities that would bring humans to feel a certain inner peace, which could lead, inspire or motivate them to live a life without excess. However, that is not counting each and everyone's contextual backgrounds (culture, education or collective history), which once revealed as related to a traumatic history, may need further strategies which will play a role in the therapeutic process. Therefore, due to the abstract facet of the language of music, the phenomenal (real) world is more prone to rely on languages that are supported by empirical facts and experiences. Indeed, if it is argued that music is the language of the sentiments and that musical education does not necessarily make a human more human, this may not be the most trustful language to engaging in. Socratic activities could be seen as more useful in the search for *eudemonia* (true happiness) as reflective thinking not music, could be considered as essential for building the ethics of the character, as solid core fundament (Flynn, 2017[17]).

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and Immunology. Springer, Cham. https://doi.org/10.1007/978-3-030-80962-1_283-1

[17] Flynn, Molly Brigid. "Socratism as a Vocation". *Society*, 54, 2017, 64–68. https://doi.org/10.1007/s12115-016-0101-x

4.1 Universal rationality: What does Socratic philosophy as the truest art adds to music?

The view that reason, both as dialectical method of presentation knowledge by some sort of contradictory process, or revealing reason by means of irony and the maieutic process of transforming the other and the world, or simply any type of reasoning may qualify, as a strong claim against music as the main canal for conceiving a universal human art, following the view called "Socratism", or what tradition has captured from Socrates legacy, this view differs from what the Socrates in the dialogues of Plato precisely intended to say, as Vincenzo shows in his comparison between both optics, based on Nietzsche's struggle both with Socrates in his writings, as his favourite "spiritual enemy".

In classical Greek art, life presents to the artist the phenomena of sense, which the artist re-presents in his own medium, giving coherence, forming a pattern, a figure and background artistic appearance. Such process is true of instrumental music and more evidently in drama and poetic fictions, but music is more imitative at the time of Socrates and Plato and representative aim of art does not mean, at this stage, to comprehend but that a field of life and experience is present, as a tragic incident happening to the hero of a tragedy (pathos: meaning emotions, or being affected).

If with music some radical truth on the human emotions and spiritual condition overall could be grounded in the model of the early Greek tragedy, in none of the extracts of the Socratic dialogues authored by Plato we find even a short note that music may ground a profound meaning of life, on the contrary "his philosophy is the highest in the art of the Muses[18]",

[18] "With Socrates there originated a type of existence unheard before him -the "theoretical man:" ... the unshakable faith that thought, using the thread of logic, can penetrate the deepest abysses of being, and that thought is capable not only knowing being but *correcting it*." Vincenzo, Joseph. "Socrates and Rhetoric: The Problem of Nietzsche's Socrates." Philosophy & Rhetoric 25, no. 2 (1992): 162–82. http://www.jstor.org/stable/40237716, here 166, 168, 172. See also Haaz, op. cit., 230.

following Nietzsche, who reads Socrates as the Socrates of the Socratic tradition. On this line of argument, with reason-based prose, we are far from the delicate prose of Euripides, who praised music in such an elegant way in *Electra* and *Phoenissae* showing the lyric power of a musical imitation of the nature:

> "O famous ships, you that once with countless oars went to Troy, conducting dances with the Nereids, [435] *where the music-loving dolphin* leapt and rolled at your dark-blue prows […].[19] (our italic)
>
> Again in *The Phoenissae*, the Chorus makes from the wind and the sailing boat, the "sweetest music in the sky":
>
> under the snow-swept peaks of Parnassus; through the Ionian sea I sailed in the waves, [210] over the unharvested plains, *in the gusts of Zephyrus that ride from Sicily, sweetest music in the sky*. (our italic) [20]

As Vincenzo shows well, such opposition between reasoning, reason-based thinking and teaching and Socrates is what we call the traditional reception of Socrates, mainly inherited from 19th Century philology, but also from what we teach as Socratic activities.

It is not always what appears from the reading from the second speech of Socrates in the *Phaedrus* (257-79), as example where he shows the highest respect and deference for the power of *Eros* and lovers of the Muses or "poetic madness"[21]. In focusing on the inspiration by the Muses, we see that there should be an interdependence between reason, self-control, love and

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[19] Euripides. The Complete Greek Drama, edited by Whitney J. Oates and Eugene O'Neill, Jr. in two volumes. 2. *Electra*, 432-40, translated by E. P. Coleridge. New York. Random House. 1938.

[20] Euripides, ibid. 2, *The Phoenissae*, 203-10.

[21] Vincenzo, Joseph. "Socrates and Rhetoric: The Problem of Nietzsche's Socrates." ibid.

art (Long, 2007)[22]. In the following section we shall bring musical art, in dialogue again with philosophy and focus on peacebuilding, as both may be a common ground for reaching together to find conflict resolution strategies.

4.2 The social contract based common ground and peacebuilding

As argued earlier, reason and philosophy can be pondered as universal languages for peacebuilding as they can, more easily, come across cultural and language barriers in a more tangible and accessible cognitive understanding. As shown both provide a first layer for a common ground to understand and agree on different concepts and ideas that may be used to resolve conflicts and promote cooperative undertakings, among and within different cultures. This is also what *ethics* could be seen as all about, in reuniting parties and resolving conflicts, building bridges for the common good to foster better understanding. Ethical reasoning helps to address the underlying causes of conflicts and disagreements and provide a neutral approach to their resolution.

In fact, what we identified as Socratism or Socratic activities outlines this aspect of peacebuilding through reason and philosophy, in referring to wisdom as the path to eudemonia, which can be acquired with reason and philosophy espousing all cultures and languages, following the same reasoning of rational wisdom[23].

Although we find reference to the duty to obey the law in both the Sophists and the Socratic dialogues, together with the idea that humans have the inner capacity to behave as a moral agent, the concept of a *social contract* seen as essential to regulate and safeguard collective peace is found in early modern political philosophy, in Thomas Hobbes' *Leviathan* (1651). Following the English philosopher, a hypothetical compact, or agreement, between the ruler and between the ruled is vital in order to build political

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[22] See on this line: Long, C. P. (2007). "Socrates and the Politics of Music: Preludes of the Republic", *Polis: The Journal for Ancient Greek and Roman Political Thought*, 24(1), 70-90. doi: https://doi.org/10.1163/20512996-90000108

[23] Ryan, Sharon, "Wisdom", *The Stanford Encyclopedia of Philosophy*.

stability. The reason why the social contract can be considered as a model for both sovereignty based political legitimacy and reason-based deontological reason or motive for justice, in preventing conflicts is as simple as utilitarian in spirit. The paradigm of the public political and contractual agreement educates and regulates the human mind to act in a more balanced way and remains based on our capacity to reason and reflect on benefits and costs of mutual collaboration[24]. Human being is considered weak and therefor, according to Hobbes, the establishment of the sovereign power is the reasonable solution to protect individuals from insecurity that jeopardize their fragile human nature and mind.

Let's come back to the point where arts and music by adding a sense of reconciliation, which can stabilize further our concrete experience, provides important healing effects, provided we continue to reach ex post, the satisfying conditions related to the contract agreement we have found ex ante, when we entered in the political community as citizens.

5. Music, reason and philosophy: the universal language revisited as a global experience

To decide whether or not music should be considered as a universal language or instead Socratic reasoning and philosophy, is an ongoing debate among scholars and musicians with no clear-cut answer. We propose instead a variation on the idea of a synthesis of both positions, a common ground as a prospective solution to embrace to some extent both in some interdependent manner[25].

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[24] Hobbes, Thomas, 1651. *Leviathan*, Edited by J. C. A. Gaskin, Oxford: UP. 2008. Kelly, P. 2003. *The Social Contract from Hobbes to Rawls*, Routledge.

[25] This is probably at the heart of the first Nietzsche's project, the Nietzsche of the *Birth of the Tragedy*, where Dionysian and Apollonian tendencies in art are contrasted with Socratic resistances. On this line, see as example Vincenzo, Joseph. "Socrates and Rhetoric: The Problem of Nietzsche's Socrates", 172, op. cit.

We propose a variation on the role of music and art in relation to true peace. In our view peace-building can be clearly experienced and achievable only in the empirical world, through the practice of conflict resolution as a specific domain in intersection between ethics and politics but music has a role to play. It is true that music can express powerful emotions and sentiments, which is then characterized as the language of the sentiments as it speaks to the human inner being and experience, it contributes to the *representing of the Will and ideas*, to use the Schopenhauerian terms, for a more concrete appreciation. As we saw, in his work, Schopenhauer has even characterized this as experiencing a *world behind the empirical world*, which would explain how music has the natural virtue of soothing the mind, operating a Platonic turn relating concrete experiences and real ideas, or in a Kantian tone operating a form of transcendence.

However, the abstract meanings or ideas may differ according to the aesthetics modes depending on various influences such as culture, language, history, etc. This, consequently, would justify to consider reason and philosophy, not only artistic creation and experience, as a language which is way more universal as art, the transcendental need for a common ground and a realistic approach, relies necessarily also on the empirical world and the principles that govern the world, as Schopenhauer understood well.

Therefore, in order to consider music as a universal language, it would be bold to declare that music should be "globalised". This assertion may sound not realistic, considering the diversity of the world but it seems not to be completely absurd either. Indeed, the question of considering either music as a universal language, or Socratic reasoning and philosophy, should be grasped as a holistic approach. Indeed, music is certainly a powerful tool to express emotions and sentiments as the representation of the will and as the language that speaks to the inner being as Schopenhauer clearly presented it, while reason and philosophy can also bring universal understanding that can build the human character in rationality and wisdom[21].

Therefore, considering the enriching characteristic of those two positions, in their combination which could certainly create a nuanced impact. In fact, listening to music is certainly an activity related to entertainment and

pleasure that can either appease or thrill the mind. Indeed, referring to Spinoza's theory, music is neither considered as good or bad, but the music's ethico-affective ambivalence is informative as it leads to a type of *deep-listening* which *balances a plurality of affective states* and ethical dispositions[26]. Probably inspired by Spinoza, Schopenhauer stresses this balancing capacity, we would argue. In order to view music not only as a hobby and to overcome the thrilled emotions that may lead to odious passions and behaviours, it is valuable to listen to the inner voice, the intrinsic capacity and quality that all human beings are capable of. Then this inner voice needs to be accompanied by reason and philosophy to guide it in thinking with rationality and wisdom inspired by the music. Indeed, the inner voice through meditation to find peace and time for self-reflection is more efficient when inspired by or with music, not only for oneself but also for interacting with others. As synthetized in Hegel's Aesthetics:

> "Music expresses, and allows us to hear and enjoy, the movement of the soul in time through difference and dissonance back into its unity with itself. (…) In Hegel's view, however, the purpose of music is not only to arouse feelings in us, but—as in all genuine art —to enable us to enjoy a sense of reconciliation and satisfaction in what we encounter[27].

More specifically, I think that we could underline the fact that music can also be understood as a universal language through rhythms and melodies, considered attractive, especially in virtue of the capacity of music for being placed in contexts in which the themes and artistic motives are understood, regardless of language and culture. Music has a religious dimension or even

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[26] Marie Thompson, Marie. "Spinoza and musical power", *Textual Practice*, 33:5, 2019, 803-820, DOI: 10.1080/0950236X.2019.1581686

[27] Quoted from: Houlgate, Stephen. 2021. "Hegel's Aesthetics", *The Stanford Encyclopedia of Philosophy* (Winter 2021 Edition), Edward N. Zalta (Ed.), URL=<https://plato.stanford.edu/archives/win2021/entries/hegel-aesthetics>

an interreligious one, and this dimension has not been much commented before late 20th, beginning 21st century readers.

In the context of interreligious dialogue, language and culture can easily be put aside as long as it is understood that the aim of the dialogue or gathering is to praise God. However, in order for it be truly valuable, this cannot be considered as general since genuine receptivity should be applied, especially when it comes to language and rhythm as the song's words and message need to be understood for it to be appreciated and feel a sense of belonging and unity. Some do not necessarily care about the words as long as they understand why they are together, so the meaning of the song is normally understood rather the great lines, as when singing in Ancient or a foreign language. If we take the phenomenon of the globalisation of information and the cultures, we see how closer engagements and interaction between different value systems are enriching but also challenging our capacity to sustain the plurality of the values and affects. Communicating in a universal manner, as Obiora Ike and Divya Singh propose entails an art of spiritual and cultural travel:

> “Imagine the vast spectrum of all the cultures in the world. Listen to the music - from the gentle drumbeats of Africa, to the melodic didgeridoo of Australia, to the scream of the electric guitar. Taste the curry from India, the coconut milk from Thailand, the cheeseburger from the United States. Now imagine that all these cultures are compressed into one super-culture. [28]

In order to come to a common ground in a world that is shaped *through* and *with* diversity, it “requires (i) sensitivity, (ii) awareness, and (iii) a balancing act between (a) finding common values, and (b) respecting the differences and beliefs of ‘the other’.” In fact, this is the path that can lead to understanding, agreement and moral unity.

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[28] Singh, Divya, “Reflections on the Vision of Obiora Ike”, 37-38, op. cit. See also: *Globethics.net Principles on Sharing Values across Cultures and Religions*, 106.

We see that musical education, corrected and embellished with reason and philosophy, is a complementary medium of dialogue, embracing the universal values that all cultures, languages and educational backgrounds have in common. This is indeed what music in its pure composition and interpretation has always supported and promoted, in the knowledge of how these values are experienced.

Several initiatives have supported this notion of globalization of music, especially when referring to the music concept as music of the world, such as the "Playing for Change" (PFC) initiative that has brought together several musicians and artists from all over the world, playing together one song with their respective cultural and musical identities (e.g. instruments, vocals, etc.) adding each proper musical key to this polyphony, with the objective to come over the boundaries and gaps that separate individuals[29]. The lyrics accompanied with melody define the clear and understanding of the objective to promote and advocate the values that are universal, which is how music is indeed a universal language.

To conclude this synthesis and illustration we can add that there is a vast and worldwide variety of musical experiences which have inspired each and everyone's inner experience. We have been guided and educated by good proportions of musical education, combined with reason and philosophy, which are the genuine application of the philosophical wisdom of music.

6. Conclusion

Music can be seen as a universal language, if this claim is true, it would invites us to look at how the use of this unlimited human language relates to the facilitation of concrete bridge building process and peacebuilding.

Both the universal linguistics characteristic of music, its transcription as the language of the sentiments are two strong reasons why it has long been considered as transcending the barriers of culture, race and particular non musical languages. As a way of expressing emotions and conveying ideas,

music is a powerful tool which has been in the centre of attention as relating to key philosophical and ethical concepts on the one hand, but the role of artistic musical inspiration is a complex one, as we saw and many simplifications have been made, which have hidden the key role of the Muses. On the other hand, many composers and musicians have used their art to explore questions of morality and justice, often drawing on reason and philosophical sources for inspiration (let's think at John Lennon). Music can also be used to promote unity and understanding, as its message transcends the limitations of words and can be shared across cultures and generations. Ultimately, music can be a powerful tool for exploring reason, philosophy, ethics, and our shared humanity.

Therefore, the language of music imbued with the language of reason and philosophy can be a powerful tool for peacebuilding as it can foster the world unity and respect in understanding. It can provide an environment for people to connect with others through shared values, regardless of language and cultural differences.

Nevertheless, it is true that some melodies may not inspire the same sentiments of peace as this would still depend on many other parameters (traumatic events, culture, history, etc.), but part of peace building is conflict understanding. If inner peace cannot be built within us, how can peace be built outside? Appreciating the language of music with a clear and educated mind for guiding our moral sentiments and ethical actions leads to reconciliation and peace.

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8. Short biography

Originally from Madagascar, Anja Andriamasy works at Globethics as the Online Library Assistant, with a Bachelor of Arts in International Relations from the Institute of Finance and Management in Geneva, Switzerland and a Master of Arts in Applied and Professional Ethics from the University of Leeds, United Kingdom. She also has a great interest in music and all type of arts that are related to it.

Email: andriamasy@globethics.net

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Translating Western Philosophical Concepts

Observations from the Perspective of Translating into Chinese

Chee Chian Cheng

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Keywords

Translation, philosophy concepts, cultural differences, semantics, Chinese context

Abstract

Translation of western philosophical concept into Chinese is often considered to be challenging. This is attributed to both linguistic and cultural differences. This article discusses these challenges under four categories, namely terminology, semantic understanding and context, philosophical disputes, and language reconstruction and combination. For each category, one or two examples are presented to illustrate the challenges. How each of these challenges is resolved is also discussed so as to provide the readers with some guidelines if they encounter similar challenges in their work.

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Visit https://www.globethics.net/jehe

1. Introduction

The book entitled "*Blue Ethics: Ethical Perspectives on Sustainable, Fair Water Resources Use and Management*" edited by Dr Benoît Girardin and Dr Evelyne Fiechter-Widemann, is published by Globethics Publications. It has also been launched in French, Spanish and Chinese. On 7th December 2022, the Workshop 4 Water Ethics (W4W), the Swiss Chinese Law Association (SCLA) and Globethics.net hosted the International Conference on Water Management and Water Ethics in the Chinese context, in celebration of the recent publication of the Chinese translation. The translator was Mr. Jing Fei Jiang while the author supervised to ensure that the translated text had faithfully conveyed the meaning of the original text, among other things. The author was honoured to be invited to give a short presentation during the International Conference on his findings gained during the translation process. This article is based on that presentation.

2. Challenges in translating philosophical concepts

Translating western philosophical concepts involves not only the translation of the western language itself into Chinese, but also the expression of western philosophical ideas in Chinese.

It is often deemed challenging based on two perspectives:

> Linguistic, relating to differences in the language itself.
> Difference between cultures. Western philosophy and ethics have something unique not in Chinese in terms of its intellectual content.

Some challenges based on these two perspectives would be discussed under the following four broad categories. Examples are given for illustration, together with suggestions on how to handle them.

> Terminology
> Semantic understanding and context

Philosophical disputes
Language reconstruction and combination

3. Terminology

There are English terms or phrases that have their equivalent in Chinese. These include fundamental terms like "water", or more recently and commonly accepted translated terms such as "sustainability". For example, the following terms in English have their equivalent Chinese terms.

Water Ethics 水伦理

Principle of Sustainability 可持续性原则

For many other terms or phrases, there are no direct equivalents available, hence suitable replacement terms must be used, as shown in Example 1.1.

Example 1.1

> "Its first Prime Minister Lee Kuan Yew, realized that, if the new country has to survive and thrive, it must achieve water security on a long-term basis. He told us that 'every policy must bend at the knees for water'"
>
> "Foreword", *Blue Ethics*, p. 11:[1]

If the expression "bend at the knees" is translated literally, the meaning of the original text will not be clear as it does not have an equivalent expression in Chinese. There is also no suitable synonymous idiom available.

To overcome this situation, the "free translation method" is used to retain the meaning of the original text, but not the form of expression. The translated text is paraphrased as follows: "He told us that 'make water issue the most

[1] All examples in this paper are taken from the book: "*Blue Ethics, Ethical Perspectives on Sustainable, Fair Water Resources Use and Management"*. Refer to Bibliography section. The corresponding Chinese examples are also taken from the Chinese version of *Blue Ethics*.

important criterion in policy making.'" Hence the second sentence is translated as follows:

"他告诉我们，' 每一项政策都必须把水奉为至高准则。'"

《蓝色伦理》，"前言"，第14頁

Quite often during translation it is found that certain words need to be further emphasized to alert the readers their importance. The "amplification method" can be used to achieve the effect. Based on the differences in the way of thinking, language habits and expressions between English and Chinese, some words, phrases or sentences are added to the translation in order to express the meaning contained in the original text. Example 1.2 provides one of many such applications.

Example 1.2

The title of the chapter 30:

"Beauty Matters to Inspire Respect. A Foundation Stone for Ethics", In: *Blue Ethics*, Ch. 30, p. 223:

The translated title is:

"美对激发尊重举足轻重 - 伦理的基石"

《蓝色伦理》，第339頁

In this example, the verb "matters" has several common equivalent verbs in Chinese. However, in order to emphasize the term "matters", a Chinese idiom is added: "举足轻重". This transliteration means "a foot's worth of weight", or "pivotal" or "play an important role". By using such idiom, the Chinese readers can feel at ease as they are familiar with these idioms. It helps to create an impression to them that they are reading an original text written in their native language.

As there are many alternatives available for translating a term or expression, the translator has to fully grasp the intended meaning of the terms in the

original text in the native language, and to select the most appropriate equivalent or expressions available in the targeted language. This would ensure the meaning of the original text is faithfully conveyed and improve the readability of the translated text.

4. Semantic understanding and context

There is a common linguistic phenomenon where the same terminology could have multiple meanings in English, and also multiple meanings in Chinese. The same terminology may have different meanings, depending on the specific context in which it is used.

Example 2.1

> "International Water Law (IWL) furthermore provides a legal framework that serves to de-securitize the discussion to allow public empowerment towards environmental justice, at least in theory."
>
> "International Hydro-politics: Lessons for Water Diplomacy from the Jordan and the Nile", In: *Blue Ethics*, Ch. 15, p. 122:

The term "de-securitize" can be used in a political context, as in the above sentence on IWL:

"a process in which a political community downgrades or ceases to treat something as an existential threat to a valued referent object and reduces or stops calling for exceptional measures to deal with the threat."

The term "de-securitize" can also be used in a financial context:

"Desecuritization means reversing the securitization process. Securitization converts large numbers of individual loans into security issues. Desecuritization converts the securities back into individual loans."

The more commonly used terminology would often have more numerous interpretations. An illustration is given in the following example.

Example 2.2:

> "Figure 1: Mirumachi's TWINS matrix of water conflict and cooperation, applied to bilateral relations over time between Sudan and Egypt (up to 2008) (from Zeitoun and Mirumachi 2008: Fig 3)."
>
> "International Hydro-politics: Lessons for Water Diplomacy from the Jordan and the Nile", In: *Blue Ethics*, Ch. 15, p. 119:

The common term "over time" could have different meanings depending on the context. In this example it means over a period of time, and in another context, it could mean beyond a specific time period. The translator needs to select the correct interpretation based on the given context.

5. Philosophical disputes

Buddhist culture and Confucian ethical culture can be considered the mainstream in Chinese culture, while the influence of Christian culture on Western philosophy is profound and long-lasting. Hence translation must consider these influences.

Example 3

> "As explicated by sixteenth-century English pastors, the Golden Rule corresponded to the rule that Jesus placed at the heart of the Sermon on the Mount (Matthew 7) and the Sermon on the Plain (Luke 6): 'Do to others as you would have them do to you.'"
>
> **"**Water, Vital Need and Global Justice: Ethical Perspective", *Blue Ethics*, Ch. 27, p. 208:

The Bible verse is translated literally as follows:

> "你们愿意人怎样待你们，你们也要怎样待人"

《蓝色伦理》，"水、重要需求和全球正义：伦理视角"，第224頁

Some translators may consider using the principle of *lex talionis*, "an eye for an eye, a tooth for a tooth." i.e. "以眼还眼, 以牙还牙". The reason being that, as quoted from this article in *Blue Ethics*: "At first sight, the maxim represents justice as equality or reciprocity between the two partners present, the agent and the patient, that is, the person who acts and the person who is being acted upon". However, this Bible verse has a much profound and fundamental meaning. It is God's command to not just simply treat others with decency but to being motivated by God's love for everyone. Hence "an eye for an eye, a tooth for a tooth" is not an appropriate replacement, as it concerns prescribing a fitting counter punishment for a felony.

Some may be tempted to use a Chinese idiom that seems to have a similar meaning to this Bible verse:

"Do not do unto others as you would have them do unto you"
or
"己所不欲，勿施于人"

This idiom is from Confucius' "*The Analects*". It may not be appropriate to be used in this context. It is a negative statement, mostly implying not to actively do evil. The biblical teaching of this verse goes beyond the negative formulation of not doing what one would not like done to themselves, to the positive formulation of actively doing good to another that, if the situations were reversed, one would desire that the other would do for them.

The above example shows that the translator needs to have a good understanding of the philosophical content behind the original author's text. The influence of culture and religion on philosophy further increases the challenges.

6. Language reconstruction and combination

For linguistic reasons, sentences must be reorganized in the translated language. For example: "historic amounts and volumes of export subsidies" is translated as: "出口补贴的历史金额和数量" which can be paraphrased as "export subsidies' historic amounts and volume".

Due to linguistic reasons, western philosophical writing uses longer sentences, whereas shorter sentences are more often seen in Chinese philosophical writings. To allow the Chinese readers to understand the longer sentences, components in the long sentence are reorganized by adjusting the semantic units according to the grammatical features of the Chinese language.

Example 4

> "*The difference principle*, which allows social and economic inequalities provided that the inequalities are associated with functions and positions open to everyone in a context of fair equality of opportunity; any improvement in the lot of the most advantaged people is accompanied by an improvement in the lot of society's most disadvantaged people (this is called the 'maximin principle')."
>
> "The Social Justice Focus in Sustainable Development: Some Challenges of the Current Philosophical Discussion" In: *Blue Ethics*, Ch. 29, p. 219:

The translated text would appear in this paraphrased format:

> *The difference principle*:
> if the inequalities are associated with functions and positions open to everyone in a context of fair equality of opportunity, then social and economic inequalities are allowed; improvement of the most advantaged people would be accompanied by similar improvement in society's most disadvantaged people.

Following the above format, the translated text is:

> "差别原则：如果由于各项职能和职位在公平的机会平等的背景下对所有人开放，那么承认社会和经济的不平等：众多最有利人群的改善伴随着社会众多最不利人群的改善（这一原则也称为"极大极小原则"）。"
>
> *《蓝色伦理》，"可持续发展中的社会正义焦点：当前哲学讨论的某些挑战"，第235頁*

The above example shows that in translating long sentences, the relationships of the components within the sentence structure need to be identified first. This is followed by reorganizing the semantic units in accordance with the Chinese linguistic rules to produce a target text which is more fluent and easier to read.

7. Conclusion

The four areas of challenge discussed are some of the major challenges encountered in translation, including philosophical work, resulting from linguistic and cultural differences. For success in translating western philosophical work, it depends very much on the translator's understanding and grasp of the original philosophical concepts which are influenced by the western culture and religion. It follows that translation of literate work or scientific text requires not only the overall understanding of these above mentioned articulation between languages and cultures but rhetorical, historical, technical and conceptual notions in a given work and/or overall a historical period.

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9. Short biography

Chee Chian Cheng obtained his BSc (Hons) in Computation at the University of Manchester, U.K. He holds an MSc in System Science from National University of Singapore and an MSc in Computer Study from Nanyang Technological University, Singapore. He has taught computing at Ngee Ann Polytechnic, Singapore, for over 30 years. As he learned English, Chinese and Malay during school, he has a keen interest in language translation. He has obtained a Diploma in Translation and Interpretation from Singapore Chinese Chamber Institute of Business.

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Email: cccheng1@yahoo.com

L'hospitalité par la langue ou la spécificité d'un droit culturel

Patrice Meyer-Bisch,
Université de Fribourg, Suisse

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Mots clés

Droits culturels, langue, force hospitalière des langages.

Résumé

L'usage heureux des langes est probablement une des meilleures entrées pour comprendre l'importance et la puissance des droits culturels au cœur de l'ensemble des droits humains. Une langue bien vécue comme ouvrant les possibilités quasi infinies d'impression, d'expression, d'étonnement, d'admiration et de révolte, permet d'éprouver nos capacités d'hospitalité, en soi et auprès des autres. Le et les verbes de ces langues habitées sont les principales forces pour réaliser nos espaces de rencontres, intimes et publics.

Auteur pour toute correspondance: Meyer-Bisch, Patrice, Président de l'Observatoire de la diversité et des droits culturels, Université de Fribourg, Suisse. Courriel: p.meyerbisch@droitsculturels.org

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1. Introduction

L'hospitalité passe par, et demeure dans, la langue qui est comme son enveloppe, une intimité offerte.[1] Est hospitalier, ou généreux, celui qui se sent assez riche pour donner. Tout en se sachant toujours pauvre à l'égard des richesses qu'il peut recevoir. L'hôte – celui qui invite comme celui qui est invité - prend le risque de la confiance : celle-ci s'apprend et se noue par les mots et les gestes réciproquement et intimement liés et éprouvés, dans la durée comme dans l'instant.

La langue en vie est généreuse de ce qu'elle porte, emporte et apporte, c'est un capital de réciprocité. Cette générosité peut alors être comprise comme une confiance dans la fécondité du don ; cela « vaut le coup » de donner car c'est aussi recevoir, et peut-être plus encore, la distinction n'étant plus nette. L'hospitalité généreuse s'apprend par l'expérience de la parole donnée et reçue d'autant plus féconde qu'elle est portée dans la demeure d'une langue riche de multiples espaces, mémoires et horizons de communication. Mais ces horizons restent loin, et cette générosité rend plus vulnérable encore à la douleur de ne pas pouvoir dire ce que l'on cherche encore et toujours à dire, autrement, plus justement, plus clairement, plus profondément.

2. Matrice et passage

Une langue est une maison, plutôt un palais avec ses regroupements de pièces plus ou moins intimes et ses nombreuses dépendances et ateliers. Cette

[1] Cet article est une réédition augmentée d'un texte publié sous le même titre dans *Manifeste pour l'hospitalité des langues*, Collectif s. la dir. de Gilles Pellerin (et al.), publié en 2012 aux Éditions La passe du vent, Genouilleux et Québec. L'introduction a d'abord été présentée à Fribourg, le 1er juillet 2010, puis complétée par les résultats des discussions qui ont suivi. Elle fut partiellement présentée à Villeurbanne, le 8 octobre, dans le cadre de la XVIe Semaine de la langue française et de la francophonie, en partenariat avec la *Caravane des dix mots*. Elle est à présent enrichie par les croisements de savoirs portés par celles et ceux qui y ont si bien témoigné de la force hospitalière des mots dans les situations les plus difficiles.

demeure peut être « maternelle », matrice de la venue au monde de la conscience, mais elle peut aussi être espace de migration, permettant d’aller vers d’autres et de les accueillir.

> “ Celui qui sait trouver asile dans une langue a trouvé un pays où être chez soi. Il en est l’habitant. Personne ne vous expulsera jamais d’une langue. C’est comme ça. Et aucune loi n’y fera rien. J’en suis convaincue et heureuse. La liberté est là. Personne n’en tient de fichier. Quand je crée je participe. C’est ma façon. Créer requiert ma liberté d’être humain et la fonde. Je me bats. [2]

Le droit à la langue, n’est pas qu’une liberté d’expression, c’est une liberté de vivre et d’habiter un monde qui a, et produit, du sens dans la durée, condition d’exercice de toutes ses libertés.

Qu’elle soit maternelle ou non, toute langue apprise, cultivée au cours des rencontres et des lectures, a cette double fonction : *matrice et passage*. Il en va ainsi en général d’une maison, à la fois refuge intime et lieu d’accueil. La langue est espace de conscience intime ou *forum interne*, et de dialogue plus ou moins public ou *forum externe*. Plus encore, elle permet le passage permanent d’un for à un autre, leur fécondation mutuelle au principe de toutes les libertés. Une langue est une « œuvre culturelle » dans la profondeur de cette expression : ce qui retient et fait circuler du sens pour tous ceux qui peuvent l’habiter. Il s’agit surtout de perdre l’illusion de la neutralité d’une langue que l’on prétendrait au-delà des cultures, purement instrumentale. Les langues ne sont pas que des « véhicules », ce sont des lieux : des lieux d’habitation et de passage, des lieux de convivialité, d’apprentissage, d’interprétation, de remise en question réciproque et de création. Ces paroles en ces lieux ont également une écriture sociale et institutionnelle : qu’il s’agisse d’espaces de communication orale (rue, radio, école…) ou écrite (rue, presse, école, bibliothèques, instruments juridiques, internet...), il y faut

[2] Adaptation de « Comme on respire » de Jeanne Benameur dans le spectacle « Bulles d’Elles », une production *conciliabules*, mise en scène par Helen Ginier-Gillet. www.concilabules.fr

des aménagements territoriaux et des structures institutionnelles qui organisent et orientent la communication. L'écriture est ainsi multiforme : linguistique, sociale, territoriale.

Dans la mesure où une langue est soigneusement utilisée et cultivée, elle est capacité d'habitation et d'hospitalité ; c'est un capital culturel, c'est aussi une capitale culturelle. Elle est un capital approprié et incorporé, parce qu'elle est exprimée physiquement et qu'en retour elle façonne le corps et ses sens. C'est vrai aussi du « corps social » dont la « texture » se conjugue et se décline en d'innombrables séquences déterminant des sujets, des actions, des conjonctions et disjonctions, des temporalités et des localisations, des destinataires, des modes exprimant constats, soumissions, impératifs ou protestations, et d'innombrables compléments. La langue exprime et indique les distances : les éloignements, les proximités, les mouvements, les appartenances. Tous les fils avec lesquels chacun, personnellement et avec d'autres, tisse son identité au quotidien, développe ses capacités de connaissance et de reconnaissance.

C'est pourquoi le droit à la langue est parmi les premiers droits culturels au sein des droits de l'homme : le droit à vivre, choisir, développer les diverses facettes de son identité tout au long de sa vie. L'identité, - ou rapport à autrui - est hospitalité dans la mesure où elle peut être bien vécue, librement développée, car elle est notre capacité de communiquer, de tisser des liens. Si ce n'est pas le cas, elle est enfermement.

Mais l'histoire n'est pas toujours si belle. L'imposition du français comme langue d'alphabétisation dans nombre de pays, notamment d'Afrique désignée comme « francophone », reste une violence, plus précisément une violation grave et durable de ce droit culturel : le droit de s'exprimer, et donc de lire et d'écrire dans la, ou les langues de son choix. L'aliénation de ce droit reste un handicap pour les capacités d'un grand nombre de personnes de participer pleinement à la vie culturelle et au développement démocratique. Cette humiliation imposée à ces victimes est parallèle à l'arrogance et à l'inculture de ceux qui considèrent ces langues comme « locales ». Comme si une langue, quelle que soit son étendue, pouvait être conçue sans ses territoires, comme si une territorialisation plus petite, ou plus complexe

(c'est le cas des grandes langues africaines) enlevait quelque chose à la valeur d'une langue pour celles et ceux qui veulent continuer à l'habiter. Au contraire, toute culture démocratique se nourrit de diversités linguistiques porteuses d'une grande richesse de savoirs, tout en développant la valeur de la, ou des, langues publiques. C'est en ce sens que toute langue mérite protection, en tant que demeure d'humanité, lieu original de communication. Même si la vie de cette œuvre culturelle est directement liée au nombre de ses locuteurs et qu'il n'est pas raisonnable de vouloir maintenir les plus petites en survie artificielle, il reste qu'elles sont toutes précieuses et méritent des efforts de protection et de conservation pour maintenir au maximum le trésor de la diversité et donc les libertés linguistiques.[3]

Depuis que la diversité est portée par la communauté des pays ayant le français en partage, l'objectif du programme de l'Organisation Internationale de la Francophonie « Français et langues partenaires » n'est pas la défense du Français dans une perspective concurrentielle au détriment d'autres langues, même si la défense de ce territoire linguistique est un objectif légitime pour les locuteurs qui choisissent de se référer à cette langue en tant que vecteur de diversité culturelle. Le but est d'abord la valorisation de la diversité culturelle par le moyen de la diversité linguistique dans l'ensemble des domaines, notamment la communication, les sciences, les arts et le politique.

3. Une langue hospitalière

Une « langue hospitalière » est ici comprise comme un espace au sein duquel les interlocuteurs apprennent à vivre en cherchant les meilleures phrases, les meilleurs mots par l'échange et l'appropriation[4]. Cette langue n'est pas celle

[3] Voir les programmes de l'UNESCO pour les langues en danger, Moseley, Christopher (ed.). 2010. *Atlas des langues en danger dans le monde*, 3ème édition, Paris, Editions UNESCO. Version en ligne : http://www.unesco.org/culture/en/endangeredlanguages/atlas

[4] En son sens premier, la « langue hospitalière » peut être définie par sa capacité d'intégrer les mots – et les savoirs qu'ils portent – venus d'autres langues : « Ces milliers de mots voyageurs qui, au fil du temps, se sont installés dans la langue

du matraquage, de la domination ou de la simplification maximale, celle qui empêche de réfléchir, c'est une langue voulue pour elle-même comme mode de convivialité. Elle est ainsi savante et riche en saveurs, (selon le doublet étymologique issu de *sapere*), y compris pour les personnes qui n'ont pas beaucoup lu dans les livres, car elle *accompagne, prévient, interprète et mémorise* les gestes de la vie quotidienne aussi bien que ceux des grandes occasions. C'est un *lieu-mémoire* et un creuset d'échange savant et savoureux entre des personnes interprétant des trésors linguistiques, mémoires accumulées de mille et une façons d'être au monde. Chaque domaine linguistique constitue ainsi un « *Wortschatz* », trésor de mots[5] contenant autant de façons de dire et de vivre une présence aux choses, aux autres et à soi ; c'est un capital culturel pour les personnes qui *peuvent choisir* de s'y référer dans leurs différents espaces linguistiques, c'est une capitale culturelle pour celles qui peuvent s'y loger et y rencontrer une immense diversité.

La syntaxe, la grammaire, l'étymologie et la formation des mots sont cultures car chaque langue dans sa structure présente une « cartographie singulière du monde » selon les analyses de Barbara Cassin[6]. Par conséquent, chacun n'entre dans la puissance de la langue que lorsqu'il fait l'expérience de « plusieurs langues », il a alors accès non pas à une seule grammaire du monde, mais à une pluralité interne à sa « propre » langue, à ses espaces

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française ont emprunté pour parvenir jusqu'à nous des chemins divers, celui du commerce, celui du savoir ou encore celui de la tradition religieuse ou de la culture. » Marie Treps. 2010. « Le Français, une langue hospitalière », in Katia Malausséna et Gérard Sznicer (ss la dir. de), *Traversées francophones,* Genève, Ed. Susanne Hurter.

[5] Voir notre programme « Grenier à mots ». Le « grenier à mots » est l'expression employée en langue *moore*, langue des mossis au Burkina Faso, pour transposer le terme de « dictionnaire ». Trois « greniers à mots » sont disponibles, http://www.unifr.ch/iiedh/fr/publications

[6] Barbara Cassin*, Éloge de la traduction. Compliquer l'universel*, Fayard, Paris, 2016, Voir aussi sous la direction de Barbara Cassin : *Vocabulaire européen des philosophies. Dictionnaire des intraduisibles*, Seuil, Le Robert, Paris, 2004. Ce dictionnaire est « traduit » dans plusieurs langues à la recherche de la fécondité des intraduisibles.

d'interprétation. Il découvre que les « intraduisibles » ne sont pas un défaut, mais une qualité : l'ouverture sur la liberté et la puissance de la lecture, de l'oralité, de l'écriture, et par conséquent aussi des langages d'une grande diversité d'autres disciplines. Chaque savoir affine et affirme son sens, quand il en croise intimement d'autres. L'intelligence des frontières est comme la trame du culturel, les frontières réveillent l'imaginaire, et ouvre la voie à la création comme une nécessité.

La diversité intra- et inter- linguistique est la condition de toute richesse : elle ne concerne pas seulement le lien entre les langues, comme si chacune formait un *territoire clos*, mais elle se déploie à l'intérieur de chaque domaine linguistique. L'acte de communication est défini par un mixage permanent et, dans la mesure où il n'est pas enfermé par les stéréotypes, il est dialogue, interprétation et réadaptation interactives. *Toute langue est une grammaire de la diversité*, puisqu'elle tente d'articuler en mots et en phrases, des idées et des actions à géométries variables, afin de trouver, voire de créer, les « com – préhensions » (les façons de saisir ensemble), les gerbes de mots les plus adéquates. On peut ainsi répertorier les diversités :

- *Externe,* entre les langues avec les enjeux d'importation et de traductions ;
- *Interne,* au sein des langues ce qui constitue la vie de la langue en ses jeux d'interprétation et d'innovation, avec aussi les risques d'appauvrissement ;
- *Interne /externe,* entre les communautés épistémiques, ou communautés de savoir : diversité des savoirs avec leurs mots voyageurs, à l'intérieur de chaque langage (artistique, technique, scientifique, religieuse..., politique), et par les chemins de traverse puisque les langages spécialisés passent d'un domaine à l'autre avec leurs problèmes spécifiques de traduction. [7]

[7] La « langue » est généralement comprise comme « l'entité mère », comprenant des « langages » diversifiés en fonction des métiers, des usages de proximité ou des niveaux d'utilisation. Cette distinction a l'avantage de montrer la diversité linguistique

Par grammaire, nous n'entendons pas seulement une mise en ordre qui permettrait de parler et d'écrire « correctement », mais une mise en synergie.

Tel est l'enjeu : favoriser les chemins de traverse, ceux qui permettent de récolter une diversité de conceptions, condition de toute créativité. La diversité permet la dialectique et donc l'exercice des libertés en apprentissage par le dialogue : il s'agit aussi bien de lien interpersonnel que du tissu social et démocratique. La langue est hospitalière aux différents domaines sociaux, sa généralité doit accueillir et organiser l'interaction entre les langages spécialisés. *Cette langue peut être dite « publique », car elle est la charpente de l'espace public,* au sens d'Habermas, la véritable *agora*, le cœur de la cité.

4. L'hospitalité politique et la maison démocratique

La richesse des langues est une valeur culturelle, un capital indispensable à la vitalité et à la puissance du lien politique : en démocratie, le lien se fait en valorisant une diversité interactive (condition de toute richesse), et non en la réduisant en une langue unique, (celle des pouvoirs dominants : politique, économique, ethnique ou religieux) ou à des espaces linguistiques seulement juxtaposés.

Plus précisément, la vitalité des langues se joue toujours aux frontières des diversités : contrairement au sens commun qui voudrait isoler chaque langue en une ère la plus homogène possible, si ce n'est géographique du moins logique, les langues démontrent que dans le domaine culturel, ce sont les frontières qui sont au centre, là où se jouent les identités. En particulier, n'est-ce pas dans la frontière entre le scientifique et le politique que se joue une

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interne. Je n'appuierai pas cette distinction par la suite, dans la mesure où la vertu hospitalière semble apte à caractériser toute la palette linguistique. Qui n'a pas senti l'émotion au contact et au seuil d'un langage technique, en réalité langue « courante » à travers les métiers et les régions, étonnamment proche des usages, apte à importer tout ce qui lui convient ? Cette émotion se refroidit quand elle se heurte aux enfermements, aux idiosyncrasies, aux usures.

authentique démocratie ? Si les frontières sont closes et en périphérie, les espaces et libertés d'interprétation se réduisent et les décisions sont soumises à l'arbitraire des pouvoirs et aux aléas des mouvements d'opinion. Si au contraire les « espaces frontières » sont au centre des débats, les décisions se prennent de la façon la plus ouverte et la mieux documentée, et donc de manière plus rationnelle.

Au niveau du principe démocratique, un peuple est constitué par l'échange régulier d'une langue publique[8], même exprimée en diverses langues et langages avec les traductions nécessaires, à l'oral et à l'écrit. L'oral constitue la communication publique quotidienne, qui n'est légitime que dans la mesure où elle s'appuie sur l'écrit et le développe en lois, programmes, déclarations et autres manifestations.

Au niveau pratique, le quotidien d'une « démocratie forte » est fondé sur le croisement des savoirs, passant nécessairement par un croisement des langages (du technicien, du politicien, de l'économiste, de l'entrepreneur, du syndicaliste…) qui ne devraient pas se noyer en une langue molle : la recherche des médiations et traductions nécessaires est un art difficile qui met en jeu l'essentiel de chaque langage et de chaque langue. Il est clair qu'il ne peut y avoir de démocratie et donc de paix, sans que soit considéré le respect dû à la valeur médiatrice de la langue, de toutes les langues. L'hospitalité mutuelle concerne les disciplines et les personnes qui les portent.

L'essentiel est donc de reconsidérer la valeur de la diversité interne/externe des langues qui concourent à une unité politique. Soigner cette diversité, c'est

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[8] Une langue « publique » peut être comprise comme une langue utilisée pour développer un espace de débat ouvert, parce que rationnel, ce n'est pas seulement une langue d'opinion, mais une langue animée par une volonté de réaliser une communauté de sens. Les personnes s'y expriment en se référant au jugement rationnel liant les différences. Voir la belle définition de Kant : « Par usage public de sa propre raison, j'entends l'usage qu'en fait quelqu'un à titre de *savant*, devant l'ensemble du public qui *lit*. » *Idée d'une histoire universelle d'un point de vue cosmopolitique. Réponse à la question : Qu'est-ce que les Lumières ?* XI, IV, Traduction Lafitte, Paris, 200, Nathan.

soigner la paix, c'est-à-dire la capacité des uns et des autres de traiter leurs différences et leurs différends avec les mots, et donc les postures, les plus appropriés.

Cet objectif a l'avantage de placer le culturel au cœur du politique, démontrant que la démocratie n'est pas qu'un système procédural, mais une diversité de cultures politiques à entretenir, critiquer et développer. La prise en compte de cette diversité culturelle au cœur du politique, et en particulier au cœur des droits humains par l'élucidation récente des droits culturels est, paradoxalement, la condition pour une meilleure compréhension des valeurs universelles qui sous-tendent les cultures démocratiques dans leur diversité. Tous les travaux actuels, dont le symbole politique fut l'adoption de la *Déclaration universelle de l'UNESCO sur la diversité culturelle*, le 3 septembre 2001, concourent à la constatation que l'universalité ne peut pas se développer malgré la diversité culturelle, mais au contraire en puisant dans son riche patrimoine.

C'est la reconnaissance de la richesse de ce capital – ou diversité culturelle accumulée et assumée – qui est ressource de paix. L'archéologie d'une langue montre non seulement les strates de ses emprunts et assimilations, mais aussi les chemins des migrants qui sont venus y greffer leurs mots voyageurs, porteurs de nouveauté. La connaissance de cette archéologie – comme peut-être de toute archéologie – est l'expérience de l'organisation d'une diversité culturelle qui, tout en empruntant aux aléas des flux et rencontres historiques, a abouti à une maison riche et hospitalière. [9]

[9] Le musée de la langue portugaise à São Paulo offre cette expérience : il révèle, avec les moyens actuels, les strates latines ainsi que les emprunts aux langues indiennes et aux langues africaines venues avec les esclaves www.museudalingua portuguesa.org.br .

5. Une langue peut-elle servir ses langues partenaires ?

Qu'advient-il quand une communauté politique très diverse par ses langues et par ses savoirs choisit, sans exclusive, une langue de communication et de référence pour exprimer et partager ses valeurs ? A quelles conditions une telle langue peut-elle être un instrument d'hospitalité politique ? La question du choix d'une ou plusieurs langues publiques et officielles se pose au niveau national et bien sûr à l'international. Certes, si le multilinguisme est une valeur essentielle qu'il faut continuer de développer par tous les moyens, sa réalisation rencontre des limites pratiques dans la communication. Une langue « publique » est une langue de communication constitutive d'un espace public, cela ne signifie pas qu'elle relègue d'autres langues à des rôles subalternes, soit parce que certaines gardent une fonction dominante dans une région ou un secteur, ou que plusieurs langues publiques coexistent (Etats et Organisations plurilingues) ou encore s'entrecroisent.

C'est le cas de l'Organisation Internationale de la Francophonie, dont la langue française « en partage » signifie des réalités tellement différentes dans les espaces des nombreux pays représentés. Une langue internationale de grande diffusion n'est pas qu'une langue instrumentale. Une langue est *politique* c'est-à-dire *publique* au sens plein du terme au niveau international comme au niveau national, quand elle abrite et instrumente un espace public riche de la diversité des langues, techniques, artistiques, littéraires et régionales, en interaction avec d'autres langues « étrangères » ou simplement autres. Il n'y a pas d'un côté des grandes langues publiques qui seraient dignes de cette fonction, comme l'arabe, l'anglais, l'espagnol, le portugais, l'allemand, le chinois ou le russe, et d'un autre côté des « langues locales », autrement dit des langues considérées comme fermées[10]. Une langue a

[10] Voir l'ouvrage de Caroline Bieger-Merkli, consacré à la Lusophonie, et portant notamment sur la langue portugaise comme « clé de la construction interculturelle » : *La « communauté des pays de langue portugaise ». Un espace de coopération basé sur la langue ?* Torino, Paris, 2010, L'Harmattan (Lusitanica).

nécessairement un territoire, plus ou moins international, plus ou moins entremêlé avec ses archipels. Si la France avait pu respecter la grandeur et la complexité des langues africaines, elle aurait eu une autre politique et elle serait aujourd'hui bien plus riche et facteur de paix. Toutes ces langues sont transnationales et ouvrent des espaces publics qui doivent être respectés ; c'est une exigence de démocratie dans les relations internes et internationales.

Dans le soin porté à la qualité et à l'ouverture de la « maison francophone » comme une des « maisons culturelles et démocratiques » s'évalue ainsi la consistance politique d'une Organisation intergouvernementale fondée sur une langue publique hospitalière aux langues partenaires, soucieuse d'établir un lieu de brassage des paroles aptes à construire et entretenir des structures de développement démocratique, aptes à témoigner des souffrances et des espoirs les plus indicibles, aptes à formuler des réponses. Sans ce passage par la formulation de *réponses* précises et adaptées, les *responsabilités* sont aveugles, la langue elle-même est prétexte et lieu d'aveuglement.

6. Paix ou aliénation

Chacun peut décrire les réductions linguistiques qui accompagnent les usages d'une langue utilisée pour dominer. Les mécanismes de la *novlangue* sont connus par ceux qui la critiquent. Ils devraient être systématiquement désamorcés, car il s'agit de productions d'amalgames, d'oppositions duales qui exacerbent les peurs tout en offrant par contraste une sécurité uniforme. Parler et écrire est toujours difficile, car il faut trouver des mots pour dire l'intime de soi, par un intime de la langue en frontière poreuse entre le réel et l'imaginaire, le subi et le volontaire. Les mots, comme les relations grammaticales, ne s'offrent pas à chacun comme des produits finis, ce sont des outils souples, ambivalents et aussi usés (usuels), portant une capacité toujours nouvelle qu'il faut apprendre à habiter. C'est pourquoi toute offre d'un « prêt à penser » est tentante pour les pouvoirs qui peuvent compter sur toutes celles et tous ceux qui, de fait et par divers mécanismes, consentent à ne pas « trop » penser.

Prendre soin d'une langue, c'est prendre soin des capacités de paix, car c'est exploiter cette unique richesse de connexions possibles, c'est croire que sa grammaire est un instrument puissant de pensée et d'écriture sociales.

Considérer chaque mot comme une porte pouvant au besoin ouvrir et fermer sur soi et les autres, avec une face positive et une autre négative et beaucoup d'entre-deux, d'entre-ouvertures, variant selon le texte ou le discours, en couloir, chambre ou corridor auquel il donne, ou ferme l'accès. Pour les pouvoirs, les mots, officiellement, ne sont pas ces « portes battantes » délicates, ni fermées ni ouvertes, car ils ont besoin de sécurités simplifiées, ils veulent les « mots-clés » pratiques pour la décision rapide, faciles à mettre en trousseau de programmes, en critères de qualité, faciles à traduire dans leurs administrations en mots-clés-de-bureau et de budget. La langue de bois donne à croire aux mots et aux portes fixes, lesquelles cependant cachent des parois mouvantes au gré des opportunismes. La langue de bois a l'écorce dure, mais les concepts mous et corvéables à merci.[11]

7. Le multiple tranchant des mots face aux langues d'esquive

Prendre soin des langues, c'est aussi chercher les critères d'authenticité. Curieusement, ceux qui croient savoir ne croient pas à la force des mots. Nous qui connaissons un tout petit peu notre pauvreté intellectuelle parce que nous avons eu la chance d'être habités par des textes dits, écrits, chantés, dansés, modelés ou dessinés, nous savons que nous avons besoin de forger les mots avec autant de puissance que les poètes, mais sans pouvoir nous fier autant à la magie symbolique des métaphores dont les mots sont cousus et recousus. Nous avons besoin d'habiter le *double tranchant* de chaque mot. Le *multiple*

[11] Pour une étude détaillée de la diversité des usages que recouvre l'expression de « langue de bois », voir le Numéro de la Revue Hermès n° 58, janvier 2011, *Les langues de bois,* coordonné par Joanna Nowicki, Michaël Oustinoff et Anne-Marie Chartier. Leur point commun est de « figer l'imagination et de rendre illusoire la liberté d'expression individuelle » (texte de présentation).

tranchant ne peut être façonné qu'à la lente forge du dialogue, du témoignage, de la contradiction et du travail du corps. En chaque mot comme en chaque geste et œuvre culturelle, se dessine toujours de façon plus ou moins forte, les dialectiques qui s'entrecroisent et sont inhérentes à toute communication : accueil et refus, dur et tendre, haut et bas, éphémère et durable… toutes ces exigences opposées qui ne se neutralisent pas mais se renforcent en faces à faces et multiples répondances.

Le soin de la langue implique *a contrario* de dénoncer, de « des-énoncer », les mots pleins parce qu'ils ont esquivé les dialectiques, de sorte qu'ils sont en réalité fermés à l'interprétation et donc dépourvus de sens. Ils servent de pièces de bois dans une langue affadie pour faire croire qu'il n'y a plus rien à penser dans ce domaine déjà dit ; *ils servent d'épouvantails pour dévier nos contradictions tues*. Ce sont des mots et des phrases « esquives ». Outre la perte de dynamique des mots due à l'usure de la langue quand elle n'est plus travaillée et sert seulement à communiquer du connu, je voudrais ici évoquer, parmi beaucoup d'autres sans doute, quelques caractéristiques des usages violents et pervers (puisqu'ils nient l'altérité) qui solidifient les langues binaires, ou de bois, lesquelles deviennent parfois des langues de plomb ou de fer quand elles taisent et justifient les violations des droits humains ; les droits culturels sont ici en première ligne.

On peut ainsi indiquer ce qui ressemble à des critères d'authenticité (une langue qui dit la source des mots et tente d'atteindre ses interlocuteurs au plus près de leurs libertés de jugement) et d'inauthenticité, des langues convenues, figées, langues d'esquives, et donc mensongères.

Les notions relatives érigées en absolus. Cette caractéristique est commune aux « mots de bois ». Revendiquer « la différence » en esquivant son complément nécessaire (différent par rapport à qui et à quoi ?) n'est pas anodin, car cela revient à une prétention auto-justifiée, inscrite, par exemple, dans une logique minorité – majorité, une logique réactive disait Nietzsche, celle qui s'affirme en niant l'autre, alors même que ce dernier n'est pas nommé car il est supposé assez connu. La différence hypostasiée est une violence faite à la diversité, cette situation qui permet aux distinctions de s'entrecroiser de multiples façons. Il en va de même de cet « Occident » et de

sa prétendue « civilisation occidentale » qui se trouve dépourvu de son Orient : qu’est-ce que ce pôle géographique extrait de son autre correctement défini ? Que peut signifier cet amalgame utilisé aussi bien en version Nord-Sud devenue indépendante de toute logique géographique ? Cela occulte les multiples pauvretés et richesses en une dichotomie entre pays riches et pays pauvres, alors que la question prioritaire n’est pas entre pays, mais entre riches et pauvres dans l’extrême diversité des situations et des mécanismes d’exploitation et d’accaparement. Il en va de même des amalgames sous étiquette culturelle (le monde arabo-musulman, par ex.), comme s’il y avait une unité entre tous ces pays, plus forte que leur diversité ; cette image construite est en réalité fort pratique pour justifier des propos d’exclusion et d’auto-justification. Se défaire de ces isolats aveuglants qui cachent des négativités mal dites par amalgames, c’est délégitimer le clash des civilisations aussi bien que celui du dialogue des cultures ; c’est défaire l’arrogance supérieure des uns et la révolte des autres. C’est déconstruire la langue meurtrière. La réalité est la diversité mille fois imbriquée des milieux culturels : place aux libertés personnelles, aux constructions sociales et à la reconnaissance de leurs bricolages.

Il est possible, cependant de tracer un itinéraire classique d’usure des mots qui de l’abstraction paresseuse conduit par étapes à la falsification

a. *Les verbes remplacés par les substantifs ou les abstractions paresseuses.* Il semble que les mots des langues de bois sont souvent des substantifs, masquant leurs verbes, les actions que dit une langue vivante ; ces déplacements sont très utilisés dans la fabrique du socialement correct. La *liberté* proclamée en abstraction n’a de sens que pour celui qui sait la traduire en son « verbe », en ses différentes modes (se libérer et libérer) traduits, certes en substantifs, mais de résultats, ceux qui indiquent les actions : des expériences de *libérations*. Celui-là, cette femme, cet homme, voire ce peuple, qui sont témoins ou acteurs ne peuvent plus se « payer de mots ». Pour soigner la langue, pour lutter contre son *usure*, cette forte entropie qui la rend médiocre et vulgaire, instrumentalisable à merci, il faut sans doute revaloriser ses verbes car *une langue est d’abord une action qui relie des actions*. Les sujets et compléments sont entre les

verbes, sont positionnés par les verbes dans une langue et ses langages qui cherchent à dire la complexité, qui pistent les chemins entre le for interne et le for externe, qui bousculent les mots usuels pour leur faire « rendre » leur capacité d'exprimer une présence et une relation *singulières*. Pister jusqu'à la source de ce que l'on cherche à dire, de façon à ce que l'interlocuteur soit touché dans sa propre quête de cette authenticité, même et autre. Là est la force du verbe réconciliant diversité et universalité dans la singularité de chaque usage. Simplement dit, *le verbe est rencontre sociale, évoquant objets, êtres de l'environnement, personnes, en convoquant les mémoires à disposition*. Le verbe de la langue vivante appelle ; le mot inerte des langues de bois, ou le « mot de bois » des langues convenues, prétend répondre en clôturant la question ; il fait taire en esquivant les diversités. Bien sûr, la langue de bois a aussi ses verbes, mais leur usage est plus grossier, leurs sens, leurs temps, leurs modes et leurs conjugaisons sont réduits.

b. *L'abus du singulier* forme souvent un second niveau de déréalisation. « La liberté », tout le monde est pour ; cela n'engage à rien de précis ; mais « les libertés », c'est plus complexe, plus concret : cela implique des choix délicats et des engagements et il convient de déceler les interdépendances entre des libertés concrètes. Les « conditions de libération » (l'action par le verbe est ainsi restaurée), c'est encore plus fort, et seule l'idée forte peut être porteuse de stratégie. De même « la pauvreté » se donne comme synonyme de « la rareté », ou du moins sa conséquence, et apparaît donc principalement comme une donnée quantitative. Mais comment expliquer le fait qu'il y a injustice et que certains ont trop et que ce gaspillage de ressources avec ses cloisonnements est intolérable ? L'abstraction au singulier implique qu'il n'y a qu'une alternative qui est son contraire, avec éventuellement des compromis : la richesse comprise dans la même réduction, quantitative. La palette des mots est réduite à la logique binaire de l'inclus ou de l'exclu. Tout autre est l'acte fondamental qui consiste à nommer et évoquer, interpelant ainsi celles et ceux qui habitent

une langue. L'abstraction philosophique abstrait elle aussi de la diversité et de ses pluriels, mais elle ne les ignore pas, elle cherche à les inclure, elle les « appelle ». L'abstraction philosophique est un effort, un arrachement ; l'abstraction paresseuse est une réduction, un oubli de la diversité. La première ne se prend pas pour une dénomination directe de la réalité, elle se sait construite, imparfaite et relative, tant il est difficile et toujours incertain de chercher à dire l'essentiel. Évoquer « la liberté » pour Paul Éluard, ou pour un résistant qui vit l'importance d'une culture politique, c'est évoquer un idéal concret et nécessaire dont il ne peut connaître toutes les voies de réalisation, de libération ; il en sait seulement la nécessité, le verbe. C'est une multitude de chemins possibles au sein desquels il est difficile de tracer un itinéraire. Ce ne sera jamais une situation acquise comme celle qui tranquillise le consommateur de mots-clés.

c. *Les négations sans contenu* forment souvent un troisième niveau de déréalisation permettant la construction des leurres politiques. Il en va ainsi de la « transparence », ou négation des obstacles ou parois d'information. Mais la transparence ne peut être légitimement revendiquée qu'en ce qui concerne les procédures de comptabilité, et celles de décisions ou de démonstration, bref ce qui « doit » être montré, publié. Mais qui peut prétendre qu'une personne, une communauté, une entreprise, un État, puisse être transparent, alors que l'information possible est de nature infinie, mal connue, mal maîtrisée, et relève en bonne part aussi de sphères distinctes, dont certaines sont à protéger (sphère privée, secrets professionnels, obligations de réserve) ? Il est bien plus exigeant de prôner un verbe à double tranchant, un verbe - charnière : l'action d'information « adéquate », celle qui est nécessaire pour exercer des actes libres. Mais c'est plus difficile à définir, car cette action – l'information – est un lien entre plusieurs actions. Il en va de même de la pauvreté, décrite plus haut, en tant que négation de richesse, donnant à croire que chacun sait ce qu'est la richesse, une accumulation de biens. Dans le même ordre encore, une « minorité » pour désigner une communauté culturelle par le seul rapport quantitatif : le message,

même sous prétexte de la protéger, est ainsi perverti. Il contribue paradoxalement, en montrant une exception, à justifier la légitimité de la « règle majoritaire » (il est normal que la majorité commande), et il présente les minoritaires comme des mineurs à protéger… par condescendance, alors que leur existence et leurs revendications, contestent au cœur le monoculturalisme et ses mensonges. La revendication de valeurs positives, justifiées par elles-mêmes et non en voie réactive, oblige ceux qui ne savent se qualifier eux-mêmes que par leur rapport majoritaire, à reconnaître leur incompétence face à la diversité culturelle. Celle-ci est pourtant le premier patrimoine commun, la source de fiertés partagées et donc de paix.

d. *Les doubles négations achèvent l'aliénation de la langue.* Elles ne disent rien par définition : la « lutte contre la pauvreté » indique qu'on va lutter contre une absence, ce qui sous-entend qu'on sait très bien ce qu'est la pauvreté comme envers de « la » richesse. Ce n'est pas vrai et est de surcroît injurieux pour celui qui aurait le droit de dire et de choisir quelles valeurs et quels soutiens, et lesquelles de ses capacités, il veut développer. Remontons cette chaîne de stérilisation, cela donne : « lutte contre la pauvreté », la double négation justifie l'abstraction au singulier « la pauvreté », laquelle cache le verbe exprimant une relation réaliste d'une personne ou un groupe en « situation d'appauvrissement » (la pauvreté n'est pas un état de départ, mais le résultat de violations) ; le verbe lui-même appelant le pluriel, les situations d'appauvrissement s'analysent chaque fois comme des discriminations multiples: des femmes et des hommes oubliés, violentés, parce qu'ils sont ceci ou cela (paysans, noirs, minoritaires, malades, âgés ou jeunes, d'une autre religion, d'un autre parti…). La pauvreté apparaît comme un vide à remplir, alors qu'il s'agit d'une *action violente et durable* d'*appauvrissement*. Il faut la déceler pour ce qu'elle est : des crimes perpétués de façon continue en toute impunité et en large indifférence. La même construction d'un leurre politique se reconnaît dans l'expression de « lutte contre

la violence » ou contre le terrorisme, qui donne à croire que la violence est une excroissance à éradiquer, pire, un être pervers à éliminer : le négatif a été positivé, réifié. Il s'agit au contraire d'un ensemble de déviances dont il faut aller interpréter la généalogie pour pouvoir tenter une résilience, déceler les forces positives. Ce renversement de perspective est difficile et ultrasensible, il implique une conversion à la complexité et à la possibilité d'un engagement susceptible de détruire les positions acquises. Les bien-pensants et les bien-agissants doivent d'abord avouer leur ignorance, les exterminateurs se désarmer en pleine crise et ceux qui se croient non violents et pacifiques accepter le risque de très mauvaises surprises sur quelques causes de violences qui viennent de leurs propres pratiques. Pires sont donc les substantifs qui désignent des maux à combattre et à éradiquer, esquivant les actions de remise en question de recherche des ressources cachées chez les « pauvres » et les « terroristes ». Cette langue-là n'est pas seulement de bois, elle est de fer et sent la poudre, les prisons et les taudis.

e. Le *tranchant des mots*, c'est leur verbe dur ou délicat avec tellement de nuances, c'est notre gestuelle d'hospitalité, c'est l'expérience mille fois renouvelée de leur pauvreté tout autant que de leur aptitude à provoquer des correspondances, des communications insoupçonnées, des promesses tenues. Imagé autrement, chaque mot ou chaque phrase, comme chaque geste, est une coupe à offrir, une pièce à habiter, meubler, ouvrir et fermer au quotidien, un lieu où se joue la difficile des relations, *c'est un corps prêté*.

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9. Brève biographie

Patrice Meyer-Bisch, Président de l'Observatoire de la diversité et des droits culturels, et coordonnateur de la Chaire UNESCO pour les droits de l'homme et la démocratie, de l'Université de Fribourg (Suisse) ; il a été le coordonnateur de l'Institut interdisciplinaire d'éthique et des droits de l'homme de la même université ; il a enseigné la philosophie du politique, du droit et de l'économie dans le domaine des droits humains ; il anime depuis 30 ans le « Groupe de Fribourg » consacré aux droits culturels.

Email: p.meyerbisch@droitsculturels.org

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Détournement et instrumentalisation de la Parole de Dieu

Maurice Salib

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Parole de Dieu, détournement instrumental du discours, herméneutique biblique, Théologie.

Résumé

Cet article pointe vers les conséquences induites par l'usage d'artifices rhétoriques et l'abus du pouvoir du langage dans l'Eglise. Ce sont ceux-là même, les responsables d'institutions religieuses, qui censés défendre un service honnête de la Parole, qui souvent laissent se creuser un fossé entre paroles et actions. Une intention louable de servir de manière altruiste autrui est dans ce cas détourné vers des fins égoïstes : comme gagner davantage de notoriété et de moyens financiers ; assouvir un amour immodéré du pouvoir. C'est moins à démasquer des « usurpasteurs » que nous invite l'auteur, mais bien à la relecture patiente des textes. Il n'y a rien de plus beau qu'une bible dont « les pages ont été cornées, marquées et dont la reliure fatiguée raconte l'assidue fréquentation de son propriétaire ». Chaque fois qu'une « bible se détruit par son utilisation, une femme, un homme se construit ! »

Correspondance à l'auteur: Salib, Maurice, courriel: m.m.salib@bluewin.ch.
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1. Digression historique pour saisir l'origine du problème des « usurpasteurs »

L'histoire du christianisme est pavée d'exemples de détournements et d'instrumentalisations de la Bible par ceux-là mêmes qui ont été appelés à la transmettre : les théologiens. Alors, les maîtres de la loi, les scribes, les pharisiens, les curés et les pasteurs, sont-ils tous coupables ?

Force est de constater que le phénomène n'est pas nouveau. Il y a 2000 ans, la Parole du Christ, venu accomplir la Parole de Dieu, est à peine énoncée qu'elle est déjà transgressée. Avant Lui, les prophètes de l'ancien testament, ont eu le rôle de ramener le peuple de Dieu, égaré, dans le respect des commandements. Si les transmetteurs de la Parole divine avaient tous été fidèles, il n'y aurait certainement pas eu besoin d'autant de prophètes.

Il y a donc toujours eu les pasteurs (les bergers), ceux qui servent la Parole, et il y a eu les « usurpasteurs[1] » (les faux bergers), qui se servent de la Parole pour asseoir un pouvoir personnel ou participer à un système clanique, inique, contraire aux valeurs de l'Évangile.

Saul de Tarse persécute les premiers chrétiens avant de vivre son chemin de Damas, de comprendre et de servir le Christ sous son nouveau nom : Paul l'apôtre. Simon dit le magicien veut acheter le Saint-Esprit pour faire des prodiges et gagner plus d'argent et de notoriété. Ananias et Saphira vont mentir en prétendant avoir donné toute leur fortune pour la communauté alors qu'ils en avaient gardé une partie pour eux. Certains chrétiens de Corinthe se vantaient des dons de l'esprit qu'ils avaient reçus et en tiraient orgueil.

Des siècles plus tard, le célibat imposé aux prêtres et aux moines est une instrumentalisation et un détournement de la Parole de Dieu, qui n'avait d'autres but que d'augmenter le pouvoir des autorités ecclésiastiques au

[1] Note de l'éditeur: l'auteur forme un amalgame lexical par combinaison de deux mots « usure » et « pasteur » pour constituer un nouveau mot « usurpasteur » qui, par une légère troncation du phonème final du mot « usure » permet de créer le sens connoté de pasteur-usurpateur.

détriment du pouvoir séculier. En effet, le clergé perdait la fortune des nobles, aussitôt que ceux-ci assuraient leur descendance. Introduire l'idée que les nobles entraient dans les ordres pour ne plus en ressortir, - le mariage étant exclu en raison du vœu de chasteté - assurait une précieuse manne financière au clergé par un discret travestissement de l'esprit des Écritures.

De nombreuses autres pages noires jalonnent l'histoire du christianisme où des passions odieuses et l'habileté rhétorique plus ou moins innocente, voire dans les cas extrêmes le mensonge délibéré et coupable, l'emportent sur les valeurs de l'Évangile. Parmi elles, mentionnons les croisades, l'inquisition et le commerce des indulgences.

2. Le pharisien et nous

Des juifs de la région de Bérée, dans le livre des Actes (17 10-11), il nous est dit ceci :

> "À leur arrivée, ils se rendirent à la synagogue des Juifs. Plus courtois que ceux de Thessalonique, ils accueillirent la Parole avec une entière bonne volonté, et chaque jour ils examinaient les Écritures pour voir s'il en était bien ainsi.

L'attitude des juifs de Bérée est exemplaire et si elle est mentionnée, c'est qu'elle ne semble pas aller de soi. En effet, se référer à la Parole et y rester fidèle n'est pas évident. L'interprète ou l'enseignant de la Parole peut donc se distancer de cette dernière au point même de la trahir.

Pasteur à Genève depuis 23 ans, je peux vous assurer que la thématique des soubassements émotionnels du thème de l'instrumentalisation de la Parole de Dieu, est, il faut le dire, bien d'actualité. L'examen de l'exercice du pouvoir dans les milieux protestants aujourd'hui n'échappe malheureusement pas aux

passions déviantes, à l'abus de pouvoir par manipulation du discours et, plus globalement, à l'iniquité[2].

Le Christ et ses disciples, dès le début de l'aventure chrétienne, sont confrontés à l'instrumentalisation de la Bible à des fins de pouvoir personnelles. Dans le chapitre 23 de l'Évangile de Mathieu nous lisons ceci, au sujet des théologiens de l'époque du début du christianisme :

> “Les scribes et les Pharisiens siègent dans la chaire de Moïse : […] faites donc et observez tout ce qu'ils peuvent vous dire, mais ne vous réglez pas sur leurs actes, car ils disent et ne font pas. Ils lient de pesants fardeaux et les mettent sur les épaules des hommes, alors qu'eux-mêmes se refusent à les remuer du doigt. Toutes leurs actions, ils les font pour se faire remarquer des hommes.

Voici donc une remontrance, une attaque contre les pharisiens par Jésus. Et quelle attaque ! La plus violente de toutes, peut-être, dans l'Évangile de Matthieu. Que cela ne nous surprenne pas, car Dieu nous a donné la Parole pour nous rendre libres et il ne veut pas que nous l'utilisions pour nous enfermer les uns les autres. Nous avons a ici un bel exemple de ce que fut la liberté de Jésus : pour Lui comme pour l'ensemble des Juifs, les pharisiens, les scribes et les docteurs de la loi étaient l'autorité religieuse reconnue. Et c'est pourquoi Jésus conseille aux gens de "faire ce qu'ils disent", puisque ces scribes ont pour mission de transmettre, d'enseigner la Parole de Dieu.

3. Cohérence entre les paroles et les actes

Jésus s'est aperçu en même temps qu'il y avait un décalage, pour ne pas dire une rupture, entre ce que les chefs religieux disent et ce qu'ils font. Il ne va pas être complaisant.

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[2] Voir aussi la traduction anglaise de cet article de Maurice Salib dans le livre : *Ethics and the Overcoming of the Odious Passions* (Geneva : Globethics Publications, 2023, à paraître).

Découvrons plutôt comment il s'adresse à eux, un peu plus loin dans le même chapitre Mt 23 :

> “Malheureux êtes-vous, scribes et Pharisiens hypocrites, vous qui versez la dîme de la menthe, du fenouil et du cumin, alors que vous négligez ce qu'il y a de plus important dans la Loi : la justice, la miséricorde et la fidélité ; c'est ceci qu'il fallait faire, sans négliger cela. Guides aveugles, qui arrêtez au filtre le moucheron et avalez le chameau !

Notons au passage que Jésus peut se fâcher, exprimer sa colère, mais qu'il a de l'humour.

Au début de sa vie publique, le Christ est très proche des milieux pharisiens. Il aime leur fidélité scrupuleuse à observer la Loi de Dieu. Mais bientôt, il va se séparer d'eux, critiquer leur attitude. Pourquoi ? Pour une seule et unique raison : ces gens-là n'aiment pas. Ils s'aiment eux-mêmes. Ce sont des hypocrites. Ils mettent toute leur confiance, non pas en Dieu qui sauve, mais en eux-mêmes, en ce qu'ils font de bien. Ils pratiquent les oeuvres et non la grâce, la forme et non le fond, la lettre et non l'esprit. Pour eux, Dieu est un comptable, celui qui tient sur deux colonnes un compte rigoureux du bien et du mal fait par chacun. Ils se font une fausse idée de Dieu parce qu'ils se prennent eux-mêmes pour le centre du monde. Nous nous souvenons de la parabole du pharisien et du publicain (Luc 18, 9-14):

> “Il dit encore la parabole que voici à certains qui étaient convaincus d’être justes et qui méprisaient tous les autres : « Deux hommes montèrent au temple pour prier ; l’un était Pharisien et l’autre collecteur d’impôts. Le Pharisien, debout, priait ainsi en lui-même : “Ô Dieu, je te rends grâce de ce que je ne suis pas comme les autres hommes, qui sont voleurs, malfaisants, adultères, ou encore comme ce collecteur d’impôts. Je jeûne deux fois par semaine, je paie la dîme de tout ce que je me procure.” Le collecteur d’impôts, se tenant à distance, ne voulait même pas lever les yeux au ciel, mais il se frappait la poitrine en disant : “Ô Dieu, prends pitié du pécheur que je suis.” Je vous le déclare : celui-ci redescendit chez lui

> justifié, et non l'autre, car tout homme qui s'élève sera abaissé, mais celui qui s'abaisse sera élevé.

Ces autorités religieuses recommandent de soulager la souffrance, mais elles s'en prennent à Jésus lorsqu'il guérit le jour du sabbat. Ils chargent sur les épaules des gens des fardeaux qu'ils ne touchent pas eux-mêmes du bout des doigts. D'où orgueil, vanité, désir de paraître, chez tous ces bien-pensants. De serviteurs de la Parole, ils se sont mués en propriétaires de cette Parole et ils l'enferment, ils la barricadent, l'instrumentalisent et la détournent.

> « Malheureux êtes-vous, scribes et pharisiens hypocrites, vous qui fermez devant les hommes l'entrée du Royaume des cieux ! Vous-mêmes en effet n'y entrez pas, et vous ne laissez pas entrer ceux qui le voudraient ! » (Mt 23).

Ils ne servent pas Dieu et ne laissent pas les autres le servir mais ils se servent de Dieu pour paraître. Ils veulent donc des titres, de la considération, des honneurs. D'où les attaques violentes du Christ contre les autorités religieuses de son époque.

4. Hier… et aujourd'hui ?

Cette parole de Jésus s'adresse aussi à nous aujourd'hui. Est-ce qu'elle va nous atteindre dans sa critique des autorités religieuses de notre temps et dans sa critique des attitudes, parfois fausses, du peuple chrétien ?

Regardons cela d'un peu plus près et examinons le pharisien qui sommeille en chacun de nous. Je crois que chaque chrétien et que chaque paroisse devrait pouvoir entendre cela à un moment ou à un autre tellement la tentation du repli sur soi et de l'abus de pouvoir est grande. Chaque fois que nous pensons détenir la vérité dernière, chaque fois que nous croyons nous être approprié la seule et unique manière de vivre la foi et la spiritualité, c'est probablement le pharisien en nous qui prend le dessus.

Vis-à-vis du pasteur ou du curé, chargé de transmettre la Parole, vis-à-vis de toute l'institution et donc de chacun de nous, il y a une critique radicale. Nous n'avons pas à l'éluder ou à la fuir. Il nous faut la prendre pour nous, chrétiens

d'aujourd'hui. Ceux qui ont quitté l'église, en raison des comportements déviants des autorités, et donc contraires à la Parole, sont plus nombreux que ceux qui y sont toujours. Au point que cette question est devenue légitime : y a-t-il encore un rapport entre les institutions, dites chrétiennes, et l'Église de Dieu ? » Il nous faut faire notre autocritique. Jésus nous invite ici par sa parole à un triple examen : suis-je fidèle et vrai dans mon rapport à 1) moi-même, 2) aux autres et 3) à Dieu ?

Cela soulève plusieurs questions que je nous pose : est-ce que je fais vraiment ce que je dis ? Est-ce que je n'ai pas, par exemple avec mes enfants, parfois une double attitude, leur enseignant des valeurs que je pratique mal, exiger d'eux d'aller au catéchisme mais ne jamais les accompagner au culte ou à la messe ?... Soit dit en passant, nous voulons des pasteurs de qualité et nous avons raison, mais n'oublions pas que les pasteurs de demain sont parmi nos enfants d'aujourd'hui !

Est-ce que je ne recherche pas aussi la considération et les honneurs dans ma profession ?... dans l'Église ?... dans la société ?... est-ce que je sers ou est-ce que je me sers ? Ne me suis-je pas fait une petite religion self-service où l'on en prend et l'on en laisse, m'accommodant habilement avec la Loi ? Est-ce que je ne juge pas trop les autres, plaçant sur leurs épaules des exigences écrasantes pour eux ? Est-ce que je fais de ma profession ou de mon rôle de père ou mère un service et non un instrument de pouvoir ?...

Pour ma part, je me demande si je ne suis pas de ceux qui *disent,* qui enseignent, qui conseillent, mais qui ne *font* pas ? C'est facile de dire, mais mes actes sont-ils en relation, en conformité avec ce que j'enseigne ? Est-ce que je suis, pour ceux que je rencontre, un encouragement à lire la Parole et à la vivre ?

« Que chacun s'examine lui-même » disait Paul aux Corinthiens (1 Cor, 11-28). Personnellement, je ne pense pas pouvoir échapper à la critique. Mais il y a plus. Je me demande parfois également si, au nom de la foi, au nom d'une éthique protestante, nous ne chargeons pas sur les épaules des autres des fardeaux que nous ne touchons pas nous-mêmes du bout des doigts. Par exemple à Genève, début septembre, nous proclamons un jour de jeûne, « le Jeûne genevois », mais jeûnons-nous, prions-nous ? Je me demande

également si, sous le couvert de la Parole de Dieu, je ne cherche pas à faire passer ma propre volonté... En d'autres termes, je me demande si je n'emploie pas la Parole de Dieu pour justifier l'idéologie à la mode, mes propres idées d'homme, mes propres opinions. Cela peut aller jusque-là ! Oui assurément !

C'est pourquoi j'aime bien l'attitude des juifs de Bérée dans le livre des Actes : « Chaque jour ils examinaient les Écritures pour voir s'il en était bien ainsi. » Et moi, lorsque je me pose une question, vais-je chercher à savoir ce que Dieu en dit dans la Bible, ce qu'Il m'enseigne, dans Sa Parole, afin de m'y conformer avant de répondre ?

Il n'y a rien de plus beau pour moi qu'une bible dont les pages ont été cornées, marquées et dont la reliure fatiguée raconte l'assidue fréquentation de son propriétaire. Mes amis, chaque fois qu'une bible se détruit par son utilisation, une femme, un homme se construit ! Parce que celui qui lit la Parole est enseigné et donc il est en cours d'édification. La Bible est une Parole vivante, une Parole qui demande à être lue, mieux, à être méditée, comme le psalmiste qui dit qu'il a fait de la Parole de Dieu sa nourriture, et qu'il médite sa loi jour et nuit. « Ruminer la Parole » pour les moines, « Sola scriptura » pour les réformateurs.

5. L'Écriture seule !

Voilà qui devrait constituer pour nous une réalité quotidienne, et imprégner notre spiritualité tout entière, durant toute notre vie. Ce sera un rempart à l'instrumentalisation de la Parole à des fins de pouvoir personnelles et donc au détournement, à la trahison des valeurs de l'Évangile. Il y a un cercle vertueux et un système itératif : plus je lis la Parole, plus je la connais, plus je la comprends, plus son interprétation est fidèle et cohérente avec l'ensemble du texte biblique, plus je suis sensible à tout détournement ou à toute instrumentalisation, moins je m'égare.

Voilà, chers amis, nous sommes invités à nous en souvenir, nous, héritiers de la Réformation, qui est toujours à refaire, et qui n'est jamais accomplie une fois pour toutes.

Tous, lecteurs de la Bible, nous sommes donc tantôt enseignant, tantôt enseigné.

Il y a eu, je crois, au cours de l'histoire de l'Église, un glissement, une déviation, une espèce de trahison de l'Évangile. Petit à petit, on a fait dans l'Église une distinction entre les enseignants et les enseignés. C'est classique en théologie. Il y avait l'Église enseignante, c'est-à-dire le pape et les évêques (mais aussi les professeurs de théologie protestante), qui avaient le monopole de la saine doctrine et en conséquence, étaient chargés d'une fonction de surveillance (surveillance des pasteurs, par exemple). Cela partait d'une nécessité : éviter les déviations doctrinales, maintenir la pureté de la foi, pour que les gens n'imaginent pas n'importe quoi, pour que les curés et les pasteurs ne disent ni n'écrivent n'importe quoi.

À la Réforme, si l'intention était bonne, puisqu'il s'agissait de mettre la Parole de Dieu dans toutes les mains, les moyens utilisés n'ont pu empêcher les dérapages : Bucer à Strasbourg a essayé d'améliorer les mœurs au sein de l'Église mais il a provoqué une Église à deux vitesses : d'un côté une Église élitaire, très professante, à la limite de la secte et de l'autre une Église du peuple, avec des actes pastoraux pour tous, à la limite de l'administration séculière et en dehors d’une catéchèse. Avec Jean Calvin, à Genève, il y a eu la police des mœurs qui était censée aider le peuple à devenir plus chrétien, mais qui a fini par l’excéder, parce que cette police tenait plus de l'inquisition et de la délation que de l’enseignement et de l'encouragement. Calvin mettra au bûcher Michel Servet, qui ne pensait pas comme lui, ce qui vaudra cette phrase de Sébastien Castellion adressée à Calvin : « Tuer un homme ce n’est pas défendre une idée, c’est tuer un homme. »

6. Consommateur ou serviteur de la Parole ?

Vous le voyez, rien de nouveau sous le soleil. Il y avait donc ce ministère de vigilance de la part de l'Église enseignante. Et puis, il y avait l'Église enseignée, qui avait le droit d'écouter, un point c'est tout. Et progressivement, cette distinction s’est accrue, un fossé s’est créé entre "enseignants" et "enseignés". Et là, c'est une question de pouvoir. Celui qui a le savoir a le pouvoir, rien de bien nouveau non plus. Enseignant-enseigné, c'est

dominant-dominé. Il faut le reconnaître, souvent les autorités spirituelles, et pas qu'à Rome ou Genève, ont joué ce rôle et exercé une véritable domination sur les esprits. Mais les chrétiens, eux aussi, ont joué le même jeu : ils se sont souvent contentés d'être les consommateurs (ou les dégustateurs) de la parole de tel curé ou tel pasteur. Ils ont ainsi renforcé le fossé "enseignants-enseignés", se contentant de dire amen à tout ce que l'autorité pastorale disait.

« Chaque jour ils examinaient les Écritures pour voir s'il en était bien ainsi. » Au fond, je pense qu'il nous faut tous, nous examiner, à la lumière de cette parole que le Christ nous adresse aujourd'hui. Car il y a une solution, et Jésus nous la donne. Il nous dit : *« Vous êtes tous enseignés par la Parole »* Jn 6 45. Tous, les pasteurs, les curés, comme les membres de l'assemblée et donc chaque chrétien, sont à même de posséder et de lire une Bible. Tous, sur le même pied d'égalité, nous avons à nous mettre à l'école du seul Maître, du seul pédagogue : Jésus. Il n'y a qu'un seul Père. Il n'y a qu'un seul guide. Il n'y a qu'un seul maître d'école. Il n'y a qu'une seule Parole. Nous sommes tous les disciples d'un seul Maître et les serviteurs les uns des autres. Nous sommes tous frères et sœurs, élevés à la même école.

Et si, aujourd'hui, en tant que pasteur, je vous imposais mes propres opinions, ce serait extrêmement grave. Je ne peux être que « serviteur de la Parole ». Mais pour cela j'ai besoin de vous, vous qui chaque jour, examinez les Écritures pour voir s'il en est bien ainsi et qui dites amen (en vérité) avec moi ou vous qui m'arrêtez pour me reprendre dans la douceur si je m'égare.

Il ne nous suffit donc pas de lire ou de connaître la Parole. Nous sommes bel et bien appelés à la vivre et à la mettre en pratique dans nos relations les uns avec les autres. Oui, nous sommes tous à l'école de Jésus. Mais, nous avons, chacun pour sa part, nos talents propres, des ministères différents. L'une saura encourager ceux qui sont épuisés, l'autre partagera son humour avec ceux qui sont tristes, un autre encore saura écouter ceux qui ont besoin de parler. Vous l'avez compris il n'y a pas ceux qui apportent et ceux qui reçoivent. Il ne doit pas y avoir des "assistés" qui n'ont le droit que d'écouter et de se taire. Chacun de nous a reçu quelque chose de différent de la part de Dieu pour le bien de

tous. Alors ne nous privons pas les uns des autres et jouissons ensemble de la Parole de vie.

La régulation et le contre-pouvoir face au détournement, à l'instrumentalisation, aux passions iniques sont à ce prix. Sur la base de la révélation biblique, chaque chrétien peut et devrait juger, évaluer, remettre en cause les idéologies présentes, les idolâtries, les abus de pouvoir de nos autorités institutionnelles. Ce sera là la seule garantie de leur pérennité. Telle est l'éthique chrétienne, elle est conséquence de notre pratique spirituelle et non préalable.

7. Brève biographie

Maurice Salib, né à Genève en 1958, suisse d'origine égyptienne, est à la fois économiste et théologien. Son parcours professionnel le conduira à être tour à tour enseignant, directeur, administrateur, consultant, curateur, expert en marketing, entrepreneur et pasteur. Homme de réflexion, d'écoute et d'action, créatif, passionné, ayant à son actif douze ans d'expérience de la gestion d'entreprise et 25 ans de pratique pastorale, axées sur l'écoute, les relations humaines et l'éthique. Master en économie en 1983 et master en théologie en 1998, Université de Genève.

Email: m.m.salib@bluewin.ch

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Machines: to Have or to Be?

Small (Trans-, Post-, Bio-) humanistic Thought Experiments

Sabine Haupt

University of Fribourg, Switzerland

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Machines, artificial intelligence, humanism, cyborg, transhumanism, posthumanism

Abstract

When we think about "machines", or "robots", or "AI", what comes to our minds is generally an extension of our common relationship with objects in our humane and mundane world: there is a clear distinction between the subject, "we", and the object. Upon review of some of the most important literary trends of the last centuries, this article invites us to consider the prevalence of this classical ontological division, taking into consideration examples such as Frankenstein, the "brain in a vat" thought experiment, and the last advances towards the reality of "cyborg" beings. The question behind the article bring us to consider to what extent an absolute division between us and machines is still a thing in our days.

Corresponding Author: Prof. Sabine Haupt, University of Fribourg (Switzerland), sabine.haupt@unifr.ch

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1. Introduction

The decline of the Western world is not imminent[1]. At least not immediately. Humanistic thinking and acting are not endangered by computer-controlled prostheses that allow the blind to see again, the handicapped to walk again, or the heart-diseased to breathe again. And if complex interconnected computers contribute to increased traffic safety, a more sustainable use of natural resources, or better disease prevention, that is certainly commendable as well. However, as soon as one goes beyond the enumeration of such clearly positive examples, the assessment of so-called "human enhancement", the technical "improvement" of the human body, becomes problematic. Where does the human end and the machine begin? Will the European Court of Justice someday have to decide whether a cyborg, that biotechnical hybrid known from science fiction films, half human, half machine, is the owner of their implanted devices and interconnected replacement organs? Or conversely, at what point of perfection or complexity should something like human rights be granted to an independently, possibly even "conscious", thinking machine?

Perhaps these developments are just a matter of getting used to something new/our new reality/the new situation we find ourselves in, similar to the adaptation to railways, electrification, and mobile phones in past centuries. Maybe in the 21st century, we will soon get used to the idea that machines relieve us of decisions and responsibility, that Google Glasses control our field of vision, Google algorithms steer our buying behaviour, Google cars determine speed and distance, or Google household appliances dictate standardized cleaning and eating habits. It is not for nothing that Google, as one of the most powerful companies in the world, has heavily invested in robotics in recent years. But what could be more legitimate and human than

[1] This article is a translated version, with permission from the author, of the article: "Maschinen haben oder sein? Kleine (trans-, post-, bio-) humanistische Gedankenspiele". In: Knut Weber, Philipp Reitsam u.a. (Hg.): Der futurologische Kongress I. Ingolstadt 2020, S. 30-35.

the dream of a healthy and perfect human, of a better and more comfortable life, the desire for a kind of technology-supported regression into infantile comprehensive care?

2. God-like (artistic) creators

Transhumanist visions are as old as the human imagination. The fact that humans surpass their immediate reality in their imagination, that they transcend the narrow boundaries of their world through art, religion, philosophy, and science, sets them apart from other beings. Even the myths of antiquity tell of such transgressions. Prometheus, Pygmalion, and their numerous successors have early on engaged in activities as god-like (artistic) creators. World literature is full of texts in which artificial humans, so-called androids, are brought to life through magic and art, and later also through fantastic technology. Literature is the place where transhumanist thought experiments can be thoroughly considered and imagined with all their consequences - and completely without danger. Conversely, it could also be said that transhumanism and posthumanism are themselves a form of literature, a myth, a narrative, a fantasy, a discourse that can be examined like all discourses by questioning and analysing its intellectual, historical, and aesthetic elements. Personally, we are particularly interested in the fantasies, fears, and desires that are told in transhumanism and posthumanism: what ideological and emotional aspects crystallize here, from which contexts the various transhumanist "narratives" originate, and what historical, political, religious, psychological, and philosophical significance they hold.

3. Who owns the machines?

The myth of the artificial human, as mentioned, is ancient. Literature and art provide a wealth of more or less well-known examples, from Pygmalion to Frankenstein to Blade Runner and The Matrix, to name just a few of the most popular ones. However, in all these versions, it was always clear that they were fiction, allegories, satire, or philosophical thought experiments. In modern transhumanism and posthumanism, this is now changing. The

project of the artificial human is now presented, traded, and above all, sold as a real future project. According to the corresponding visions propagated by posthumanists like Google futurologist Raymond Kurzweil, humans in the future will not only own and operate machines but gradually transform themselves into machines. And this will continue until the resulting cyborg, as an intermediate stage between human and machine, is replaced by a new non-human, "posthuman" species: a fully mechanized, cybernetically structured, bodiless, and immortal artificial intelligence.

However, the question of who owns these machines has not yet been conclusively answered by any futurologist. The apologists of posthumanism imagine the self-replicating artificial intelligence, once it reaches a certain stage of development, as an autonomous entity that is no longer controllable by humans. In transhumanism, the boundary between human and machine is crossed from two sides: humans become more and more machine-like (think cyborg), while machines become more and more anthropomorphic, more "human" (think artificial intelligence or artificial consciousness). But where do these ideas and scenarios come from in the first place? What are they aiming for? Who benefits from them already today? And, another question that is becoming increasingly pressing: What could potentially oppose them?

For the aforementioned Raymond Kurzweil, the posthuman society will begin in just 30 years. Such spectacular predictions can be met with skepticism: When talking to robotics engineers, this goal seems to be still far away. The digitization of industry has only just begun and will certainly take another thirty years to reach all areas, according to computer scientists' estimates. So, we probably still have time to calmly reflect on, thoroughly discuss, and perhaps even solve some of the problems. However, this requires grappling with fundamental questions, including philosophical ones like: What is the human being, or what should they be? What is their essence? What is their worth? Why do we live? How do we want to live? Who decides our future? Who should own the new machines? etc.

All of these are fundamental questions that go far beyond the technical aspects. From an intellectual and cultural historical perspective, we see eight areas, eight thematic fields or problem clusters, which are relevant here. Eight areas in which art and literature, as well as mythological, philosophical, and religious texts, have developed ideas and concepts that are still relevant, if not central, to the current situation.

4. The android - a trivial men’s fantasy

To begin, the dream of the artificial human is present in almost all religions and mythologies, through which the creative human, whether an artist or a scientist, attempts to prove their godlike qualities. The most well-known myth in our cultural sphere is Ovid's tale of the sculptor Pygmalion, who falls in love with his own statue. In the numerous later variations of this motif, the focus often revolves around creating an ideal, artificial woman. Thus, the android is initially a rather trivial male fantasy.

However, the trope of the artist as a creator is also a metaphor for bringing art to life, for the perfection of the artwork itself. The artificial human represents the most radical and consistent pursuit of the absolute artwork.

Because in this highest act of creation, the artist's creative power is most visible. They are the master of life and death, they have godlike control over mind and matter - at least according to the aesthetic utopia that emerges in the late 18th century. In contrast to the optimism of the transhumanists, literature at this time is predominantly pessimistic, or rather, “dystopian”. This was already the case around 1800, when fears of technification and industrialization first became a theme in literature. Goethe's ballad *The Sorcerer's Apprentice* (Der Zauberlehrling) from 1797 is one of the first and most famous examples. Goethe's story ends well, but literature of the 19th and 20th centuries is far more pessimistic.

The ironic twist of all transhumanist and posthumanist narratives is that through this kind of self-empowerment, humans might ultimately abolish themselves. The most recent publication, explicitly addressing this idea, is a book by Israeli historian and anthropologist Yuval Noah Harari,

provocatively titled: *Homo Deus* from 2015. The view following which: "Humans will lose their economic and military usefulness, hence the economic and political system will stop attaching much value to them" (Harari, 356, 2015)[2], is one of Harari's central thoughts.

The motif of the artificial human is thus imbued with a great deal of ambivalence from the beginning: the allure of exercising divine power is always accompanied by the fear of losing control over one's own creation or, in the ultimate consequence, being dominated and abolished by it.

What is now perplexing is that this extremely well-known, indeed central narrative pattern is completely ignored in the writings of transhumanism and posthumanism. The artificial creatures here are not hybrid monsters, suffering beings, or even satanic demons; on the contrary, as seen by one of their most prominent proponents, Canadian-Austrian roboticist Hans Moravec, they are our improved descendants, our exceedingly happy children.

5. A sorcerer's apprentice from Ingolstadt

Even Victor Frankenstein, Mary Shelley's unfortunate "sorcerer's apprentice," harbours this dream of a better human as he begins his plans to create an android in Ingolstadt[3]:

[2] Yuval Hoah Harari, *Homo Deus. A Brief History of Tomorrow*, London: Vintage, Penguin Random House, first publ. 2015, [Editor Note: quoted from 2017 ed.], Ch. 9, 356. The idea that "war is obsolete", present in Harari's work, may invite the radical shift from Harari's "liberal peace" into a new more troubled time paradigm in 2022, when the war in Europe, and the means of production and exchange, including military and cyber tactics, resemble a sorcerer who can no longer control the infernal powers he has evoked. [Editor Note].

[3] Mary Shelley. 1818. *Frankenstein*, New York. Booklover's Library, 2022.

> “What glory would attend the discovery if I could banish disease from the human frame and render man invulnerable to any but a violent death! [...] A new species would bless me as its creator and source; many happy and excellent natures would owe their being to me. No father could claim the gratitude of his child so completely as I should deserve theirs. (Op. cit., 20, 29)

Victor Frankenstein aspires to surpass the boundaries of human existence and, through the creation of an artificial being, establish a new race. He is consumed by the idea of overcoming death and liberating humanity from suffering. However, his creation becomes a nightmare, as the android he brings to life turns into a monster, wreaking havoc and death. Mary Shelley's novel *Frankenstein* from 1818 poignantly explores the dangers and ethical questions surrounding the pursuit of artificial life and the manipulation of nature.

In both examples, whether Pygmalion or Victor Frankenstein, it becomes clear that the dream of an artificial human not only embodies a utopian notion of perfection and power but also carries risks, loss of control, and ethical dilemmas. Literature has long examined and portrayed these themes, serving as a warning against the potential consequences of such human hubris. Moravec refers to the artificially created intelligence by humans as “mind children,” as titled in his most famous book, in which he defines the evolution of robots as an ethically and morally superior development of humans. According to Moravec, we will one day love robots as our own children:

> “I see these machines as our offspring. [...] And we will love our new robot children because they will be more pleasant than humans. We don't need to incorporate all the negative human traits that have existed since the Stone Age into these machines. Back then, these traits were important for human survival. Today, in our large civilized societies, these instincts no longer make sense. [...] A robot

> does not possess all of that. It is a pure creation of our culture, and its success depends on how this culture continues to evolve. It will fit in much better than many humans do. We will like them, and we will identify with them. We will accept them as children - as children who are not shaped by our genes but whom we have built with our hands and our minds.

6. The dream of human immortality

The potential dangers of abuse and social and political manipulation through Artificial Intelligence can, according to the widely quoted thesis of Swedish philosopher Nick Bostrom, best be addressed by having a “good” superintelligence, one that is competent and benevolent, take control of our planet as soon as possible. Political philosophy is familiar with this idea of a good and just ruler, invoked since Plato in the history of totalitarianism. At this point, the philosophical and political deficiencies of transhumanism become dramatically apparent.

The second narrative we would like to address is the likely even older dream of human immortality, which is already a central motif in the Epic of Gilgamesh, one of the oldest literary works in the world. The various religious concepts of soul migration and rebirth also belong to this context, as do myths and fairy tales in which heroes and heroines awaken from a hundred-year slumber. The quasi-religious vision of transhumanism suggests that the gradual overcoming of biology, which is inherently connected to disease and death, would enable increasingly longer, possibly eternal life. At the end of this development stands the fully technologized human or their immortal memory loaded onto an immaterial information carrier through "brain upload." The abolition of death is perhaps the most powerful promise intended to persuade humans to transform themselves into machines.

A third point would be the idea of progress that emerged in the 18th century, the notion that human history follows a specific purpose, a telos, serving as a replacement for the older Christian narrative of salvation. For the

enlightened intellectual, the goal is no longer the Kingdom of God and redemption from sins but the improvement of human living conditions.

For the French philosopher and mathematician Nicolas de Condorcet, one of the co-founders of the idea of progress, human progress was primarily a moral and political category. The purpose of progress is the pursuit of happiness, as stated in the American Declaration of Independence of 1776. Transhumanism also argues with this pursuit of human happiness. The justification for research in the field of genetic engineering or neuro-enhancement is still the improvement of human living conditions. However, posthumanist thinking has departed from this ethical foundation. In posthumanism, the idea of progress has become detached and has turned into an end in itself. In a world without humans, "happiness" is no longer a relevant value. The category of "progress" that seeks to meet human needs is replaced here by the idea of a superior, quasi-natural law-like evolution to which humans must submit themselves.

7. The great ideal of ethics

Transhumanism and posthumanism, therefore, draw upon the 19th-century biological theory of evolution, specifically Charles Darwin's notion of an inherent dynamism within nature for the advancement and higher development of biological species. This theory gradually came to be applied to social realms in the early 20th century. The terminology of transhumanism also belongs to this context. The word was coined in 1957 by biologist and philosopher Julian Huxley, the first Secretary-General of UNESCO and brother of writer Aldous Huxley, whose science fiction novel *Brave New World*, published in 1931, became one of the most well-known dystopian works depicting a totalitarian state. Julian Huxley was also involved in formulating the Universal Declaration of Human Rights in 1948. He is one of the key proponents of the so-called "evolutionary humanism", whose first commandment states: "Serve neither foreign nor domestic gods but the great ideal of ethics, which is to alleviate suffering in the world!" Thus, transhumanism, from an ideological and conceptual standpoint, is initially a humanistic utopia that draws a cultural conclusion

from Charles Darwin's theory of biological evolution, suggesting that modern secularized humans are ethically responsible for their further evolution[4]. Julian Huxley was also one of the most important theorists of socialist eugenics.

In contrast to the fascist eugenics of National Socialism, Huxley was not concerned with forced sterilization or the murder of supposedly "unworthy life", but initially focused on improving living conditions through better hygiene and nutrition. However, he also entertained various ideas of genetic manipulation and selective breeding to enhance human genetics.

In contemporary posthumanism, this social dimension of the concept of evolution is entirely lost. Human happiness or human suffering no longer matter. Evolution, in a way, surpasses humans. What matters is the most efficient transmission of information, which can be achieved faster, more targeted, and more accurately through cybernetics than through biological genetics.

The idea of transhumanism and posthumanism predates the term itself. The Huxley brothers were particularly influenced by various essays of the 1920s, including those by J.B.S. Haldane and John Desmond Bernal. However, even the American author Herbert George Wells, often regarded as one of the pioneers of science fiction (alongside Jules Verne), posed the most fascinating question in the world at the end of a speech titled "The Discovery of the Future" in 1902: "What comes after humanity?" This is a question also posed by Michel Foucault at the end of his famous work of history of science, *The Order of Things*, published in 1966, where he considers, through a thought experiment, the "imminent end" of humanity[5].

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[4] Editor Note: See also Julian Huxley's work: *Religion without Revelation*, London/New York: Harper, 1927, 381p.

[5] French: *Les mots et les choses*, Paris: Gallimard. Foucault, M. (1970). *The Order of Things* (2nd ed.). Routledge.

8. Unholy alliances

In certain conditions, as Foucault suggests, “one could well bet that humans will disappear like a face on the seashore erased by the sand”. Although Foucault did not specifically have in mind the transition from the “Anthropocene” to the “Machinozoic”, the underlying philosophical thesis is that humans are neither the pinnacle of creation nor the end of evolution. This perspective is directly related to the fifth aspect of our historical analysis. It is noteworthy that numerous science fiction novels have developed scenarios of apocalypse, drawing on a long religious and literary tradition. The narrative archetype here is the New Testament's Book of Revelation by John of Patmos, which envisions that the new and redemptive can only appear once the decadent old has disappeared in a radical, spectacular, and violent manner. There are clear historical and ideological connections between religious-apocalyptic thinking and totalitarian thought, particularly in the early 20th century. Cultural scholar Klaus Vondung explored these connections in his work: *The Apocalypse in Germany* (Die Apokalypse in Deutschland) three decades ago[6]. At times, it almost seems as if this unholy alliance between the longing for progress and apocalyptic thinking is gaining prominence once again in political discourse. For some posthumanists, the idea that humanity may soon vanish from this planet and be replaced by a new, more capable, and resistant intelligence is enticing.

9. Is our reality just an illusion?

Another aspect concerns the ancient question of personal identity, specifically the question of the connection between body and mind, matter and soul.

To what extent are we truly individuals, indivisible holistic entities? What is the basis of our uniqueness? Do we actually possess a - perhaps even immortal - soul, or is it all just an illusion, an ideological construct? Are we

[6] German original: *Die Apokalypse in Deutschland*, München: Deutscher Taschenbuch Verl, 1988. Engl. translation: University of Missouri Press, 2000.

perhaps just pure matter, manifesting in multiple forms and unstable personalities? Is consciousness an epiphenomenon, an accompanying condition of matter? Or is it a special form of information processing that is not necessarily tied to a specific physical carrier? Just structure, information? So that, as Raymond Kurzweil claims, it would be possible to store, upload, and network individual consciousness. He describes the mechanism of such an upload as follows:

> “Brain upload means scanning a brain in every detail and recreating it in another suitable medium. After that, the personality and all memories and abilities of a person would be captured.

In his dialogues from 1956, inspired by the principle of Platonic dialogues, the Polish science fiction author Stanislaw Lem expresses skepticism about the principle of uploading or creating an exact copy of consciousness. He explicitly leaves the question of personal identity open:

> “Whether the copy that arises after your destruction is truly YOU, and whether such a possibility thus opens up the chance for you to be reborn - that proof still needs to be provided.

10. Myth of the universal simulation

Almost sadistic nightmarish visions of such brain uploads can be found in Thea von Harbou's novel *Metropolis* (1926), the basis for Fritz Lang's famous film, as well as in the appendix to Oswald Wiener's satirical avant-garde novel: *Verbesserung von Mitteleuropa* (1969), which describes violent adjustments (operations, infusions, amputations) for the creation of the so-called “bio-adapter”, an early form of cyberspace.

As a precursor to the concept of cyberspace, the following should be considered: *the myth of the universal simulation*, a recurring scenario that has been explored in various facets, particularly in modern cinema. This concept has its roots in Plato's famous “Allegory of the Cave”. The underlying epistemological question is: What if our reality is just an

illusion? What if everything is merely fabricated by an all-powerful machinist, an evil spirit as feared by Descartes, or - in the modern constructivist version - by our own brain that imagines everything? If we are all victims of a gigantic deception, or in the solipsistic version: if only we alone are real and all other people are part of a total simulation, what then? Science fiction films like the legendary Matrix trilogy directly reference this thought experiment. In contemporary philosophy, particularly in the philosophy of mind and consciousness, such thoughts are explored. The most well-known example is the "brain in a vat" thought experiment that has been circulating in philosophical literature since the 1980s. It involves a human brain submerged in a nutrient solution and supplied with information that creates the illusion of the existence of its body and a real environment.

That such ideas are widespread, even popular, may also be related to the psychiatric context. It is fascinating to see how certain fantasies developed during a paranoid psychosis correspond to this pattern, the feeling of being fundamentally deceived and manipulated. It is therefore conceivable that this fantasy is an anthropological constant activated in philosophy, art, and certain courses of illness.

A somewhat specific example, particularly prevalent in postmodern science fiction, concerns the "deconstructed" human image articulated in the symbol of the cyborg. In the context of the so-called "cyberpunk" movement, human bodies and identities are radically shaped as cultural and technological constructs. The politically ironic cyberpunk genre emerged in the American subculture of the 1980s, and numerous dark comics and films, as well as William Gibson's famous *Neuromancer* trilogy, are part of this context. Heroes in this genre are often highly skilled hackers.

In cyberpunk, as well as in the feminist transhumanism of the same period, the focus is on eliminating the organic-natural in favour of a culture-consciousness, oriented towards artificial worlds. It often revolves around the consciously provocative political demand for a harmonious coexistence of humans and machines/robots. In her 1985 *Cyborg Manifesto*, American

feminist Donna Haraway advocates for the blurring of boundaries between technology and nature, machine and body, male and female[7].

She pursues three goals:

> 1) the abolition of socially and culturally constructed dichotomies such as male/female, technology/nature, reason/emotion, etc.,
> 2) the dissolution of the traditional identification of women with nature, and
> 3) exploring new utopian possibilities.

According to Haraway, the stories of feminist cyborgs aim to recode communication and intelligence to undermine command and control. From a detached, non-anthropocentric perspective, all living beings are equal, whether they are humans, animals, hybrids, or conscious artificial intelligences.

11. The cyborg as a political metaphor

If we interpret Haraway's intention correctly, her focus - in contrast to Kurzweil and Moravec - is less on real technology and more on the subversive power of irony. The figure of the cyborg becomes a political metaphor here, through which a feminist postmodern perspective opposes the supposed "natural order", meaning clear and fixed identities, linear biographies, and unequivocal hierarchies and value systems. What she opposes is hybridity, freely constructed provisional identity, freedom and self-determination instead of identity based on categories such as nature or nation. According to Haraway's vision, everyone can freely assemble their desired body, their desired identity. HE or SHE or IT can determine, change, and modify roles and identities like clothes or wigs.

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[7] Haraway, Donna (2004). "'Cyborgs, Coyotes, and Dogs: A Kinship of Feminist Figurations' and 'There are Always More Things Going on Than You Thought! Methodologies as Thinking Technologies'". *The Haraway Reader*. Routledge. pp. 321–341.

However, how this radical concept of freedom and self-determination aligns with the actual realities of digital progress is personally unclear to me. Because all the already tangible phenomena of algorithmic standardization, normative self-optimization, and antisocial automation, in our opinion, point in exactly the opposite direction, associated with a loss of freedom and choice.

12. The question of the chicken or the egg

Interesting and crucial in the intellectual history of transhumanism is the interplay between scientific-technological inventions or mathematical-cybernetic theories on one hand, and literary-philosophical thought experiments on the other. Facts and fiction often go hand in hand and mutually enrich each other. Biologists, geneticists, cyberneticians, robotics engineers, bioinformaticians, and neurologists often draw upon age-old human dreams unfolded in literature, perhaps often without knowing or analyzing it in detail. Thus, literature, long before the current transhumanist publications by Hans Moravec, Marvin Minsky, Ray Kurzweil, or Jürgen Schmidhuber, is the true inventor of a transhuman reality.

Current examples of this transfer can be found in the novels of Iranian-American science fiction author Fereidoun M. Esfandiary, also known as FM-2030, who laid the foundation for the new transhumanist movement with his essayistic work *Are You a Transhuman?* in 1989[8].

But the influence of literature goes back much further, to the 19th century. Here, we especially think of the satirical-utopian novel *Erewhon* by Samuel Butler, published in 1872. The first-person narrator discovers an unknown civilization living in secrecy, which, after a revolution against the rule of machines, only uses archaic technology. Machines and modern technical devices of all kinds, even pocket watches, are forbidden. The reasons for this taboo are explained at the end of the novel in a manifesto quoted by the narrator. The central concern is the fear of machines that can think and act

[8] FM-2030, *Are You a Transhuman?: Monitoring and Stimulating Your Personal Rate of Growth in a Rapidly Changing World*, New York: Warner Books, 1989.

independently. By the way, Butler's novel is an important source for the first part of Frank Herbert novel *Dune* and the famous science fiction series *Dune: The Butlerian Jihad*.[9]

Literature does not simply create such ideas and scenarios out of thin air. Samuel Butler was familiar with the writings of Charles Darwin, which he vehemently criticized. This more or less critical reference to the natural sciences also applies to modern authors. It is their engagement with physics and biology, cybernetics and neurology, that leads them to their literary ideas in the first place.

The question of origin, that is, what comes first: literary imagination or scientific theory, would be akin to the question of the chicken and the egg. One cannot determine what came first, the literary fictions or the scientific concepts; both are part of a dynamic developmental process in which knowledge unfolds, articulates itself, and constantly changes.

One indication of this interaction is, for example, the fact that literature accurately follows the technological development in the depiction of the creation process of androids. In antiquity, the Middle Ages, and the Renaissance, artificial humans were created through magical and alchemical procedures. This applies to the animation of Pygmalion's statue as well as to the homunculus of alchemy or the golem of Kabbalah.

It is only in the late 18th and early 19th centuries that the first, strictly technical procedures come into play: automakers and opticians, physicists, mechanics, and engineers, later also biologists and photographers, now take over the production of artificial humans. In terms of intellectual history, philosophers such as Francis Bacon, René Descartes, and Julien Offray de La Mettrie in the 17th and 18th centuries paved the way by describing the animal, and also the human body, as a machine, which now allowed previously tabooed medical-anatomical interventions. Accordingly, the

[9] Frank Herbert. 1965. *Dune*, Chilton Books; Brian Herbert, Kevin J. Anderson. 2002. *Dune: The Butlerian Jihad*. Tor Books.

groundbreaking title of La Mettrie's famous work from 1748 is *L'homme machine*, the machine-human.

13. A human inferiority complex

Texts from the 20th century accordingly tell the story of how artificial intelligences reach a new, superior stage of evolution compared to humans and replace human life with new technological forms of existence and reproduction. Posthumanism regards humans as outdated models of evolution. The philosopher Günter Anders interpreted it as *The Antiquatedness of Human Beings*, title of his famous work from 1956, as a human inferiority complex, even as self-disgust in the face of one's own physical frailty, as “Promethean shame” in which modern humans compare themselves to the perfection of machines[10].

Of course, we can surrender to this development, participate, and be enthralled by all the digital marvels and innovations of transhumanism. Maybe we only participate half-heartedly and reluctantly, out of fatalism, convenience, or thoughtlessness, integrating ourselves into the digital world by obediently uploading our personal data, becoming transparent, adapting to standardized algorithms that calculate what we should eat, how much we should weigh, what we should know, whom we should love.

We can do this trustingly if we believe that no matter how sensitive and intelligent a person may be, they can never know as much about themselves as a perfectly regulated algorithm. And for those who do not want or cannot participate in this development, they will be taken care of as well as possible: with a state-mandated and calculated basic income, with antidepressants, computer games, cybersex.

All this will be available. Yes, why not? Perhaps it is fortunate to be a machine: devoid of drives and desires, fully provided for in a virtual

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[10] Günter Anders, *The Antiquatedness of Human Beings* (Die Antiquiertheit des Menschen: Über die Seele im Zeitalter der zweiten industriellen Revolution, München: C. H. Beck, 1956).

manner. Oswald Wiener has already envisioned this form of desublimation and alienation with his "bio-adapter" until its totalitarian end back in 1969.

14. Living with robots

Do we want to? And if not, why not? It is important to think about this, to become clear about what we actually expect from life, from ourselves, and from our fellow human beings. It is not sufficient to simply be reflexively-unreflective and be "against" it because we cannot imagine that the promises of transhumanism can work at all, because much of it is technically not feasible, or because we assume that the social and political problems in transhumanism will not be solved but rather worsened. This is especially true since material inequality is increasing (paradoxically parallel to growing cultural standardization). While these are indeed realistic criticisms, they may not be sufficient in the long run. What if in 50 or 100 years more and more transhumanist projects actually work? Would we be in favour then?

Why not live together with humanoid robots who take away the burden of everyday life, take out the trash for us, take care of us in hospitals, maybe even talk to us or provide sexual satisfaction when we are lonely? If life and consciousness are indeed predictable, material phenomena, then there is no reason beyond our discomfort to argue against the concept of the "homme-machine".

Yet if we take our discomfort seriously in the face of such scenarios, then we should delve into it mentally, even as enlightened, liberal-humanist, not necessarily spiritually-oriented materialists. We should consider our concept of humanity, reflect on how a non-materialistic, non-informational understanding of life and consciousness could be conceived. And by that, I mean more than an ethical-political concept.

What makes a human being human? What do terms like "life" and "consciousness" mean? Are thoughts and feelings truly "matter" and thus mechanically producible? What role does the body play in this? Is there such a thing as somatic autonomy? These are questions that are currently

being discussed under the heading of "embodied cognition" by philosophers, neuroscientists, and roboticists.

Perhaps it would be possible to counter the animism attributed to artificial intelligence, which is the naive yet arrogant belief in the creation of synthetic consciousness, and thus the "vitality" of machines, with a different animism, possibly equally irrational, but which has a different cultural and political connotation. It is a way of thinking and living that does not view the body solely as a functional unit, regulated and simulated by information, but as an impulse or drive, as experience, as spontaneous uncontrollability[11]. A kind of "bio-humanist" attitude that does not exclusively identify what we experience as "self" with the brain and information. With the necessary ideological caution, perhaps we could critically revive the old animistic-romantic concept of an animated nature, and counter the speculative realism of a world of objects, conceived as independent of humans, which amounts to confront the totalitarian "naturalization" of technology with the re-naturalization of nature and the human body.

15. The puzzle structure of art

In similar context, our final question would be about the specific task of literature, on how it could oppose/counter/challenge the standardization of the digital human image, the binary yes-no, like/dislike schema. We believe it can do a lot here because good, free, original art and literature thrive on ambivalence and ambiguity. It is about representing and enduring

[11] Comment by the Editor: uncontrollability (Unverfügbarkeit) may refer to an idea found in the Hartmut Rosa's work the *Uncontrollability of the World*, transl. J. C. Wagner, Polity Press, 2020. We speak of the experience of uncontrollability following Rosa, when "we are called" by some type of experience and "we react and respond" to it, provided some further conditions. E. g. with "falling snow", we react as we get "a feeling of inner change or transformation" and the assumption, or "hope it might be worth engaging more closely" with that, which appeals to us, precisely because "we not fully understand it, nor have not yet exhausted it". We don't know exactly at what time t1 snow falling starts, when it might stop at t2… (Ibid. p. 49).

contradictions. This is about dialectics, about the "riddle-character" of art, as Adorno called it.

The precursors are, among many others, Samuel Beckett and Franz Kafka. Role models are here to be unpredictable, creative beyond clear rules, expectations, and predefined patterns. That does not mean equipping a text generator with a random principle, but rather something similar to creative madness with relevance.

The lack of openness and ambiguity in digital codes was also one of the central theses of computer specialist Joseph Weizenbaum, who, after developing the legendary language program ELIZA, warned vehemently about the "power of computers" in the mid-1970s. Instead of Weizenbaum, we would rather let a great and wise writer have the final word, namely Brigitte Kronauer. She also emphasizes the central role of ambiguity and ambivalence as agents of human freedom and human culture.

> "Our recognition and exploration of ambivalences - a thinking that always seeks alternatives to apparent inevitabilities - and our ability to cope with them is a civilizing act and a strenuous prerequisite of culture. It is already culture and the opposite of any form of fundamentalism.

Naturally, this also includes any form of digital fundamentalism.

16. Short biography

The Swiss/German intellectual, novelist and literary scholar Sabine Haupt (born in 1959 in Gießen, Germany) is living and working in French-speaking Switzerland. Professor Haupt teaches General and Comparative Literature at the University of Fribourg (Switzerland). In addition to her academic work, she also publishes for the press, radio, and television. Her most recent novels are: in 2022. *Die Zukunft der Toten*, 216p.; 2021. *Lichtschaden. Zement*, 321p., and in 2018. *Der blaue Faden. Pariser Dunkelziffern*, 520p., publ. in Biel by Die Brotsuppe. See also: http://www.sabinehaupt.ch. Email: sabine.haupt@unifr.ch

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Review of Data Ethics, C. Stückelberger / P. Duggal

A report based on the WSIS 2023 launch event

Erin Green, Ignace Haaz

Keywords

Information ethics, emerging digital technologies, data, ethics.

Abstract

This review is based on an expanded version of the session outcome document we prepared for WSIS. The outcome was providing a summary of the session: Data Ethics and the Ethics of Digital and Emerging Technologies – Building Trust, Serving Humanity – Globethics, which was held a few days earlier from 16:00 to 16:45, Monday, 13 March 2023 at the Geneva International Conference Center, under the auspices of the ITU (see: WSIS Forum 2023: Data Ethics and the Ethics of Digital and Emerging Technologies – ITU Video Portal / https://www.globethics.net/events/wsis-forum-2023 / https://www.itu.int/net4/wsis/forum/2023/Agenda/Session/203).

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1. Introduction

As articulated in the session outcome document[1], Globethics has been working for 10 years on information ethics in partnership with successive editions of the WSIS forum. This is a review of *Data Ethics*[2], the latest work authored by the Swiss theologian, renowned researcher on applied ethics and emerging technologies and founder of Globethics, Christoph Stückelberger. Stückelberger also holds the position of President of the Board of Foundation of Globethics and served as the main editor of the volume. He worked in close collaboration with Pavan Duggal, co-editor. Dr Duggal is the President, Cyberlaws.net, Cyberlaw Asia and Mobilelaw.net, Chief Mentor, Blockchain Law Epicentre, Chairman, International Commission on Cyber Security Law and Globethics Board Member.

It is not necessary to read a six hundred page book to find direct evidence of the importance of the overall theme of this impressive piece of wisdom. Almost every day we can discover in the media, how communication technology is constituting much more than a deep paradigm shift, disruptive challenges in social practices and education. The question of banning access to ChatGPT, a popular new software, which generates text on any subject in response to a query, for example, which is quickly becoming a mainstream temptation (see: New South Wales and Queensland public schools in Australia). Only a few months after the world discovers this new information

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[1] Session 203: Data Ethics and the Ethics of Digital and Emerging Technologies – Building Trust, Serving Humanity – Globethics, https://play.itu.int/event/wsis-forum-2023-data-ethics-and-the-ethics-of-digital-and-emerging-technologies/; also: https://www.itu.int/net4/wsis/forum/2023/Agenda/Session/203. Editorial assistance/ proofreading: Amélé Ekué, Allison Pierok. Event organisation: Ruth Marlyn Grace Sidabutar, Lucy Howe Lopez, Christoph Stückelberger. Coordination of the session: Ignace Haaz.

[2] Stückelberger, Christoph / Pavan Duggal (Eds.). 2023. *Data Ethics: Building Trust. Serving Humanity with Values*. Geneva: Globethics Publications, ISBN 978-2-88931-523-9 (online version), ISBN 978-2-88931-524-6 (print version), DOI:10. 58863/20.500.12424/ 4273108

technology, the immediate concerns articulated by many are not only justified, but also becomes spin, underlining the urgency of unbiased reflections and competency on the matter.

One of the ways to constructively address this challenge could consist of creating an international civil society framework of monitoring, of ethical mentoring of individuals and institutions, holding regular international meetings, which serve in assessing the quality of monitoring and of the social needs for any given emerging digital technology. By preventing the possible blind spots and risks associated with emerging digital tech, we meet at WSIS, once a year, a moment, which is sufficient, - provided the very fast development of the phenomenon and concern about the everyday consequences of the massive use of emerging technologies, - only under condition of serious work done on the long run. Globethics Foundation decided on January 2023 to take two steps forward:

First, 1) as international not-for-profit foundation with ECOSOC status and international centers worldwide focusing on ethics the need to focus on emerging technologies has been distinctively recognized in the clear refocusing our new Strategy 2023-2027. Globethics as an international non-governmental organization, working for ethical leadership through its academic and public engagement, made the decision through our highest constituencies for the coming years to work on emerging technologies. Registered in Geneva, Switzerland, it is an independent, not-for-profit foundation, with an international Board of Trustees, and centers around the world. In having a range of concrete research programs and international and interdisciplinary publications on emerging technologies, Globethics aspires to integrate all most innovative ways of dealing with ethical wisdoms of cultural, religious, philosophical and humanist inspiration in order to weave through them, but also through their differences, bridges between worldviews on ethical issues.

Second, 2) we are renewing our commitment to high quality research and publication on information ethics. Since many years but in particular our joint 2013 Declaration on Ethics in the Information Society, the groundwork done in 2018 on cyber ethics and the development of our online library collection

on cyber ethics freely accessible and downloadable worldwide[3]. Globethics succeeded in turn first in 2022 and 2023 to release two further original research works. Edited by Drs Erin Green, Divya Singh and Roland Chia, AI Ethics and Education[4] and the newest Data Ethics, edited by Christoph Stückelbeger and Pavan Duggal[5] demonstrate ten years of constant efforts in following the evolution of digital communication technologies and their impact of the human social life and education.

2. Towards WSIS+20 and WSIS beyond 2025: action lines

The 2023 meeting at WSIS has shown the importance of pursuing our mission and work on ethics and the emerging information technologies, bringing on-board cutting-edge research from all continents, all cultures and religious-spiritual-philosophical beliefs and worldviews, with serious scientific grounding and also inspiring poetical existential meaning for our concrete conditions of living in our communities and ways of life[6].

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[3] Access: https://repository.globethics.net/handle/20.500.12424/31

[4] See in particular No. 10 in the Education Ethics Series: https://www.globethics.net/education-ethics-series

[5] See specially the last two No. of the Global Ethics Series as well as previous volumes on information ethics and social media ethics: https://www.globethics.net/global-series

[6] We thank all the moderator and panellists: 1) Moderator: Dr Ignace Haaz, Managing Editor, Globethics Publications.

2) Speakers: Dr Dr h.c. Christoph Stückelberger, President and Founder, Globethics, co-editor of Data Ethics: Building Trust How Digital Technologies Can Serve Humanity. Geneva: Globethics, 2023.

3) Dr Pavan Duggal, co-editor of *Data Ethics: Building Trust How Digital Technologies Can Serve Humanity*. Geneva: Globethics, 2023; Barrister, Supreme Court of India, President, Cyberlaws.net, Cyberlaw Asia and Mobilelaw.net, Chief Mentor, Blockchain Law Epicentre, Chairman, International Commission on Cyber Security Law and Globethics Board Member

There are new emerging trends and challenges, which means we need to reflect on how new achievements and opportunities in the implementation of the WSIS Action Lines to date opens a horizon for the future.

Globethics's Strategy launch on 5 April 2023 aims at reaffirming our serious efforts in monitoring the impact of information and emerging technologies on educational quality, economic prosperity, political atmosphere and quality of life. The event will be conducted in a simultaneous manner across all our regional centers, showing the coordination of our efforts and contextualization of our resources.

The Globethics *Journal of Ethics in Higher Education*, launched in 2022 as a biannual, open access digital journal, is a scholarly platform for international and cross-cultural exchange and high-profile academic contributions, including in languages other than English, on cutting-edge ethical issues pertaining to the higher education sector. The scope of the journal is to bring to the fore a diverse and engaging scholarly discourse also on the emerging ethical preoccupations around the increasing use of Internet-based technologies and integrity-based research at all levels of academia[7].

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4) Dr Greta Balliu, Member of the Editorial Board of the *Journal of Ethics in Higher Education*, Institut interdisciplinaire d'éthique et des droits de l'homme, Chaire Unesco de la diversité et des droits culturels, Université de Fribourg et Observatoire de la diversité et des droits culturels, Fribourg, Switzerland.

5) Dr Erin Green, is the Communications and Asia-Pacific Coordinator for Pax Christi International, an author, philosopher, theologian, communicator and expert in the social impact of AI and related technologies. She is passionate about understanding how AI is changing our world, and making sure we all work for the common good.

6) Mr Gilles Bach, is a consultant in the data, AI, Internet of Things space and on digital and core transformation, and innovation, and a member of the Globethics Global Pool of Ethics Experts and course instructor at Globethics Academy, inter alia for the open course on Cyberethics.

[7] Visit https://www.globethics.net/jehe

The vision of ethical leadership for a just, inclusive and sustainable world is at the core of the Globethics strategy 2023-2027.

The specialised Globethics e-library with its more than 75 collections, more than 150 journals, and 3.6 million curated publications provides video tutorials on the use of our open access resources (+Globethics's own publications series and standalone publications).

Globethics is also an accredited provider of online and blended learning, offering through its *Academy* quality open and executive course programmes, *inter alia*, on Cyberethics, Responsible Leadership, Ethics in Higher Education for Teaching Professionals, and Social Responsibility and Sustainable Development[8].

In April 2023, Globethics will launch the second volume of its *Research Ethics Series*, realized in collaboration with the Institute of Research and Action on Fraud and Plagiarism in the Academia (IRAFPA), based in Geneva, which is a pole of excellency on information risks in higher education, with its 18,000 subscribers, and yearly workshops and trainings[9].

3. Tangible outcomes

Among the key outcomes from research work done on *Data Ethics*, our researchers have pointed out:

- The need to train and institutionalise data ethics officers (see Enrico Panai, https://doi.org/10.58863/20.500.12424/4276012);
- The new type of criminal harms and wrongs related to the exponentially increasing (mis)use of the metaverse engendering consequently new types of legal protection measures, see Divya Singh: Sexual Assault in the Metaverse: Caveat Universitates

[8] Discover: https://www.globethics.net/de/courses

[9] See: https://www.globethics.net/research-ethics-series

("Universities Beware"), https://doi.org/10.58863/20.500.12424/4276067);

- Satellites and Sea Cables: The Ownership of Data Carriers and Geo-political Implications by A.l Prakash, https://doi.org/10.58863/20.500.12424/4276065;
- African value and a new and better intelligence in global AI inclusion discourse as normative ethics perspective, a study by A. Gwagwa, E. Kazim & A. Hilliard, https://doi.org/0.58863/20.500.12424/4276016
- Complementary findings in this volume can be consulted and downloaded free of charge: https://www.globethics.net/data-ethics

4. Actionable plan

- Globethics Publications follows a publication plan of 20 to 30 publications on ethics per year, among which a large number is on ethical issues related to emerging digital technologies.
- Over the past 3 years we gathered PhD theses from Nigeria on media ethics and we are closely collaborating with teachers and researchers from the Department of Mass Communication, on the African continent and plan many new research and publication projects for the years to come.
- As 2022 outcomes see: Dr Peter Eshioke Egielewa, see his article in JEHE 1(2022), https://doi.org/10.26034/fr.jehe.2022.3378; the author is releasing in 2023 new research on mass media ethics in the Nigerian context.
- Globethics is also running a project on ethics excellence in higher education as assessment exercise. Discover about it in the following article: Making Ethics Effective in Higher Education in Africa and Beyond, by N. Balgobin, https://doi.org/10.26034/fr.jehe.2022.3391,

- Under the title: Empowering Partnership: Ethics in Context, by C. Housel, H. Makinda, S. Ackah (et al.), https://doi.org/10.26034/fr.jehe.2022.3392 Globethics staff members present the crucial importance ethics networks and partnerships in context.
- The analysis by Globethics Managing editor on "Ambivalence, creative investment, publishing and development", I. Haaz, https://doi.org/10.26034/fr.jehe.2022.3380 helps to address critically some of the difficulties in running an international publishing house, in the 21st century, concerned by both quality work and fair access to service for authors from the majority world.

5. Concluding suggestions for thematic aspects that might be included in the WSIS Forum 2024

- Globethics is committed to its thematic priorities, i.e., ethical standards in higher education; sustainability and environmental justice; ethics of digital and emerging technologies; inclusive peace and responsible governance. These thematic areas might constitute valid suggestions for consideration related to the WSIS Forum 2024.

6. WSIS Data Ethics book launch discussion

The 2023 WSIS launch event was an opportunity to introduce *Data Ethics* to scholars, advocates, and policymakers gathered in Geneva and around the world through online streaming. Geneva was a significant place for the launch of this publication, not only as a hub of the information society, but also as the new place where global dialogue on values can take place, made possible through the internet and digital communications. WSIS conversations take place through the active participation and proximity of civil society and other institutions, including Globethics.

In his opening remarks, main editor Christoph Stückelberger, reflected on his 20-year mission to increase access to information in developing countries in the area of ethics. From first efforts in 2003 to the WSIS launch, Globethics now has the largest online library on ethics worldwide with its 3 million documents. In launching its own publication series, Globethics has continued in this spirit of increasing fair access to information and knowledge. Fast developments from the information society, the knowledge society, continue to propel this work further.

At the same time, Stückelberger remarked, fears are increasing. Some people urge resistance, based on fears of surveillance, hacking, and harassment, creating a divide between digital believers and those who remain unconvinced. It's appropriate that trust is a recurring theme in digital discourse, because we are convinced that this is one of the key issues on the table. Mistrust is not necessarily bad, but if it is overwhelming it can hinder regulation and standards that we so clearly need.

The collection *Digital Ethics* serves humanity, serves values. In an expansive 600 pages it brings together 45 articles with contributions from all continents. Together we reflected on data as we saw it. This included, naturally, data storage and security, but the more we dug into it, the more we saw that data is *everywhere*. Data is the fuel of the twenty-first century, just like oil in the century before this one, electricity for the nineteenth century . . . and copper some 2000 years ago. Eight chapters on values, trust, and laws help frame the significance of data for finance, security, world peace, data governance, and geopolitics.

Data is now influencing all sectors of society, and in all societies we grapple with the question of what is good and what is bad. How can we develop benchmarks? The answer given in *Data Ethics* looks at the data revolution in terms of strengthening support for core values such as equality, peace, sustainability, justice, and resisting abuse of data technologies. On the other hand, the collection also scrutinizes the dangers of data including dominance, oppression, exploitation and encourages responses that are inclusive, interdisciplinary, and global.

Building bridges between tech skeptics and tech enthusiasts is ever-more critical as data – and consequently data ethics – touches all aspects of life, from physics, business, culture, religion, and more. Questions about data are also inextricably and fundamentally questions of anthropology and spirituality. Who am I if not a composite of data?

In this view, how does data help us become better humans? It helps a lot in supporting access to education, information and formation, resisting the abuse of power, and even supporting the right to forget.

In his remarks, Pavan Duggal also stressed the significant impact of data on this moment in history, noting that we are all surrounded by growing cyber attacks from all directions. Cyberspace is a growing space for conflict, for both state and non-state actors – a direct result of the data economy in which we are now immersed. Everyone has been transformed, Duggal continued, into a global author, a global transmitter, and global broadcaster of data. Sleeping and waking, day-in and day-out, we are dealing with data.

The relationship between data ethics and legal, policy, and regulatory issues is inextricable. There are lots of issues prompted by ChatGPT and other AI language model programs, a wake-up call for all of those expecting machines to be ethical. Other emerging technologies like blockchain also give rise to new ethical questions, including use in cybercrime and cybersecurity. We are all connected to the Internet, but without a security perimeter.

Similarly, the Metaverse is expected to be the new paradigm of the world, a world where we will be talking with our digital avatars in augmented or virtual reality. These avatars are starting to do a lot of unethical things, not the least of which is digital rape. We are all relying on Web 3.0, but perhaps presuming too easily that it will all be ethical. Things are further complicated when we look at the darknet the methodologies at work in this often mysterious digital ecosystem. Laws and those who enforce them have much work to do in keeping pace with these challenges.

Duggal also emphasized that we are living, internationally, in a complete policy vacuum. There is no international law on cybersecurity, and distinctive national laws varying in scope and ambition. Some countries are also trying

to implement ethical standards, for example, in the form of Tallinn Manual 1.0 and Tallinn Manual 2.0.

As order is beginning to evolve, states are becoming very powerful. In this new power ecosystem, data ethics needs to be given appropriate appreciation. *Data Ethics* makes just such a necessary contribution, including in pushing the evolution of legal and other jurisprudence concerning data ethics. This collection is the beginning of a new journey, one that will see the crystallization of principles, norms, and other aspects of data ethics.

Coming from the perspective of interdisciplinary theology, Erin Green, also addressed the significance of *Data Ethics* for understanding AI and digital justice more broadly. Noting in particular the scope of the volume, Green expressed appreciation for the diversity of scholars represented in the collection as an indispensable antidote to the dominance of Eurocentric values and voices in debates about data and its impact on our lives.

Green scrutinized the notion of trust and the role it plays in debates about regulation of AI and other emerging digital technologies. Both technology companies and regulatory bodies often invoke trustworthiness as a key benchmark in developing digital technologies and related regulations. The appeal to trust, however, is often made by companies and governments that have revealed themselves, repeatedly, to be untrustworthy. Exploring the nature of trust and how it can be upheld in complex systems is critical for data ethics. The effort made in *Data Ethics* to bring this to the fore is, therefore, critical.

Green remarked that another strength of the collection was bridging cultural and linguistic bridges on issues that impact people across the world. For example, the AI arms-race is widely characterized in terms of US-China relations, but dialogue between researchers is limited. This volume helps bring such diversity of experiences into contact and enhance the capabilities of ethics researchers to understand contexts other than their own. Such contribution to wider ethics discourse about data is indispensable and helps democratize the discourse and make it increasingly accessible.

Turning to economic ethics, Dr Greta Balliu explored the significance of the volume for human rights, with an emphasis on education and development. She looked at ethics in relationship to the creation and preservation of digital public spaces and how we can preserve human rights there. The growth of data and digital tools around super communities, institutions, and other transnational sectors, generates the right to participate but also new responsibilities. These digital spaces both create and exacerbate digital divides. These divides point toward the complexity of social justice in a digital age and the need for intersectional reflection. Similarly, digital justice must be seen in the context of gender equity, environmental sustainability, economics, justice, intergenerational relationships, and so much more.

As repeatedly underscored in *Data Ethics*, human rights and human dignity must not be forgotten or displaced. This extends to the creation of digital identities and how these relate to the broader flourishing of social justice and human rights. This is one of the greater challenges of our digital age.

Closing the panel session, Gilles Bach turned to questions of cyberethics and technology. He noted that we are in midst of a triple-phenomenon – the explosion of data generation and collection, exponential sophistication of algorithms, and also the spread of these algorithms across all types of devices.

The stakes are huge and we have a historical responsibility to take this seriously and implement concrete checks and balances. We need to proactively scale controls at all levels, remarked Bach. This includes measures regarding the privacy of data, biases existing in data sets, and the general quality of the purpose, scope, and design of algorithms. This can be achieved through regulation as well as a digital transformation strategy, with *Data Ethics* providing one such template for better data governance for any organization. It remains, unfortunately, true that most organizations don't have a true effective data governance strategy.

Corporate responsibility is another important aspect of data governance, including understanding and implementing ethical controls for data. Connections between organizations and the world of ethics can help achieve this. Transdisciplinary committees are one way we can really bring the world of ethics to the rest of the world. It is only with such robust strategies in mind

that we will be able to remain human and humane while also having the development of all these new technologies.

Returning to the specific contribution of Globethics to the issues raised in *Data Ethics*, Stückelberger recalled the significance of having a global network for ethics. It's a platform for cooperation, one where everyone can contribute, comment, and participate in the development of data ethics. Whether you come from the private sector, civil society, or government agencies you can contribute to building a strategy for data ethics. When it comes to data ethics, we are all stakeholders.

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Stückelberger, Christoph / Pavan Duggal (Eds.). 2023. *Data Ethics: Building Trust. Serving Humanity with Values*. Geneva: Globethics Publications, ISBN 978-2-88931-523-9 (online version), ISBN 978-2-88931-524-6 (print version), DOI:10.58863/20.500.12424/4273108

8. Short biography

Dr Erin Green, is the Communications and Asia-Pacific Coordinator for Pax Christi International, an author, philosopher, theologian, communicator and expert in the social impact of AI and related technologies.

Email: eringreenster@gmail.com

Dr Ignace Haaz, holds a doctorate in Arts and is Publications Manager at Globethics (contact: publications@globethics.net). His last works on ethics, information and education can be found in the Globethics Library.

Email: haaz@globethics.net

journal of ethics in higher education

Review of Dr Hassan Fartousi, A Portrait of Trade in Cultural Goods

Gabrielle Marceau,
Assoc. Prof. at the Fac. of Law
of the University of Geneva, Switzerland,
Senior Counsellor in the Research Division
(ERSD) of the WTO Secretariat

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Trade, cultural goods, cultural value of cultural goods, WTO, UNESCO, hard law, soft law

Abstract

This is a book review of: Dr Hassan Fartousi, *A Portrait of Trade in Cultural Goods in Respect of the WTO and the UNESCO Instruments in the Contexts of Hard-Law and Soft-Law*, Theses Series No. 40, Geneva: Globethics Publications, 2023. 493p. Online ISBN: 978-2-88931-529-1

Corresponding Author: Assoc. Prof. Dr Gabrielle Marceau, WTO Secretariat, Fac. of Law, University of Geneva, gabrielle.marceau@wto.org.

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Visit: https://www.globethics.net/jehe

1. Introduction

In *A portrait of Trade in Cultural Goods*[1], it is clear that Hassan Fartousi focuses on approaches to reflecting the relationship between Trade and Culture within the international normative order. More specifically, the aim of the book is to establish a comprehensive legal framework for trade in cultural goods. In addition to emphasising the need for enhancing legal coherence and developing mutual supportiveness and mutual recognition, Fartousi assesses different proposals and mechanism to concretely reconcile the WTO Agreement, in the broad sense of the WTO's single undertaking, and the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (UNESCO CDCE). Thus, it is clear that the message of this book is that rather than focusing on the normative and institutional fragmentation between the WTO Agreement and the UNESCO CDCE, importance should be given to the benefits that could be derived from a potential multifaceted legal, and institutional, framework including both Trade and Culture – In particular with regard to trade in cultural goods.

2. A shared value for peace and sustainability

Dr Fartousi opens the discussion by highlighting the common values expressed from a trade perspective in the *General Agreement on Tariffs and Trade* (GATT) and the WTO Agreement, and from a cultural perspective with the UNESCO CDCE. The author focuses specifically on the common willingness to establish and maintain peace within the international community by acknowledging and respecting States' sovereign exercise of their right and to promote sustainable development.

With regards to trade, Fartousi affirms that the GATT was the first step toward globalization in a post-World War II environment in order to avoid

[1] Hassan Fartousi. 2023. *A Portrait of Trade in Cultural Goods in Respect of the WTO and the UNESCO Instruments in the Contexts of Hard-Law and Soft-Law*, Globethics Theses Series No. 40, Geneva: Globethics Publications, 493p. Online ISBN: 978-2-88931-529-1; URL=<https://www.globethics.net/theses-series>

State's withdrawal into themselves and the rise of protectionism in the trade of goods. For this purpose, the GATT established a principle of non-discrimination embodied by the Most-Favoured Nation Principle (MFN) and the National Treatment Principle (NT) and therefore "reduce the likelihood of war for control of international markets that grew out of State protectionism of domestic industry".[2] This firm willingness to establish and maintain a peaceful multilateral trading system acknowledging and respecting States' sovereign exercise of their right also be embodied later in the Marrakech Agreement establishing "a single undertaking of normative instruments" and creating the World Trade Agreement.[3] Furthermore, the objective of sustainable development figures undoubtedly in the preamble of the Marrakesh Agreement.

By analogy, Fartousi notes that by explicitly recognizing the diversity of cultural expression and establishing/identifying cultural diversity as a human right, the UNESCO CDCE similarly aims to reduce the likelihood of war for control under the guise of cultural uniformity and homogeneity.[4] As in the preamble of the Marrakech Agreement, sustainable development is also mentioned in article 2(6) of the UNESCO CDCE .[5] This novel approach focusing on common understandings rather than highlighting the well-known fragmentations allows the author to delve into underexplored aspects of the relationship between Trade and Culture. Such an analysis is more than necessary to propose innovative, practical and sustainable pathways to link these two fields.

Moreover, Fartousi demonstrates that trade has a significant role to play in the upholding of cultural diversity since there is a risk that products from economically stronger States prevail thus fostering cultural homogenization. Therefore, beyond their shared objective of avoiding international conflict, culture and trade are in fact intertwined. This entanglement between the two

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[2] Ibid., at 28.

[3] Ibid., at 28.

[4] Ibid., at 31.

[5] Ibid., at 141.

disciplines is further reinforced when it comes to traded cultural goods, which are *traded goods* subject to the principle of non-discrimination as well as vehicles for *cultural expressions* that need to be protected under the scope of both trade-related and culture-related legal instruments, i.e., the WTO Agreement and the UNESCO CDCE.

The author highlights that, despite their common value for peace, it remains that two organisations with their own specific, and not necessarily compatible, norms exercise their jurisdiction over the same category of goods. This double jurisdiction, according to the author, results in normative incoherence or as called by the author, fragmentation of applicable legal norms as well as institutional overlap or fragmentation of institutional authority. The author then proposes three possible means to address fragmentation (i) a solely normative approach (ii) a solely institutional approach and (iii) a combination of normative and institutional approaches.

3. The role of interpretation

After assessing that the primary function of interpretation is to establish the principle of good faith, the context, the object and purpose of the treaty, and relevant rules of international law governing the relationship between the Parties[6], the author discusses the way the relationship between the WTO Agreement and the UNESCO CDCE should be interpreted. The author rightfully notes that both agreements are not *lex generalis* since they are a part of two parallel legal environments. Thus, the interpretation of one agreement will not modify or replace the interpretation of the other agreement.[7] Then, after noting that the UNESCO CDCE states that it should not be interpreted as modifying rights and obligations under other treaties, which would include the WTO Agreement[8], the author suggests that the relationship between the two legal instruments might, in fact, be one of two

[6] Ibid., at 85-87.

[7] Ibid., at 104.

[8] Ibid., at 106.

lex specialis. If so, a plain reading of the text would not be sufficient to assess the delimitation between the two legal instruments. Either a unilateral or reciprocal willingness would need to be expressed by the WTO and/or the UNESCO to integrate the other instrument into its own framework or such reciprocal integration would have occur by means of third-party determination using tools of interpretation.[9]

Furthermore, Fartousi observes that apart from its primary function, rules of interpretation will also determine if there is a genuine conflict between the WTO Agreement and the UNESCO CDCE.[10] In other words, interpretation is useful to identify situations where a State acting in good faith would not be able to comply simultaneously with the obligations under the WTO Agreement and the UNESCO CDCE.[11] The author then makes the distinction between broad and narrow interpretation of conflict.

If the presence of two legally binding instruments addressing the same subject-matter is a prerequisite for these two interpretations of conflict, the "narrow interpretation" covers situation where both instruments provide mutually exclusive obligations in the sense that complying with obligations arising from one instrument would necessarily result in a violation of obligations arising from the other instrument.[12] However, the "broad interpretation" covers situation where both instruments provide mutually exclusive obligations but also situations where the provisions of two different instruments are incompatible. For example, a situation where the same conduct of the State would be permitted by an instrument while being prohibited by the other.[13] In that case, even though obligations complying with one obligation arising from one instrument would not necessarily result

[9] Ibid., at 111.
[10] Ibid., at 118.
[11] Ibid., at 119.
[12] Ibid., at 120-121.
[13] Ibid., at 122.

in a violation of obligations arising from the other instrument, inconsistency remains.

According to Fartousi, this distinction is important since, as explained by the author, they bring into play different approaches. While the "narrow interpretation" may call for the principle of mutual supportiveness to enhance coherence between the WTO Agreement and the UNESCO CDCE; the "broad interpretation" approach may call for the harmonization principle to achieve perfect coherence between the two treaties.[14]Addressing the academic debate between narrow and broad interpretation is novel and valuable. However, the absence of concrete examples of WTO Agreement and UNESCO CDCE provisions where such a debate could be applied, makes it difficult to assess the importance of said distinction in practice.

4. Harmonization through hard law

Fartousi takes a particular interest in harmonization, i.e., "producing coherence through binding normative amendments and mandatory institutional approaches, as they address trade in cultural goods".[15] However, this harmonization is limited to Hard Law, which is used to describe

> "instruments and norms that are binding on States and international institutions. The obligations contained in these instruments are complete (or can be completed, by establishing comprehensive guidelines) and enforceable, while they assign authority to adopt and interpret the law (i.e., institutional authority).[16]

The author's analysis recognises that the UNESCO CDCE does not seem to contain provision that would be suitable for harmonization and the harmonization integrated with the WTO SPS and TBT Agreement does not

[14] Ibid., at 145.

[15] Ibid., at 154.

[16] Ibid., at 150.

cover harmonization of international norms but rather harmonization of national legislation.[17] The author, nevertheless, identifies hard law approaches to harmonization between the WTO and UNESCO regarding trade in cultural goods. To do so, the author uses the three possible means to address fragmentation, i.e., a solely normative approach, a solely institutional approach and a combination of normative and institutional approaches. The same three approaches are also used to study the possibility of 'mutual supportiveness' through Soft Law in later sections of the book.

Introducing a solely normative approach (or "Amendment Approach"), Fartousi suggests different proposals to amend the GATT such as directly modifying GATT Article I (MFN) and Article III (NT) to exempt cultural goods, adding *culture* or *cultural goods* to GATT Article XX (Exceptions) or adopting an Annex to the GATT, of goods exempted on cultural grounds from the treaty's provisions based on the UNESCO Framework for Cultural Statistics.[18] Similarly, the author suggests several proposals to amend the UNESCO CDCE. The author for example suggests adding a mention to UNESCO CDCE Article 20, defining its relationship with other treaties and noting that the UNESCO CDCE should be interpreted as possible exceptions to obligations under other treaties and would thus prevail in case of conflict.[19] The author also suggests amendments precisely and clearly defining Amendments to create *Culture*, *Rights*, *Obligations*, *and Protection*[20], prohibiting disguised protectionism using language similar to that of the chapeau of GATT Article XX[21] or creating enforcement mechanism such as a two-step proportionality test making sure that a cultural measure adopted by a State is effectively aimed at protecting and promoting culture and is

[17] Ibid., at 162.
[18] Ibid., at 183-184.
[19] Ibid., at 184.
[20] Ibid., at 185.
[21] Ibid., at 186.

necessary for that purpose.[22] However, Fartousi notes that the Amendment approach is not realistically feasible given the "time factor, and the high threshold of agreement required under the Marrakesh Agreement and GATT".[23]

Outlining a solely institutional approach (or "Construction Approach"), the author suggests harmonizing the WTO and UNESCO institutional frameworks regarding day-to-day matters arising from trade in cultural goods via the establishment of a Joint "Coordination Bureau for Culture and Trade".[24] This body would be mandated to address disputes regarding cultural goods and services by taking into account both the WTO and UNESCO legal framework and emphasising their common dispute settlement rules[25]; thus, avoiding potential conflicts between the WTO and UNESCO dispute settlement mechanisms. Apart from dispute settlement, the Joint *Coordination Bureau* should aim at establishing comprehensive practices and regulations relating to Culture and Trade while assessing potential conflict through the work of specialised commissions or working groups.[26] However, Fartousi also notes the potential difficulty of getting States, that would already be members of both international organisations, to delegate a measure of decision-making power to the Coordination Bureau[27] and to finance its day-to-day operation. [28]

Using a combination of normative and institutional approaches (or "Coordination Approach"), the author proposes harmonizing the WTO and UNESCO legal and institutional frameworks by establishing a dispute settlement mechanism for trade in cultural goods. According to Fartousi,

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[22] Ibid., at 187.
[23] Ibid., at 183.
[24] Ibid., at 189.
[25] Ibid., at 191.
[26] Ibid.
[27] Ibid., at 191-192.
[28] Ibid., at 190.

this mechanism, independent from the WTO and UNESCO, could be an effective solution for resolution of potential conflicts due to overlaps and incoherent measures.[29] However, this solution is only theoretical since the WTO legal framework, as currently established, does not provide WTO adjudicating bodies with the competence to enforce a non-WTO norm over WTO provisions.[30] Noting that the Coordination Approach is not feasible in practice, he proposes two alternatives, i.e., a Cultural Standards Agreement on Trade in Goods that would bind WTO and UNESCO[31] or the appointment of a cultural expert/panellist to WTO proceedings rather than establishing a new and independent dispute settlement mechanism.[32]

Even though their feasibility is challenged by Fartousi himself, these three approaches remain particularly interesting. However, they may need to be analysed more. While Fartousi gives quite detailed proposals of amendments for the "Normative Approach", his proposals are not as detailed when it comes to the "Coordination Approach" and the "Construction Approach" by which Fartousi advocates for the implementation of an institutional mechanism.

For the "Coordination Approach", Fartousi discusses the mandate that would be given to the Coordination Bureau, which is undoubtedly a practical aspect not to be overlooked. However, it does not discuss the practical implementation of the Bureau's day-to-day activities. As an example, knowing that the WTO is located in Geneva and UNESCO is located in Paris would this mean that the Joint Coordination Bureau would have premises in both cities. For the Construction Approach, Fartousi does not give many insights on the way a "dispute settlement mechanism that would be external to both bodies"[33] would work out in practice. For example, the author does not mention if this would mean that the option of appointing adjudicators who

[29] Ibid., at 193.
[30] Ibid., at 197.
[31] Ibid., at 198.
[32] Ibid., at 200.
[33] Ibid., at 193.

previously WTO and UNESCO would be excluded for the sake of independence.

5. Mutual supportiveness through soft law

Dr Fartousi also explores the possibility of "mutual supportiveness" through Soft Law, i.e., "normative provisions contained in non-binding texts".[34] He first analyses different trends of mutual supportiveness in international law[35] and establishes that trade and human rights are mutually supportive[36] as are the WTO Agreement and the UNESCO CDCE through their common willingness to preserve peace and promote sustainable development.[37] Thereafter, he sets out approaches of mutual supportiveness through Soft Law between the WTO and UNESCO regarding trade in cultural goods. As previously done for harmonization through Hard Law, the author uses the three identified approach to address fragmentation earlier, i.e., a solely normative approach, a solely institutional approach and a combination of normative and institutional approaches.

Introducing his solely normative approach (or "Interactive Approach"), Fartousi encourages mutually supportive positive interactions between the WTO and UNESCO relating to trade in cultural goods.[38] This approach focuses on increasing complementarity in the WTO and UNESCO legal frameworks with the aim of preserving peace and advancing sustainable development. Since this approach covers a wide range of interactions between, inside and outside the WTO and UNESCO, the author affirms that it could be easily implemented.

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[34] Ibid., at 207.
[35] Ibid., at 218-225.
[36] Ibid., at 234.
[37] Ibid., at 235.
[38] Ibid., at 238.

Outlining a solely institutional approach (or "Consultation Approach"), the author encourages non-binding consultative forums or groups between the WTO and UNESCO.[39] This could be in the form of a "Consultation Forum" that would serve as a temporary, unfixed platform for experts of both organizations to regularly discuss matters regarding trade in cultural goods.[40] These discussions could facilitate a common understanding on trade in cultural goods as well as other issues of relevance for the WTO and UNESCO. As it was suggested for the Joint "Coordination Bureau", Fartousi suggests assessing potential conflicts between the two legal regimes through the work of specialised commissions or working groups.[41]

It could also take the form of a closed, and potentially informal, "General Consultation Group" composed of experts supported by informal commissions or working groups to facilitate dialogue and exchange of views or concerns relating to the 'cultural' aspects of cultural goods in international trade. Thus assessing potential conflict and ways to handle them.[42] Since this group would be limited to a narrower group of people and be virtually constituted, the author thinks that it is more implementable than the Consultation Group in practice.[43] Finally, the Consultation Approach could take the form of a "Consultation Group Concerning Dispute Settlement", which would solely discuss dispute settlement matters related to trade in cultural goods.[44]

This last proposal is very promising. Such advisory consultation groups have already been explored in the context of Trade and Sustainable

[39] Ibid., at 239.
[40] Ibid., at 240.
[41] Ibid., at 241.
[42] Ibid., at 242.
[43] Ibid.
[44] Ibid., at 243.

Development chapters in Free Trade Agreement[45]. Therefore, the author's innovative proposal to draw upon the approach addressing the relationship between Trade, Labour, Environment and Sustainable Development that has been used mainly on a bilateral basis by States to implement a multilateral mechanism for Trade and Culture is very interesting. It seems not only theoretically interesting but also practically feasible.

Using a combination of normative and institutional approaches (or "Guidance Approach"), the author suggests establishing mutual supportiveness between the WTO and UNESCO legal and institutional framework through flexible guidance to States. This could take the form of a Memorandum of Understanding between the WTO and UNESCO regarding traded cultural goods[46]; It could also take the form of action plans and international programs outlining the future joint activities of both institutions, declarations of Principles or action plans adopted at international conferences similar to the WTO Ministerial Declarations for example[47], or the international recommendations on the status of traded cultural goods jointly issued by the WTO and UNESCO[48]. The author also raises the possibility of having non-binding ad hoc standards[49] but also joint Guidelines on operational procedures and protection policies for traded cultural goods.[50]

After reading Fartousi's analysis of harmonization through Hard Law and mutual supportiveness through Soft Law, it appears that the Soft Law approach is more likely to be implemented in practice. This conclusion is not surprising. It is well known that the absence of legally binding norms allows

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[45] For example, Art. 13.12 of EU – Korea (2011) provides for a Committee on Trade and Sustainable Development composed of senior officials from within the administration of the Parties.

[46] Ibid., at 244.

[47] Ibid., at 247.

[48] Ibid., at 249.

[49] Ibid., at 251

[50] Ibid.

a certain institutional and normative flexibility that is particularly useful for advancing discussion on complex subjects. However, since Soft Law does not give rise to enforceable rights and obligations, such an approach may be less effective when it comes to dispute settlement.

This last point is all the more relevant in the context of this book. Indeed, beyond the institutional collaboration between the WTO and UNESCO, Fartousi mainly focuses on finding ways to establish a functioning, coherent and effective legal framework for traded cultural goods. To do so, the implementation of the Hard Law approach is indispensable. Thus, the book would have benefited from an analysis providing a detailed comparative assessment not only of the likelihood of implementation, but also of the comparative effectiveness of each approach. In any case, it would definitely be interesting to study this aspect as part of further research.

6. Conclusion

With this work, Fartousi offers an innovative re-conceptualisation of the (otherwise underexplored) relationship between Trade and Culture. The author demonstrates that despite the apparent normative and institutional fragmentation that still exists, there are nonetheless various prospects for reconciling between Culture and Trade. For example, the author rightly notes that effective protection of traded cultural goods while taking into account the established principles of the multilateral trading system need to be supported by enhanced legal coherence and the development of mutual supportiveness between the two legal regimes. However, the way to implement these proposals not only theoretically but also in practice could have been explored in more detail.

Although attention is being given to the chances of successfully implementing these theoretical approaches, the practical considerations in their implementation are understudied. It would be interesting to think about concrete steps or guidelines so that the various recommendation, in particular, those proposing institutional mechanisms could be made possible practically. Furthermore, it would be interesting to further analyse whether the implementation of these several theoretical proposals would be the sole

responsibility of the WTO and UNESCO's Director General or whether governments and other relevant stakeholders should also be involved in the process.

Nevertheless, it is undeniable that this book is a valuable catalyst for discussions that could form the foundation of future research. The coming together of Trade and Culture through traded cultural goods could definitely open the door to exploring and studying other interactions between the two fields such as Trade in services, Movement of Persons and Culture or Trade, and Intellectual Property Rights and Culture. By providing theoretical solutions while taking into account their potential for implementation, Fartousi leaves policy space and encourages other academics and expert to take part in the exercise and keep the discussion going until a sustainable and comprehensive solution is found.

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8. Short biography

Gabrielle Marceau, Ph.D., is Senior Counsellor in the Research Division (ERSD) of the WTO Secretariat, where she has worked since May 2020. In September 1994, Dr. Marceau joined the GATT Secretariat and for several years her main function was to advise panellists in WTO disputes, the Director-General's Office, the Secretariat and WTO Members on WTO-related matters. From September 2005 to January 2010, Dr. Marceau was Legal Advisor in the Cabinet of former WTO Director-General Pascal Lamy and from September 2016 to January 2017, she was acting Director, Officer in Charge for the Legal Affairs Division.

Dr. Marceau is also Associate Professor at the Law Faculty of the University of Geneva. She has been Visiting Professor at the Graduate Institute in Geneva, the Sorbonne in Paris, Monash University in Melbourne, the World Trade Institute in Bern, and many other institutions. Dr. Marceau is also involved with associations and groups promoting international (economic) law. She has published extensively in WTO law and international economic law. Before joining the GATT/WTO, Dr. Marceau worked in private practice in Quebec, mainly in civil, insurance and labour law.

Email: gabrielle.marceau@wto.org

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Book Review of The Ten Commandments

A Chinese Catechism of Living

Wenjuan Zhao,
Oxford Center for Religion and Public Life, United Kingdom

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Keywords

Biblical theology, global and contextual Christianity, Chinese catechism, the Ten Commandments, intercultural approach

Abstract

This book review discusses You Bin's intercultural approach to construct a Chinese version of catechism through the Ten Commandments as the vital content for both Chinese Christians and non-Christians in the Chinese context. It shows that integrating God's Ten Commandments into Chinese traditional culture and social settings is not necessarily meant to compromise its biblical-theological essence with one's self-critical awareness of culture. It suggests how this book might set an example for both theologians and practitioners to bring back the catechism, to bear upon the needs of contemporary Christians in the non-Western setting.

Corresponding Author: Dr Wenjuan Zhao, wenjuan.zhao@ocrpl.org.
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1. The Chinese version of Christian catechism: universality, contextual cultural and religious considerations

Readers such as Chinese Christian educationists, scholars and Church leaders would benefit from reading the book *The Ten Commandments: A Chinese Catechism of Living*, Geneva: Globethics Publications, by Dr. You Bin[1]. Throughout the history of Christianity, various commentaries on the Ten Commandments (known as the Decalogue) were written and rewritten in different periods, forming a fundamental part of Christian training material for instructing adult converts and children—alongside the Apostles' Creed, the Lord's Prayer, and basic knowledge of the sacraments. These commentaries appeared in both the early days of Western and Easter Christianity. However, the profound tradition of valuing and honoring the Decalogue for this religious purpose has been waning in Western ecclesial settings following the author. Specifically, the Ten Commandments has been fashioned into a secular moral shorthand to regulate the modern-day citizen; the format of a religious "catechism" was also appropriated—particularly in twenty-first century North America—to rehearse the basic knowledge of a nonreligious subject in secular contexts, which preserves no original biblical meaning.

It is therefore encouraging to see You Bin (游斌)'s *The Ten Commandments: A Chinese Catechism of Living* addressing the revival of the Decalogue in its more biblical sense in the Chinese context. The book's release is timely, and its interpretation is very exigent—it draws reader attention back to the vital role of the Decalogue in both Christian and non-Christian life, even within broader society. As one of four volumes of *Chinese Catechism* articulated from a theological-biblical perspective rooted in the Chinese setting—*The*

[1] Bin, You. 2022. *The Ten Commandments: A Chinese Catechism of Living, Chinese Catechism 3*, Geneva: Globethics Publications, 171p. Online ISBN: 978-2-88931-508-6. See: https://www.globethics.net/publications

Creed (v. 1), *The Lord's Prayer* (v. 2), *The Ten Commandments* (v. 3), and *The Liturgy as Celebration of Life* (v. 4)—this volume aims to revive the biblical-classical teachings through dialoguing with Chinese culture with the goal of guiding Chinese Christian faith practice.

The Chinese version of the Christian catechism makes a remarkable contribution to the global church by displaying the possibility that this exceedingly ancient teaching could be continued and contextualized within Chinese culture to enrich its meaning and nurture Christians and the broader society. The Chinese catechism shares similarities with historical and some contemporary catechisms, tracing back to the Israelite period. From that time onward, God's Ten Commandments were immersed in Jewish culture and inherited from Christian traditions. On the other hand, it differs from the Western and denominational catechisms, as it crosses the denominational boundary to embrace the insights and legacy of various Christian traditions to construct itself. Most importantly, it communicates God's everlasting commandments into Chinese traditional culture and social settings in a practical and systematic way to provide a firm foundation for Chinese Christian faith practice based in scripture. Additionally, part of the teachings of the Chinese Catechism have been updated to serve both Chinese Christians and non-Christians. In the words of You Bin, "the Ten Commandments marks the bottom line of human life and contains the true guidance of human nature," which can be considered a universal rule of life for all people. For instance, the final six commandments are broadly accepted within different cultures, and they reflect virtue and wisdom of the law to lead all creatures to achieve common good and build a functional society.

While You Bin does address the universality of the catechism, he still places a high value on the vital role and origin of the Ten Commandments in the biblical context to instruct Chinese Christian life. In Chapter 1, he argues that the Ten Commandments are God's words bestowed upon the Israelites first and then extended to Christians to bless them. Through their way of life, people would know the Lord they worship and why following God's commandments itself leads to a good life. The Ten Commandments hence does not stand alone, but echoes the Sermon on the Mount wherein Jesus Christ calls for all God's people to live virtuous under the guidance of the

Holy Spirit and witness God's salvation of the world. This link reveals the internal relation of the Ten Commandments to the Gospel: the former acts as the herald for the Gospel to show the way of life for God's people, while the latter urges people to fulfill God's commandments as a path for following this way of life.

In terms of living a virtuous life, it is not a foreign concept among Chinese people that one may capture the essence of what a virtuous life means in accordance with cultural heritage, such as through Confucianism and other traditions. Christianity and Confucianism share intercultural similarities in that belief is about a way of life to achieve its telos, and cultivating a virtuous life is the goal of everyone. Understood this way, Christian virtues can be intricately woven into Confucian virtues, the two working together under the guidance of the Holy Spirit to regulate Chinese Christians' desires and transform their sinful nature with rational will. Moreover, cultivation of such virtues leading to an upright and godly life reveals how a Chinese Christian way of life can fulfill God's will in the local setting while journeying with all other earthly saints in the global setting. But despite these cultural opportunities, You Bin primarily states that Jesus Christ is "the king of virtues" and in Him we can find the real meaning of the Ten Commandments and become empowered to practice them.

In Chapter 2, You Bin furthers his accounting of what a virtuous life ought to be on an individual level. Dwelling in God's biblical text, You Bin emphasizes that Christian identity is defined by divine rather than earthly words, and it begins and ends with a reference to Jesus Christ in relation to God's truth and a way of salvation. Like the Israelites, the Chinese Christians are called out from the world by the triune God to live a sanctified life by putting on the virtue of true righteousness and holiness. Living a sanctified life means to obey God's commandments, imitate Jesus Christ, love God and one another, and proclaim and *become* the Gospel by grace to the very end of the age. Putting this into practice, You Bin adopts a Chinese way of thinking about religious practice: enabling unity in knowledge and action in a way that is genuine to Chinese culture to achieve its goals (知行合一). Regarding action, however, Jesus Christ sets the greatest example to demonstrate that

knowing God through His words, prayer, and confession should be Christians' daily practice.

Given the degree of parallelism between the Confucian and Christian ways of understanding virtuous life, You Bin skilfully weaves together both the unique Chinese cultural factors manifested in Chinese expressions of moral law, virtues, and conscience with their biblical-theological interpretations to elaborate how they can be incorporated into God's Ten Commandments and be renewed in divine meaning to point the Chinese towards true goodness and living a good life. Early Chinese Christian scholars valued these cultural aspects but sometimes had to compromise the essence of Christianity so that it could be more easily adapted in their communities. In contrast, You Bin holds strongly that a Christian virtuous life must be grounded in "the faith traditions of Christianity itself and rely on the Church's universal theology as its intellectual resource." For example, the Chinese concept of the Mandate of Heaven still covers moral aspects, but it refers solely to people; whereas Christian moral law covers both human and the divine. This theological awareness leads You Bin to differentiate the Confucian concepts of sin and virtue and delineate them with unshakable Christian doctrine. He even emphasizes the crucial role of the church in the formation of a virtuous life—as Christians' eternal goal is shaped by the local Chinese church, it is also influenced by all saints in a lifelong journey both then and now within an ecumenical church.

For You Bin, the Ten Commandments serves as a Christian manual of instruction in the faith as well as a universal law for performing basic duties in all cultures and religions. This interpretation is based on his catechetical exposition of the theological concept of the *Imago Dei*, which suggests that all humans share certain characteristics—such as morality and rationality—with God. *Imago Dei*, combined with the doctrine of *Perichoresis*, provides the crucial grounding for developing the human role at the social level. In Chapter 3, You Bin articulates that God has existed for eternity within a loving relationship between the Father, Son, and Holy Spirit. The model of *Perichoresis* inspires Chinese people to imagine a harmonious and united relationship among humans, their communities, and societies, while each person remains unique. Putting this triune relationship into practice, Chinese

people take responsibility for others, act in the interests of others, act for public good, and pursue social justice, all with the aim of achieving common good. Grounded in Chinese society and the Ten Commandments, You Bin delineates practical advice on how social institutions could be more just and equal from the micro to the macro and how people in particular roles should behave in God's way to transform institutions for the better.

Having discussed Christian life through individual and social dimensions, in the final chapter You Bin returns to the formation of human life and daily practice in response to teaching the Ten Commandments. For You Bin, the Ten Commandments are both the whole law of the Israelites and Christians as well as the law of all other peoples on Earth. Through the Ten Commandments, the Israelites were called to enter into a covenant with God, and human beings, Christians included, are invited to follow the rules of the world made by God to live with dignity and harmony in this world. The Ten Commandments hence can be described as the whole law of God to speak to all people and regulate the many facets of their lives. You Bin therefore situates each commandment in both ancient and present Chinese contexts to expound their specific meanings and update some nuances given the new temptations and challenges facing Chinese people in the twenty-first century. As he expounds on this idea, he employs terms embedded in Judeo-Christian culture, such as justice, dignity, covenant, and natural rights, to fill in the gaps he perceives within Chinese culture. Meanwhile, he contextualizes some biblical-theological concepts and endows them with Christian philosophies through Chinese expressions. He sees a profound cultural-religious combination in which "all people under heaven are from Adam, created by God in His image, so there is but one family." The Confucian and Daoist philosophical expressions of heaven are crucial and familiar to Chinese people, as they refer to a deity or power or will that doesn't reveal itself yet is known to exist. But in You Bin's interpretation, a new connotation of "heaven" is engendered as the whole world, conveying that there is one world, one God, and all humans bearing God's image belong to each other.

The *Ten Commandments* brilliantly completes its agenda in multiple ways. Perhaps its most distinguished achievement lies in its intercultural approach and contribution to current scholarship. The intercultural approach to

Christianity has allowed Christian faith to be deepened and expressed in ways intelligible within different contexts since the geographical shift of Christians from the West to the South. However, it remains an ongoing debate regarding where to find the balance between contextualization and Christian truth and faith in light of Christian biblical-historical traditions to avoid overvaluing certain positions. *The Ten Commandments*, perhaps, sets an extraordinary example for both theologians and practitioners seeking this balance. The book testifies that substantial reconstruction of beliefs through the Ten Commandments depends on both the internal doctrinal nucleus of truth and one's self-critical awareness of culture without devaluing either side. It also indicates that communicating God's Ten Commandments to the world is itself the interaction where one encounters the living God in which God acts in diverse settings and where one also responds to God's acts. This interaction keeps the biblical-historical tradition alive by integrating faith in God, as God is at work not merely in general but in every particular context. This book arrives not long after the distribution of the Chinese edition of the catechism to both the seminary and the church in China, which has inspired the development of contextual-biblical thinking in the region. I believe that this English edition will stimulate cross-border insight into this thinking, which will further the discourse and illuminate a path toward a deeper understanding of God's words and how it can work in practice in the face of contemporary challenges.

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3. Short Biography

Dr. Wenjuan Zhao is an academic program leader and researcher at the Oxford Center for Religion and Public Life (OCRPL). She received her Ph.D. from Hong Kong Baptist University with a specialization in theology. Prior to the OCRPL, she worked at Hong Kong Baptist University and then

conducted her research at Duke University, Durham, North Carolina in the United States.

Email: wenjuan.zhao@ocrpl.org

Revue du livre : Diangitukwa et Siadous, Les prisons sont-elles utiles?

Ignace Haaz

Première édition, mai 2023.

Mots clés

Justice pénale restauratrice, prisons au Gabon, éducation et formation des détenus.

Résumé

Le contexte des prisons africaines offre amplement matière à revisiter l'idée classique de l'inutilité de certaines criminalisations. Dans un monde plus que jamais dominé par le spectacle des châtiments et des modèles de justice expéditives, il est bienvenu de replacer le rôle de l'éducation dans la prison, puisque tout détenu emprisonné, aussi démuni et à plaindre soit-il, est riche de son temps, et capable de résilience et de perfectionnement. Encore faut-il, sous peine de paraître très idéaliste, dessiner de manière convaincante les lignes directrices de la rédemption par la formation et les études dans le cadre de la prison. Les prisons ne sont pas des mouroirs, tel est le leitmotiv de l'entretien passionnant entre sept spécialistes des prisons dans l'enceinte de la prison de Libreville et le truchement de l'œuvre de Diangitukwa et de Siadous.

Auteur pour toute correspondance: Dr Ignace Haaz, Éditeur responsable. Fondation Globethics, haaz@globethics.net. Assistance éditoriale : M. Phil. Jakob Bühlmann Quero.

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1. Surveiller sans punir en Afrique : utopie ou nouveau paradigme ?

L'ouvrage *Les prisons sont-elles utiles pour l'avenir de la société ?* est à la fois une étude empirique réalisée à la prison de Libreville au Gabon et une somme conceptuelle du professeur Fweley Diangitukwa, inspiré par l'esprit des travaux pionniers de Michel Foucault (*Surveiller et punir: Naissance de la prison*, Gallimard, 1975), et adapté à la discussion au contexte africain. Ce travail bénéficie de la compilation des conventions légales et de la connaissance du droit positif africain et gabonais de Ruth Bekoung Siadous, qui n'a pas ménagé ses efforts pour étudier les pratiques à la prison de Libreville. Le fait que ce travail n'éclaire pas seulement le contexte des prisons au Gabon, mais qu'il a une portée régionale et même en Afrique francophone, en fait une étude originale de droit comparé et d'éthique appliqué d'importance pour le cadre continental africain.

Sept invités se sont joints pour approfondir par une conversation interdisciplinaire et célébrer le vernissage de l'excellent ouvrage *Les prisons sont-elles utiles ?* Ensemble ils ont voulu offrir au lecteur passionné par le problème de *l'utilité des prisons pour la société*, un aperçu qui se veut une invitation à penser le lien entre prison et la formation ou l'éducation[1].

[1] 1) Prof. Dr Fweley Diangitukwa, Professeur des Universités en Sciences économiques et sociales, coauteur du livre : *Les prisons sont-elles utiles pour l'avenir de la société ?* African Law Series No. 13, Genève : Globethics Publ., 2023.
2) Dipl. jur. Ruth Bekoung Siadous, Juriste, Master en droit et en sciences politiques. Coauteure du livre cité ci-dessus.
3) Dr Bekono Nkoa Wilfried, Prof. Doyen de la Faculté de Droit et de Science Politique de l'Université Internationale de Libreville.
4) M. Dionzo Nsele Aimé Cyprien, Journaliste, professionnel de la communication.
5) Me Ella Engonga Lionel, Prés. Association SOS Prisonniers Gabon
6) M. Agaya Gérald, Juriste. Ancien détenu de la Prison Centrale de Libreville, Gabon.

L'ouvrage ose l'optique audacieuse qu'il serait possible de surveiller sans punir des détenus, qui auraient accepté en connaissance de cause leur sort de détenu, et qui en conséquence auraient pour mission principale de se préparer à une réinsertion dans la société. L'horizon intentionnel d'une libération de prison, d'une vie vertueuse de citoyen, et d'un retour à l'activité économique étant les principaux objectifs, considérés comme réalisables et concrètement attendus par tout prisonnier.

Dans ce second livre avec Globethics, Fweley Diangitukwa est rejoint par Ruth Bekoung Siadous pour mobiliser à nouveau les instruments conceptuels du droit comparé et de l'éthique appliquée, puisant dans les cadres légaux d'Afrique francophone et dans l'approche interdisciplinaire[2]. La question de l'utilité des prisons pour la société africaine, et en particulier pour le Gabon, cristallise autour de l'utilité ou pas de punir des notions de bien commun et/ou du vivre ensemble qui découvrent, à son fondement, un projet stratégique vertueux d'éducation et de formation tout au long de la vie.

Ce faisant l'auteur suit une ligne d'inspiration partagée par la Fondation Globethics, qui elle aussi à sa manière met en avant des valeurs qui construisent l'avenir de la société, une société de valeurs et un « leadership vertueux » du leadership[3].

Ainsi que le montrait le philosophe français Michel Foucault, l'Etat n'arrive pas toujours à faire admettre la reconnaissance des valeurs et à assumer sa responsabilité à propos de l'obligation d'obéir à la loi d'informer ces citoyens sur leurs droits et obligations. En effet, informer celui qui n'a pas respecté le droit est indispensable, autrement punir en société est injuste.

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7) Dr Ignace Haaz, Editeur responsable Éditions Globethics, Philosophe et auteur de plusieurs ouvrages en éthique de la peine. Docteur ès Lettres.

[2] Fweley Diangitukwa. 2022. *Les élections en Afrique : Analyse des comportements et pistes normatives de gestion des conflits*, African Law Series No. 11, Genève : Globethics Publications, 426pp. ISBN : 978-2-88931-453-9

[3] *Ethical Leadership through Higher Education and Global Engagement*, Globethics Strategy 2023-27, https://www.globethics.net/strategy

C'est par la grande ignorance dans laquelle se trouvent beaucoup de citoyens que commence les risques de calvaire de l'individu qui se révolte dans la société, et n'obéit pas à la loi. Il se retrouvera bien vite dans un milieu carcéral où très souvent il sera maltraité et rencontrera des gens qui ont commis des négligences, des omissions - voire des crimes, plus odieux que ceux dont lui est responsable.

Il y a avec la question des raisons à punir et des justifications de punir un ensemble de problèmes éthiques, moraux et sociaux qui se posent à nous. Et en posant ainsi le cadre de l'obligation d'obéir à la loi et la responsabilité d'informer les citoyens de leurs obligations, nous ne faisons qu'effleurer les questions fondamentales qui concernent les raisons et justifications de punir. Nous allons dans ce qui suit revenir sur les différents aspects de ces questions cruciales. Afin de saisir le cœur tragique de l'expérience de la privation de liberté, revenons un instant au traitement de cette question par la grande littérature.

Rappelons-nous de Jean Valjean, qui dans le magnifique livre de Victor Hugo entre au bagne sanglotant et frémissant, mais dont il ressortit impassible[4]. Il entre en prison désespéré, il en sortit sombre ; mais que s'est-il donc passé dans cette âme ? Afin d'ouvrir une clé de compréhension introduisons la notion du droit humain et plaçons-le dans le milieu carcéral. Les droits de l'homme sont l'ensemble des droits et libertés protégés par des normes constitutionnelles, régionales et internationales. Ces droits fondamentaux, qu'on peut aussi considérés inaliénables, imprescriptibles et universels, sont attachés à la personne humaine. Le milieu carcéral désigne tout ce qui est relatif à la prison, à la vie en prison ou à la vie des prisonniers. La prison est un établissement clos, aménagé pour recevoir des personnes condamnées à des peines privatives de liberté ou des prévenus en instance de jugement. Quel lien peut-il exister entre ces deux notions, dont l'une vise la protection d'une liberté fondamentale, celle d'aller et venir, et l'autre vise la privation de cette même liberté, à première vue aucune.

[4] Victor Hugo. 1951. *Les Misérables*, Édition de Maurice Allem, Bibliothèque de la Pléiade, n° 85, Paris : Gallimard, I, II, 6, p. 93.

Emprisonner une personne c’est la priver d'une de ses libertés fondamentales, celle d'aller et venir où bon lui semble. Toutefois, l'on peut reconnaître un lien entre ces deux notions du fait que le milieu carcéral, malgré le fait qu'il prive le détenu de sa liberté d'aller et venir, conserve une obligation centrale de garantir les droits et libertés de ce dernier.

C'est dans cette optique que vient se greffer le principe de normalité qui postule que, en dehors des droits qui se perdent par le fait de la privation de liberté, les détenus doivent être traités au regard des autres droits, au même titre que les personnes en liberté. Donc, au même titre que nous tous. Mais est-ce réellement le cas en Afrique ?

Telle est la question au Gabon, au Cameroun, en RDC, au Congo et dans d'autres pays de cette partie de l’Afrique centrale et francophone. Est-ce réellement le cas que les personnes en prison conservent certains droits et libertés? En dehors de la privation de liberté, à proprement parler, présupposé par l’application de la sanction pénale et de la loi, les détenus devraient bénéficier d’autres droits, dont le droit à la vie, à la santé, à la sécurité sociale, à la dignité humaine, le droit à l'intégrité physique et morale, le droit à des conditions de détention décentes, le droit à la personnalité juridique, le droit à l'interdiction d'être soumis à toutes formes de torture et de traitements cruels, inhumains ou dégradants, le droit à un procès équitable, le droit à être jugé dans un délai raisonnable, à une indemnité due à une détention préventive, le droit à l'éducation, à la formation professionnelle, le droit à la réinsertion adéquate dans la société, le droit à la liberté de conscience, de religion, d'expression et quantité d'autres droits encore, qui sont consacrés aux détenus ? Alors, peut-on observer dans les fait que c’est réellement le cas que tous les prisonniers en Afrique bénéficient bel et bien de tous ces droits ?

Malheureusement, dans la majorité des cas, il semble qu'en Afrique les droits de l'homme s'arrêtent aux portes des prisons. Une fois que les détenus entrent dans le milieu carcéral, ils perdent tout droit et toute humanité. Pourtant, tout fautif qu'il soit, l'accusé ou l’emprisonné est l'un des nôtres. Ce constat permet d’introduire à l’idée d’un projet de perfectionnement de l’auteur d’infractions et des conditions de sa détention.

2. La finalité éducative de la sanction comme chance de perfectionner la formation de l'auteur

La condamnation de l'auteur devrait être l'opportunité de lui donner une éducation qu'il n'a peut-être jamais eue, selon Ruth Siadous qui soutient que cette finalité d'éducation permettrait de l'accompagner dans l'exécution de sa peine et de le réinsérer dans la société en meilleur et non de le déshumaniser, comme nous le voyons malheureusement souvent. Il s'agit de prendre au sérieux le problème que la peine risque de retirer toute dignité et toute humanité des personnes emprisonnées, de leur faire perdre tout espoir en eux-mêmes et en l'autre. Ce risque devrait nous rendre attentif à une question philosophique fondamentale. Quelle-est donc l'utilité de cette peine ?

Cette question fondamentale, qui n'est pas seulement une interrogation abstraite et théorique est au cœur de cet ouvrage. Pourtant, aux termes de l'article 9 de la Loi n° 006/2020 du 30 juin 2020, portant modification de la loi n° 042/2018 du 05 juillet 2019 du Code pénal de la République gabonaise prévoit explicitement que :

> « aux fins d'assurer la protection de la société, de prévenir la commission de nouvelles infractions et de restaurer l'équilibre social, dans le respect des intérêts de la victime, la peine a pour fonctions : de sanctionner l'auteur de l'infraction ; *de favoriser son amendement, son insertion ou sa réinsertion*. (Italique par l'Edit.)

Cependant, tel n'est pas le cas dans nos sociétés, en particulier dans les sociétés africaines. Alors, on est en droit de se demander à quoi servent les prisons africaines. Elles devraient remplir les rôles dont elles se sont munies au fil du temps, qui sont de protéger la société en punissant l'auteur d'une infraction, puis de le réinsérer dans la société.

Pourtant, comme le rappelle si bien en 2023 la Cour européenne des droits de l'homme dans ses conclusions de l'affaire Winter contre le Royaume-Uni, la justice pénale ne peut avoir de sens que si elle confère au condamné un espoir de réinsertion. Aussi répréhensible que soit les actes de l'auteur d'une infraction pénale, condamné à une peine de prison, il reste et conserve son humanité fondamentale et ne peut être privé de son droit à l'espoir ou de son droit sacro-saint à devenir meilleur.

Les prisons africaines doivent punir le coupable d'une infraction tout en lui garantissant ses droits fondamentaux et surtout son droit à être meilleur. Sinon, à quoi seront elles utiles pour l'avenir de la société ? Tel est aussi le titre de l'ouvrage : *Les prisons sont-elles utiles pour l'avenir de la société ? Droits de l'homme et au milieu carcéral dans le cas du Gabon.*

Les raisons et les justifications de punir sont abordées par l'intermédiaire d'une question centrale dans l'ouvrage de *l'utilité ou de l'inutilité de certaines formes de restriction de liberté* qui effectivement posent des problèmes. Nous pouvons très facilement nous imaginer qu'en fait cette idée passe inaperçue pour beaucoup de législateurs, aux recteurs de prison ou même au juge lors de la décision d'une sanction, qui garde à l'esprit plus l'utilité et le caractère dissuasif préventif des peines que le problème que peuvent poser souvent l'inutilité d'une peine.

Différentes personnes ont participé au vernissage du livre. Il s'agit d'un journaliste, d'un professeur d'université, d'une personnes active dans une organisation de la société civile, d'un juriste et ex-détenu, qui tous contribuent à mieux cerner la question délicate de l'inutilité de restriction des certaines libertés fondamentales des détenus en prison[5]. Pour Bekono Nkoa Wilfried, la formation en milieu carcéral concerne d'abord la réalité de l'accès à l'éducation ou à la formation en milieu carcéral.

[5] Nous renvoyons pour la liste des participants à la première page de cet article.

La réalité de l'accès à l'éducation ou à la formation en milieu carcéral

Petit milieu fermé mais hétérogène la prison inclut des personnes détenues, qui n'ont pas encore obtenu une condamnation définitive et des personnes condamnées, qui ont déjà fait l'objet d'un jugement, même si celui-ci peut faire l'objet de voies de recours. La charte fondamentale du Gabon, l'article premier de sa Constitution prévoit à l'alinéa 18 que l'État garantisse l'égal accès de l'enfant et de l'adulte à l'instruction, à la formation professionnelle et à la culture. Ce texte ne discrimine ni le travail ni la qualité de la personne par rapport à ses droits civiques, tous les détenus ou condamnés devraient avoir accès à l'éducation, qui devrait englober l'instruction de base, l'instruction secondaire et l'institution supérieure.

Art 1, al. 18 englobe également la formation professionnelle, les activités créatrices et culturelles, l'éducation physique, les sports, l'éducation sociale, mais surtout également la possibilité de fréquenter une bibliothèque. Une population carcérale éduquée est une richesse dans laquelle faudrait davantage investir, dans l'optique de leur réinsertion. Les interviews réalisées en collaboration avec le Service social d'insertion et de réinsertion de la prison centrale de Libreville amènent à souligner le manque d'accès à la formation et aux activités professionnelles et une insuffisance ou une quasi inexistence de tout matériel didactique. Ces interviews révèlent : premièrement, a) le besoin de renforcer la qualité des programmes d'éducation en milieu carcéral au Gabon et de confronter les contraintes financières (et autres ressources) auxquelles cette éducation est liée. Deuxièmement, elles mettent en relief b) les facteurs essentiels à la promotion de l'apprentissage en milieu carcéral, compte tenu du contexte culturel et national qui sont spécifiques. Le troisième aspect c) concerne les implications des résultats de la recherche ou des politiques pratiques du système éducatif, par rapport à cette population en particulier, notamment du point de vue des impôts, des formations et d'une assistance technique et pratique, et la question plus large s'il est possible de développer davantage l'éducation en milieu carcéral. Enfin c'est cette question, comme quatrième point qui vise en particulier, d) les recherches qui peuvent être emmenées et

les pistes qui peuvent être proposées pour améliorer l'éducation en milieu carcéral.

Les services de la société civile aux détenus

Lionel Ella Engonga, Président de l'Association SOS Prisonniers Gabon, offre une perspective cruciale, le point de vue de la société civile, des groupes et associations engagés dans la vie de tous les jours, des interactions pratiques avec et services aux détenus. On peut dire très schématiquement que tandis que certains souhaiteraient qu'on ramène la peine de mort au Gabon, d'autres en tant qu'association, travaillent comme le fait ce livre, pour une meilleure visibilité du milieu carcéral au Gabon. Il s'agit alors au contraire de mettre en valeur les problèmes liés à l'application des peines de prison. L'Association SOS Prisonniers Gabon est créée en 2001, elle vise un engagement pour le respect des droits humains en milieu carcéral. Comme le montre bien l'ouvrage, l'inflation de la population carcérale est parmi les causes qui directement accroissent les risques d'infraction, puisqu'au Gabon, la prison centrale date de 1956 et qu'elle a été créée pour accueillir entre 300 et 500 détenus, un temps où la population générale du Gabon n'avait pas encore atteint le million.

Aujourd'hui, la population dépasse les 2 millions et la délinquance a grandi, en raison d'une croissance de la pauvreté et parce que le système juridique, à tous niveaux, n'est pas assez indépendant et transparent, ce système pousse aux solutions répressives où tout est criminalisé et pénalisé. Bien que la loi prévoit des peines alternatives à la prison, celles-ci ne sont que peu appliquées. Parmi la population en prison, on a beaucoup de détention préventive. Le 31 décembre 2022, la population carcérale était de 2918 détenus, dont 2300 en détention préventive[6]. Si plus de la moitié de la population carcérale n'a pas encore été jugée cela porte gravement atteinte à la présomption d'innocence, à avoir un procès équitable et présente un risque significatif d'absence de procès équitable dans un délai raisonnable. Le simple fait de la surpopulation carcérale favorise les causes néfastes de

[6] Selon l'Association ces chiffres seraient en réalité 3200 détenus dont 2164 en préventive.

criminalisation excessives comme celles des punitions à l'intérieur du système carcéral. Comme au sein de la prison, il y a différents quartiers, et qu'on affecte les prisonniers en fonction de leurs délits à différents endroits dans la prison, toute mauvaise gestion du milieu carcéral expose au risque que les détenus qui y sont pour des larcins comme le vol à la tire, se mélangent avec ceux qui y sont pour des viols ou des crimes d'homicide. Donc le milieu, dans ces cas, n'est encore davantage moins propice à une réinsertion. Une vertu importante de cet ouvrage et de donner des pistes pour permettre à ce que les dirigeants puissent réformer le système pénal, par une meilleure attention à la gestion du milieu carcéral.

L'utilité d'une prison a à voir avec son organisation et le mélange des prisonniers à l'intérieur de la prison qui, bien sûr, est contreproductif vis à vis de la finalité de la réinsertion.

Témoignage d'un détenu des conditions de détention à la prison de Libreville

Gérald Agaya, citoyen gabonais et juriste de formation, a fait l'expérience de vingt-cinq mois de détention, comme un activiste incarcéré pour motifs politiques, en pleine période du Covid-19. Une situation de quarantaine et d'isolation est justifiée par le risque d'emmener le virus avant d'entrer dans les grands quartiers. Le problème sanitaire vient aggraver des conditions de détentions déjà difficiles. Les structures réservées pour la mise en quarantaine, sont des petits boxes de neuf mètres carrés avec un seul accès à la lumière de trente centimètres sur un mètre. Ce boxe, prévu pour deux personnes, était occupé par le double de personnes, dans des lits superposés. Il manque de l'air, on a l'impression de suffoquer, il manque de l'eau, sans autre sanitaires qu'à l'intérieur une toilette partagée par tout le monde. Il fait extrêmement chaud et tout le monde dort assis, parce que les premiers enfermés prennent les places couchées. Les nouveaux détenus sont donc enfermés avec ceux qui sont déjà prisonniers depuis longtemps, parce qu'ils étaient là sous le coup de punitions.

3. Quelques problèmes philosophiques avec les notions de rétribution et de prévention

Pour comprendre l’intérêt puissant du concept de justice comme restauration, et de réhabilitation de l’auteur il convient d’un point de vue philosophique de mettre cette finalité en perspective avec celles traditionnellement associées avec la peine de prévention et de rétribution avec Ignace Haaz, qui a fait une recherche postdoctorale sur la philosophie de la peine à l'Université de Fribourg (Suisse). Quand on dit rétribution on pense à l’idée qu’il existe une façon de payer en retour, par une forme ou une quantité de souffrance, un dommage ou une action blâmable. L'idée de rétribution est associée de manière assez brute, premièrement, à l’idée qu’on peut déterminer avec assez de précision et idéalement selon une échelle proportionnelle, combien une personne mérite de souffrir, combien il mérite de quitter sa zone de confort, peine proposée en réponse à un dommage à autrui dont celui-ci s’est rendu coupable. Une manière plus sophistiquée de parler, ne concerne non plus un calcul des plaisirs et des souffrances, mais de parler d’avancées et de reculs de droits. Selon cette vue il existe des négations de droits quand on dit que la personne qui a enfreint des lois, ou qui est coupable de souffrances dommageable à autrui, et qui a présenté des risques importants à la société, a fait reculer le droit de ses victimes de la société dans son ensemble à vivre en paix et en sécurité. On prévoit en conséquence de le contraindre à un recul correspondant, par une sorte de rétribution comme négation de la négation des droits. Le système juridique va essayer, par la rétribution, de répondre proportionnellement en faisant un recul des droits qui est comparable au déni du droit que l'auteur a réalisé ; et ceci à nouveau, la notion de proportionnalité dans la rétribution des droits est très importante. Enfin, il y a des notions de justice préventive, qui sont liées à l'utilité et là, nous pensons bien sûr à l'idée générale que la justice est en fait une question d'utilité pour la société.

L'idée qu'on puisse établir des règles, notamment de comportements utiles, comme un cadre suffisant pour former des sanctions qui est un cadre constructif pour la vie en société a été au centre de mon livre : *Les normes*

pénales chez Rawls où l'utilité n'est pas seulement une forme de comptabilité hédoniste des souffrances et des plaisirs, mais aussi, comme le montre le travail qui nous occupe aujourd'hui, comme une manière précise de se focaliser sur ce qui est *inutile*, et par conséquent d'essayer d'éviter justement de punir ou criminaliser, lorsqu'on est confronté à des degrés d'utilité modestes ou face à une inutilité importante[7]. Contrairement aux auteurs du livre *Les prisons sont-elles utiles pour l'avenir de la société*, les commentateurs oublient trop souvent que les perspectives utilitaristes sont aussi des perspectives qui sont très précieuses pour comprendre les inutilités de punir dans la société. Premièrement, les cadres où il est inutile d'introduire certaines règles, par exemple trop administratives, pas assez concrètes, ou au contraire très concrète mais seulement utile à court terme, possible à mettre en pratique par des actions concrètes, mais sans effet pour la manière dont la vie en société est structurée. D'une part, il y a les multiplications de lois, souvent des législations sur des choses qui ensuite ne sont pas suffisamment mises en pratique, ce qui en invalide le caractère même de règles de pratique, d'autre part des pratiques cruelles et démagogiques sont mises en pratique comme on se réfugie dans la valeur symbolique d'un fétiche, sachant pourtant que c'est une médecine inefficace basée dans l'auto-illusion, vis-à-vis des besoins profonds de la société dans son ensemble. L'esprit du livre de Fweley Diangitukwa et de Ruth Bekoung Siadous suit, il nous semble, une intuition présente il y a près de 260 ans chez le jeune Beccaria, un des plus brillants philosophes de la peine, qui s'est profondément indigné devant l'injustice de la réalité des procédures de justice criminelle :

> "Le 12 avril 1764, les citoyens de Milan ont été les témoins de la mise à mort brutale de Bartolomeo Luisetti. Bartolomeo avait été condamné à mort après être accusé de sodomie. Il a été tué par asphyxie puis brûlé sur le bûcher devant la foule. Dans toute l'Europe, les élites dirigeantes croyaient que la justice pénale devait être rendue ; et que *la justice pénale devaient être perçues comme étant*

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> *rendues* ; que les sanctions criminelles devaient être cruelles afin d'instiller chez les gens la crainte de Dieu, devant ce spectacle macabre. Beccaria observait la scène avec horreur. C'était difficile de croire qu'une telle cruauté pourrait être considérée comme une réponse rationnelle au crime. […] La même année, l'ouvrage de Beccaria paraissait […] (L. Zucca, 2022, 21)[8].

Faut-il donc que la justice criminelle soit un abominable spectacle autoritaire et arbitraire pour fonctionner proprement et afin d'amener le message que certains torts et nuisance à autrui devraient trouver une réponse claire et rationnelle. Comme instrument rationnel, le critère d'utilité est un concept de justice extrêmement important parce que quand il est avéré, l'utilité nous projette aussi dans vers une vision future de l'équilibre de la société qui est désiré. C'est donc une vision préventive et orientée vers l'avenir des normes et des règles, et aussi des sanctions, et donc qui a une valeur extrêmement importante parce que, à la place de nous retourner seulement vers ce qui s'est passé dans le passé, et donc des questions de responsabilité qui, inévitablement implique une théorie du mérite (problématique) ou des droits (il faut souvent pouvoir payer le prix pour être en position de les réclamer).

Les critiques de l'utilité diront que réduire à un calcul conséquentialiste les peines c'est se risquer à faire excessivement confiance dans une chirurgie sociale, une volonté de façonner la société, mais c'est en oubliant que c'est avant tout dénoncer les peines inutiles comme dans l'exemple cité ci-dessus. Le titre du livre *Les prisons sont-elles utiles pour l'avenir de la société* ? aborde précisément cette dimension précise. Comment est-ce qu'on peut créer un cadre, dans un contexte social concret précis, qui crée un environnement où il aura plus d'utilité que d'inutilité ?

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[8] Lorenzo Zucca. 2022. "Beccaria's Political Theory of Criminal Justice", in: *Re-Reading Beccaria: On the Contemporary Significance of a Penal Classic*, édité par Antje du Bois-Pedain, Shachar Eldar, Bloombury, 21.

Idéalement, on pourrait espérer éliminer toute inutilité des pratiques des sanctions concrètes. Comme nous l'avons découvert à la lumière des expériences empiriques dans le cadre des grandes prisons au Gabon, il est très dommageable pour les détenus de les criminaliser à outrance, de ne pas permettre une amélioration de leur condition pour le futur, par des mesures visant à faciliter leur réhabilitation à leur sortie de la prison. Il importe vivement de s'intéresser à leur éducation, car leur place dans la société, leur futur emploi et la question de la réhabilitation du prisonnier et de la restauration, impliquent pas seulement un point de vue de la société et des victimes, il implique aussi le point de vue des auteurs eux-mêmes.

Pour réconcilier véritablement la victime et l'auteur, il est important de créer une forme de justice qui est totalement légitime et qui est juste et donc qui au-delà de l'utilité à proprement parler, contient des critères de rétribution minimaux nécessaires, ceux d'une fine proportionnalité des peines.

On ne peut pas juste punir pour essayer d'écarter des risques dans le futur, sans avoir un égard particulier vis-à-vis de la sévérité des peines et de se restreindre de punir avec excès. On doit aussi réconcilier, étymologiquement *mettre ensemble et concilier à nouveau* l'auteur et la victime, vis à vis d'une action qui a amené un dommage important à la victime. Et on doit donner un signal très clair à l'auteur que ce dommage et cette souffrance n'est pas acceptable, et donc de fait, il y a un degré minimum de rétribution qui probablement est inévitable, au moins comme un recul d'intérêt de l'auteur suffisant pour lui signaler la portée de son action.

Il semble totalement disproportionné qu'une institution de justice ressemble à un mouroir, ainsi que le montre bien Dionzo Nsele Aimé Cyprien, journaliste qui traite de manière bien documenté du problème de l'inutilité de certaines mesures privatives de liberté au Gabon.

4. Resocialiser, rééduquer… inutilité des prisons au 21e siècle ?

Il est des constats amers qui font penser que la plupart des gens qui vont en prison, quand ils en ressortent sont encore couverts d'opprobre.

Pourtant la punition pour la faute qui a été commise devrait rester distincte de la réinsertion, qui en vérité est le projet et l'avenir du détenu. Le nouveau but, le travail de réinsertion ne peut pas attendre une phase ultérieure au séjour en prison. La raison est que personne n'a de programme cohérent de ce que peut devenir le prisonnier après sa sortie de prison. La réinsertion repose sur parvenir à faire en sorte que pendant ce séjour en prison, le prisonnier reconnaisse la faute qui a été commise afin qu'il choisisse de ne plus tomber dans le même travers et, que pendant ce séjour, le prisonnier ajoute à cette prise de conscience de l'erreur qui l'a conduit en prison (ou de sa faute morale), l'apprentissage d'un métier. Au lieu de passer tout son temps à ne rien faire, il peut accomplir des tâches sociales.

Selon Diangitukwa, c'est aux décideurs politiques, à la société elle-même et aux élites intellectuelles d'aller au-delà et de repenser la prison, de faire en sorte que la prison soit dorénavant *dans la société*. C'est tout le but de ce livre. C'est donc une perspective orientée vers une forme générosité, vers repenser les relations de pouvoir comme une capacité qu'a la Nature de régénérer ses formes qui peut donner une nouvelle manière de répondre à la violence et l'injustice. Les activités criminelles ont un impact sur la paix en société, la sécurité et la propriété individuelle. Mais pourquoi ne pas prendre très au sérieux la perspective de l'éducation, comme l'essence même de notre engagement pour la sécurité et la stabilité de la vie en société ?[9]

À vrai dire, l'institution que représente la prison est un établissement clos aménagé pour recevoir des personnes qui auraient commis des infractions. Donc l'institution que représente la prison de ce point de vue est très importante. Cependant la prison en elle-même, ce pour qu'elle représente au XXI^{e} siècle n'est pas utile selon Siadous, si l'on pense premièrement qu'elle renforce le comportement criminogène des prisonniers. Si par ailleurs elle ne favorise pas la réinsertion de l'ex-détenu et qu'elle ne protège pas la société, alors pour ces trois raisons, nous pourrions considérer que la prison telle qu'elle se présente en ce XXI^{e} siècle comme inutile.

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[9] Faut-il rappeler la longue tradition néo-épicurienne qui va au moins à l'excellente *Esquisse d'une morale sans obligation ni sanction* de Jean-Marie Guyau?

5. Accès à l'éducation en prison : épilogue et conclusion

La qualité des programmes de formation et l'accès à l'éducation n'est pas inexistante en prison, notamment à la prison centrale de Libreville, puisque des programmes de curriculum existent et qu'en 2020, il y a eu un pourcentage de 5 % de résultats au baccalauréat. Il est évident que les détenus ne bénéficient pas des mêmes avantages que les élèves extérieurs des prisons. Avec un même diplôme les opportunités professionnel d'avenir diffèrent grandement, même si personne ne devrait penser qu'il n'a aucun avenir sans rien faire. Pour poursuivre des études universitaires, il manque des programmes et des curricula afin d'offrir des chances académiques décentes, sans parler d'un même droit à l'éducation que les élèves qui ne sont pas en prison.

Tandis qu'en 2020, lors de la pandémie des efforts étaient centrés sur le port du masque, aucun mécanisme proprement efficace n'a été introduit afin de protéger les différents détenus face au manque d'accès aux ressources de formation. Comment protéger des détenus lorsque le milieu carcéral est à bout de souffle, et qu'il est réellement explosif. Il n'y a pas eu, au niveau de la pratique, de vrais mécanismes afin de protéger les détenus. Il suffit pour le voir, malheureusement, d'observer déjà la croissance des décès des détenus lors de la pandémie.

Les cas sont rares où certains détenus sont soutenus expressément, suivent et bénéficient d'un appui psychologique nécessaire. Par rapport à la resocialisation, et par rapport à commencer un travail en milieu carcéral pour permettre aux détenus de pouvoir déjà penser à l'après prison, il faudrait généraliser la création de foyers de réinsertion dans les prisons, afin que les personnes chargées de ces foyers de réinsertion, simplement continuent le travail déjà commencé dans l'ensemble d'établissements dans le milieu carcéral, afin de permettre aux détenus, une fois sortis de pouvoir les prendre en charge, les réinsérer graduellement afin qu'ils puissent eux-mêmes se prendre en charge ou au bout d'un certain temps.

On peut souligner que des communautés de type démocratique où en fait, on construit démocratiquement grâce aux interactions que permettent des formes de société plus horizontale, plus ouvertes à la mobilité sociale, on arrive finalement à s'accorder mutuellement sur ce qui est juste, non par la crainte d'une sanction mais par l'espoir d'un vivre ensemble pacifique.

Selon *Bekono Nkoa Wilfried*, parce que l'homme criminel par essence, n'existe pas, parce qu'on ne naît pas délinquant de façon naturelle, la société peut renouer avec des choses qu'on acquiert et des choses qui sont innées. Il y a des situations de désorganisation d'entropie, des contextes anormaux, des névroses, des psychoses, etc. Le politique, notamment les pouvoirs publics au Gabon, ont saisi l'ampleur de la situation et ils ont dès 2019 entrepris une œuvre de réformes du système légal, par une métamorphose et mutation du système répressif. Cette mutation a conduit nécessairement à une importante pénalisation qui a permis d'amener d'autres personnes devant les tribunaux, où elles sont condamnées à des peines.

Mais c'est pour cela que c'est aux acteurs pénaux gabonais d'aller plus loin et d'installer des mesures de peines alternatives. C'est à l'Etat de faire que les peines alternatives se matérialisent par les travaux d'intérêt général. C'est quelque chose qui est inédit dans notre environnement africain, parce qu'il faut le dire ces mesures supposent la compréhension par les pouvoirs publics d'une dimension sociologique et philosophique de la question.

Il ne faut pas négliger non plus la dimension de *catharsis* du spectacle des sanctions qui remplit un but précis pour la société. Condamner pour condamner est sans doute inutile mais sanctionner pour former les consciences est également utopique. On devrait rechercher, selon *Bekono Nkoa Wilfried* l'équilibre, la juste balance, en fonction des situations entre des projets par des voies publiques, et également des projets de la société, notamment de la société civile qu'il convient de généraliser davantage, cela parce que dans les grandes métropoles, les capitales, où se trouvent beaucoup de détenus en âge d'être scolarisé, au moment d'être condamné, et donc ils ont davantage de chances de suivre des enseignements de ce contexte, et on pourrait déplacer des salles d'examen sur place. D'un point de vu législatif, il conviendrait de mettre en place un texte, un texte qui crée

un régime spécial pour la formation et l'éducation en milieu carcéral. Sans devenir obligatoire pour toute tranche d'âge, un niveau de formation élémentaire devrait l'être pour ceux qui sont mineur, entre 14 et 18 ans. Il faut une éducation de base qui soit obligatoire, comme dans les pays occidentaux où on met en place des programmes d'éducation et d'insertion de manière plus systématique que sur le continent africain.

Parce que, l'éducation n'est pas que des connaissances livresques, mais également de la culture et des valeurs de vie (en allemand : *Bildung*), c'est ici que les sociologues, les anthropologues, etc. peuvent trouver vraiment matière à réflexion et développement au contact des prisons. Donc, à moyen terme, il faudrait d'abord un texte législatif dans nos États africains dans lesquels, notamment au Gabon, on mette en place un régime spécial d'éducation et de formation dans les établissements pénitentiaires.

Au Gabon, un programme a été lancé par le Ministère de la Justice pour renforcer le niveau de la formation technique et de l'agriculture. Et encore là, il faut bien qu'à moyen terme, que ce soit généralisé, y compris aux populations des prisons. Pour cela il faudrait un travail de synergie entre les ministères, n'oubliant pas que les prisons relèvent de l'administration pénitentiaire qui est du ressort de la justice, à laquelle il faudrait donc associer les établissements d'enseignement, notamment tous ceux qui sont engagés dans ce processus comme l'Éducation nationale, l'Enseignement supérieur, la Formation professionnelle.

Ainsi qu'il a été déjà montré, la société civile et la personne physique ou morale devront jouer un rôle majeur parce que les pouvoirs publics n'ont pas toujours les ressources nécessaires pour cela. La communauté internationale, pourrait donc aussi intervenir comme aiguillon, mais ni à moyen terme ni à long terme. Les optiques internationales sont précieuses en rapport notamment au développement du numérique et à l'enseignement à distance. De même, ce développement sur le plan international concerne celui des réseaux de télécommunications et des ressources matérielles, les moyens matériels et financiers. Il faudrait à terme faciliter l'accès à l'information et aux moyens de communication et faciliter l'accès à la documentation. Et c'est à ce niveau que les autorités et les ONG doivent

collaborer et jouer un rôle majeur en accompagnant les pouvoirs publics, parce qu'il y a des bibliothèques numériques pour mettre à la disposition de ces personnes-là la documentation nécessaire qui existe en ligne, ou celle imprimée qui peut être ne sert plus, mais qui pourrait être utile pour ces personnes-là. Il ne faut pas perdre de vue que quand on est détenu, il y a une réduction des droits civiques. À long terme nous devons trouver un nouvel équilibre dans la gestion du temps du détenu, y compris de sa formation, psychologiquement et socialement par sa gestion de la solitude.

Le rôle de la société civile intervient aussi en rapport à la notion de communauté selon *Gérald Agaya*, puisqu'après la prison le détenu revient dans le cadre de la famille, c'est la communauté primordiale qui l'accueille. Généralement, lorsque les détenus sortent de prison, c'est toute la famille qui vient les accueillir, les parents, les amis. Donc effectivement c'est la communauté qui joue le rôle important d'accueil et donc un rôle important de réinsertion sociale et socialisation. La prison n'est pas une fin, elle peut être vue comme le début d'une réorientation future pour le bien de chacun. Lorsque la communauté assume bien son rôle, les détenus qui sortent de la prison ne sont plus vus comme un opprobre pour la communauté.

Un ex-détenu bien accueilli et qui a appris un métier, va bien s'insérer. Il pensera qu'il n'y a aucun doute qu'il est devenu de nouveau utile à la communauté et peut travailler à nouveau. La prison n'est pas une fin en soi, cela peut devenir le début d'une nouvelle vie et éventuellement d'une vie communautaire beaucoup meilleure.

Il faudrait que cette communauté soit outillée, elle doit comprendre la formation permanente et aussi des structures spécialisées d'accueil, et pourquoi pas des organisations qui se créent pour renforcer ces outils.

Les détenus ne devraient pas entrer dans une sorte d'autisme qui puisse les brimer davantage, mais plutôt des centres de compétence dans des conditions acceptables. Et dans ce sens-là, la prison ne sera pas considérée comme un mouroir ou un lieu de répression, mais un lieu de correction pour reprendre la vie meilleure.

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7. Courte biographie

Dr Ignace Haaz, titulaire d'un doctorat ès Lettres, est le responsable des éditions aux Éditions Globethics (contact : publications@globethics.net). Ses derniers travaux sur l'éthique, l'information et l'éducation peuvent être consultés dans la Bibliothèque Globethics.

Email : haaz@globethics.net

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