



TOLERANCE, MIGRATION AND HYBRID IDENTITIES: NORMATIVE REASONING OF INTERCULTURAL DIALOGUE IN A BLURRING STRUCTURE

Armando ALİU

MA, PhD Law Fellow, Department of International Commerce and the EU Law, Graduate School of Foreign Trade, Istanbul Commerce University, armando.aliu@alumni.uni-heidelberg.de

İlyas ÖZTÜRK

Prof. Dr., Department of Translation Studies, Faculty of Arts and Sciences, Sakarya University, ozturk@sakarya.edu.tr

Dorian ALİU

MBA, PhD Candidate, Department of Business Administration, Institute of Social Sciences, Canakkale Onsekiz Mart University, dorianaliu@gmail.com

Ömer ÖZKAN

Prof. Dr., Faculty of Law, Istanbul Commerce University, oozkan@ticaret.edu.tr

ARTICLE INFO

JEL Classification Code: F22,
K1, K33, K37, K42, O15

Keywords:

Tolerance
Migration
Hybrid Identities
Intercultural Dialogue
Sociology of Law

ABSTRACT

The aim of this study is to proof the argument – i.e. ‘there are significant linkages amongst tolerance, hybrid identities and migration.’ These linkages can be comprehended by means of conceptualising extensions of hybrid identities in aggregate trans/inter-migration processes. It can be put forward that arising hybrid identities are embedded in a blurring structure of thoughts, beliefs, states of affairs, facts, belongings and so forth. From multiculturalism and cosmopolitanism viewpoints, it is argued that tolerance and migration ought to be analysed in frame of sociology of law, human rights, international migration law, and of course the European Union law. So far, normative arguments and soft law approaches are very much well integrated with social aspects of migration, tolerance, identity and culture. In this context, the study examines to what extent cultural and human components are protected by law in multiple levels from an interdisciplinary perspective. In this framework, it is crucial to raise the research enquiries: What are possible criteria for the limits of tolerance? To what extent tolerance is related to human rights and morality? What ought to be the limit of tolerance towards hybrid identities in multicultural and cosmopolitan societies? In a consistent manner, the criteria and standards developed by some leading scholars were reconstructed and discussed throughout this paper. These criteria and standards are both moral (part of a universal system of morality) and legal (international, supranational, or national – i.e. constitutional). In order to apply such standards their validity was discussed (i.e. the respective normative power has the norms at the various levels). In the case of morals, their difference to particular ethnic systems was established (i.e. criteria by which the two can be distinguished). Then the research argument was elaborated on whether and how the legal standards comply with the moral standards, how national standards comply with supranational or international standards. Likewise, the study highlights the crucial contributions of “World Society and World System Paradigms” that are associated with social space, global civil society, cosmopolitanism, ethnic diversity, cultural hybridity, human rights activism and public sphere. Recent debates in Refugee Studies (e.g. Syrian Refugee Crisis, Dual and Multiple Citizenship Issues and so forth) highlight the fact that the European Union needs to consider new aspects of tolerance for hybrid identities and tolerate cultural rights of hybrid identities, create cohesion in communities and establish intercultural dialogue amongst home-states and host-states. Sanguinely, the efforts of hybrid identities are strengthening the relations between home-host states and these ought to attract some considerable attention. The authors of this study hope that their endeavours may contribute somewhat towards that.

INTRODUCTION

The tolerance notion and the meaning of toleration first had arisen in the 6th century (B.C.) in Eastern Civilisations and in the 15th century in the Western Civilisations.¹ The very basic distinction amongst the Eastern Tolerance and the Western Tolerance is that the Eastern Tolerance had emerged in proto-historical theological thoughts, beliefs and philosophies (Barnard 1855; Cranmer-Byng 1906; Dawson 1915; Horten 1912, 1913; Jamil-Ur-Rehman 1921; Köprülü 2013; McPharlin 1939; Müller 1875; Riegel 2013; Mevlânâ 2005; van Norden 2014; Worms 1900).² Western Toleration was transformed in the Renaissance Age and Protestant Reformation in modern form.³ It took approximately 2000 years for the transformation of Eastern Tolerance into a Western form. An interesting point is that the Western Tolerance emerged as an instrument of states which are more interested in using it for stabilising conflicts, enhancing authority, boosting legitimacy power, extending the content of soft law and ensuring harmony in civil society. In other words, the Western Tolerance is seen as a legal tool that enables a harmonisation mechanism over people.⁴

Habermas supports that tolerance emerged as a consequence of the division of religious sects in Europe during 16th century and religious tolerance was transformed as a legal notion between 16th and 17th centuries. Moreover, political virtue strengthened the legal dimension of tolerance (Habermas 2005). That would be absolutely precise if we consider Eastern Tolerance as “positive tolerance” in terms of transcendental-hermeneutic sense. In contrast, Western Tolerance can be perceived as “postmodern-pragmatic tolerance” in terms of the limits of a classical-liberal foundation, transcendental-pragmatic sense, deontological ethics and obstacles of ideologies, nationalism and presuppositions (Apel 1997). In other words, the Western Postmodern-pragmatic Tolerance is a cumulative misinterpretation or misunderstanding of the cultural heritage, transmission, tradition and values (Ricœur 1973) of the Eastern Positive Tolerance. This study does not deal with an in-depth comparison of two various approaches. Rather, this study particularly concentrates on the normative aspects of the confines, constraints, obstacles and limits of tolerance and toleration within the EU in a bit critical manner. The criticisms will be restricted to the European perception of tolerance and toleration.

In classical style of (post)colonial past, many people immigrated to wealthy nations of Europe for attaining better life conditions because the image of Europe was perceived as a source of enlightenment, modernity, secularity, development and equal rights. Thus, states which could not reach democratic standards and create workplaces for unemployed people, experienced mass migration flows (Aliu 2012, 2013; Said 1994). These flows formed ethnic enclaves and cultural ghettos within Europe. The genesis of hybrid identities that symbolises the people, who complete integration/assimilation and adjustment process, emerged particularly in ethnic enclaves and cultural ghettos. Progressively, hybrid identities

¹ Eastern tolerance was developed by Lao-Tzu, 老子 (604-531 B.C.), Gautama Buddha (563-480 B.C.), Confucius, 孔夫子 (551-479 B.C.), Zhong You, 仲由 (542-480 B.C.), Yan Hui, 顏回 (521-481 B.C.), Mozi, 墨子 (470-391 B.C.), Mengzi, 孟子 (372-289 B.C.), Zhuang Zhou, 莊子 (369-286 B.C.) Xunzi, 荀子 (300-230 B.C.), Han Feizi, 韓非子 (280-233 B.C.), Bâyezid-î Bistâmî (804-874), Hallâc-ı Mansûr (858-922), El Gazâlî (1058-1111), Abd el-Kadir Gîlânî (1077-1166), Hâce Ahmed Yesevî (1093-1166), Ibn Rushd (Averroës) (1126-1198), Muhyiddin İbn-i Arabî (1165-1240), Şems-i Tebrîzî (1185-1248), Mevlânâ Celâleddîn-î (Belhî) Rûmî (1207-1273), Hacı Bektâş-ı Velî (1209-1271) and many others.

² It is worth noting that the Eastern Tolerance is more nature-sensitive and peace-oriented. It is assumed that the Eastern Tolerance owes its value of various insights to the Chinese and Indian Civilisations. These proto-classical perspectives were sources of inspiration for other Asian and Arabic Civilisations.

³ Whereas modern tolerance was structured by Nikolaus von Kues (1401-1464), Thomas More (1478-1535), Martin Luther (1483-1546), Sébastien Castellion (1515-1563), Jean Bodin (1530-1596), William Shakespeare (1564-1616), Baruch Spinoza (1632-1677), John Locke (1632-1704), Pierre Bayle (1647-1706), Montesquieu (1689-1755), Jean-Jacques Rousseau (1712-1778), Immanuel Kant (1724-1804), Gotthold Ephraim Lessing (1729-1781) and many others.

⁴ This is the most vital and critical issue which brings a “distancation” amongst Eastern Tolerance and Western Tolerance. Thus, different approaches of Western Tolerance cannot be seen as an alternative of Eastern Tolerance. At the time when it is seen as an alternative, then this causes to a lost of meaning in the context. This situation pushes us adopting the fact that a far-distancation of Eastern-Western Tolerance perception may result for two seperated perspectives into two categories – i.e. Eastern Religious Tolerance and Western Legal Tolerance.

were encouraged to have a dual or multi characters and this situation established a constant system of circulation amongst home-state(s) and host-state(s).

The rise of new threats; such as, terrorism, xenophobia, racism, violence, cultural hybridity via assimilation, and aggressive nationalism or ethno-culturalism created pressures on hybrid identities because all of these implied a pushing effect from both sides that are home and host states (Bulag 1998; Burke 2009; Drichel 2008; Field 1999; Hutnyk 2005; Kavas & Thornton 2013; Kawash 1997; Kraidy 2005; McWilliams 2013; Laffey & Nadarajah 2012; Nafafé 2012; Papastergiadis 2000; Pieterse 2001; Pnina & Modood 1997; Ramos-García 2002; Riemer 1999).

In the light of these considerations, there is a need to pose these research enquiries: What ought to be the limit of tolerance towards hybrid identities in multicultural and cosmopolitan societies? What are possible criteria for the limits of tolerance? To what extent tolerance is related to human rights and morality? This study is composed of four sections. First section was devoted to the nexus amongst tolerance and human rights. Second section deals with obstacles and limits of tolerance and clarifies to what extent morality is related to tolerance. Third section gives information about world system and world society paradigms. In the fourth section identity enquiry was argued in frame of multiculturalism and cosmopolitanism.

1. Tolerance and Human Rights

Tolerance takes root in the same soil as human rights. And this root is at the same time shared by liberty and truth (Hersch 1996). The United Nations Educational, Scientific and Cultural Organisation (UNESCO) defined tolerance as such:

Tolerance means respect, acceptance and appreciation of the rich diversity of the world's cultures, forms of expression and ways of being human. This term is fostered by knowledge, openness, communication and freedom of thought, conscience and belief. It is also a harmony in difference. It is not only a moral duty, but also a political and legal requirement. Tolerance, the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace. Tolerance is an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. In no circumstance can it be used to justify infringements of these fundamental values. Tolerance is to be exercised by individuals, groups and states. Tolerance is the responsibility that upholds human rights, pluralism, democracy and the rule of law. It involves the rejection of dogmatism and absolutism and affirms the standards set out in international human rights instruments. Tolerance means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behaviour and values, have the right to live in peace and to be as they are. The word "right" enters into many descriptions of tolerance: the right to live humanely, the right to difference, to liberty, to those fundamental public freedoms that constitute human rights (UNESCO 1996).

In the context of human rights, equal rights need to be mentioned first and foremost. They are the basis of a tolerant legal system. Equal constitutional rights of expression of opinions, religious faith, organisation and non-discrimination are the core of any acceptable democratic constitution. These equal rights command the respect of the other individuals having the same rights and hence are the core of any rational concept of tolerance. A tolerant society is built upon the principle of non-domination, of equal rights of people including the rights of hybrid identities (Aliu 2011).

In a country where religious dogma, historical traditions, regional idiosyncrasies and laws are intermixed, tolerance is concretely impossible. If tolerance is one of the fundamental principles of modernity, this modernity is not one that has been agreed upon a global level. It is subject to tensions according to which its future and fate shall unfold (Waterlot 1996). Tolerance at the "EU member state level" requires just and neutral legislation, law enforcement and judicial and administrative process. Normatively, EU member states ratify existing international human rights conventions, and draft new legislation where necessary to ensure equality of treatment and opportunity for groups and individuals within society in order to achieve a more tolerant society. It is essential for international harmony that individuals, communities and nations accept and respect the multicultural character and diversity of the human family.

Tolerance finds ways to protect the rights and dignity of every individual within nations and societies. In this way, when we consider tolerance within nations and societies, one question comes to mind: Is tolerance to be considered as singular form or plural form? On the one hand, if tolerance is considered as a singular form, we can call person or people as intolerable such as; racist, religious, anti-Semitic or anti-Islamist and so on. On the other hand, if tolerance is considered as a plural form, we can call nations or societies as the same way. We can think tolerance from the viewpoint of two various perspectives – i.e. subject and object (Kuçuradi 1996: 165). The subject of tolerance is about “personal attitude”; whereas, the object of tolerance is about a “demand concerning the arrangement and administration of public affairs.” It can be asserted that the subject of tolerance is a singular form and the object of tolerance is a plural form (Kuçuradi 1996).⁵ In essence, tolerance is pertinent merely when some aspect of a person or group is felt to be morally or aesthetically unacceptable, or at least very offensive, and only when the party practising tolerance has sufficient power to oppress the party disliked; otherwise, forbearance from oppression has no meaning (Sokol 2008: xi).

Tolerance is related to moral rights. In societies, people want to interact with each other in the context of moral perspective. Society has a right to enforce its morality by law because the majority have the right to follow their own moral convictions that their moral environment is a thing of value to be defended from change – i.e. *the disintegration thesis*.⁶ At this point, many obstacles appear in front of disintegrated people. These obstacles create limits at toleration of the people with hybrid identities. These obstacles and limits of tolerance were expanded in the following section.

2. Obstacles and Limits of Tolerance and the Nexus Between Tolerance and Morality

The high political use value of the concept of toleration highlights the fact that one always tries to construct one’s own position as tolerant and that of the others as intolerant, lying beyond the proper limits of toleration (Forst 2004). The problem of the limits of tolerance concerns tolerance merely as a principle of public affairs, but not as a personal attitude. Tolerance as a personal attitude has no limits because its object is not the radically different views, norms or practices of other individuals; consequently, it is an attitude taken independently from the epistemological and axiological quality of those views and norms, and because there is no limit to respecting others’ rights that have to be carefully distinguished from others’ interests (Kuçuradi 1996: 171). In this regard, the limits of toleration are to be drawn where intolerance begins. For instance, Johann Wolfgang von Goethe considered tolerance as a dilemma. He saw a paradox of constraints in each tolerance act that is a delimitation of a cluster which covers both tolerance and intolerance in itself. He stated that there cannot be an inclusion without any exclusion. Goethe’s tolerance dilemma was overcome by a constitutional and legal order that confines tolerance within legal base (Habermas 2005).

According to Ricœur, intolerance constitutes the obstacle never surmounted, the intolerable, the limit opposed to the abuses of a tolerance that has slid to indifference. In the dissonance between the respect owed to human rights and the respect asked by all cultures, the ultimate source of intolerance, which makes of it at the same time the first intolerable. It includes also a moral and legal dimension. To the extent the balance between obstacle and limit rests on a practical wisdom capable of inspiring the education of tolerance (Ricœur 1996a: 161). Respecting differences of other individuals balances intolerable situations.

Habermas (2003a) argued that, toleration first becomes necessary when someone rejects the convictions of others. People do not need to be tolerant if they are indifferent towards other beliefs and attitudes or even if they appreciate otherness. The principle of respect to everyone, not merely to (ethnic) citizens,

⁵ Kuçuradi assumed that tolerant people do not tolerate the radically different views, opinions, norms or attitudes, ways of behaviour, practices, and given actions of the others, but tolerate the existence of these others (Kuçuradi 1996: 166). When we think as a singular or plural form, the intolerant people do not or cannot tolerate the existence of views, opinions, norms which are different from those that the intolerant people strongly believe to be true or of the ways of behaviour and practices radically different from those they strongly believe to be good. Tolerant people respect differences; accept others as a humanity principle; do not want to damage others’ rights and discriminate.

⁶ “There is disintegration when no common morality is observed and history shows that the loosening of moral bonds is often the first stage of disintegration (Hart 1967: 3).” As a result of the disintegration of other people within society, majority cannot tolerate some reasons because the things that the people with hybrid identities insist on can be odd for majority.

ought to be valid for other people; including, third country nationals, hybrid identities, foreign citizens and refugees. Reciprocal respect and the way to increase the inclusiveness can be via cultural and democratic interactions, political will and public communication (Habermas 1997).

Tolerant person takes toleration as his fundamental life principle. This illustrates that a tolerant person tolerate because moral values which are seen in the society let him to act in this way. The basic moral principle tells us that a tolerant person is right and an intolerant person is wrong. However, there is also a contradiction when we say an intolerant person waits for more toleration from majority. The structure of society indicates the main reason of this contradiction. Tolerance is a virtue of democratic citizens, and so drawing and defending the limits of toleration is a special task of the members of civil society (Ricœur 1996a).

Tolerance can only be thought of as reciprocal. An individual or a community that defines itself as being superior, not having a duty of respect to everyone in society accepting them as equals puts itself or himself outside of society hence has no right to claim tolerance. Therefore, intolerance is immoral in a deep sense (Aliu 2011). A democratic society is often considered more tolerant than others because it is not content to put up with differences, but rather encourages or even engenders them (Garapon 1996). In this respect, we may acknowledge the fact that the tolerance-intolerance dialectic and the limits of tolerance and toleration and all discussion associated with these issues can be linked up with normativity in legal base of states. The great transformation of western legal tolerance puts normativity power and legal regulations that states use their judicial power to control and regulate the tensions of intolerance and intolerants.

The law is always seen in a way universal and non-legally binding soft-law regulations merely cannot guarantee equitability and just in democratic societies. Equitable and antidiscrimination are basis elements for the member states of the European Union (Ricœur 2000). For instance, the basis elements and European values were clarified in the consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (Lisbon Treaty). In Article 2 (Title I – Common Provisions) it was denoted that:

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the member states in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail (The European Union 2016: 17).”

Habermas (2003a) asserted that governments issued toleration edicts that compelled state officials and a population that believed in the rule of law, to be tolerant in their behaviour towards religious minorities. This legal act of toleration by the state authorities led to people being expected to behave tolerantly towards members of religious communities that had previously been oppressed or persecuted. The toleration of religious minorities was justified only pragmatically in order to maintain law and order; for legalistic reasons, since spontaneous convictions elude legal constraint; or for epistemological reasons, since the human mind is deemed to be fallible.

“The contrast inherent in the idea of tolerance is justified with recourse to the idea of moral autonomy. The other’s morality is in his or her own hands, and it is not the business of others to interfere; political tolerance is then nothing more than a corollary (Ricœur 1996b: 26).” The idea of political tolerance based on the state’s role to impose one way of living as opposed to another, even that which refers to the idea of autonomy. It is therefore on the legitimation of political authority that the debate is displaced. At this point, autonomy-authority relations enhance a variety of moral attitudes, capable of lending support to political liberalism and individuals’ interactions in civil societies. Similarly, civil society organisations and epistemic communities strengthen democracy and morality within nations.

Modern societies in the EU ought to rethink Kant’s “Perpetual Peace” idea in order to start negotiations for embedding tolerance and morality in civil societies. Kant’s universal citizenship is an ideal type, and it comprises both freedom and rationality.⁷

⁷ The critique of Habermas (2003b) for the book which is entitled “A Theory of Justice” written by Prof. John Rawls is that the book does not reflect the core ideas of famous philosophers and justice thinkers. Even though this book covers Kant’s

Most national citizens have become at the same time citizens of the world. Kant predicted this situation and wrote that “the people of the earth have thus entered in varying degrees into a universal community, and it has developed to the point where a violation of rights in one part of the world is felt everywhere. The idea of a cosmopolitan right is therefore not fantastic and overstrained; it is a necessary complement to the unwritten code of international right, transforming it into a universal right of humanity. Only under this condition can we flatter ourselves that we are continually advancing towards a perpetual peace (Günther 2005: 379).”

Bernard Williams argued that since “genuine” tolerance is equivalent to satisfying a Kantian demand for respecting others’ autonomy as a good in itself, and since this kind of respect is unlikely to be widespread; it is as well that the real-world practice of toleration does not depend upon it. A consideration of a symmetrical tolerance between unequal people by making the distinction that toleration as a political undertaking introduces the asymmetry between groups associated with the concept but a tolerant attitude can obtain just as much between groups who are not equal in power (Sokol 2008).

To understand how tolerant the legal state should be, the aspects of legitimacy and effectiveness need to be distinguished. As far as legitimacy is concerned, “zero tolerance” is called for with respect to violent attacks. Likewise, scholars need to consider questions of effectiveness, for it may well be that such legal restrictions are not very successful and can even lead to unintended, negative side-effects. At times it can be more useful not to defend the limits of toleration by means of laws but instead out of pragmatic considerations to exercise tolerance towards groups that are in principle intolerable (Forst 2004). To speak of tolerance only makes sense where there is a normative objection against certain beliefs or practices. It is to be made a distinction between toleration (i.e. one allows others’ ethical values but does not respect them) and tolerance (i.e. mutual respect of the others’ individual and ethical values as equal and just). Society cannot tolerate the racists. The latter puts one outside of the universal moral values needed to be shared by all individuals (Aliu 2011). Hart and others have shown that modern legal systems include also secondary norms, rules of empowerment and rules of organisation that serve to institutionalise processes of legislation, adjudication, and administration (Habermas 1988: 229).

“New international challenges resulting from the acknowledgement of a right to humanitarian intervention include the use of compulsory measures. For example, resistance is not based on religious beliefs or convictions; rather, it is based on the longstanding political principle of state sovereignty (Ricœur 1996c: 52).” From this viewpoint, the right to humanitarian intervention constitutes a violation of the principle of non-interference within a state. How does this consensual limitation on the principle of sovereignty relate to the problem of tolerance? It relates to the cry of victims calling out for the help constitutes the ultimate legitimation of this still gestating right. The issue of humanitarian intervention is strongly associated with the world system and world society paradigms.

3. World System and World Society Paradigms

Two paradigmatic Schools which are covered by the globalisation debate namely are; i) World System theories and ii) World Society theories. The World System theories were developed to counter the theorisation of social spaces as national or macro-regional geographic “containers.” Opposing the theories of World Civilisations in which perception of the world is a collection of distinct and divided civilisations, the World System theories emphasise the far-reaching economic interchanges and political subordination that exist between different cultural regions and civilisations. Key figures of the theories of World System are Fernand Braudel, Max Weber, Karl Polanyi, Ralf Dahrendorf and Immanuel Wallerstein. These scientists defended the argument that World Civilisations are established by those superstates exclusively that enable to fill the whole space of “Global World Economy.” Latterly, the global world economy was transformed in a modern capitalist world system and the embeddedness of this system was strengthened by occidental rationalism, liberal capitalism and transnationalism (Braudel 1983, 1984, 1985; Dahrendorf 1959; Polanyi 2001; Pries 2001; Wallerstein 1976, 2006; Weber 1922).

arguments, there is not any definite explanation for how can “Perpetual Peace” idea become real and how universal citizenship can exist (Habermas 1995).

On the base of a critique of the aforementioned paradigmatic school, the theories of World Society were structured idealistically and constructivistically on the concept of social. Key figures of this School are Niklas Luhmann, Anthony Giddens, Ulrich Beck, Leslie Sklair, Malcolm James Waters, Martin Albrow and David Held. In the World Society approach, the “social space” of society is explicitly separated from the “geographic space.” The civil society remains at the core point of the dialectics of globalisation and localisation. The mixture of various levels ensures a blurring structure in which geographic spaces (i.e. the micro-regional, the national, the macro-regional and the global) correspond to different types of predominant social spaces (i.e. community, national society, civilisation / cultural region and humanity). The “transnational social spaces” approach is an attempt to overcome the economic, functional and macroscopic biases of the world system theories by giving central attention to social practices, symbol systems and artefacts as empirically detectable phenomena growing “from below” that are structured by and reproduced social institutions in plural-local social spaces (Luhmann 1983, 1985; Vertovec 2001a). Whereas civilisation theories maintained the mutual embeddedness of social and geographic space and widened it to macro-regions, world system theories that followed similarly expanded the social-geographic container to the globe as a whole (Luhmann 1996, 1997, 2011; Pries 2001).

In the light of these clarifications, Luhmann claimed that all attempts at building a unified theory of society on the basis of the critical/positivist distinction had to lead into the paradox of treating appearance and reality, or latent and manifest structures. However, the society as a self-observing system defined its own identity in theories of self-referential systems, autopoietic system closure, the second-order cybernetics of observing systems, and constructivist epistemology and information processing (Luhmann 1984, 1994, 1995a, 1995b.). The comprehensive societal analyses of Luhmann are quite substantial for arguing identity enquiry. For further evaluation of identity formation within societies, multiculturalism and cosmopolitanism perspectives were discussed in the following section.

4. Identity Enquiry in Frame of Multiculturalism and Cosmopolitanism

The pluralistic universe has become now pluralistic society or multicultural society. Thus tolerance ought to be promoted for facing the “conflicts of cultures and especially those within multicultural societies (Kuçuradi 1996). Multiculturalism in the EU has caused the proliferation of multilingualism and translation of EU official documents, many scientific publications and press releases into official languages of the EU member states (Öztürk 2011). The spread of multilingualism strengthened the motto of the EU – i.e. the creation of unity in diversity or vice versa. Similarly, the growing trend of publishing houses and the development of media channels facilitated multilingualism and fast transformation of identities within multicultural and cosmopolitan societies.

According to Baumann, multiculturalism is a riddle or a paradox. It asks how we can establish a state of justice and equality between and amongst three parties; those who believe in a unified national culture, those who trace their culture to their ethnic identity, and those who view their religion as culture. To solve the riddle, one needs to rethink what is meant by nationality or the nation-state, by ethnic identity or ethnicity, and by religion as a basis of culture. Multiculturalism can be considered as a new and internally plural, praxis of culture applied to oneself and to others (Baumann 1999: vii).

The transnational challenges to multiculturalism suggest a real recognition of diversity that includes cultural difference and community belonging. In multiple or hybridised identities, many diversities of attachments and belongings (i.e. people, places, traditions and so forth) are shaped outside of the containing limits of nation-state residence. Thus, hybridised identities sustain and mediate complex affiliations and multiple attachments (Vertovec 1999, 2001b, 2007). An enhanced 'bifocality' of outlooks underpinning migrant lives lived here-and-there; such dual orientations have considerable influence on transnational family life and may continue to affect identities amongst subsequent post-migration generations. In this framework, social network, social capital and embeddedness have proven valuable to be analysed and associated with transformation of identity (Vertovec 2003, 2004).

Many scientists observe that there are separate lives not only in the EU member states but also everywhere in the world. Understanding what others are really saying, why they act the way they do, and how the basic issues of human life appear to them are quite important: This level of empathy demands a greater capacity for listening and observing rather than of speaking and judging (Aliu 2011).

The core question is whether other people do want to integrate to the EU. Because, many people who are not EU citizens or have hybrid identities, want to continue their lives as separate from society. In passing time, these separate lives shape lost identities which do not feel that they belong to a particular society or culture. Therefore, understanding is extremely important for creation better life conditions and linking cultural diversity and harmony in the EU.

Despite the fact that multiculturalism and cosmopolitanism are complex processes, these can bring people closer. However, who will take the first step? In this context, cosmopolitanism can be seen as a key term. Cosmopolitanism means recognition of otherness, both external and internal to any society: in a cosmopolitan ordering of society, differences are neither ranged in a hierarchy nor dissolved into universality, but are accepted. Debates between exponents of universalism and relativism, or between those of sameness and diversity, are generally conducted as either/or propositions. From the realistic cosmopolitanism it should be understood and practiced in conscious relation to universalism, contextualism, nationalism, transnationalism, interdependence, multitude of interconnections and other current approaches to otherness. The cosmopolitan vision shares with these a combination of semantic elements that serves to differentiate it from all other approaches (Beck 2004a, 2004b; Beck & Sznaider 2006; Beck & Beck-Gernsheim 2009; Beck & Grande 2010).⁸

How can the EU be taken seriously, if it promotes a cosmopolitanism approach to foster respect, tolerance and diversity, and at the same time continues to discriminate along the different non-discrimination grounds? European legislation does not cover discrimination outside the labour market on the grounds of religion or belief. The cosmopolitanism approach of the EU designed to foster respect, tolerance and diversity can raise awareness in the member states, amongst groups in civil societies. During the process of Eastern Enlargement of the EU in the 1990s, the EU was sometimes heavily criticised for its double standard. The EU asked the acceding states to show 'respect for and protection of minorities' as a condition for membership, but did not put the old member states along the same yardstick (Swiebel 2008: 109).

CONCLUSION

This study claims that there is a very strong linkage between tolerance, migration and hybrid identities. The mixture of various levels ensures a blurring structure in which home and host countries of migrants and refugees have different legal sources for tolerance and toleration. The diversification of treatment of people according to legal sources puts the issue of citizenship and belonging in the forefront. The EU is experiencing a very interesting problem. The refugees' crisis and increasing asylum seekers are rapidly boosting the problem of the accumulation of hybrid identities in ethnic enclaves and cultural ghettos all around the EU. The tolerance and toleration towards these people have become an issue of concern due the increasing tensions and the lack of communication within societies.

European attempts to stimulate ethno-cultural diversity in the new member states have focused less on group-related rights but have emphasised the importance of social inclusion, anti-discrimination and equal opportunities (Vermeersch 2007: 18). The system of universal moral obligations, including respect for human rights, is compatible with diversity of particular ethical beliefs. But this is the basis for a democratic state that incorporates tolerance. It needs to incorporate common identical rights for all and the guarantee of the opportunity for all people including hybrid identities.

The multi-ethnic hybridity of many people who share neoethnic endorsement of national unity create hybrid identities which contain super ethnic characteristics. All identities are identifications, all identifications are dialogical, and all struggles for a common dream are practical. In this context, human

⁸ The cosmopolitan gaze is stimulated by the postmodern mix of boundaries between cultures and identities, accelerated by the dynamics of capital and consumption by state and non-state actors, empowered by capitalism undermining national borders, excited by the global audience of transnational social movements, and guided and encouraged by the evidence of worldwide communication (Beck 2000, 2003, 2005). Further, as opposed to methodological nationalism, methodological cosmopolitanism is a promising lens through which to look at questions of diversity. And it is essential to draw an essential distinction between "cosmopolitanism" in a normative philosophical sense and "cosmopolitanisation" as a structural phenomenon and as a social scientific research programme (Beck 2011a, 2011b).

rights, civil rights and community rights deliver partial promises at best of fulfilling the multicultural dream. To turn from dreaming to meaning, three components of the multicultural triangle ought to be taken into account – i.e. the nation-state and its national identity, the idea of ethnicity or ethnic identity, and the workings of religion and religious identity (Baumann 1999).

The ways of tolerance exist at various levels (i.e. the juridical level, the educational level and communication and mass-media level). For instance, the image of hybrid identities in the mass media is a very strong tool, as the media gain importance in social life and are often the mirror of society in which they are produced (Serin 1990). The production of radio and TV programmes by the hybrid identities should be given greater space in national and private channels. The contribution of people of different cultures also should be encouraged in producing creative and exchange-oriented programmes. Legal ways to tolerance involves people of different cultures living in the same country. It implies the enforcement of anti-discrimination laws. Codes of conduct have been established in relation to employment agencies, laws introduced to afford legal protection to migrants, refugees and marginalised communities, both administratively and by right of action. In this context, it is also important to refer to the role of public opinion movements for the establishment and enforcement of such protective measures for migrants, refugees and marginalised communities.

In the EU tolerance perspective, tolerance requires impartial law enforcement, judicial process, and impartial legislation at EU supranational level. In addition, it also requires that economic and social opportunities be given to each person without any discrimination. Likewise, in order to achieve a more tolerant society in the EU, member states should harmonise existing human rights conventions with ethical beliefs and moral conducts. Tolerance, mutual understanding, and the respect of the rights of individuals are quite crucial in order to provide harmony, coexistence, and peace not only at the member state level but also at the EU level. The pluralistic societies, multicultural societies or cosmopolitan societies need now tolerance more than ever before. Further, in view of facing the conflicts of cultures, and especially those within multicultural societies, tolerance ought to be promoted and guaranteed not merely on the basic normative principles and soft law regulations but also on ethical beliefs, moral consciousness and even Eastern Tolerance wisdom and heritages.

REFERENCES

- Aliu, Armando (2011), “Tolerance and Law: How the European Union Respects Minorities’ Rights in the Member States”, Unpublished Research Report, University of Hamburg, Hamburg.
- Aliu, Armando (2012), “International Migration and the European Union Relations in the Context of a Comparison of Western Balkans and North African Countries: Controlling Migration and Hybrid Model”, MPRA Paper No. 41102, Ludwig Maximilians Universität München, 05 June 2016, Retrieved from: http://mpra.ub.uni-muenchen.de/41102/1/MPRA_paper_41102.pdf
- Aliu, Armando (2013), “The Theory of Interhybridity: Socio-political Dimensions and Migration Experiences of Post-communist Western Balkan States”, *Journal of Advanced Research in Organizational Psychology*, Vol.2, No.2, pp.5–54.
- Apel, Karl-Otto (1997), “Plurality of the Good? The Problem of Affirmative Tolerance in a Multicultural Society from an Ethical Point of View”, *Ratio Juris*, Vol.10, No.2, pp.199–212.
- Barnard, L. E. (1855), *Moral Sayings of Confucius: A Chinese Philosopher*, A. B. & CO, Cleveland.
- Baumann, G. (1999), *The Multicultural Riddle: Rethinking National, Ethnic and Religious Identities*, Routledge, London.
- Beck, Ulrich (2000), “The Cosmopolitan Perspective: Sociology of the Second Age of Modernity”, *British Journal of Sociology*, Vol.51, No.1, pp.79–105.
- Beck, Ulrich (2003), “Toward a New Critical Theory with a Cosmopolitan Intent”, *Constellations*, Vol.10, No.4, pp.453–468.

- Beck, Ulrich (2004a), "Cosmopolitical Realism: On the Distinction between Cosmopolitanism in Philosophy and the Social Science", *Global Networks*, Vol.4, No.2, pp.131–156.
- Beck, Ulrich (2004b), "The Truth of Others: A Cosmopolitan Approach", *Common Knowledge*, Vol.10, No.3, pp.430–449.
- Beck, Ulrich (2005), "The Cosmopolitan State: Redefining Power in the Global Age", *International Journal of Politics, Culture & Society*, Vol.18, No.3, pp.143–159.
- Beck, Ulrich and Natan Sznaider (2006), "Unpacking Cosmopolitanism for the Social Sciences: A Research Agenda", *The British Journal of Sociology*, Vol.57, No.1, pp.1–23.
- Beck, Ulrich and Elisabeth Beck-Gernsheim (2009), "Global Generations and the Trap of Methodological Nationalism for a Cosmopolitan Turn in the Sociology of Youth and Generations", *European Sociological Review*, Vol.25, No.1, pp.25–36.
- Beck, Ulrich and Edgar Grande (2010), "Varieties of Second Modernity: The Cosmopolitan Turn in Social and Political Theory and Research", *The British Journal of Sociology*, Vol.61, No.3, pp.409–443.
- Beck, Ulrich (2011a), "Multiculturalism or Cosmopolitanism: How Can We Describe and Understand the Diversity of the World?" *Social Sciences in China*, Vol.32, No.4, pp.52–58.
- Beck, Ulrich (2011b), "We Do Not Live in an Age of Cosmopolitanism But in an Age of Cosmopolitisation: The 'Global Other' is in Our Midst", *Irish Journal of Sociology*, Vol.19, No.1, pp.16–34.
- Braudel, F. (1985), *Civilisation and Capitalism 15th and 18th Century – Vol. I: The Structures of Everyday Life*, Translated by S. Reynolds, Collins, London.
- Braudel, F. (1983), *Civilisation and Capitalism 15th and 18th Century – Vol. II: The Wheels of Commerce*, Translated by S. Reynolds, Collins, London.
- Braudel, F. (1984), *Civilisation and Capitalism 15th and 18th Century – Vol. III: The Perspective of the World*, Translated by S. Reynolds, Collins, London.
- Bulag, U. E. (1998), *Nationalism and Hybridity in Mongolia*. Clarendon Press, Oxford.
- Burke, P. (2009), *Cultural Hybridity*, Polity Press, Cambridge.
- Cranmer-Byng, L. (1906), *The Classics of Confucius: The Book of Odes (Shi-King)*, 2nd edition, John Murray, London.
- Dahrendorf, R. (1959), *Class and Class Conflict in Industrial Society*, Stanford University Press, Stanford.
- Dawson, M. M. (1915), *The Ethics of Confucius*, 3rd edition, The Knickerbocker Press, New York.
- Drichel, Simone (2008), "The Time of Hybridity", *Philosophy and Social Criticism*, Vol.34, No.6, pp.587–615.
- Field, Sean (1999), "Ambiguous Belongings: Negotiating Hybridity in Cape Town, 1940s-1990s", *Kronos*, No.25, pp.227–238.
- Forst, Rainer (2004), "The Limits of Toleration", *Constellations*, Vol.11, No.3, pp.312–325.
- Garapon, Antoine (1996), "The Law and the New Language of Tolerance", *Diogenes*, Vol.44/4, No.176, pp.71–89.
- Günther, Klaus (2005), "World Citizens between Freedom and Security", *Constellations*, Vol.12, No.3, pp.379–391.
- Habermas, Jürgen (1988), "Law and Morality", Translated by Kenneth Baynes, *The Tanner Lectures on Human Values*, No.8, pp.219–279, 05 June 2016, Retrieved from: http://tannerlectures.utah.edu/_documents/a-to-z/h/habermas88.pdf
- Habermas, Jürgen (1995), "Kants Idee des Ewigen Friedens: Aus dem historischen Abstand von 200 Jahren", *Kritische Justiz*, Vol.28, No.3, pp.293–319.

- Habermas, J. (1997), *Die Einbeziehung des Anderen: Studien zur politischen Theorie*, Suhrkamp Verlag, Frankfurt am Main.
- Habermas, Jürgen (2003a), “Intolerance and Discrimination”, *International Journal of Constitutional Law*, Vol.1, No.1, pp.2–12.
- Habermas, Jürgen (2003b), “A Historical Critique of John Rawls’ A Theory of Justice: Failure to Communicate the Tradition”, 05 June 2016, Retrieved from: <https://ia601409.us.archive.org/8/items/JrgenHabermasCritiqueOfJohnRawls/JrgenHabermasCritiquesRawls.pdf>
- Habermas, J. (2005), *Zwischen Naturalismus und Religion: Philosophische Aufsätze*, Suhrkamp Verlag, Frankfurt am Main.
- Hart, Herbert L. A. (1967), “Social Solidarity and Enforcement of Morality”, *The University of Chicago Law Review*, Vol.35, No.1, pp.1–13.
- Hersch, Jeanne (1996), “Tolerance: Between Liberty and Truth”, *Diogenes*, Vol.44/4, No.176, pp.27–33.
- Horten, M. (1912), *Die Metaphysik des Averroes*, Verlag von Max Niemeyer, Halle.
- Horten, M. (1913), *Die Hauptlehren des Averroes nach Seiner Schrift: Die Widerlegung des Gazali*, A. Marcus und E. Webers Verlag, Bonn.
- Hutnyk, John (2005), “Hybridity”, *Ethnic and Racial Studies*, Vol.28, No.1, pp.79–102.
- Jamil-Ur-Rehman, M. (1921), *The Philosophy and Theology of Aveorres*, A. G. Widgery, Baroda.
- Kavas, Serap and Arland Thornton (2013), “Adjustment and Hybridity in Turkish Family Change: Perspectives from Developmental Idealism”, *Journal of Family History*, Vol.38, No.2, pp.223–241.
- Kawash, S. (1997), *Dislocating the Color Line: Identity, Hybridity and Singularity in African-American Narrative*, Stanford University Press, Stanford.
- Köprülü, M. F. (2013), *Türk Edebiyatında İlk Mutasavvıflar*, Akçağ Yayınları, Ankara.
- Kraidy, M. (2005), *Hybridity, or the Cultural Logic of Globalisation*, Temple University Press, Philadelphia.
- Kuçuradi, İoanna (1996), “On Tolerance and the Limits of Toleration”, *Diogenes*, Vol.44/4, No.176, pp.163–174.
- Laffey, Mark and Suthaharan Nadarajah (2012), “The Hybridity of Liberal Space: States, Diasporas and Insecurity”, *Security Dialogue*, Vol.43, No.5, pp.403–420.
- Luhmann, Niklas (1983), “Insistence on Systems Theory: Perspectives from Germany – An Essay”, *Social Forces*, Vol.61, No.4, pp.987–998.
- Luhmann, Niklas (1984), “Die Wirtschaft der Gesellschaft als autopoietisches System”, *Zeitschrift für Soziologie*, Vol.13, No.4, pp.308–327.
- Luhmann, Niklas (1985), “Society, Meaning, Religion: Based on Self-Reference”, *Sociological Analysis*, Vol.46, No.1, pp.5–20.
- Luhmann, Niklas (1994), “What is the Case? And What Lies Behind It? The Two Sociologies and the Theory of Society”, Translated by Stephen Fuchs, *Sociological Theory*, Vol.12, No.2, pp.126–139.
- Luhmann, N. (1995a), *Die Kunst der Gesellschaft*. Suhrkamp Verlag, Frankfurt am Main.
- Luhmann, Niklas (1995b), “Why Does Society Describe Itself as Modern?” *Cultural Critique*, No.30, pp.171–186.
- Luhmann, Niklas (1996), “System as Difference”, *Organization*, Vol.13, No.1, pp.37–57.
- Luhmann, Niklas (1997), “Globalization or World Society: How to Conceive of Modern Society?”, *International Review of Sociology*, Vol.7, No.1, pp.67–79.

- Luhmann, Niklas (2011), *Einführung in die Systemtheorie*, Sechste Auflage, Carl-Auer-Systeme Verlag, Heidelberg.
- Mevlânâ (2005), *Mesnevî Şerif Şerhi* (Cilt 1-13), Tercüme: Ahmed Avni Konuk, Kitabevi, İstanbul.
- McPharlin, P. (1939), *The Sayings of Confucius*, Peter Pauper Press, New York.
- McWilliams, Susan (2013), “Hybridity in Herodotus”, *Political Research Quarterly*, Vol.20, No.10, pp.1–11.
- Müller, M. J. (1875), *Philosophie und Theologie von Averroes*, Akademie der Wissenschaften, München.
- Nafafé, José Lingna (2012), “Europe in Africa and Africa in Europe: Rethinking Postcolonial Space, Cultural Encounters and Hybridity”, *European Journal of Social Theory*, Vol.16, No.1, pp.51–68.
- Öztürk, İlyas (2011), “Avrupa Birliği’nde Çeviri Çalışmaları”, *XI. Uluslararası Dil – Yazın – Deyisbilim Sempozyumu: Gönüllülük ve Hosgörü*, 1. Cilt, ss. 416-429.
- Papastergiadis, N. (2000), *The Turbulence of Migration: Globalization, Deterritorialization and Hybridity*, Polity Press, Oxford.
- Pieterse, Jan Nederveen (2001), “Hybridity, So What? The Anti-Hybridity Backlash and Riddles of Recognition”, *Theory, Culture & Society*, Vol.18, No.2-3, pp.219–245.
- Polanyi, K. (2001), *The Great Transformation: The Political and Economic Origins of Our Time*, 2nd edition, Beacon Press, Boston.
- Pnina, W. and T. Modood (1997), *Debating Cultural Hybridity: Multicultural Identities and the Politics of Anti-Racism*, Zed Books, London.
- Pries, L. (Ed.) (2001), *New Transnational Social Spaces: International Migration and Transnational Companies in the Early Twenty-first Century*, Routledge, London.
- Ramos-García, L. A. (2002), *The State of Latino Theater in the United States: Hybridity, Transculturation, and Identity*, Routledge, New York.
- Ricœur, Paul (1973), “Ethics and Culture: Habermas and Gadamer in Dialogue”, *Philosophy Today*, Vol.17, No.2, pp.153–165.
- Ricœur, Paul (1996a), “Obstacles and Limits to Tolerance”, *Diogenes*, Vol.44/4, No.176, pp.161–162.
- Ricœur, Paul (1996b), “To Think Tolerance”, *Diogenes*, Vol.44/4, No.176, pp.25–26.
- Ricœur, Paul (1996c), “Tolerance, Rights, and the Law”, *Diogenes*, Vol.44/4, No.176, pp.51–52.
- Ricœur, P. (2000), *The Just*, Translated by D. Pellauer, The University of Chicago Press, Chicago.
- Riegel, Jeffrey (2013), “Confucius”, *Stanford Encyclopedia of Philosophy*, 05 June 2016, Retrieved from: <http://plato.stanford.edu/entries/confucius/>
- Riemer, Andrew (1999), “Hybridity: Making a Meal of Multiculturalism”, *Australian Quarterly*, Vol.71, No.2, pp.6–10.
- Said, E. W. (1994), *Culture and Imperialism*. Vintage Books, New York.
- Serin, N. (Ed.) (1990), *La Tolérance, Les Cultures et Les Religions: Hier et Aujourd’hui*, Ankara University Publications, Ankara.
- Sokol, B. J. (2008), *Shakespeare and Tolerance*, Cambridge University Press, Cambridge.
- Swiebel, Joke (2008), “Intercultural Dialogue and Diversity within the EU”, *Eurolimes*, No.6, pp.101–112.
- The European Union (2016), “Consolidated Version of the Treaty on the Functioning of the European Union”, *Official Journal of the European Union*, Vol.59, No.2016/C202/01-02, 05 June 2016, Retrieved from: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2016:202:FULL&from=EN>

- United Nations Educational, Scientific and Cultural Organisation (1996), “The Declaration of Principles on Tolerance”, *Diogenes*, Vol.44/4, No.176, pp.207–213.
- van Norden, Bryan (2014), “Mencius”, *Stanford Encyclopedia of Philosophy*, 05 June 2016, Retrieved from: <http://plato.stanford.edu/entries/mencius/>
- Vermeersch, Peter (2007), “Ethnic Minority Protection and Anti-discrimination in Central Europe Before and After EU Accession: The Case of Poland”, *Journal on Ethnopolitics and Minority Issues in Europe*, Vol.6, No.1, pp.1–21.
- Vertovec, Steven (1999), “Conceiving and Researching Transnationalism”, *Ethnic and Racial Studies*, Vol.22, No.2, pp.447–462.
- Vertovec, Steven (2001a), “Transnational Challenges to the “New” Multiculturalism”, ESRC Transnational Communities Research Programme Working Papers, 05 June 2016, Retrieved from: <http://www.transcomm.ox.ac.uk/working%20papers/WPTC-2K-06%20Vertovec.pdf>
- Vertovec, Steven (2001b), “Transnationalism and Identity”, *Journal of Ethnic and Migration Studies*, Vol.27, No.4, pp.573–582.
- Vertovec, Steven (2003), “Migration and Other Modes of Transnationalism: Towards Conceptual Cross-Fertilization”, *International Migration Review*, Vol.37, No.3, pp.641–665.
- Vertovec, Steven (2004), “Migrant Transnationalism and Modes of Transformation”, *International Migration Review*, Vol.38, No.3, pp.970–1001.
- Vertovec, Steven (2007), “Introduction: New Directions in the Anthropology of Migration and Multiculturalism”, *Ethnic and Racial Studies*, Vol.30, No.6, pp.961–978.
- Waterlot, Ghislain (1996), “Human Rights and the Fate of Tolerance”, *Diogenes*, Vol.44/4, No.176, pp.53–70.
- Wallerstein, I. (1976), *The Modern World-System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*, Academic Press, New York.
- Wallerstein, I. (2006), *World-Systems Analysis: An Introduction*, 4th edition, Duke University Press, London.
- Weber, M. (1922), *Grundriss der Sozialökonomik: III. Abteilung – Wirtschaft und Gesellschaft*, J.C.B. Mohr, Tübingen.
- Worms, M. (1900), *Die Lehre von der Anfangslosigkeit der Welt bei den mittelalterlichen arabischen Philosophen des Orients und Ihre Bekämpfung durch die arabischen Theologen (Mutakallimûn)*, Druck und Verlag der Aschendorffschen Buchhandlung, Münster.