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# Embodied Reasons in the Public Sphere: The Example of the *Hijab*

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## Abstract

In public debates on moral or political issues between participants from different religious backgrounds, liberal and secular thinkers like John Rawls and Jürgen Habermas recommend to restrict oneself to free-standing reasons that are independent of their religious, social or cultural origin. Following German philosopher Matthias Jung, however, I argue that such reasons fall short of describing the relevance of the issue in question for the adherents of a specific religion or worldview. Referring to the debates in several European countries about the *hijab*, I am showing how a deeper understanding of reasons as embodied in social practices and as embodied in individual biographies can help to disentangle such debates and to facilitate a dialogue on these issues.

## Keywords

Moral reasoning, embodiment, *hijab*; veiling

## Introduction

In many Western societies, the use of the *hijab* is a contested issue. Legal regulations differ widely between different countries.<sup>1</sup> As the German example shows, even within one country the legal situation is complex. The German Basic Law (*Grundgesetz*) guarantees both positive and negative religious freedom: citizens have the right to practise

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1. A comprehensive overview is presented by Jennifer A. Selby, 'Hijab', in Jocelyne Cesari (ed.), *The Oxford Handbook of European Islam* (Oxford and New York: Oxford University Press, 2015), pp. 701–41, esp. pp. 705–17.

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their religion. At the same time, in the religiously neutral state, no religion may be imposed upon citizens from the state's side. Thus, in 1995, the Federal Constitutional Court (*Bundesverfassungsgericht*) granted the claim of a parent who did not want their child to be exposed to a male corpse on the crucifix in Bavarian public schools.<sup>2</sup> In 2003, the same court decided that Fereshta Ludin, a school teacher of Afghan origin, could not be excluded from teaching because of her *hijab*, the reason being, however, that no such regulation was included in the school law of *Baden-Württemberg*, where she taught. The Federal Constitutional Court left it to the German *Länder* to pass legislation on these matters, which some of them did. New regulations banned headscarves for teachers, in some cases with the explicit exemption of the habit worn by Catholic nuns, with reference to the long history of Christian formation of the country.<sup>3</sup>

While the legislative situation is ambivalent, public discussion is even more heated. For, while Muslim women claim that the *hijab* is an expression of their faith, feminists argue that it is a symbol for female subordination within Islam. Others, however, argue that such arguments are a sign of Western dominance and of anti-Islamic tendencies in the debate. In France, the policy of banning the *burqa* or the *niqab* in public by legislation in 2010, thereby maintaining the principle of *laïcité*, was regarded by many as a regulation of religious expression and hence as antidemocratic.<sup>4</sup>

Even among government officials, the debate is by no means restricted to legal aspects. During his time in office, former Bavarian Minister of Justice Winfried Bausback argued that veiling was a sign of 'growing parallel societies' in which 'patriarchal-archaic traditions and values are lived that run counter to the values of the Basic Law'.<sup>5</sup> Rather than declaring the garment as an expression of religious practice, the state should have the right to 'protect our open way of communication'.<sup>6</sup> One might think that the evocation of open communication, even though referring to the ban on wearing face covering during demonstration (*Vermummungsverbot*), could meet general acceptance within an open, democratic society. But not even academic discourse is exempt from controversies fought out in an extremely emotional manner. Only recently, German professor of Islamic Studies, Susanne Schröter, organised an academic conference on the Muslim headscarf, its perception and the associations connected with it. But her attempt to lead a power-free discourse in the Habermasian sense was thwarted by demonstrators who went as far as accusing her of racism.<sup>7</sup>

2. Rolf Schieder, *Wieviel Religion verträgt Deutschland?* (Frankfurt am Main: Suhrkamp, 2002), pp. 177–78.

3. Selby, 'Hijab', p. 717.

4. Sahar Amer, *What is Veiling?* (Chapel Hill, NC: University of North Carolina Press, 2014), p. 96.

5. Winfried Bausback, 'Niqab im Kindergarten, Burka vor Gericht? Die Religionsfreiheit neu denken', *Frankfurter Allgemeine Zeitung* 24 November 2016, p. 8.

6. Ibid. For a critical discussion, see Thomas Wabel, 'Folklore oder letzter Ernst?: Religion als kulturelles Phänomen', in Adrianna Hlukhovich et al. (eds.), *Kultur und kulturelle Bildung: Interdisziplinäre Verortungen – Lehrerinnen- und Lehrerbildung – Perspektiven für die Schule* (Bamberg: University of Bamberg Press, 2018), pp. 105–137, esp. pp. 120–21.

7. Justin Huggler, 'Frankfurt University Faces Student Protests over Conference on Muslim Headscarves', *The Telegraph*, 26 April 2019, <https://www.telegraph.co.uk/news/2019/04/26/frankfurt-university-faces-student-protests-conference-muslim/> (accessed 4 June 2019)

Why is it that the mere attempt to discuss a contested issue in public can become so controversial? To shed some light on the different presuppositions at play here, I shall start by presenting a liberal account of the role of religion in public, together with a presentation of how in German civil society a discourse on the public perception of Islam has been established. Chances and limitations of resorting to free-standing reasons in this debate—reasons which are open to all, regardless of religious or other convictions—are discussed, before introducing a concept of understanding the reasons given in political, religious and moral debates as embedded in social practice and embodied in individual experience. Since this approach rests on the particularity of communities and religious traditions, the chances for generalising the respective convictions need to be discussed. After a summarising overview on the interplay of reasons understood as free-standing, as embedded and as embodied, I conclude with four final theses on the implications of this concept. Rather than taking a particular stance in the debate, my aim is to point out how some of the arguments can best be understood as embedded culturally and socially, as well as embodied in individual experience. The attempt to neutralise these factors by adducing seemingly objective procedures in legal regulations and in political reasoning, I argue, sometimes falls short of describing and understanding the phenomena in question.

## Reasons and Translation: Rawls and Habermas on Religion in the Public Sphere

‘[R]easonable comprehensive doctrines, religious or nonreligious, may be introduced in public political discussion at any time, provided that in due course proper political reasons . . . are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support’.<sup>8</sup> According to John Rawls, this injunction to reformulate religious reasons and motives, famously referred to by him as the *proviso*, distinguishes ‘public political culture’ from the ‘background culture’ of a given society.<sup>9</sup> It has become something like a creed of liberal discourse in democratic societies, for it enables religious communities to express their views in such a way as to make themselves understood also for a non-religious public. In recent years, Jürgen Habermas has combined Rawls’s *proviso* with a renewed appreciation of religion:

The force of religious traditions to articulate moral intuitions with regard to communal forms of a dignified human life makes religious presentations on relevant political issues a serious candidate for possible truth contents that can then be translated from the vocabulary of a specific religious community into a generally accessible language.<sup>10</sup>

8. John Rawls, ‘The Idea of Public Reason Revisited’, *The University of Chicago Law Review* 64.3 (1997), pp. 765–807, esp. pp. 783–84.

9. Rawls, ‘The Idea of Public Reason Revisited’, p. 784.

10. Jürgen Habermas, ‘Religion in der Öffentlichkeit. Kognitive Voraussetzungen für den “öffentlich Vernunftgebrauch” religiöser und säkularer Bürger’, in Jürgen Habermas, *Zwischen Naturalismus und Religion. Philosophische Aufsätze* (Frankfurt am Main: Suhrkamp, 2005), pp. 119–54, esp. p. 137. All translations are mine, unless noted otherwise.

Such translation into secular language is a cooperative task, involving believers and non-believers alike.

How can this concept help to disentangle the heated discussions sketched above? One could assume that the concept of reasons and translation is an adequate model for understanding the motives for cultural and religious customs, and for translating these into dialogical processes. And in fact, in the German context there is a good example of what such a process of mutual understanding and, possibly, translation, might look like. The German Islam Conference (*Deutsche Islamkonferenz, DIK*), which was started in 2006 by the Minister of the Interior at the time, Wolfgang Schäuble, is intended as a forum for an institutionalised dialogue between representatives of the German government and of Muslims in Germany. As the official website states,

[t]he aim of this dialogue is to improve the religious and social participation of the Muslim population in Germany, to give greater recognition to existing contributions of Muslims to German society, and to further develop the partnership and dialogue between the government and Islamic organizations. The Conference also wants to find solutions for Muslims according to German religious law and regarding practical religious matters.<sup>11</sup>

In an online magazine, the German Islam Conference has collected information and differing points of view on wearing the headscarf in public, with a focus on relevant court decisions, on the different legislation in the *Länder* for public school teachers wearing a headscarf, and on personal experience of Muslim women in Germany.<sup>12</sup> Other documents passed by the German Islam Conference show the overall horizon in which the perception of the *hijab* is placed: in 2013, brochures on the understanding of gender roles and on social cohesion were published,<sup>13</sup> and the title of a 2015 brochure evokes 'common values as a basis for living together'.<sup>14</sup> In these publications, constitutional values and rights, the duties of men and women, and the phenomenon of forced marriage are addressed. In exemplary short biographical narratives, the diversity of gender-specific

11. <https://www.bmi.bund.de/EN/topics/community-and-integration/german-islam-conference/german-islam-conference-node.html> (accessed 30 May 2019).

12. <http://www.deutsche-islam-konferenz.de/DIK/EN/Magazin/SchwerpunktKopftuchnode.html>. The German version is more comprehensive: <http://www.deutsche-islam-konferenz.de/DIK/DE/Magazin/SchwerpunktKopftuch/schwerpunkt-kopftuch-node.html> (both accessed 30 May 2019).

13. Deutsche Islam Konferenz, *Geschlechterbilder zwischen Tradition und Moderne: Materialien der Deutschen Islamkonferenz zu Rollenbildern und aktuellen rollenbezogenen Fragestellungen* (2013), [http://www.deutsche-islam-konferenz.de/SharedDocs/Anlagen/DIK/DE/Downloads/LenkungsausschussPlenum/20130423-geschlechterbilder-tradition-moderne.pdf?\\_\\_blob=publicationFile](http://www.deutsche-islam-konferenz.de/SharedDocs/Anlagen/DIK/DE/Downloads/LenkungsausschussPlenum/20130423-geschlechterbilder-tradition-moderne.pdf?__blob=publicationFile) (accessed 30 May 2019); Deutsche Islam Konferenz, *Gesellschaftlichen Zusammenhalt fördern – Polarisierung verhindern* (2013), <http://www.deutsche-islam-konferenz.de/SharedDocs/Anlagen/DIK/DE/Downloads/LenkungsausschussPlenum/2013-erklarung-ag-p.html?nn=3334656> (accessed 30 May 2019).

14. Bundesministerium des Innern/Deutsche Islam Konferenz, *Gemeinsame Werte als Grundlage des Zusammenlebens: Standpunkte der Deutschen Islam Konferenz* (2015). (Released 30 May 2019).

role models for Muslim women in Germany is hinted at, as well as the significance of nonviolent partnership and education.

This variety of topics mirrors not only the multiplicity of motivations for wearing a *hijab*—among others, ‘invocations of religious, social, and sexual modesty, piety, femininity, and fashion’—but also the many ‘foci of . . . public discussions, including debates about immigration and cultural integration, the governance of religious difference and visible religiosity, as well as gender equality’.<sup>15</sup> At first sight, it seems a wise strategy to narrow these debates down to the more abstract arguments of constitutional values, basic rights, and legal aspects, as the texts published by the *DIK* do. While reaching beyond religious aspects only, the majority of reasons adduced in these texts are free-standing, independent of the comprehensive doctrines affirmed by the citizens. However, as I shall argue, in some cases adducing reasons falls short of describing the phenomena in question. There seem to be limits to the abstraction from particular background cultures, even when the aim is to develop general policies.

## A Critique of Free-standing Reasons

All members of democratic societies owe each other reasons for their actions—at least whenever, by these actions or in public debates, widely accepted norms are called into question.<sup>16</sup> For this purpose, standards of public reasoning in Western societies comprise a number of distinctions which allow the religious dimension of convictions to be kept apart from the moral sphere which is open to debate. Generally, public debates focus on *what is right*, meaning a universally valid frame of reference in which only reasons count. *What is* (regarded to be) *good*, in contrast, is dependent on the ideas of a particular group, and hence involves historical or mythological narratives, symbols, rites, or other particular traditions. Therefore, the good is normally excluded from the realm of public moral discourse.<sup>17</sup> In the French understanding of democracy, this is mirrored in the principle of ‘the absolute equality of all its citizens’, which implies ‘that no individual or group may demand recognition for ethnic, religious, or social origin’.<sup>18</sup> Hence the strict principle of *laïcité* in France: any special status for religious communities would amount ‘to nothing less than communalism, the fracturing of the social fabric’.<sup>19</sup>

The distinction between the right and the good is implemented by resorting to free-standing reasons. *Free-standing* reasons ‘count independently of the religious context into which they are embedded’.<sup>20</sup> This is why religious reasons and motives, in order to

15. Selby, ‘Hijab’, pp. 703, 701.

16. Matthias Jung, ‘Gründe als Rechtfertigungen – verkörpert, eingebettet und freistehend’, in Matthias Jung, Michaela Bauks and Andreas Ackermann (eds), *Dem Körper eingeschrieben: Verkörperung zwischen Leiberleben und kulturellem Sinn* (Wiesbaden: Springer Fachmedien, 2016), pp. 125–41, at p. 125.

17. Jung, ‘Gründe als Rechtfertigungen’, p. 126.

18. Amer, *What is Veiling?*, p. 97.

19. Amer, *What is Veiling?*, p. 97.

20. Habermas, ‘Religion in der Öffentlichkeit’, p. 128.

be valid in public discourse, have to be translated. By way of translation, a level of generality is reached that enables participants in public discourse to share their arguments without having to enter the other's perspective, but also without accusing the other's view of being idiosyncratic. Such translation need not be restricted to religious views. Any attempt to contextualise one's values and convictions within the mindset of someone else can be seen as an activity of translation.

In the brochures mentioned above, the attempt to contextualise Western European values for Muslim immigrants is clearly visible. The text points out the historicity of the German social order. The reasons given for living according to it are restricted to the formal aspect of the legal regulations in which it is spelled out.<sup>21</sup> Still, it is obvious that by reference to the Basic Rights which grant equal status for men and women, the way a marriage should be lived is placed under an obligation that claims universality.<sup>22</sup>

The consequences of referring to Basic Rights extend even further. For in the German public, the use of the headscarf is often understood as standing against equal status of men and women. Consequently, it is argued that the decision to wear it or not should be a matter of self-determination. On the English-speaking website of the German Islam Conference, Necla Kelek, a German sociologist of Turkish descent and one of the most prominent voices in the debate on women rights in Islam, gives reasons for making the *hijab* a matter of individual choice:

[T]he headscarf . . . is . . . based not on the Koran, but only on tradition . . . The Islamic view is that people are unable to control their urges through reason . . . , hence the recommendation that women veil themselves in front of men who cannot control themselves . . . In our society we now have laws that protect women from harassment by men. Our society demands that men exercise self-control and wants women to be able to appear in public on equal terms. There are many Muslim women who reject the headscarf as an archaic symbol of male dominance . . . The headscarf has now become a political symbol, that of a Muslim identity which separates itself from the majority community out of religious, traditional, patriarchal motives.<sup>23</sup>

However, it is exactly this insistence on free choice according to universally accessible reasons that is suspicious for Muslim women. For it implies taking a stance beyond the adherence to one's particular religious conviction and its cultural and sartorial codes. The claim that the use of the veil connotes a disregard for gender equality is in itself regarded as patronising. Even the claim that women are bearers of equal human rights and therefore should not be obliged to wear a headscarf is ambivalent in such a reading. For often

21. Bundesministerium des Innern/Deutsche Islam Konferenz, *Gemeinsame Werte als Grundlage des Zusammenlebens*, pp. 7–8.

22. 'The most important rule [for living one's marriage] stems from the Basic Law: the Basic Right of equal status for husband and wife' (Deutsche Islam Konferenz, *Geschlechterbilder zwischen Tradition und Moderne*, A 5).

23. 'Interview with Dr. Necla Kelek on the Subject of the Headscarf', <http://www.deutsche-islam-konferenz.de/DIK/EN/Magazin/SchwerpunktKopftuch/Kelek/kelek-node.html> (accessed 1 June 2019).

enough, this seemingly neutral liberal view ‘serve[s] to claim the superiority of “European” gender relations over “Islamic” ones’.<sup>24</sup>

It seems that the attempt to restrict the discourse to publicly accessible reasons falls short of encompassing the significance of religious and cultural customs for the life of those who adhere to them. In order to reach the generality needed for public discourse, free-standing reasons abstract from any biographical, sociological or religious context. Undoubtedly, the argumentative universalism reached by translating customs into a frame of rational argumentation offers considerable advantages in a culturally and religiously plural society. Yet it rests on an idealised scenario of political argumentation, for it abstracts unduly from the way reasons are given and perceived within the human being-in-the-world. As German philosopher Matthias Jung puts it, ‘[i]n the process of translation, . . . the character of being *embedded* and *embodied*, typical not only for comprehensive worldviews, but for human being-in-the-world in general, is necessarily lost’.<sup>25</sup> According to him, to cleanse public moral reasoning from all contingencies of embodied traditions means to throw the baby out with the bathwater.<sup>26</sup> Therefore, as much as it is helpful to adduce free-standing reasons in public debates, Jung suggests to pay attention to their embedded and embodied character.

## An Alternative: Embedded and Embodied Reasons

### *Embedded Reasons*

In contexts in which the background culture plays a role, Jung thinks it to be more realistic to regard reasons as *embedded* in larger contexts. For ‘[e]mbedded reasons . . . refer to shared experience within a community on the level of . . . actions or even rituals. Therefore, they are connected with a much stronger sense of reality, obligation and urgency’.<sup>27</sup> As a well-known example, Jung adduces the *Universal Declaration of Human Rights*. The Declaration refers to the historically specific experience of ‘barbarous acts which have outraged the conscience of mankind’ during the Third Reich to argue for its universal scope.<sup>28</sup>

Similarly, the analysis of the arguments used in the debates on veiling acquires much greater depth of focus when the embedding of reasons is taken into account. Contrary to what one might think, the present debates about veiling in Europe and America do not simply mirror the unbiased voice of impartial reason and equal human rights, but also need to be seen against their historic context and in the context of fears aroused by

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24. Anna-Mari Almila, ‘Introduction: The Veil across the Globe in Politics, Everyday Life and Fashion’, in Anna-Mari Almila and David Inglis (eds), *The Routledge International Handbook to Veils and Veiling Practices* (London and New York: Routledge, 2018), pp. 1–25, at p. 8.

25. Jung, ‘Gründe als Rechtfertigungen’, p. 126; italics added.

26. Jung, ‘Gründe als Rechtfertigungen’, p. 127.

27. Jung, ‘Gründe als Rechtfertigungen’, p. 134.

28. UN Assembly, 10 December 1948, [http://www.claiminghumanrights.org/udhr\\_preamble.html](http://www.claiminghumanrights.org/udhr_preamble.html) (accessed 4 June 2019).



examples of militant Islam.<sup>29</sup> As for the historic context, Egyptian-French professor for Arabic and Islamic Studies Sahar Amer, now teaching in Australia, goes as far as suggesting that these discourses are ‘best understood . . . when contextualized within their nineteenth-century colonial lineage’.<sup>30</sup> This need not imply relativising the validity of human rights. But it does show that what is regarded as plausible is not fixed once and for all, but requires different lines of argument, depending on the cultural and regional context.

### *Embodied Reasons*

The relevance of a particular experience for public reasoning becomes even stronger when reasons are also understood as *embodied*. For ‘[w]hat is present to the self in the form of felt significance is accompanied by a sense of pregnancy and urgency which is often missing in abstract reflection’.<sup>31</sup> Here, moral intuitions and their pervasive quality have their place. A certain conviction ‘feels right’, prior to being able to give reasons for it. When the individual formation by a certain culture is strong enough, its evidence imposes itself almost physically on those who come from this culture.

That the reasons given in a discourse can be understood as embodied is due to the fact that reason itself is essentially embodied. The concept of ‘embodiment’ has been introduced in recent philosophical discussion to avoid a dualism of the mental and the physical sphere. The embodiment thesis holds that ‘the body as it operates outside the subject’s conscious awareness’ influences and shapes the subject’s experience, perception, cognition, decisions and actions.<sup>32</sup> What human beings do and say results from a constant interplay of body and mind. The mind is essentially *embodied*—and so are such central aspects of human self-understanding as giving reasons for one’s convictions and actions. In human articulation, bodily and mental aspects converge. The mental process of structuring my thoughts in articulating them is in constant interplay with the physical process of structuring, be it in sounds and syllables produced by my breath and vocal chords or in letters and words produced by my writing hand.<sup>33</sup> Human articulation is embodied physically, materially and culturally.<sup>34</sup>

It is not hard to see that wearing a veil or not is deeply connected to bodily self-experience, and so are the reasons given for doing so. Sahar Amer enumerates some of the reasons progressive Muslim women give for wearing the *hijab*, all connected not with external regulations imposed on women, but with women’s self-perception in

29. Selby, ‘Hijab’, pp. 728–29.

30. Amer, *What is Veiling?*, p. 17; see also the literature referred to in Selby, ‘Hijab’, p. 704.

31. Jung, ‘Gründe als Rechtfertigungen’, p. 135.

32. Shaun Gallagher, *How the Body Shapes the Mind* (Oxford: Clarendon Press, 2011), p. 32.

33. Matthias Jung, *Der bewusste Ausdruck: Anthropologie der Artikulation* (Berlin: de Gruyter, 2009), pp. 12–13.

34. Jung, *Der bewusste Ausdruck*, p. 276. The aspect of (socio-)cultural embodiment is what I have hereto referred to as ‘embedded’.

public.<sup>35</sup> Depending on the regional context—and contrary to Western expectations—some women report experiencing the *hijab* as a sign of self-affirmation and empowerment, or they describe its effect as liberating. For others, wearing the *hijab* feels like a way of reconnecting with their cultural and religious roots. In some instances, even the same argument ('modesty', which is one of the translations for *hijab*<sup>36</sup>) can be made for and against wearing a headscarf: 'Some choose not to veil because they want to follow the spirit of the Qur'anic verses on modesty, which enjoins women (and men) to not draw attention to themselves'.<sup>37</sup> The list shows impressively that the decision about wearing the headscarf or not, and the connotation it carries, go beyond generalised arguments.<sup>38</sup> Nor is there one single route followed by progressive or conservative Muslim women, respectively.

Taking the aspects of embedding and embodying into account gives a richer understanding of the cultural and religious connotations of reasons given in public debates. Ideas about the common good are 'thick': they are embodied in traditions, practices and world-views. Vital democratic societies foster debates on such diverging ideas.<sup>39</sup> Such embodiment is not just a (secondary) materialisation of norms and values (*top down*), but also vice versa: embodied reasons contribute to the origin of norms and values (*bottom up*).<sup>40</sup> This helps to understand why differing convictions and lifestyles can cause such deep mutual irritation. They affect the very way people feel when moving in public. For changing such convictions, reference to legal regulations and the universal validity of enlightenment insights is not enough. Encouraging women to live and dress according to Western standards would have to involve working on their self-perception and self-understanding as a woman in society. The presentation of a variety of biographical narratives offered in the brochure on gender roles<sup>41</sup> is certainly a step in this direction. However, as a different publication, focusing on interreligious encounter, impressively shows,<sup>42</sup> in order to reach deeply enough, it would have to be accompanied by direct interaction and by the encouragement to experience what a certain cultural and religious background might feel like.

## Consequences for the 'Generalisation of Values'

How, then, can the convictions that underlie social practices be generalised without stripping them altogether of their embedded and embodied character? Following sociologists

35. Amer, *What is Veiling?*, pp. 49–50. Of course, external regulations can be internalised to the extent of being incorporated, so that a woman's self-perception is conditioned in a way that precedes all further regulations (or absence thereof). This, however, I rather take to show how central is the aspect of embodied reasons in matters of morality and customs.

36. Selby, 'Hijab', p. 702.

37. Amer, *What is Veiling?*, p. 49.

38. This does not, of course, imply that rational arguments do not play any role at all. Some women 'reason that they can be modest without *hijab*, and that their focus on spirituality is unrelated to their outer appearance' (Amer, *What is Veiling?*, p. 50).

39. Jung, 'Gründe als Rechtfertigungen', p. 127.

40. Jung, 'Gründe als Rechtfertigungen', p. 128.

41. Deutsche Islam Konferenz, *Geschlechterbilder zwischen Tradition und Moderne*, B 6 ff.

42. Hans M. Gloël (ed.), *Wir sind Brückenmenschen: Wie sich Christen und Muslime begegnen. Biografische Notizen* (Neuendettelsau: Erlanger Verl. für Mission und Ökumene, 2007).

Talcott Parsons and Hans Joas, Matthias Jung develops a concept of *generalisation of values*.<sup>43</sup> His concept rests on the fact that reason is inextricably embodied. In moral reasoning, then, just as in any other intellectual endeavour, human beings are able to distance themselves from the felt immediacy of the physical and social conditions they find themselves in. At the same time, in the act of articulating themselves, they are led back to these conditions, since the very language they use mirrors the origins of its formation—without, of course, being reducible to these origins. Generalised arguments, as well as their claim for universal validity, stand in constant interchange with their particular context of origin.

Thus, while paying attention to the embeddedness and embodiment of social practices and values need not preclude the generalisation of reasons, the process of generalisation has to take this interchange with the particular context, social and bodily, into account.

Generalisations of values are rearticulations of particular ideas about values which do not suspend their history of origin nor their emotional identity, but rearticulate them in such a way as to make them understandable as specifications of universally shared values.<sup>44</sup>

Human dignity would be a good example for such a process. It can be reformulated in a number of ways, depending on the particular religious traditions. Here, the reciprocity of this process of rearticulation is visible. For the theological topos of man being created in the image and likeness of God (Gen. 1:26) is neither a direct translation of man as the bearer of human dignity nor vice versa. Rather, the biblical creation narrative lends a specific setting to the abstract concept of human dignity, while the particularity of the Jewish-Christian tradition acquires its universal relevance when read in the horizon of the more abstract overarching concept. What is decisive for such ‘backward performativity’<sup>45</sup> between particular and universal concepts is ‘that . . . universal ideas become explicit only in the process of being articulated . . . They do not exist *avant la lettre*, even though they are, of course, preceded by naturally felt qualities and modifications in behaviour’.<sup>46</sup> This interrelation helps to understand how culturally embedded and embodied reasons can feed into a discursive process in which, possibly, common ground

43. Matthias Jung, *Symbolische Verkörperung: Die Lebendigkeit des Sinns* (Tübingen: Mohr Siebeck, 2017), p. 70, drawing on Talcott Parsons, *Social Systems and the Evolution of Action Theory* (New York: Free Press, 1977) and Hans Joas, *Die Sakralität der Person: Eine neue Genealogie der Menschenrechte*, 3rd edn (Berlin: Suhrkamp, 2011).

44. Jung, ‘Gründe als Rechtfertigungen’, p. 132. Jung describes this process as giving an affirmative genealogy of morality; see Jung, *Der bewusste Ausdruck*, pp. 490–91, following Charles Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge, MA: Harvard University Press, 1994), p. 73. The movement of transcending boundaries of particularity without unduly abstracting from the implications of particular contexts is similar to the concept of transparticularisation; see Peter Dabrock, *Befähigungsgerechtigkeit: Ein Grundkonzept konkreter Ethik in fundamentaltheologischer Perspektive* (Gütersloh: Gütersloher Verl.-Haus, 2012), pp. 67–72.

45. Charles Taylor, *The Language Animal: The Full Shape of the Human Linguistic Capacity* (Cambridge, MA and London: The Belknap Press of Harvard University Press, 2016), pp. 278ff.

46. Jung, *Symbolische Verkörperung*, p. 71.

on the more abstract level of free-standing reasons can be reached. If this succeeds, 'the value traditions of different religions (and non-religious worldviews) are interpreted in the light of a commonality which is made explicit only in the process of this discourse, but which subsequently urges to understand these traditions as always already present'.<sup>47</sup> It is to this process that we shall now turn.

## An Interplay of Three Ways of Giving Reasons

If we follow the idea of interrelation just sketched, the three ways of giving reasons described above—*free-standing*, *embedded* and *embodied*—can be understood as three phases, or dimensions, of a whole. The process of their interrelation can be read in two directions, as it were. Free-standing reasons and their claim to universality can be seen as derived from the immediate and intuitively convincing feeling of what is right and from the socially and culturally embedded experience of confronting this feeling with that of others, be it in accord or in disagreement. In most cases, however, in moral reasoning we tend to start from the abstract perspective of free-standing reasons, and it is only in the experience of seemingly irreconcilable differences that we become aware of the social and bodily dimension in which they are nested.

### Free-standing

Free-standing reasons claim to be independent of the respective context they are used in, as well as from their context of origin. Such independence can be reached in a number of ways which do not necessarily exclude each other, but rather present different perspectives on such reasons: explication, distancing, abstraction and generalisation. In adducing free-standing reasons for a particular view of mine, I try to *explicate* (to myself and to others) the implicit convictions and presuppositions that underlie this view. At the same time, I *distance* myself from the biographical, social and cultural contingencies that shaped my view. This is where it becomes clear that free-standing reasons have a rather narrow and, hence, limited function. Still, they mark an important dimension of our reasoning, for without their claim for validity and universality, we would be thrown back on differing contexts of origin alone and relativisation would ensue. In this sense, the claim for validity implies *abstracting* from the dimensions of embodiedness and embeddedness. Yet, in order not to pay the price for such abstraction unnoticed, it is essential that this process of abstraction is tied back to the contingent factors described by the dimensions of embodiedness and embeddedness. Rather than resorting to an allegedly universal human nature, the concept of *generalisation* of values takes the particularities and contingencies of my views into account. By confronting them with those of others (be it explicitly in direct interaction or implicitly in a kind of inner dialogue), I try to reach a level of argumentation that can be reached from a different point of departure, while making progress towards more universal accessibility.

The context-independence of free-standing reasons makes for their strength. They are very important for formulating idealised conceptions of moral standards, such as

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47. Jung, *Symbolische Verkörperung*, p. 71.

universal rights or global justice, or of procedural approaches, as they are convincingly presented by authors like Kant, Rawls or Habermas.<sup>48</sup> By the same token, however, free-standing reasons are limited in scope: rational arguments often have little motivational power. Moreover, when only such ways of reasoning are used that can count on the assent of every thinking person, the riches and the 'thickness' in which moral and political convictions are experienced and transmitted are blinded out. While free-standing reasons are indispensable for a critical adjustment of arguments from a neutral perspective, they are less helpful for assessing moral conflicts and opposing values in pluralistic societies,<sup>49</sup> as the of the *hijab* shows.

### Embedded

When moral and political convictions are articulated with reference to shared experience within a community, they are connected with a much stronger sense of reality, obligation and urgency. But while the awareness of belonging to a community with shared convictions makes for higher motivational power, there are also dangers connected with this experience. For embedded arguments can be misused by universalising the particular experience of one group, religion or worldview, and by declaring war to all dissenters. Consequently, if the reasons adduced in a debate draw their plausibility mainly from the fact that these reasons hold within a particular community, they ought to be checked by abstract, universal thinking.<sup>50</sup>

### Embodied

With the dimension of embodied reasons, the sphere of deeply held convictions is reached. That such convictions find a physical expression holds, of course, for garments worn for religious reasons or for bodily marks of belonging, such as tattoos, incisions or circumcision.<sup>51</sup> But assemblies, demonstrations and, generally, the affective element connected with moral or political convictions are also cases in point.<sup>52</sup> In all these examples, the understanding of the convictions at play draws on immediate experience, but not in a naïve sense, as if all articulation were just the outward utterance of inner emotional processes or states of mind. Instead, embodied thinking needs to be understood as always already prefigured by socially embedded ways of arguing,<sup>53</sup> just as it feeds back

48. Jung, 'Gründe als Rechtfertigungen', p. 134.

49. Jung, 'Gründe als Rechtfertigungen', pp. 134, 127.

50. Jung, 'Gründe als Rechtfertigungen', p. 134.

51. Matthias Jung, Michaela Bauks and Andreas Ackermann (eds), *Dem Körper eingeschrieben: Verkörperung zwischen Leiberleben und kulturellem Sinn* (Wiesbaden: Springer Fachmedien, 2016).

52. Judith Butler, *Notes toward a Performative Theory of Assembly* (Cambridge, MA: Harvard University Press, 2015); Martha C. Nussbaum, *Political Emotions: Why Love Matters for Justice* (Cambridge, MA: The Belknap Press of Harvard University Press, 2013); Thomas Wabel, Torben Stamer and Jonathan Weider (eds), *Zwischen Diskurs und Affekt: Politische Urteilsbildung in theologischer Perspektive* (Leipzig: Evang. Verl.-Anstalt, 2018).

53. Jung, 'Gründe als Rechtfertigungen', p. 135.

into (and is, conversely, influenced by) free-standing reasons. Both failure and success, both the sometimes traumatic experience of futile attempts to communicate and the emotional push resulting from the experience of serendipitous understanding, bear witness to the intense, pervasive quality that forms the background of all formation of ideals and abstract reasoning.<sup>54</sup>

This concept of an interrelation between embedded, embodied and free-standing reason is more demanding, but also more realistic than understanding moral and political discourse in the light of rational discourse and free-standing reason alone.<sup>55</sup> At the same time, it helps to understand why mutual understanding is sometimes hard to achieve for deeply rooted customs, sensations and convictions, as in the case of the *hijab*. It shows that (and why) human communication on moral issues and political regulations is a fragile process in which many facets of individual and social experience play a role.

## What is the Payoff? Final Theses

- 1) Reason is inextricably embodied. In using our mental faculties, we are in constant feedback with their physical foundation and can, in turn, to some extent influence this physical foundation.<sup>56</sup> This becomes obvious when the posture of our body or an activity we engage in has an influence on our mood or on the flow of our thought and speech. The reasons adduced in moral reasoning and public debates, too, can be seen as embodied. In many cases, this goes unnoticed, and we rely on the all-encompassing validity of abstract reasoning. But in some contexts, the mental-physical interplay we find ourselves in and its influence on our self-perception shapes the way we reason and argue.
- 2) Likewise, the reasons adduced in moral reasoning are embedded in social and moral imaginaries of a particular time and society.<sup>57</sup> If they are advanced without being aware of these contingencies, they are curtailed of important aspects that are needed when wider public acceptance is asked for, and mutual irritation ensues.
- 3) Hence, moral articulation—and the understanding of others' moral reasoning—involve a process in which *universal relevance* is reached via the *particular* moralities of different groups, including biographical narratives, cultural traditions, religious mythologies, and so on. Such *generalisation of values* differs from the *translation* of religious reasons in Habermas's sense. Rather than

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54. Jung, *Symbolische Verkörperung*, p. 75.

55. Jung, *Symbolische Verkörperung*, p. 71.

56. For the implications in the context of bioethics and medical ethics, see Peter Dabrock, "Leibliche Vernunft": Zu einer Grundkategorie fundamentaltheologischer Bioethik und ihrer Auswirkung auf die Speziesismus-Debatte', in Peter Dabrock, Ruth Denkhäus and Stephan Schaefer (eds), *Gattung Mensch: Interdisziplinäre Perspektiven* (Tübingen: Mohr Siebeck, 2010), pp. 227–62 and Thomas Wabel, 'Leibliche Autonomie: Zum Umgang mit Ambivalenzen des Autonomiebegriffs in der "in-di-vi-dua-li-sier-ten Medizin"', *Zeitschrift für Medizinische Ethik* 59.1 (2013), pp. 3–18.

57. Jung, *Der bewusste Ausdruck*, p. 487.

assuming that 'bilingual' citizens move between two semantic systems (in the language of their tradition and in the language of abstract universalism), it seems more realistic that different communities of values, embodied in their tradition, practices and institutions, undergo a process of learning in which they rearticulate their self-understanding in such a way that it refers to universal values and norms which can be formulated in secular language.

- 4) The use of the *hijab*—and the interpretation of its use—are socially and culturally embedded. Moreover, its use has to do with embodied aspects of religious belonging. More than just any piece of garment, the *hijab* has implications which are bodily as well as cultural. If the debate is merely understood as the exchange of rational arguments within a power-free discourse, the different points of departure and hence the very presuppositions of such a debate are missed. Successful attempts for a dialogue on equal terms will take the dependence of rational arguments on embedded and embodied experience into account.