

Abstract

The multidimensional human rights catastrophe 2020-2021 is input for this writing. We see it as the culmination of arguments about regulating the social values, the right to freedom of thought, conscience and religion in Europe (art 9 ECHR) in its broader sense. We question: what are thought, conscience, religion in Europe? The paper aims at revealing how different states bound by ECHR (Italy, France, Russia) are redefining their relationship to thought, conscience and religion, under the challenge of changing minds, increasing religious activism in the public sphere, associated with the spread of new religious movements and Islam; how this process mobilizes a complex array of often unrelated official actors, but also mindful men who want to be recognized by public opinion eager to curb what is perceived as "foreign" or "extremist" expressions of thought, conscience, religion; by politicians navigating between political correctness and populism, by national and external judiciary like ECtHR; how this process is gradually producing a new and common paradigm of the relationship between states, the public sphere and thought, conscience and religion. We scrutinize (re)construction and formatting of thought, conscience and religion in the West through courts, giving the rebirthing to *the Lautsi case*. We intend to find which doctrine\idea has been developed by the Court in Europe. What will be with judicial decision-making in France and Europe? How to overcome the crisis? We are seeking a new instrument. We go into Mindful Politics/Judiciary, Dharma and Judiciary/Politics. We use the Complex Thinking concept and Quantum Theory, Sophism, Theology, Eastern and Ancient thoughts as Puzzles. We refer to Lady Justice-Prudentia-Sophia and Phronesis. We refer to the decoloniality to re-learn the thoughts-heritage that have been pushed aside, buried, discredited by the forces of modernity: UN Secretary-General Dag Hammarskjold, Vl.Solovjev, Ivan Ilyin. Also we use new data, such as O'Murchu Diarmuid, *Doing Theology in an Evolutionary Way* (2021), Rovelli Carlo, *Helgoland* (2020), Molari Carlo, *Il cammino spirituale del cristiano* (2020), Mancuso Vito, *I quattro maestri* (2020).

Our core topic is the importance of legal ideas and legal doctrine for court decisions. Our core thought is the Russia's experience in balancing secular and religious values and peaceful coexistence of peoples, it's importance for the international community. It's part of the big research, started in 1990, continued in different ways, at UNIPV (with Prof.J.Ziller) in the framework of CICOPS, in particular.

key terms: human rights and freedom, thought, conscience, religion, pluralism, equality, secularism, neutrality, positivism, legal symbols, Lady Justice, Sophia, Prudentia, Phronesis, quantum theory, Islam, rule of law, legitimacy, historical-interpretive account of judicial politics, complexity.

Social Values in Europe. Protecting Freedom of Thought, Conscience, Religion, Creating What?: Justice, Sophia, Phronesis.

Olga Nickole Kuyan (Papkova).

This is the average Sabantuy.

Sabantuy is science for you,
The enemy is fierocious - and you be fierocious.
But a completely different thing
this is the main Sabantuy.

The hero sleeps, snores - and full stop.
He takes everything as it is.
Well, my own... - so that's for sure.
Well, war - so I'm in.
He sleeps, forgetting about the difficult summer.
Dream, care, do not rebel.
Maybe tomorrow at dawn
There will be a new Sabantuy.
(Vasily Terkin, A. Twardovsky)¹

Dedicated to my mother.

THE INTRODUCTION

What to study? We are going to study the “formatting” and the reshaping of the relations between public sphere and social values in Europe which are made by a court. Our approach devoted to judicial discretion, to interpretative creative activity of a judge, the decision-making process of Italian and ECtHR judges. The paper focuses on decisions on human rights regarding the right to freedom of thought, conscience and religion (art 9 ECHR)², which are explained in terms of policy preferences, social values, and attitudes. Our analysis is not limited to the courtroom or to the preferences of the judges on the bench, but includes broader processes of interest mobilization.

What are thought, conscience, religion in Europe? is our main question.

¹ *Vasily Terkin* (another name — *the book about the fighter*) is a poem by Alexander Twardovsky (<https://srimathumitha.com/iskusstvo-i-razvlecheniya/49640-aleksandr-trifonovich-tvardovskiy-biografiya-tvorchestvo.html>), created in 1941-1945, one of the major works in the poet, which received national recognition. The poem is dedicated to the fictional hero-Vasily Terkin, soldier of the great Patriotic war. The poem is a vivid embodiment of the Russian character and national patriotic feelings.

According to the results of sociological research conducted by The Russian reporter magazine in 2015, the text of the poem took 28th place in the top 100 most popular Russian poetic lines, including, among other things, Russian and world classics, <https://izwest.livejournal.com/3524673.html>

² Article 9: Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

Our paper rejects the idea of a change of heart by the European Court of Human Rights and instead argues for a reinterpretation of the Court's ruling in *Lautsi v Italy*,³ better known as the "Crucifix Case", made 10 years ago.

The case of *Lautsi v. Italy* is a particularly significant case. Its significance is political, legal, cultural, religious, spiritual. We view *Lautsi* as a symbol of the current conflict concerning human rights and the future of Europe's cultural and spiritual identity. On one side, the conflict contains proponents of the complete secularization of Europe, and on the other, those who wish for a more open Europe, one that is faithful to its identity, spiritual and moral values, and historical roots. *Confronted with this attempt at a de-Christianization of Europe, 21 European countries joined in an unprecedented movement to reaffirm the legitimacy of Christianity in the European Public sphere.* It was not a break with earlier rulings but rather the culmination of arguments about regulating the freedom of thought, conscience, religion in Europe. We argue that the Court's decision(s) included not only debates over individual\collective right to freedom of thought, conscience and religion versus police power, but also debates about thoughts, ideas and doctrines, picking by the Court for its rulings, thus providing changes in the social values in Europe.

We hope to find how is the court influenced by the nonlegal paradigms of the debate? Which legal doctrine is developed by the Court?

This research cannot be easily classified as human rights, constitutional, international or comparative law research or political, social sciences research. It includes elements of all these types of analysis but it focuses primarily on the case-law of ECtHR regarding freedom of thought, conscience, religion.

We use the past for today and future, we apply the decoloniality of knowledge and mind. "People like us, who believe in physics, know that the distinction between past, present, and future is only a stubbornly persistent illusion",⁴- Einstein says.

Futurologists focus on new technologies but the key element of crucial innovations is social phenomena, *a man as such*.

The state of the field. Secularization and religious practices have been extensively studied in different sciences (in Anthropology: Clifford Geertz, 2002, in Psychology: Freud S., 1975, in Sociology: Durkheim, E., 1971). Some sociologists have studied how Muslims adapt their practices to a Western context. Changes brought in the religious fields by "new religious movements" and new forms of religiosity (evangelicalism) have been widely studied. (O. Roy, E. Shakman Hurd). Much of the research employs solely political science and sociological perspectives and methods, (Byrnes, Katzenstein, 2006). In a strictly legal

³ On March 18, 2011, the European Court of Human Rights, sitting as a Grand Chamber ("GC"), pronounced its judgment in the case of *Soile Lautsi and Others v. Italy*. (*Lautsi v. Italy*, App. No. 30814/06, 2011 Eur. Ct. H.R. (G.C.) By this final judgment, which overturned a unanimous judgment rendered on November 3, 2009, by the Second Section of the Strasbourg Court (A Section is an administrative entity, and a Chamber is a judicial formation of the Court within a given Section. The Court has five Sections in which Chambers are formed. Each Section has a President, a Vice-President, and a number of other judges), the Grand Chamber (The Grand Chamber is made up of 17 judges: the Court's President and Vice-Presidents, the Section Presidents, and the national judge, together with other judges selected by drawing of lots. The initiation of proceedings before the Grand Chamber takes two different forms: referral and relinquishment. After a Chamber judgment has been delivered, the parties may request referral of the case to the Grand Chamber and such requests are accepted on an exceptional basis. A panel of judges of the Grand Chamber decides whether or not the case should be referred to the Grand Chamber for fresh consideration. Cases are also sent to the Grand Chamber when relinquished by a Chamber, although this is also exceptional. The Chamber to which a case is assigned can relinquish it to the Grand Chamber if the case raises a serious question affecting the interpretation of the Convention or if there is a risk of inconsistency with a previous judgment of the Court. See The Court, EUROPEAN COURT OF HUMAN RIGHTS, (Aug. 4, 2012, 3:18 PM), <http://www.echr.coe.int/ECHR/EN/Header/The+Court/The+Court/The+Grand+Chamber/>) decided, by fifteen votes to two, that the compulsory display of crucifixes in Italian State-school classrooms did not violate Article 2 of the first Protocol of the European Convention on Human Rights. (*Lautsi*, 2011 Eur. Ct. H.R. §§ 77-78)

⁴ It's taken from a letter to Michele Besso's family, March 1955, following the latter's death, quoted in Freeman Dyson, *Disturbing the Universe*, Ch. 17, *A Distant Mirror*, 193 (1979)

analysis of religious issues in Europe, a purely comparative focus and human rights analysis dominate (Goldschmidt (ed), 2007). Some works, like of Thorson-Plesner, 2008, attempt to analyze European problems of law and religion together with analyzing the same issues in other countries of the world. There is also an array of research on how courts deal with new religious challenges. Roger Trigg, 2012, pays attention to the topic as *Free to Believe?* The impact of the adoption of new legal paradigms has also been studied (Joseph Weiler, 2003,1 M.Ventura, P. Annicchino) The literature on the judicial role exists in Europe and the United States. While a major part of the USAmerican writings investigate the politics of judicial action and the politicization of the legal system (Shapiro, Martin/Alec Stone Sweet, 2002), research on European courts confines itself to analyzing the effects of judicial action, often describing them in terms of juridification. In Europe the landscape is somewhat fragmented, and there is no coherent theoretical framework integrating the different streams in the literature. Research on the European Courts has developed rather independently from the area of judicial politics, using mainly its own paradigms drawn from international relations and theories on European integration (Burley, Anne-Marie/Walter Mattli, 1993; Garrett, Geoffrey, 1995).

Research on European courts has concentrated on the macro-level institutionalist wing and deals almost exclusively with the effects of court decisions. In what way does the European Courts contribute to European integration (Burley, Anne-Marie/Walter Mattli, 1993; Weiler, Joseph H.H., 1994)? How do courts influence policy processes (Stone, Alec, 1992) and public policies (Jackson, Donald W./C. Neal Tate (eds.), 1992)? Under what conditions do courts block or foster policy change (Landfried, Christine, 1994; Tsebelis, George, 1995; Volcansek, Mary L., 2001)? It is also the outcome-perspective which nourishes the debate on courts as one of several regulatory agencies and which links courts to policy analysis (Guarnieri, Carlo/Patrizia Pederzoli, 2002). Many of these studies find more or less a process of juridification in which judicial actors, procedures and categories gradually dominate or displace legislative politics (Barreiro, Belen, 1998; Hirschl R, 2004). The concept of juridification involves a particular understanding of the legal system. The work on European courts emphasizes the relative autonomy and distinctiveness of the legal sphere. The bulk of the literature does not regard judicial and political action as interwoven, but they are described as separate ideal types: legal action is said to be “rule laden” while political action is “interest driven” (Stone, Alec, 1994). The European perspective stresses the impact of the “rule of law” on politics. Courts are perceived as distinctive insofar as the legal system “generates a kind of policy-making style itself” (Shapiro, Martin/Alec Stone, 1994). Research on Europe confines the analysis to the effects of the rule of law on politics and public policies. While all these studies on the right to freedom of belief, conscience (religion) and the role of European courts are theoretically and empirically very rich, but to our knowledge, no academic research has yet tried to bring together the impact of the secularization, rooting of Islam in the West, global changes in the religious market, the spread of a new paradigm of freedom of religion, all as global phenomena, on the public sphere and the judicial role in the establishment of new rules of the game, thus providing changes in the paradigm of religion. We basically agree with what has been done by the scientists and we propose to extend the opinions to a “missing case”.

The paper description. We start from the opinion of O.Roy that freedom of thought, conscience and religion should be understood in terms of individual human rights, not minority rights.⁵

We proceed from a deep unifying effect between the various European peoples, the crucifix case has produced. The Lautsi case bears witness that Christianity remains at the

⁵ Roy Olivier, Religious Freedom and Diversity in a Comparative European Perspective// <https://core.ac.uk/download/pdf/79665887.pdf>

heart of European unity. We agree that in the field of law and thought, conscience, religion European Court of Human Rights acts as a unique laboratory of concepts and tools (M.Ventura). We support P. Annicchino's claim about the role the ECtHR that cannot be compared to the role that the U.S. Sup. Court has within the system of separation of powers. We share all these opinions. But we basically disagree with the argument that judicial discretion plays a role only rarely, but that, in most cases, the application of law is "fairly straightforward" (De Franciscis, Maria Elisabetta/Rosella Zannini, 1992). We claim that the application of law by judges is never straightforward because judicial arguments and judicial methods cannot deliver unambiguous decisions. That is why we are (also) interested in the question of how politics influences jurisprudence. We consider that courts are influential political actors and call to share the goal of demystifying the discipline of law. Once one takes law seriously, the question arises of whether we can conceptualize judicial behavior as a choice between political or judicial action. In our monograph on *Judicial Discretion (2005)*, we emphasized that in trial legal clarity and accuracy can never be achieved, but judicial discretion always involves political decisions. We all know, politics sucks. It is largely a playground for (individual and national) egos that are fixated on power and self-advantage. The obvious failure of ordinary political/judicial thinking/interpretation to create a world of peace and justice should suggest to us that we look further, deeper, for guides to action. We envision politics as a humanitarian enterprise focused on the betterment and upliftment of all human societies. We vote for mindful judges/politics. We seek to shed light on how to humanize judiciary/politics and--dare we hope-- judges and politicians. Delightfully, even mafia makes sense. How can the wisdom not guide us in that most human of activities called 'conflict resolution', justice or politics? We go into Mindful Politics/Judiciary, doing just that, gently pushing the readers to think beyond orthodox solutions, drawing upon ancient wisdom to cope with the violence and insecurity of our time, giving the readers inspiration and hope. Imagine mindful politicians, judges! That is exactly what we are doing in this paper. May our perspectives and practices inspire, inform and nurture the next generation of political leaders, judges --since we are all vital living 'cells' in the body of this one world--as we ponder and hopefully contribute in ways little and big to the health of the body-politic, the body-judiciary, which is nothing less now than the health of not just the nation but the whole world. We want to make a contribution on how to skillfully address the current state of political affairs, judicial politics. This paper intends to offer what has been missing from so much progressive theory and practice: ways of bringing peace right into the heart and heat of the struggle. Dharma and Judiciary/Politics.

It's a marriage made here, that great, rich melting pot of contradictions. Mindful Politics has gathered the big names-- ex UN Secretary-General Dag Hammarskjöld,⁶ Vl.Solovjev,⁷ Ivan

⁶ Dag Hjalmar Agne Carl Hammarskjöld (1905–1961) was a Swedish diplomat, economist, writer and public official. He was president of the Bank of Sweden, but became known internationally as UN Secretary-General. He held the position for two consecutive terms, from 1953 until his death in 1961, which occurred due to a plane crash in southern Africa during a mission of peace. He became a role model in moral leadership to most of his successors and many more people all over the world. Both in his work and in his speeches he promoted an attitude of international service. He was posthumously awarded the Nobel Peace Prize for his humanitarian activity. U.S. President John F. Kennedy called Hammarskjöld *the greatest statesman of our century*. (Linnér, Sture; Åström, Sverker. UN Secretary-General Hammarskjöld: Reflections and Personal Experiences (The 2007 Dag Hammarskjöld Lecture). Uppsala University, 28 (2008). This is the translated text of the 2007 Dag Hammarskjöld Lecture given by Sture Linnér and Sverker Åström at Uppsala University on 15 October 2007, http://www.daghammarskjold.se/wp-content/uploads/2007/10/Dh_lecture_2007.pdf

⁷ Vladimir Sergeyevich Solovjev (1853 - 1900) is a Russian philosopher, poet, pamphleteer, literary critic; honorary academician of the Imperial Academy of Sciences in the category of fine literature (1900), played a significant role in the development of Russian philosophy and poetry at the end of the 19th century and in the spiritual renaissance of the early -20th century. He stood at the origins of the Russian "spiritual revival" at the beginning of the 20th century, influenced the religious philosophy of Nikolai Berdyaev, Sergei Bulgakov, Sergei and Yevgeny Trubetskoy, Pavel Florensky, Semyon Frank, as well as the work of the Symbolist poets Andrei Bely, Alexander Blok and others. He

Ilyin,⁸ Teilhard de Chardin,⁹ William A Tiller,¹⁰ Carlo Rovelli,¹¹ Thich Nhat Hanh,¹² even the Dalai Lama himself--around an ancient idea whose time is more relevant than ever: that the enlightened governance of a society, the enlightened judiciary transcend issues of gender, class, race--even partisanship. Our Mindful Judiciary offers a first hint of what the consummation between Buddhadharma and European politics of judges might look like--and how to get there. It seems more appropriate to assume that judicial decisions are shaped and channeled by the obligation of courts to deliver principled decisions resting on legal basis.

Our core topic is the importance of legal ideas and legal doctrine for court decisions. The particular achievement of this approach is the rediscovery of the rule of law. We assume that legal procedures and legal ideology shape not only the interactions but also the preferences of the judges and of society at large. In this perspective, courts shape politics through the development of legal doctrine. The process of shaping legal doctrine into another direction unfolds step by step over long periods of time.

founded a movement known as Christian philosophy. The philosophical legacy of V.I. Solovjev is a significant page in Russian social thought in the second half of the 19th century. V.I. Solovjev is one of the central figures in Russian philosophy of the 19th century both in his scientific contribution and in the influence he exerted on the views of scientists. Solovjev objected to the division of Christianity into Catholicism and Orthodoxy and defended the ideas of ecumenism. He developed a new approach to the study of man, which became predominant in Russian philosophy and psychology of the late 19th - early 20th centuries. (Yaroshevsky M.G. Ch. VIII. The development of psychology in Russia. 3. University professors. VI. S. Solovjev: the neo-Christian concept of the soul // History of psychology from antiquity to the middle of the XX century (Russian), M (1996). Solovjev posed many ideological problems that are relevant to this day. The problem of the relationship between culture and politics is among them. The problem of the relationship between culture and politics was solved by Solovjev both in theoretical terms and in connection with the transformation of the socio-political situation in Russia. Consideration of the legacy of Solovjev from this perspective allows a deeper understanding of the various facets of his proposed solution to the problem of the relationship between culture and politics.

⁸ Ivan Alexandrovich Ilyin (1883–1954) is Russian philosopher and legal scholar. Although forbidden under the Soviet regime, Ilyin's thoughts and works have come to be more and more appreciated over the last twenty years, especially since his earthly remains were re-interred in Russia in 2005. It is possible to say that he is the favourite Russian thinker of our times. Like all prophets, however, he was of course mainly ignored, unappreciated and even persecuted in his own times. Today, Ilyin is understood to be the voice of the faithful Russian emigration, a spiritual leader, a teacher, a prophet, a visionary preacher. His prophetic insights have been justified since the fall of Communism and the huge interest in his works there now. Ilyin, who died over half a century ago, is the prophet of the new Russia which is being born and which alone can give the contemporary world a viable future, providing that it is given time to grow to fruition in contemporary Russia. One of the problems he worked on was the question: what has eventually led Russia to the tragedy of the revolution?

⁹ Pierre Teilhard de Chardin, S.J. (1881 – 1955), was a French Jesuit priest and scientist, professor of geology at the Catholic Institute in Paris, director of the National Geologic Survey of China, and director of the National Research Center of France. He charted a new path in reconciling Christian theology with evolutionary science. Teilhard de Chardin was a prophet, a great intuitive, a mind open to the spirit (*grace*, say the clergymen), an excellent intelligence who knew how to look from above and had a multimedia vision of things which is the evolutionary vision.

¹⁰ William A. Tiller is emeritus professor of Science and Engineering of Materials, at Stanford University. Tiller spent 34 years in academia, after having been a consultative physicist at Westinghouse Research Laboratories for nine years, he has published over 250 scientific papers.

¹¹ Carlo Rovelli is an internationally renowned theoretical physicist who during his career has worked mainly in the field of quantum gravity and was one of the founders of the theory of loop quantum gravity. Carlo Rovelli also deals with the history and philosophy of science. In *Helgoland* Rovelli delves into revolutionary theory, first allowing us to understand its theoretical and practical value, and then exploring the issues that make quantum theory one of the most mysterious physical theories science has to do with. These mysteries have been at the center of the research of physicists, philosophers and other great thinkers for years: Rovelli focuses on the relational interpretation and on the links between this interpretation and oriental history, art, literature and philosophy. The author leads to discover how this view of quantum theory can lead us to reconsider the way in which we think about reality.

¹² Thích Nhất Hạnh (1926) is a Zen Buddhist monk from Vietnam, writer, poet, and human rights activist. He lives at Prem Village Monastery in the Dordogne region of Southern France, traveling internationally to give retreats and speak. Thich Nhat Hanh has published more than 100 books, including more than 40 in English. He is active in the peace movement, promotes non-violent solutions to conflict and also refrains from consuming animal products as a means of non-violence against non-human animals.

The results deriving from this type of analysis can be surprising. This is especially the case with regard to the interpretation of the era of redefining the relationship to thought, conscience and religion in West countries, under the challenge of quantum physics's findings and an increasing religious activism in the public sphere, associated with new religious movements (evangelicalism) and with Islam. That is why we suggest that it is not the strategic account but the scientific-historical-interpretive account of the judicial role in the establishment of new rules of the game, thus providing changes in the paradigm of thought, conscience and religion, is most promising for the development of our research. We would agree with Volcansek that research on European courts should look more closely at the politics of judicial action.¹³ We go forward: this paper looks at the reality creating by judicial acting. This approach has particular advantages, especially with regard to its application concerning the right to freedom of thought, conscience and religion. First, we can evaluate whether and how political actors (e.g. political leaders, interest groups, parties) try to influence the development of concepts, tools regarding thought, conscience and religion. Second, a court decision does not occur out of nowhere, but responds to a legal discourse unfolding over a longer time period – months or years. In most cases the universe of competing legal concepts is obvious before the judges make a decision, and the court merely picks one of them, perhaps with some modifications (e.g. paragraph 56 of the decision demonstrates that the concept of neutrality applied by ECtHR in the *Lautsi v Italy* case represents a transposition of the French version of strong secularism). This means that political interests have to be translated into legal language in order to become successful. We can analyze how these thoughts, ideas, concepts and translations emerge, how they are linked to political interests, which intellectual and material resources are used to help them become the dominant norm, and to what extent they are selected by the court. Methodologically, we can make use of the framework provided by Sociology and Complexity. Third, this approach also resumes the European tradition of analyzing interest group politics, thereby deflecting the research perspective from corporatist policy-making toward the role of legal action. In policy fields which are considered as particularly legalized, as the area of relations between public sphere and thought, conscience and religion in Europe, this might be an especially promising endeavor. In this context, our paper could learn from another large body of US-American literature on law and politics, namely those studies that analyze how interest groups have used the legal system to foster social and policy change (Barnes, Jeb, 2006). The next and major advantage of our account is that we neither glorifies nor denies the role of law, but we assume that the development of the paradigm “What thought, conscience and religion are in Europe” is a process heavily influenced by politics. If Alec Stone (Stone, Alec, 1992) is right in claiming that Europe suffers from a tradition of the separation of law and politics, our paper demystifies this is more important for ECHR countries than anywhere else. It would also be extremely useful to reveal that the “formatting” and the reshaping of the relations between public sphere and social values, fixed by courts, in Europe can be analyzed as a political process of political interest intermediation, as an interaction. This writing presents the following main aspects of the contemporary research of the future: *the social future is complex, made of granules, particells and its various images are interacions. Future is interrelations which we create today. We prove the necessity of studying the future to correct the present by creating and transforming social norms, practices and value orientations.* We don't pretend to give all examples, all cases, all proves and circamstamces. “Not everything that counts can be counted, and not everything that can be counted counts”.¹⁴

¹³ Volcansek Mary L, Comparative Judicial Politics (2019)

¹⁴ The quote, often attributed to Einstein, first appears in William Bruce Cameron's 1963 text, *Informal Sociology: A Casual Introduction to Sociological Thinking*. While one of the two parts of the quote probably already existed in some different form, Cameron was the first to put the two sentences together and seems to have coined at least one of them.

PART I.

Why to study it? For the past 50 years thought, conscience, religion have been changing in Europe. The Lautsi case took place when modern ideologies were at a dead end. Now mindful Europe questions itself more and more about its vision for “what are thought, conscience, religion in Europe”? Europeans do not go to church anymore, they do not believe in God any more, and they do not seem to be religious at all. Are these assumptions true? It depends. Unmistakable, some of them are not. One thing is for sure: the old continent is not as secularized as it seems.

A mindful judge should ride always the crest of changing thought, conscience, religion among his community, in Europe to a protection of the right to freedom of thought, conscience, religion in decisions. When the European Convention on Human Rights was written, a large proportion of the Member States of the Council of Europe designated an official religion or exclusively referred to its majority religion.¹⁵ It is still the case today, although less so for Catholic countries, as shown by the situation in Andorra, as well as in the Armenian,¹⁶ Danish,¹⁷ Greek,¹⁸ Hungarian,¹⁹ Irish,²⁰ Icelandic,²¹ Liechtenstein,²² Maltese,²³ Monegasque,²⁴ Norwegian,²⁵ United Kingdom²⁶ or Slovakian²⁷ constitutions. Other States, like Spain or Italy, also recognize Catholicism in a special way.²⁸

The first reference to Einstein dates back to 1986, more than thirty years after the scientist's death, in the business book, *Peak Performance*. In that book it was claimed that Einstein had written this quote on the whiteboard in his office at the Institute for Advanced Studies in Princeton. Moreover, in the same book the quotation was attributed to George Pickering: <https://quoteinvestigator.com/2010/05/26/everything-counts-einstein/>

¹⁵ Puppink Grégor, *The Case of Lautsi v. Italy: A synthesis*, 2012 *BYU L. Rev.* 872, 891 (2012),

<https://digitalcommons.law.byu.edu/lawreview/vol2012/iss3/7>

¹⁶ CONSTITUTION OF THE REPUBLIC OF ARMENIA, July 5, 1995, art. 8.1 (stating that “[t]he Republic of Armenia recognizes the exclusive mission of the Armenian Apostolic Holy Church as a national church, in the spiritual life, development of the national culture and preservation of the national identity of the people of Armenia”)

¹⁷ DANMARKS RIGES GRUNDLOV [CONSTITUTION], June 5, 1953, part 1, § 4 (stating that “[t]he Evangelical Lutheran Church shall be the Established Church of Denmark, and, as such, it shall be supported by the State”).

¹⁸ SYNTAGMA [SYN.] [CONSTITUTION], April 17, 2001, 2 (Greece) (stating that “[t]he prevailing religion in Greece is that of the Eastern Orthodox Church of Christ”).

¹⁹ A MAGYAR KOZTARSASAG ALKOTMANYA [CONSTITUTION], April 25, 2011 (Hungary)

²⁰ The Irish Constitution, written “[i]n the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred, We, the people of Éire, Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers through centuries of trial.” The preamble recalls in Article 44 that “[t]he State acknowledges that the homage of public worship is due to Almighty God. It shall hold His Name in reverence, and shall respect and honour religion.” BUNREACT NA HEIREANN [CONSTITUTION], Dec. 19, 1937, preamble (Ireland).

²¹ STJÓRNARSKRÁ LÝDVELDISINS ÍSLANDS [CONSTITUTION], June 17, 1944, art. 62 (Ice.) (stating that “[t]he Evangelical Lutheran Church shall be the State Church in Iceland and, as such, it shall be supported and protected by the State”)

²² LIECH. CONST., Oct. 5, 1921, art. 37, § 2. (stating that Catholicism is the State religion)

²³ MALTA CONST., Sep. 21, 1964, art. 2 (stating that the religion of Malta is the Roman Catholic Apostolic religion).

²⁴ MONACO CONST., Dec. 17, 1962, art. 9 (stating that the Roman Catholic Apostolic religion is the State religion).

²⁵ KONGERIKET NORGES GRUNNLOV [CONSTITUTION], May 17, 1814, art. 2 (Nor.) (stating that “[t]he Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same”).

²⁶ In the United-Kingdom, since Henry VIII's Act of Supremacy declaring that Henry VIII was "the only supreme head on earth of the Church in England" and that the English crown shall enjoy "all honours, dignities, preeminences, jurisdictions, privileges, authorities, immunities, profits, and commodities to the said dignity," the English crown holds both the office of the Head of State and the Head of the Church of England. Act of Supremacy, 1534, 26 Hen. 8 c.1 (Eng.). Some seats in the House of Lords are also reserved for some bishops of the Church of England.

²⁷ ÚSTAVA SLOVENSKEJ REPUBLIKY [CONSTITUTION], Sep. 1, 1992, preamble (recognizing the spiritual heritage of the saints Cyril and Methodius).

²⁸ SPAIN CONST., Dec. 29, 1978, § 2 (stating that the public authorities shall “maintain appropriate cooperation relations with the Catholic Church”); COSTITUZIONE DELLA REPUBBLICA ITALIANA,, Dec. 22, 1947, art. 7

Some countries formalize the relations between temporal and spiritual orders in their constitutions. For example, the Bulgarian constitution of 1991 states that “Eastern Orthodox religion is the traditional religion of the Republic of Bulgaria.”²⁹ The new constitution of Hungary, symbolically promulgated on Easter Monday 2011 (April 25), frequently refers to Catholicism and the values of Christian Europe which must guide the interpretation of the Constitution.³⁰

According to the European Values Study (EVS)³¹ about half of all the Europeans pray or meditate at least once a week. Three out of four Europeans say they are religious. Of course, there is a big gap between the more secularized north-western European countries and the more traditional south-eastern ones. However, even in a country like Holland, famous for its liberal tradition, one in four of all the inhabitants attend church. Nevertheless, one assumption is true: most European churches attract fewer believers every year. Many institutionalized churches, especially in the West, are running empty. Especially in the western part of the continent, the old religious institutions are deteriorating, EVS analyses show.

However, people who consider themselves as atheists are a small minority, except France, where almost 15 percent say they are atheist. It is obvious that a vast majority of all the Europeans nominate themselves as religious persons.

Lastly in Europe we’ve been seeing the emergence of new forms of religiosity.³² Now there are even more people who consider themselves as religious as there are people who attend church. They aren’t indeed atheists or agnostics, they do have faith. Faith is now a personal choice and an experience. It’s just not in mainstream religion as we generally understand it. It is a kind of believing without belonging³³ Europeans remain religious, in the sense more close to the spirituality, their approach is eclectic, and they borrow ideas from several traditions.³⁴ Their approach is not associated with a given culture. This phenomenon is sometimes described as private spirituality.³⁵ People pick and choose religious beliefs, doctrines, ideas, thoughts and practices and they are mixing and matching them, as they would select food in a cafeteria. Sociologists talk about this trend as a *cafeteria religion*,³⁶ or as *church-free spirituality*.³⁷ Legal scholar Rebecca French calls this *grocery cart religion* and summarizes it well: a grocery cart religious practice has only the rituals and ethical boundaries that the practitioner explicitly agrees to take on. Instead of following a revealed canon, the individual fits the interesting parts of different

(recognizing the Catholic Church as a sovereign, whose relations with the State are governed by pacts and do not require constitutional procedures).

²⁹ KONSTITUTSIYA NA REPUBLIKA BALGARIYA [CONSTITUTION], July 12, 1991, art. 14.

³⁰ See A MAGYAR KOZTARSASAG ALKOTMANYA [CONSTITUTION], April 25, 2011 (Hungary).

³¹ The European Values Study (EVS) and the World Values Survey (WVS) are two international research observatories on the human values. Their work is now known in the scientific and academic fields all over the world and many scholars draw on their databases to carry out analyzes, cross-references and interpretations obtained from the multiple indicators used by the two observatories to measure the change in society values. See: <https://europeanvaluesstudy.eu/> ; <http://www.worldvaluessurvey.org/wvs.jsp>

³² See: Clarke, Peter B, *New Religions in Global Perspective: A Study of Religious Change in the Modern World*. New York: Routledge (2006); <https://www.britannica.com/topic/new-religious-movement/The-influence-of-the-East>

³³ *Introduction* in Christopher Partridge, ed, *Encyclopedia of New Religions* 17, Lion Publishing (2004).

³⁴ <https://europeanvaluesstudy.eu/?s=religion>

³⁵ <https://www.apologeticsindex.org/7514-cafeteria-religion>

³⁶ On the Cafeteria Christianity see: Boot Alexander, *Religion Without Faith, Christianity Without Christ, God and Man According to Tolstoy*, Palgrave Macmillan US, 41–47 (2009); Dunne Tad, *Faith, Charity, Hope, Lonergan Workshop*. 5, 49–70 (1985); Various UC Berkeley Seismic Guidelines, Appendix II: Ground Motion Time Histories for the UC Berkeley Campus. (2003-06-03); Aronoff Craig E, Ward, John L, *The Role of Values in Uniting Family and Business, Family Business Values*, Palgrave Macmillan US, 21–26 (2011)

³⁷ See: Dalferth Ingolf U. I Determine What God Is!: Theology in the Age of “Cafeteria Religion” (April 1, 2000) <https://journals.sagepub.com/doi/10.1177/004057360005700102>

religions together into a structured personal spiritual practice.³⁸ There has been a great increase in the past 20 years in those who describe themselves as *spiritual but not religious*. (SBNRs)³⁹ Christopher Partridge⁴⁰ calls this trend one of the most significant developments in Western religion over the past 50 years, noting that: “There is in the West . . . a move away from traditional forms of belief, which have developed within religious institutions, towards forms of belief that focus on the self, on nature or simply on “life” . . . There is a move away from a “religion” that focuses on things that are considered to be external to the self (God, the Bible, the church) to “spirituality”—that which focuses on “the self” and is personal and interior.”⁴¹

The emergence of new forms of religiosity ties together with an increasing religious activism in the public sphere⁴², which is bound to new religious movements and Islam. A new religious movement (NRM), also known as a new religion or an alternative spirituality⁴³, is a religious or spiritual group that has modern origins but is peripheral to its society's dominant religious culture.

There is no single, agreed-upon criterion for defining a new religious movement.⁴⁴ There is debate as to how the term *new* should be interpreted in this context.⁴⁵ One perspective is that it should designate a religion that is more recent in its origins than large, well-established religions like Christianity, Judaism, Islam, Hinduism and Buddhism.⁴⁶ An alternate perspective is that *new* should mean that a religion is more recent in its formation.⁴⁷ Some scholars view the 1950s or the end of the Second World War in 1945 as the defining time, while others look as far back as the founding of *the Latter Day Saint movement* in 1830.⁴⁸

NRMs can be novel in origin or they can be part of a wider religion, in which case they are distinct from pre-existing denominations. Some NRMs deal with the challenges which the modernizing world poses to them by embracing individualism, while other NRMs deal with

³⁸ See generally: French Rebecca, *Shopping for Religion: The Change in Everyday Religious Practice and Its Importance to the Law*, 51 *Buffalo Law Review*, 127, 165, 166 (2003)

³⁹ Mercadante Linda A, *Belief Without Borders: Inside the Minds of the Spiritual but not Religious*, Oxford University Press (2014).

⁴⁰ Christopher Hugh Partridge (1961) is an author, editor, professor at Lancaster University, and founding Co-director of the Centre for the Study of Religion and Popular Culture. According to Gordon Lynch, Partridge is a leading scholar of topics in popular culture.

⁴¹ *Introduction* in Christopher Partridge, ed, *Encyclopedia of New Religions* 17, Lion Publishing (2004).

⁴² See in detail on the item: Chandler Siobhan, *PRIVATE RELIGION IN THE PUBLIC SPHERE, LIFE SPIRITUALITY IN CIVIL SOCIETY*, in: *International Studies in Religion and Society*, Series edited by Lori G. Beaman and Peter Beyer, University of Ottawa, VOLUME 12 (2010),

https://www.dickhoutman.nl/mediatheek/files/stef_aupers_dick_houtman_religions_of_modernity_2010.pdf#page=82

⁴³ On the issue see: Jung C who studied a wide range of spiritual topics. For example, he wrote the foreword for Richard Wilhelm's translation of the *I Ching* (Wilhelm, 1950), he wrote psychological commentary for a translation of *The Tibetan Book of the Great Liberation* (Evans-Wentz & Jung, 1954), he discussed the psychology of evil in *Answer to Job* (Jung, 1954), he wrote about Gnostic traditions at length (see Segal, 1992), and one of the volumes of his collected works is entitled *Psychology and Religion: West and East* (Jung, 1958). In addition to his varied spiritual interests, Jung became interested in psychological phenomena that could not be explained in scientific terms. Such phenomena do not necessarily require a spiritual explanation, but in the absence of any other way to explain them, they are often thought of in spiritual terms. One such topic is coincidence

On the issue see also: Steindl-Rast David, Grün Anselm, *Faith beyond Belief: Spirituality for Our Times* (2016); Grün Anselm, *Spiritualità - Per una vita riuscita* (Italian) (2009)

⁴⁴ Oliver Paul, *New Religious Movements: A Guide for the Perplexed*, London and New York: Continuum, 5-6 (2012)

⁴⁵ Clarke, Peter B, *New Religions in Global Perspective: A Study of Religious Change in the Modern World*. New York: Routledge, 14 (2006)

⁴⁶ *Ibid*

⁴⁷ *Ibid*

⁴⁸ *Ibid*; Siegler Elijah, *New Religious Movements*, Prentice Hall (2007); Barker, Eileen *New Religious Movements: A Practical Introduction*. London: Her Majesty's Stationery Office, 9 (1989).

them by embracing tightly knit collective means.⁴⁹ Most NRMs only have a few members, some of them have thousands of members, and a few of them have more than a million members.⁵⁰

New religions have often faced a hostile reception from established religious organisations and various secular institutions.⁵¹ In Western nations, a secular anti-cult movement and a Christian countercult movement emerged during the 1970s and 1980s to oppose emergent groups. In the 1970s, the distinct field of new religions studies developed within the academic study of religion. There are now several scholarly organisations and peer-reviewed journals devoted to the subject.

To our days new religious movements have spread globally (Jehovah's Witnesses,⁵² Scientology⁵³, Hamas⁵⁴, Taliban⁵⁵). The Catholic Church has been influenced by charismatic forms of religiosity, including Opus Dei⁵⁶, Legion of Christ.⁵⁷

⁴⁹ Clarke, Peter B, *New Religions in Global Perspective: A Study of Religious Change in the Modern World*. New York: Routledge (2006).

⁵⁰ Barker Eileen, *New Religious Movements: their incidence and significance*, New Religious Movements: challenge and response, Bryan Wilson and Jamie Cresswell editors (1999)

⁵¹ See: Woodhead Linda, *Religion's Changing Form and Relation to the State since 1989* in: *Nations under God: The Geopolitics of Faith in the Twenty-First Century* (2015),

<https://www.e-ir.info/2015/10/05/religions-changing-form-and-relation-to-the-state-since-1989/>

<https://www.e-ir.info/publication/nations-under-god-the-geopolitics-of-faith-in-the-twenty-first-century/>

⁵² Jehovah's Witnesses is a millenarian restorationist Christian denomination with nontrinitarian beliefs distinct from mainstream Christianity. The group reports a worldwide membership of approximately 8.68 million adherents involved in evangelism and an annual Memorial attendance of over 20 million: "Jehovah's Witness". *Britannica Concise Encyclopedia*. Encyclopædia Britannica, Inc. (2007)

⁵³ Scientology, more rarely the Church of Scientology, is an organization headquartered in the United States and which since 1954 has collected and disseminated the set of beliefs and practices devised by L. Ron Hubbard based on the previous self-help system called Dianetics. It has been variously defined as a cult, a business or a new religious movement. (see in: Urban Hugh B. *The Church of Scientology: A History of a New Religion*. Princeton University Press (2011)

⁵⁴ Islamic Resistance Movement

⁵⁵ They are a Sunni Islamic fundamentalist political movement and military organisation in Afghanistan currently waging war (an insurgency, or jihad) within that country. Since 2016, the Taliban's leader is Mawlawi Hibatullah Akhundzada.

⁵⁶ Opus Dei, formally known as the Prelature of the Holy Cross and Opus Dei, is an institution of the Catholic Church which teaches that everyone is called to holiness and that ordinary life is a path to sanctity. Opus Dei was founded in Spain in 1928 by Catholic saint and priest Josemaría Escrivá and was given final Catholic Church approval in 1950 by Pope Pius XII. As of 2018, there were 95,318 members of the Prelature: 93,203 lay persons and 2,115 priests. (Opus Dei, BBC Religion and Ethics, <http://www.bbc.co.uk/religion/religions/christianity/subdivisions/opusdei.shtml>)

⁵⁷ The Legion of Christ (LC) is a Roman Catholic religious institute made up of priests and candidates for the priesthood. The Legion was founded in Mexico in 1941, by Marcial Maciel. As its general director, he directed the congregation until forced to step down in January 2005 as a result of grave sexual scandals against children. It forms part of the Regnum Christi Federation, founded by Maciel in 1959, which includes the Legionaries of Christ, the Society of Apostolic Life of the Consecrated Women of Regnum Christi, the Society of Apostolic Life of the Lay Consecrated Men of Regnum Christi, and other Catholics who associate individually.

The Legion of Christ has religious communities in 21 countries. As of the end of 2019, its members included four bishops, 970 priests and 481 seminarians (not including minor seminarians). In the U.S. the Legion and Regnum Christi operate five schools (and assist at several others), as well as provide spiritual direction, retreats, and formation programs for both children and adults. (See: *Statutes of the Regnum Christi Federation*, 2019, Regnum Christi, <https://www.regnumchristi.org/rcstatutes/wp-content/uploads/2019/06/Statutes-of-the-Regnum-Christi-Federation.pdf>)

The religious movements are becoming international actors. We are confronted now with such international religious networks as the Deobandi⁵⁸, the Salafi movement⁵⁹. The Catholic Church and the Muslim League pushed for changes in legislation (opposition to same-sex marriages⁶⁰ and abortion⁶¹). The nexus of religion and politics continues to blur as religious networks go global.⁶² This is connected with the spread of new forms of religiosity. Religious studies scholars contextualize the rise of NRMs in modernity, relating it as a product of and answer to modern processes of secularization, globalization, detraditionalization, fragmentation, reflexivity, inter- and supra-state law and individualization.⁶³

Secularization is no more a prerequisite for democracy than a reformation of Islam is a condition for rooting democracy in the Middle East. The leadership of Egypt's Muslim Brotherhood wanted to maintain Islam as a central reference. Now scholars are discussing the union of *Islamic gnosis* and *Heidegger's philosophy*⁶⁴ as the future of Europe. Claudio Mutti⁶⁵, in his *Esploratori del Continente*⁶⁶ reports the fact that during the conference, held in Tehran (2005, the theme Heidegger and the future of philosophy in the East and in the

⁵⁸ Deobandi is an Islamic revivalist movement within Sunni (primarily Hanafi) Islam that formed around the Darul Uloom Islamic seminary in the town of Deoband, India, where the name derives from, during the late 19th century. (Puri Luv, *The Past and Future of Deobandi Islam*, CTC Sentinel, West Point, New York: Combating Terrorism Center. 2 (11): 19–22 (3 November 2009), <https://ctc.usma.edu/the-past-and-future-of-deobandi-islam/> ; *Some prominent founders of the Darul Uloom Deoband, such as Muhammad Qasim Nanautavi and Rashid Ahmad Gangohi, drew further inspiration from the religiopolitical concept of Shah Waliullah, as well as from Wahhabi ideology, and they set up an Islamic seminary at Deoband in UP on 30 May 1866.* (Syed Jawad; Pio Edwina; Kamran Tahir; Zaidi, Abbas, eds, *Faith-Based Violence and Deobandi Militancy in Pakistan*. Basingstoke: Palgrave Macmillan, 139 (2016); Asthana N. C.; Nirmal Anjali, *Urban Terrorism: Myths and Realities*. Jaipur: Shashi Jain for Pointer Publishers, 66 (2009)

⁵⁹ The Salafi movement, also called the Salafist movement, Salafiya and Salafism, is a reform branch movement within Sunni Islam that developed in Egypt in the late 19th century as a response to Western European imperialism. It had roots in the 18th-century Wahhabi movement that originated in the Najd region of modern-day Saudi Arabia. The name derives from advocating a return to the traditions of the salaf, the first three generations of Muslims, which they said was the unadulterated, pure form of Islam. (Dubler Joshua, *Salafi Muslims*, in Curtis Edward E.(ed.). *Encyclopedia of Muslim-American History*. Infobase Publishing, 499 (2010))

⁶⁰ In October 2015, bishops attending the Fourteenth Ordinary General Assembly of the Synod of Bishops in Rome agreed on a final document which reiterated that while homosexuals should not be discriminated against unjustly, the Church was clear that same-sex marriage is "not even remotely analogous" to heterosexual marriage. They also argued that local churches should not face pressure to recognise or support legislation that introduces same-sex marriage, nor should international bodies put conditions on financial aid to developing countries to force the introduction of laws that establish same-sex marriage. (Vatican concludes that there are 'no grounds' for same-sex marriage, Pink News, <https://www.pinknews.co.uk/2015/10/25/vatican-concludes-that-there-are-no-grounds-for-same-sex-marriage/>)

⁶¹ See in detail: Helie Anissa, *The Politics of Abortion Policy in the Heterogeneous "Muslim World"* (2012), https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1162&context=jj_pubs

⁶² The point of view that the *International Eurasian Movement* of A.Dugin influenced the geopolitical strategy of Russia, in particular with respect to Ukraine, is well founded (Isaev B, *Geopolitics: a textbook for universities*. Third generation standard, St. Petersburg (2016). In his work *Foundations of Geopolitics* (2000) A. Dugin devotes a whole subsection to the *problem of sovereign Ukraine* (Dugin A, *Foundations of Geopolitics*, Moscow, 928 (2000).

⁶³ Clarke, Peter B. *New Religions in Global Perspective: A Study of Religious Change in the Modern World*. New York: Routledge (2006)

⁶⁴ Martin Heidegger (1889-1976) was a German philosopher. He stood in the tradition of phenomenology, primarily Edmund Husserl's one, of the philosophy of life in particular Wilhelm Diltheys and Søren Kierkegaard's interpretation of existence, which he wanted to overcome in a new ontology. The most important goals of Heidegger were the criticism of occidental philosophy and the intellectual foundation for a new understanding of the world.

⁶⁵ Claudio Mutti (1946), also known as Omar Amin, is an Italian editor, philologist and essayist, of national-revolutionary tendency, convert to Islam. He directs the geopolitical review *Eurasia*. (See in detail: Giovanni Savino, *From Evola to Dugin: The Neo-Eurasianist Connection in Italy*, 97-124, in particular the chapter *Claudio Mutti, The Prophet*, in *Eurasianism and the European Far Right: Reshaping the Europe – Russia Relationship*, ed Marlene Laruelle, Lexington Books (2015)

⁶⁶ Mutti Claudio, *Esploratori del Continente* (Italian) 2011

West,⁶⁷) Shahram Pazouki⁶⁸ established a comparison between the medieval Persian philosopher and mystic Suhrawardī⁶⁹ and German philosopher, indicating Islamic gnosis and Heidegger's philosophy as the ideal means for spiritual communication between Asia and Europe.⁷⁰

The German philosopher was aware that the profound spiritual decline of Europe, the nefarious result of the bourgeoisie of Christianity, an expression of conventional religiosity without a living faith⁷¹ would deal with a large geographic-spatial dimension still pervaded by profound spirituality, despite the Western nihilism's influence on it. Konstantin Leontiev⁷² (the Eurasianism's forerunner) had the same perspective, stated in his fundamental work: today Christianity isn't longer presented as a divine teaching, both terrible and consoling, but as a infantile babble, an allegory, a moral fable, interpreted judiciously in the context of economic and moral utilitarianism.⁷³ Already at the end of the 19th century Leontiev was aware of the negative influence of the anti-traditional mentality coming from modern Europe on Russian society. He saw a barrier capable of hindering the nihilistic disintegrating phenomenon of the West in a potential alliance between Orthodoxy and Islam. He stated in *Byzantinism and the Slavic world*: "For us, Russians, a fusion with the Asian and non-Christian peoples is more convenient for the simple fact that the modern European spirit hasn't yet penetrated among them, irremediably".⁷⁴

This idea was collected and updated by Aleksandr Dugin⁷⁵ who, on several occasions, reaffirmed the value of Islam as a bastion of Tradition and the need for a new alliance (*novyj soyuz*)⁷⁶ between Orthodoxy and Islam; between two traditions that have legitimately inherited the essentials of traditional Eurasian forms.⁷⁷

This perspective has been adopted by various personalities of Islamic culture. The Russian Muslim philosopher, of Azerbaijan origin, Gejdar Dzemaal⁷⁸ was a proponent of this perspective. He saw a powerful factor for opposition to economic imperialism and American cultural hegemony in the strategic alliance between Orthodoxy and Islam.⁷⁹

⁶⁷ More details: Derrida Jacques, Gadamer Hans-Georg, Lacoue-Labarthe Philippe, Heidegger, Philosophy, and Politics: The Heidelberg Conference (2016)

⁶⁸ Dr. Shahram Pazouki is currently Associate Professor of Philosophy and Religious Studies and Head of the Department of Religious and Sufi Studies at the Iranian Academy of Philosophy in Tehran, Iran.

⁶⁹ Shahāb ad-Dīn, Yahya ibn Habash Suhrawardī, also known as Sohrevardi also known as Sohrevardi, (1154–1191) was a Persian philosopher and founder of the Iranian school of Illuminationism, an important school in Islamic philosophy. The *light* in his *Philosophy of Illumination* is a divine and metaphysical source of knowledge. He is referred to by the honorific title Shaikh al-ʿIshraq *Master of Illumination* and Shaikh al-Maqtul *the Murdered Master*, in reference to his execution for heresy. Mulla Sadra, the Persian sage of the Safavid era described Suhrawardī as the *Reviver of the Traces of the Pahlavi (Iranian) Sages* and Suhrawardi, in his magnum opus *The Philosophy of Illumination*, thought of himself as a reviver or resuscitator of the ancient tradition of Persian wisdom.

⁷⁰ Mutti C, *Explorers of the Continent. The unity of Eurasia in the mirror of philosophy, orientalism and the history of religions* (Italian), Effepi, Genoa, 100 (2011)

⁷¹ Opt.cit, 103.

⁷² Konstantin Nikolaevich Leontiev (1831-1891) was a Russian doctor, diplomat; thinker of a religiously conservative trend; philosopher, writer, publicist, literary critic, sociologist. At the end of his life he took monastic vows with the name Clement.

⁷³ Leontiev K., *Byzantinism and the Slavic world*, Editions under the banner of Veltro (Italian), Parma, 142 (1987).

⁷⁴ Opt.cit, 96

⁷⁵ Aleksandr Gel'evič Dugin (1962) is a Russian political scientist and philosopher. Dugin develops the thought of Martin Heidegger, especially the geophilosophical concept of Dasein, combining it with the thought of the traditionalist school, namely René Guénon and Julius Evola. Dugin played an important role in Russian philosophy. His most important paper is *The fourth political theory* published in 2009

⁷⁶ Dugin A, *Continent Russia*, Editions under the banner of Veltro (Italian) Parma, 6 (1991)

⁷⁷ Ibid

⁷⁸ Gejdar Dzhahidovich Dzhemal, sometimes transliterated as Heydar Jamal (1947–2016) was a Russian Islamic public figure, activist, philosopher, poet, political and social activist. He was the founder and chairman of the Islamic Committee of Russia.

⁷⁹ In this regard, see: Dzemaal G., *Tawhid; Perspectives of Islam in the former USSR*, Editions under the banner of Veltro (Italian), Parma (1993)

Here, Geviert's idea comes into play - a Heideggerian philosophical model represented through the intersection of two lines similar to the cross of St. Andrew⁸⁰ - which indicates in its four poles the dimensions of Heaven, Earth, Men and Gods. In the meeting of the quadrature we find the crossroads between heaven and earth, between human and divine. This meeting unfolds the spatial dimension within which it is possible to live in view of the *new beginning*. In fact, the four poles of Geviert have the same Being at the center of the quadrature.⁸¹

World's understanding of faith is starting to change - not because some groups are winning or losing adherents - but because the notion of *organized religion* itself has increasingly started to fall out of favour.

This whole process of individualization combined with *inter- and supra-state law*, deculturation and de-organisation has another unexpected consequence—the concept of freedom of thought, conscience and religion as *an individual human right*. The freedom of thought, conscience and religion as a human right has become a binding requirement across boundaries and regions, enhanced by UN institutions, international courts, and some nations.

Now the promotion of a concept of freedom of thought, conscience and religion and a mix of social and political stress more linked to the individualistic American approach than to the European tradition of thought, conscience and religion with close relations with the state influence on the process. Importantly, that church and state are separated, *de jure* or *de facto*. So, governments have little leverage on this process. The development of freedom of thought, conscience and religion as a standard and transnational and supra-state binding requirement, has been enhanced by international courts, *inter alia*.

This growth has greatly been driven by the US government: the gauge of freedom of thought, conscience and religion is chiefly an American standard, a case that has excited intense opposition in certain countries like Russia. The issue here is that the rise of religious freedom slights, bypasses or refutes many national legal tenets and practices. It contributes to destabilize the existing compromises and gives a new visibility to thought, conscience and religion in the public sphere.

International and domestic courts tend, and are often bound, to apply these new international standards to redefine *what thought, conscience, religion* are supposed to be. These standards led to the granting of tax-exempt status to Jehovah's Witnesses in France⁸² and the British appellate court refusing to recognize a Jewish believer by considering his mother's religion.⁸³ On November 3, 2009 the Second Section of the Strasbourg Court ruled against the compulsory display of the crucifix in Italian classrooms. These and a host of other initiatives risk altering the traditional balance and consensus on the place of thought, conscience and religion in the public sphere, which differs dramatically across boundaries, cultures, and societies.

European domestic courts tend to create a doctrine usually based on the decisions of ECtHR. The national courts and ECtHR use discretion three times to examine religious freedom claim in general: whether the conscience (belief) is sincere, whether the conscience (belief) can be considered *religious* and whether a government interest, nonetheless, outweighs the exercise of the right.⁸⁴

⁸⁰ Heidegger tried not to think of people as the center of the world, but rather in the overall context of a world that he called *Geviert*.

⁸¹ See: Heidegger M, *On the way to Language* (Italian), Mursia, Milan (1973).

⁸² <https://www.rnz.co.nz/news/world/78933/court-backs-jehovah's-witnesses-against-france#:~:text=The%20European%20Court%20of%20Human,it%20is%20exempt%20from%20paying.>

⁸³ See in detail: McCrudden Christopher, *Multiculturalism, freedom of religion, equality, and the British constitution: The JFS case considered* (2011)

⁸⁴ This topic is taken up in greater depth in: Jeremy Patrick, *Faith of Fraud? Fortune-telling, Spirituality, and the Law*, University of British Columbia Press (2020)

For example, when the Regional Administrative Court of Veneto, the Council of State, Italy, the Grande Chambre, ECtHR, upheld the right of Italian state school to display the crucifix in classroom⁸⁵, they first determined that Italy and Italian schools had a deeply-seated belief in the importance of doing so, that this belief was rooted in religious faith of Italians, *inter alia*, and that the government's interest in ensuring a safe, nonviolence education for children could be accommodated without preventing the practice altogether.

The rise of these NRMs, new spirituality⁸⁶, new political actors presents challenges for the traditional application of the *freedom of thought, conscience, religion's* principles by courts in liberal democracies. In the European context there is a growing need for a legal response to the presence of new thought, conscience, religion in the public sphere.

We propose to consider *freedom of thought, conscience, religion* and *thought, conscience, religion* as *after* and *before*. *Freedom* is the form, *thought, conscience and religion* are the substance. Thought, conscience, religion were the first, than the freedom as human right appeared. Freedom as human right must guarantee *to maintain or to change one's thought, conscience, religion or beliefs, and to profess or disseminate one's thought, conscience, religion or beliefs, either individually or together with others, in public or in private*. Freedom serves to help the human to be liberal and protected by a state. This is its only purpose. Freedom of thought, conscience, religion, with rules of law and case-law, is at the service of man\men and not *vice versa*.

We propose to consider *man* and *thought, conscience, religion* as *before* and *after*. *The Sabbath was made for man, not man for the Sabbath*.⁸⁷ First there is the human being, with his life, his dignity and his need to mature, the thought, conscience, religion follow. The message of Christ Jesus speaks of a human journey, of a man coming raw from the hands of nature, born weighed down by instincts and poor in humanity. This path is *becoming* children of God, traveling a path to become something better and higher. Christ Jesus speaks of a *way*: "I am the way".⁸⁸ All this tells us that a man is at the center of this extraordinary anthropology which is contained in the Gospel. God is not at the center, He is instead Father, the one who allows, helps, supports this path, according to the meaning of the word *father* at the time of Jesus. Therefore a man comes first, then thought, conscience, religion follow which are the construction of a man not of Jesus, who did not create any thought, conscience, religion, on the contrary he fought them because they are pernicious if they become absolutist. Thought, conscience, religion serve to help a man to go to maturation. This is its only purpose. Thought, conscience, religion are at the service of man and not *vice versa*.

Why are thought, conscience, religion changing? We start from the idea that a court is at the service of a man, his rights and freedoms. There are two principles expressed in *Magna Carta* that resonate to this day: "No freeman shall be taken, imprisoned, disseised, outlawed, banished, or in any way destroyed, nor will We proceed against or prosecute him, except by the lawful judgment of his peers or by the law of the land." Chapter 2, Rights and Freedoms of Man And Citizen, of the Constitution of Russian Federation says: "Everyone shall be guaranteed judicial protection of his rights and freedoms." Italian Republic recognizes and guarantees the inviolable rights of man. Meanwhile the Grand Chamber in the Lautsi case defined that the constitutional understanding of secularism must be distinguished from secularism as a personal philosophical conviction. An

⁸⁵ The problem of the invasion of religious symbols in daily life is not only Italian: there are also problems in many other countries, with battles fought by secular associations (See in detail: <https://www.uaar.it/laicita/crocifissi/>)

⁸⁶ On the spirituality see also: Chandler S, Private religion in the public sphere: Life spirituality in civil society. In: Houtman, D, Aupers, S (eds) Religions of Modernity: Relocating the Sacred to the Self and the Digital. Danvers, MA: Brill, 69–88 (2010)

⁸⁷ Mark 2,27

⁸⁸ John 14:6

individual, like Mrs. Lautsi, is free to believe that any religion is detrimental and incompatible with her own convictions. The state, on the other hand, should refrain from any such conviction since it is committed to protect freedom of thought, conscience, religion.⁸⁹ Following the Grand Chamber the constitutional understanding of what thought, conscience, religion are in a State (withing the appropriate freedom and the right to this freedom) must be distinguished from what thought, conscience, religion are as a personal conviction.

A priori, people (judges, lawmakers, case parties etc) are each having different and unique experiences here. People each have different thoughts, beliefs about the nature of reality and how the world works. People have the different consciences. So how can a judge know what thought, conscience, religion are – when people are all having such different experiences. And because people do have the right to freedom of thought, conscience and religion – it's important that people have DO the ability to create and live their own unique experiences; it's important that their right to freedom is protected. The right to have thought, to change conscience, to practice one's religion freely: States must uphold this right, protected by Article 9. In 1993, the Court found that there had been a violation of Article 9 in the Kokkinakis v. Greece case. Minos Kokkinakis, a Jehovah's Witness, was arrested more than 60 times for proselytising.⁹⁰

We're sure, defining what thought, conscience, religion are in Europe in the framework of the right stated by the article 9 ECHR, a judge should comprehend *why thought, conscience, religion are changing*.

We offer to go to the root, to a man, *keeping in mind that beleiver, atheist, stateman, lawmaker, politician, judge etc is a man*. We offer to comprehend that all men of a state/society, a state/society and a man, all things are interconnected.

It seems that to the moment the process of unifying and redefining what thought, conscience, religion are, has been doing without engaging in a clear option: this creates uneasiness and anxiety among public opinion, it questions the issue of legitimacy.

Following the affirmation attributed to Albert Einstein: "The problems that exist in the world today cannot be solved by the level of thinking that created them"⁹¹, we use the *Critical thinking*.⁹²

We start from the points: *the changing man is changing the reality; the changing man is changing the thought, conscience (religion); the changing conscience is changing the freedom of thought, conscience, religion*.

Seeking the new level of thinking, we propose that:

-*changing mind changes man's conscience, it reflected by consciousness;*

-*changing conscience (consciousness) is complex or simple;*

-*changing conscience\consciousness creates new reality; Reality outside men is complex, always;*

-*men's realities interconnects, causing the essencial changes in a state/society, in Consciousness itself.*

⁸⁹ Zucca Lorenzo, Lautsi: A Commentary on a decision by the ECtHR Grand Chamber, International Journal of Constitutional Law, Volume 11, Issue 1, January 2013, Pages 218–229, <https://doi.org/10.1093/icon/mos008>

⁹⁰ <https://www.refworld.org/cases,ECHR,3ae6b6ff4.html>

⁹¹ https://www.brainyquote.com/quotes/albert_einstein_121993; In The New Quotable Einstein, Alice Calaprice suggests that this phrase attributed to Einstein could be a paraphrase of two quotes from a 1946 article.

⁹² *Critical thinking* is a rich concept that has been developing throughout the past 2,500 years. The term *critical thinking* has its roots in the mid-late 20th century. There are different definitions which together form a substantive and trans-disciplinary conception of *critical thinking*. A statement by Michael Scriven & Richard Paul, presented at the 8th Annual International Conference on Critical Thinking and Education Reform, Summer 1987:

Critical thinking is the intellectually disciplined process of actively and skillfully conceptualizing, applying, analyzing, synthesizing, and/or evaluating information gathered from, or generated by, observation, experience, reflection, reasoning, or communication, as a guide to belief and action. In its exemplary form, it is based on universal intellectual values that transcend subject matter divisions: clarity, accuracy, precision, consistency, relevance, sound evidence, good reasons, depth, breadth, and fairness. More details: <https://www.criticalthinking.org/pages/defining-critical-thinking/766>

Changing mind changes man's conscience, it reflected by consciousness. Judicially interpreting what thought, conscience, religion are in Europe, it's useful to a judge to start from the Dualism,⁹³ introduced into the history of modern philosophy by Descartes. He held that the mind is a nonphysical substance. Descartes clearly identified the mind with consciousness and self-awareness and distinguished this from the brain as the seat of intelligence.⁹⁴

The mind–body problem should bring a judge to Plato who said in dialogue *Gorgias*: “the body is the prison of the soul.”⁹⁵ But originally the phrase is of Pythagoras. The Pythagorean philosophers believed that the body was the prison of the soul. Judges to create the ideas regarding the freedom of thought, conscience, religion should comprehend that the human being is not only equipped with the physical body, but also with other non-physical structures, composed of more subtle substances and which have their own specific function. Judges can't be based on materialism. They should be *enlightened*. The set of such structures, unrecognized by Western science based on materialism, is called *Aura*. For centuries it's recognized by *Eastern reasoning*. The traditions of Eastern thought consider the spiritual world as the ultimate truth.⁹⁶ Buddhists are aware of their own existence, unlike plants and lower sentient beings who have no awareness. Their Buddhahood is dormant, latent. Buddhist knowledge awakens the enlightened being as was Buddha Sakyamuni himself.⁹⁷ *Buddha* means *enlightened*. The Sakyamuni Buddha was born about twenty five centuries ago and attained Buddhist consciousness through his own enlightenment. Therefore *Buddha* is an abstract noun, and also *Buddha* is a proper name that has a profound meaning. The Buddha consists of two elements, called *mind* and *body*⁹⁸, buddha and the place of buddha, buddha and the domain of buddha, the soul and the place of the soul, the spirit and the body of the spirit. In the West the spiritual side is called *spirit* and the material side is called *body*. In the East they speak of the five skandhas.⁹⁹ The *material* side is called *rupa*, while the *spiritual* side is divided into four elements:
the first is sensory perception (vedana);
the second is thought (samjna);
the third is mental motion (samskara);
the fourth is consciousness (vijnan).

⁹³ It is actually a much older concept, which appears in fact already in the works of Plato. In the philosophy of mind, mind–body dualism denotes either the view that mental phenomena are non-physical (Hart WD, Dualism, 265–67 in *A Companion to the Philosophy of Mind*, edited by S. Guttenplan. Oxford: Blackwell (1996)) or that the mind and body are distinct and separable. (Crane Tim; Patterson Sarah, Introduction. History of the Mind-Body Problem, 1–2 (2001) the assumption that mind and body are distinct (essentially, dualism)) Thus, it encompasses a set of views about the relationship between mind and matter, as well as between subject and object, and is contrasted with other positions, such as physicalism and enactivism, in the mind–body problem.

⁹⁴ Robinson Howard, Dualism (rev.). The Stanford Encyclopedia of Philosophy, edited by Edward N. Zalta (2016); Descartes René. [1641], *Meditations on First Philosophy*, 1–62 in *The Philosophical Writings of René Descartes 2*, translated by J. Cottingham, R. Stoothoff, and D. Murdoch. Cambridge: Cambridge University Press (1984)

⁹⁵ Probably it was written around 386 BC.

⁹⁶ Venturini Riccardo L'ESPERIENZA DEL CORPO. TRA BUDDHISMO E MODERNITÀ. in M. B. Gnani Montelatici (a cura di), *Il valore della pluralità delle culture – La cultura del Buddismo*, Faenza, Edit. Faenza, 157-90 (2002)

⁹⁷ Shakyamuni Buddha is the founder of the Buddhist religion. He lived and taught in India in the sixth century B.C.E See in detail: <https://www.khanacademy.org/humanities/art-asia/beginners-guide-asian-culture/buddhist-art-culture/a/the-buddha-shakyamuni>

⁹⁸

https://en.wikipedia.org/wiki/Buddhism_and_the_body#:~:text=The%20Buddhist%20tradition%20regards%20the,mind%20as%20being%20mutually%20dependent.&text=The%20Buddha%20taught%20that%20there,physical%2C%20emotional%20and%20cognitive%20components.

⁹⁹ <https://www.lionsroar.com/what-are-the-five-skandhas/>

The second of these elements, thought (*samjna*) is considered a semimaterial state of mind. Pure mental motion is like pure water. Nature throws garbage into this pure water. Debris that enters through the eyes, ears, and so on, gets mixed up. So when a man thinks, he has to use this *substance*, he cannot think without words or images. Images and thoughts are *samjna*.

If a man keeps his mind calm through meditation, all this *substance* will be separated from the mental motion (*samskara*), the debris will come to the surface and the clear mind will show its stability. The bottom of the ocean of the mind is not the mind of a man: it is the mind of the universe. No *substance* from the outside can reach its depth; it is bottomless. Here everything is transparency. The ocean is *vijnana*, consciousness itself. The creative power of the universe is not a human being; it's the Buddha. What sees, what hears, is not the eye or the ear, but the consciousness. It is the Buddha. This appears in every mind. This is common to all sentient beings, and it is God. To him a man joins hands and pray. This is the only one a man believes in; he can rely on this. A man come from This and a man will return to This. This is always with a man. This is not hidden from a man. A man always see This, day and night, and a man knows the eternity, omniscience, omnipresence and omnipotence of This. This is very close to a man; a man can talk to This and This answers a man. This protects a man. A man loves This; men are children of This. Men don't need an external temple: men are in the temple, men are the temple. Men don't need a choir to offer hymns to This; when the mind is calm, meditation is the hymn men offer. Man's mind is pure, simple and true. A man doesn't need any mediators. When a man arrives home and sits down and joins his hands in meditation, prayer, in complete tranquility a man becomes aware of this crystalline consciousness within him, and this is his ritual. In Buddhism, life is an indissoluble unity of physical and spiritual aspects. Every phenomenon, material or spiritual, visible or invisible, is a manifestation of the same universal Basic Law - or primary cause of life - defined *Myoho-rence-kyo* by Nichiren Daishonin.¹⁰⁰ Both aspects are absolutely inseparable and of equal importance. This principle is expressed in Japanese with the term *shiki shin funi*. *Shiki* = body, matter. *Shin* = mind, spirit. *Funi* = two but not two, not two but two. Body and mind are two sides of the same coin.

Nichiren Daishonin writes to one of his followers: "A person can know the thoughts of another by listening to his voice. This happens because the physical aspect reveals the spiritual one, but these aspects, which are one in substance, manifest themselves as two distinct aspects."¹⁰¹

We propose that a judge can interpret what thought, conscience, religion are by listening to voices of parties of a case, a state can interpret it by listening to voices of its citizens. Evidence for the existence of the biofield (aura) now exists, and current theoretical foundations are now being developed by scientists.¹⁰² The properties of such a field could be based on electromagnetic fields, coherent states, biophotons, quantum and quantum-like processes, and ultimately the quantum vacuum. Scientists are beginning to prove what buddhists, mystics have known all along-that the body is enfolded in a forcefield of energy that reflects a man's state of physical, mental and spiritual health. A judge, a state, a society, a man should use the scientists findings.

¹⁰⁰ *This is the most important teaching. It is the teaching that earthly desires are Illumination and the sufferings of life and death are Nirvana... The sufferings become Nirvana when it is understood that the entity of human life is neither generated nor destroyed in its cycle of birth and death.* (Nichiren) Nichiren (1222-1282) was a Japanese Buddhist monk, founder of Nichiren Buddhism, one of the major movements of Japanese Buddhism that includes different schools of thought, all deriving from the Buddhist branch called Mahayana.

The reference relies to the Lotus Sutra, preached by Buddha Shakyamuni.

¹⁰¹ <https://www.sgi-italia.org/unicita-di-corpo-e-mente/>

¹⁰² On the Biofield Science: Current Physics Perspectives see here: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4654779/>

In the context of parapsychology and spirituality, the aura or *luminous halo*, a word that derives from the Greek *aúra* (*breath*),¹⁰³ denotes a thin field of light radiation, invisible to normal perception, which surround and animate all living beings (persons, animals and plants) as a sort of cocoon or halo, capable of reflecting the soul of the individual to whom this aura belongs, and of surviving the decay of his biological life.

One of the first to mention it in his writings was the physician Paracelsus, who described this energy field as a fiery sphere. Isaac Newton (1729) was the first thinker who described the concept of aura and auric field, from a Western scientific approach. Rosalyn L. Bruyere¹⁰⁴ in her book *Wheels of Light: Chakras, Auras, and the Healing Energy of the Body* (1994) cites some of Newton's earliest references to the aura, described as a *thin, vibrating, electric elastic medium* of an *electromagnetic* nature. Furthermore, Newton states that this auric energy field can be activated and/or deactivated due to various external circumstances, such as, for example, *repulsion, attraction, sensation, movement*. Have you ever felt a bad vibration from a passing stranger? Or maybe a sense of unity and familiarity with a new acquaintance? Think on your driving in an unfamiliar area and getting lost ... Or on a long journey, when you finally managed to get home! Think on a festival where everyone was *on the same wavelength* and the whole event was full of harmony! According to Newton all these situations and our rather tangible reactions would be valid as examples that induce a conditioning at the vibratory level of light and energy.

In the 18th century, the Austrian doctor Franz Anton Mesmer introduced the concept of *animal magnetism*: a light fluid that connects man, Earth and celestial bodies, and active between man and man, also.¹⁰⁵ Mesmer believed that diseases arise from the non-homogeneous distribution of this fluid, inside the human body. It was thanks to London doctor Walter Kilner.¹⁰⁶ In the twentieth century he invented a screen for observing

¹⁰³ Three terms are used in ancient Greek thought:

-ζωή (zoé): the principle, the essence of life which belongs in common, without distinction, to the universality of all living beings and which has as its opposite concept non-life and not, as one might think, death since this it concerns the single being who ceases, he and he alone, to live;

-βίος (bíos): indicates the conditions, the ways in which our life takes place. Zoé is therefore the life that is in us and through which we live (qua vivimus), bios alludes to the way we live (quam vivimus), that is, the modalities that characterize, for example, contemplative life, political life, etc. for which the Greek language uses the term bios accompanied by a qualifying adjective; (Martin Heidegger, *Fundamental concepts of Aristotelian philosophy*, (Italian) Milano, Adelphi, 77 (2017))

-ψυχή (psyché): in the Greek language of the New Testament it occurs in the meaning of *the breath (or soul)* (Possenti Vittorio, *The question of life* (Italian) 2015; Onians Richard Broxton, *The Origins of European Thought*, Cambridge, Cambridge University Press, 1951).

¹⁰⁴ Rosalyn L. Bruyere is an internationally acclaimed healer, clairvoyant and medicine woman. Her frequent collaborations with physicians and scientists reflect her belief that healing and health should be a cooperative effort between patient, physician and healer. Her combined scientific and spiritual focus influences both her teaching and writing style and serves to bridge the gap between concept and reality.

¹⁰⁵ Animal magnetism, also known as mesmerism, was the name given by German doctor Franz Mesmer in the 18th century to what he believed to be an invisible natural force (Lebensmagnetismus) possessed by all living things, including humans, animals, and vegetables. He believed that the force could have physical effects, including healing. (Wolfart Karl Christian; Friedrich Anton Mesmer, *Mesmerismus: Oder, System der Wechselwirkungen, Theorie und Anwendung des thierischen Magnetismus als die allgemeine Heilkunde zur Erhaltung des Menschen* (in German, facsimile of the 1811 edition). Cambridge University Press (2011))

The vitalist theory attracted numerous followers in Europe and the United States and was popular into the 19th century. Practitioners were often known as magnetizers rather than mesmerists. It was an important specialty in medicine for about 75 years from its beginnings in 1779, and continued to have some influence for another 50 years. Hundreds of books were written on the subject between 1766 and 1925, but it is almost entirely forgotten today. (Crabtree Adam, *Animal Magnetism, Early Hypnotism, and Psychical Research, 1766–1925 – An Annotated Bibliography*). Mesmerism is still practised as a form of alternative medicine in some countries, but magnetic practices are not recognized as part of medical science.

¹⁰⁶ Walter John Kilner, M.D. B.A., M.B. (Cantab.) M.R.C.P., etc. (1847–1920) was a medical electrician at St. Thomas Hospital, London. There, from 1879 to 1893, he was in charge of electrotherapy. He was also in private medical practice, in Ladbroke Grove, London. In 1911 Kilner published one of the first western medical studies of the "Human Atmosphere" or Aura, proposing its existence, nature and possible use in medical diagnosis and prognosis.

ultraviolet light with which he managed to see an emanation around the human body, from which he claimed to be able to detect the presence of diseases of the organism, simply based on the characteristics of diffused light. While it was in 1939 that a photographic printing procedure was born, known today as *Kirlian photography*, which allows to analyze the aura of living beings, highlighting the *corona* effect in the air.¹⁰⁷

In the twentieth century many things had changed. According to New Age beliefs¹⁰⁸ an aura or human energy field is a colored emanation said to enclose a human body or any animal or object.¹⁰⁹ In some esoteric positions, the aura is described as a subtle body.¹¹⁰ Psychics and holistic medicine practitioners often claim to have the ability to see the size, color and type of vibration of an aura.¹¹¹

In spiritual alternative medicine, the human being aura is seen as part of a hidden anatomy that reflects the state of being and health of a client, often understood to even comprise centers of vital force called chakras.¹¹² Such claims are not supported by ordinary scientific evidence and are thus labeled as pseudoscience.¹¹³ When tested under scientific controlled experiments, the ability to see auras has not been proven to exist.¹¹⁴

The concept of auras was first popularized by Charles Webster Leadbeater,¹¹⁵ a former priest of the Church of England and a member of the mystic Theosophical Society.¹¹⁶ Leadbeater had studied theosophy in India, and believed he had the capacity to use his clairvoyant powers to make scientific investigations.¹¹⁷ In his book *Man Visible and Invisible* published in 1903, Leadbeater illustrated the aura of man at various stages of his moral evolution, from the *savage* to the *saint*.¹¹⁸ In 1910, Leadbeater introduced the modern conception of auras by incorporating the *Tantric notion of chakras* in his book *The Inner Life*.¹¹⁹ But Leadbeater didn't simply present the Tantric beliefs to the West, he reconstructed and reinterpreted them by mixing them with his own ideas, without acknowledging the sources of these innovations. Some of Leadbeater's innovations are describing chakras as *energy vortices*, and associating each of them with a gland, an organ and other body parts.¹²⁰

¹⁰⁷ In 1939 Semyon Kirlian accidentally discovered that if an object on a photographic plate is connected to a high-voltage source, an image is produced on the photographic plate. (McCarron-Benson Julie in *Skeptical - a Handbook of Pseudoscience and the Paranormal*, ed Donald Laycock, David Vernon, Colin Groves, Simon Brown, Imagecraft, Canberra (1989)). The technique has been variously known as *electrography*, "electrophotography", "corona discharge photography", "bioelectrography", "gas discharge visualization (GDV)", "electrophotonic imaging (EPI)" and in Russian literature, "Kirlianography".

¹⁰⁸ New Age is applied to a range of spiritual or religious beliefs and practices which rapidly grew in the Western world during the 1970s

¹⁰⁹ Hanegraaff Wouter J, *Dictionary of Gnosis & Western Esotericism*. Leiden: Brill., 857 (2006)

¹¹⁰ Hammer Olav, *Claiming Knowledge: Strategies of Epistemology from Theosophy to the New Age*. Leiden: Brill, 55 (2001)

¹¹¹ Hines Terence, *Pseudoscience and the Paranormal* (2nd ed.), Amherst, New York: Prometheus Books, 427 (2002)

¹¹² Hanegraaff, Opt.cit

¹¹³ Hines, Opt.cit.

¹¹⁴ Scheiber Béla; Selby Carla, *Therapeutic Touch*. Amherst, New York: Prometheus Books. 275 (2000)

¹¹⁵ Charles Webster Leadbeater (1854–1934) was a member of the Theosophical Society, author on occult subjects and co-initiator with J. I. Wedgwood of the Liberal Catholic Church.

¹¹⁶ Hanegraaff, Opt cit, 686.

¹¹⁷ Tillet Gregory John, *Charles Webster Leadbeater 1854–1934: a biographical study*, University of Sydney, 193 (1986)

¹¹⁸ Tillet, Opt.cit, 235; Leadbeater Charles Webster, *Man Visible and Invisible: Examples of Different Types of Men as Seen by Means of Trained Clairvoyance*, New Theosophical Press, 8 (2012)

¹¹⁹ Hammer, Opt.cit, 183.

¹²⁰ Hammer, Opt.cit, 184–87.

In the following years, Leadbeater's ideas on the aura and chakras were adopted and reinterpreted by Rudolf Steiner¹²¹¹²² and Edgar Cayce¹²³.

In 1977 Christopher Hills¹²⁴ published the book *Nuclear Evolution: The Rainbow Body*, which presented a modified version of Leadbeater's occult anatomy.¹²⁵ Whereas Leadbeater had drawn each chakras with intricately detailed shapes and multiple colors, Hills presented them as a sequence of centers, each one being associated with a color of the rainbow. Most of the subsequent New Age writers based their representations of the aura on Hill's interpretation of Leadbeater's ideas.¹²⁶ Chakras became a part of mainstream esoteric speculations in the 1980s and 1990s. Many New Age techniques that aim to clear blockages of the chakras were developed during those years, such as crystal healing and aura-soma.¹²⁷ Chakras were, by the late 1990s, less connected with their theosophical and Hinduist root, and more infused with New Age ideas. A variety of New Age books proposed different links between each chakras and colors, personality traits, illnesses, Christian sacraments.¹²⁸ Various type of holistic healing within the New Age movement claim to use aura reading techniques, such as bioenergetic analysis, spiritual energy and energy medicine.¹²⁹

Also the interest was in the Astral body, a subtle body posited by many philosophers, intermediate between the intelligent soul and the mental body, composed of a subtle material.¹³⁰ In many recensions the concept ultimately derives from the philosophy of Plato though the same or similar ideas have existed all over the world well before Plato's time: it is related to an astral plane, which consists of the planetary heavens of astrology. The term was adopted by nineteenth-century Theosophists¹³¹, Gurdjieff¹³²¹³³ and neo-Rosicrucians.

¹²¹ Rudolf Joseph Lorenz Steiner (1861–1925) was an Austrian philosopher, social reformer, architect, esotericist, and claimed clairvoyant. Steiner gained initial recognition at the end of the nineteenth century as a literary critic and published philosophical works including *The Philosophy of Freedom*. At the beginning of the twentieth century he founded an esoteric spiritual movement, anthroposophy, with roots in German idealist philosophy and theosophy; other influences include Goethean science and Rosicrucianism.

¹²² Steiner Rudolf; Creeger Catherine E, *Theosophy: An Introduction to the Spiritual Processes in Human Life and in the Cosmos*(3rd ed.). Hudson, New York: Anthroposophic Press,159 (1994)

¹²³ Edgar Cayce (1877–1945) was an American clairvoyant who claimed, uniquely, to channel his own higher self. Cayce's channeling sessions happened in a trance state that he would induce with help from his friend Al Layne or his wife until later in life, when he became accustomed enough to do so on his own. During these sessions, Cayce would answer questions on subjects as varied as healing, reincarnation, dreams, the afterlife, past-life, nutrition, Atlantis and future events.

¹²⁴ Christopher Hills (1926–1997) was an English-born author, philosopher, and scientist, described as the "Father of Spirulina" for popularizing spirulina cyanobacteria as a food supplement. He also wrote 30 books on consciousness, meditation, yoga and spiritual evolution, divining, world government, aquaculture, and personal health.

¹²⁵ Hills Christopher, *Nuclear Evolution: Discovery of the Rainbow Body* (2nd ed.), Boulder Creek, California: University of the Trees Press, 36 (1977)

¹²⁶ Hammer, Opt.cit, 188

¹²⁷ Hammer, Opt.cit, 92.

¹²⁸ Myss Caroline, *Anatomy of the Spirit: The Seven Stages of Power and Healing* (1st ed.). New York: Three Rivers Press,71(1997) etc. Hammer Opt. Cit, 89.

¹²⁹ Brennan Barbara Ann, *Hands of Light: A Guide to Healing Through the Human Energy Field* (Paperback ed.). New York: Bantam Books, 109–10 (1988)

¹³⁰ Powell Arthur A, *Astral Body and other Astral Phenomena*, 7 (1927, reprinted in 1954 and 1965),

<http://hpb.narod.ru/AstralBodyByPowell-A.htm>

¹³¹ Blavatsky frequently used the term *astral body* in connection with the Indian *linga sharira* which is one of the seven principles of human life. However, she said that *there are various astral bodies*. (Blavatsky Helena Petrovna, *Collected Writings* vol. XII, Wheaton, IL: Theosophical Publishing House, 705 (1988).

¹³² Georgy Ivanovich Gurdjieff (1866-1949) was Russian philosopher of Greek-Armenian roots, mystic, spiritual teacher, writer, composer, traveler and forced emigrant, whose activities were devoted to the self-development of a person, the growth of his consciousness and being in everyday life, and whose teaching was named *Fourth Way*. Gurdjieff was a novice of the Sarmoung Brotherhood and the founder of the Institute for the Harmonious Development of Man.

¹³³ Gurdjieff refers to the astral body as the *body Kesdjan* or *vessel of the soul*: it is of the sun and all planets, just as the physical body is of the earth. While it is not developed one is a *human being only in quotation marks*, who cannot be

The Neo-theosophy of C. W. Leadbeater and Annie Besant¹³⁴ replaced Blavatsky's¹³⁵ *Higher Manas* principle with the *Higher Mental, Abstract Mind* (as opposed to Lower Mental or *Concrete Mind*), or Causal Body. The equivalent cosmic plane is the Causal Plane. A detailed description of the Causal Plane, along with the Causal Body, is provided by A. E. Powell, who has compiled information in the works of Besant and Leadbeater in a series of books on each of the subtle bodies.

The Neo-theosophical concept of Causal Plane¹³⁶ proved very influential both in India (via the Adyar branch of Theosophy¹³⁷) and in the New Age, via Alice Bailey.¹³⁸ All these studies remained of minor interest within the esoteric counterculture until the 1980s, when it was picked up by the New Age movement.¹³⁹

Psychologist Andrew Neher has written that "there is no good evidence to support the notion that auras are, in any way, psychic in origin".¹⁴⁰ Studies in laboratory conditions have demonstrated that the aura is instead best explained as a visual illusion known as an afterimage.¹⁴¹ Neurologists contend that people may perceive auras because of effects within the brain: epilepsy, migraines, or the influence of psychedelic drugs.¹⁴² Scientists have repeatedly concluded that the ability to see auras does not actually exist.¹⁴³

In contemporary times, science says on the energy, confirming the Leadbeater's ideas; science has pushed itself to hypothesize that human consciousness is independent of the body.¹⁴⁴ Finally, science is expanding its borders beyond the limits of the body, to begin to explore, in the context of quantum physics, *the reality of human consciousness subsisting beyond the physical body*. The existence of the biofield challenges reductionist approaches. Of course, the existence of biofield presents its own challenges regarding how it may inform an integrated understanding of thought, conscience (consciousness), religion and the living universe.

considered in any meaningful sense to have a soul and who will *die like a dog*. (Moe details: Walker Kenneth, *A Study of Gurdjieff's Teachings* (1965))

¹³⁴ Annie Besant (1847–1933) was a British socialist, theosophist, women's rights activist, writer, orator, educationist, and philanthropist. Regarded as a champion of human freedom, she was an ardent supporter of both Irish and Indian self-rule. She was a prolific author with over three hundred books and pamphlets to her credit. As an educationist, her contributions included being one of the founders of the Banaras Hindu University.

¹³⁵ Helena Petrovna Blavatsky, Yelena Petrovna Blavatskaya, often known as Madame Blavatsky; née von Hahn; (1831–1891) was a Russian noblewoman, US citizen, religious philosopher of the theosophical (pantheistic) direction, writer, publicist, occultist and spiritualist, traveler who co-founded the Theosophical Society in 1875. She gained an international following as the leading theoretician of Theosophy, the esoteric movement known by the slogan *There is no religion higher than truth*.

¹³⁶ See in detail: Hoodwin Shepherd, *The 7 Planes of Existence, in The Journey of Your Soul. A Channel Explores the Michael Teachings* (2013) <https://www.michaelteachings.com/7planes.html>; Arthur E. Powell *The Causal Body and the Ego*, https://cdn.website-editor.net/e4d6563c50794969b714ab70457d9761/files/uploaded/CausalBodyAndTheEgo%2CThe_AEPowell.pdf

¹³⁷ See Ryan Charles J, *H.P. Blavatsky and the Theosophical Movement*, San Diego (California), Point Loma Publications Inc. (1975)

¹³⁸ Alice Ann Bailey (1880–1949) was a writer of more than twenty-four books on theosophical subjects, and was one of the first writers to use the term New Age.

¹³⁹ Hammer, *Opt.cit*, 187.

¹⁴⁰ Neher Andrew, *The Psychology of Transcendence* (2nd ed.). New York: Dover, 186–88 (1990)

¹⁴¹ Fraser-Harris D. F, *A psycho physiological explanation of the so-called human "aura"*, *British Journal of Medical Psychology* 12: 174–84 (1932); Dale A, Anderson D. & Wyman L, *Perceptual Aura: Not Spirit but Afterimage and Border Contrast Effects*. *Perceptual and Motor Skills* 47: 653–54 (1978).

¹⁴² Hill Donna L; Daroff Robert B; Ducros Anne; Newman Nancy J; Biousse Valérie, *Most Cases Labeled as "Retinal Migraine" Are Not Migraine*, *Journal of Neuro-Ophthalmology*. 27 (1): 3–8 (March 2007).

¹⁴³ Loftin Robert W, *Auras: Searching for the Light*. *The Skeptical Inquirer*. Committee for the Scientific Investigation of Claims of the Paranormal. 24: 403–09 (1990).

¹⁴⁴ See also: <https://theconversation.com/consciousness-how-can-i-experience-things-that-arent-real-139600>

Et sic, the changing mind changes man's thought, conscience (religion), it reflected by consciousness. Higher consciousness¹⁴⁵ is the consciousness of a God (the Higher Consciousness) or the part of the human mind that is capable of transcending animal instincts.¹⁴⁶

We are sure the reality of human consciousness is very important thing for the answer to the question “*why are thought, conscience and religion changing*”? Through the profound Science a man is taught to purify, strengthen, and direct his auric emanations to change the world within him and the world around him. Conscience and consciousness are in fact related to one another.¹⁴⁷ Freedom of conscience is at its heart but still larger than the freedom of religion.¹⁴⁸

Changing conscience (consciousness) is complex or simple; changing conscience\consciousness creates new reality; Reality outside men is complex, always. Judges resolving cases concerning art 9 ECHR, should be aware of the complexity: thought, conscience, religion are complex and interconnected; one unique way to resolve a case doesn't exist; applying judicial interpretation should be creative. Instances of creative interpretation are when a Court applies discretion, looking at both the literal language as well as the purpose or object of the statute in order to better determine what the words used by the draftsman of legislation mean — *Discretio est discernere per legem quid sit justum.*¹⁴⁹

Quantum Mechanics is applicable to Judicial Decision-Making, Judicial Discretion, Judicial Interpretation. But it seems that modern judges vote for classical physics. Classical physics teaches that the universe is mechanistic and that everything is separate. According to a materialistic conception, the physical world represents the only *reality*, precisely because it is tangible and measurable. This is the belief that men have based their lives upon for centuries – and this belief has been limiting their experiences and their possibilities. These scientists who investigate and seek have only lifted the veil of a corner of reality, everything else remains unknown, indeed the more we discover the greater depths unfold before us. Unfathomable mystery surrounds and envelops men. Pavel Florensky¹⁵⁰ spoke of *the invisible*¹⁵¹, Niels Bohr¹⁵² - of *the implicit order*.¹⁵³ Quantum physics is revealing that classical physics isn't explaining what we now know about *reality*. Among other things – there is an energy field from which everything emerges. The *seen* emerges from the *unseen*.

¹⁴⁵ On *lower and higher consciousness*, the different types of higher states of consciousness see: Revonsuo A, *Exceptional States of Consciousness*. San Diego: Academic Press (2009); Hanegraaff Wouter J, *New Age Religion and Western Culture. Esotericism in the mirror of Secular Thought*, Leiden/New York/Koln: E.J. Brill (1996); Blavatsky Helena P, *What Is Theosophy?*,

https://web.archive.org/web/20150514090550if_/http://www.filosofiaesoterica.com/ler.php?id=803#.VVRldOj7TIU etc

¹⁴⁶ Bunge Marcia JoAnn, ed, *The Child in Christian Thought*, Wm. B. Eerdmans Publishing, 341 (2001). While the concept has ancient roots, dating back to the Bhagavad Gita and Indian Vedas, it was significantly developed in German idealism, and is a central notion in contemporary popular spirituality.

¹⁴⁷ In this regard see: Vithoulkas G, Muresanu DF, *Conscience and Consciousness: a definition*,

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3956087/>

¹⁴⁸ See <https://www.ohchr.org/EN/Issues/FreedomReligion/faith4rights-toolkit/Pages/Module1.aspx>

¹⁴⁹ <https://lawtimesjournal.in/discretio-est-discernere-per-legem-quid-sit-justum/>

¹⁵⁰ Pavel Aleksandrovich Florensky (1882-1937) was a Russian Orthodox theologian, priest, philosopher, mathematician, physicist, electrical engineer, inventor, polymath and neomartyr.

¹⁵¹ <http://www.novaeuropa.it/prodotto/lestetica-dellinvisibile-il-pensiero-eurasiatico-di-pavel-florenskij/>

¹⁵² Niels Henrik David Bohr (1885-1962) was a Danish physicist who made foundational contributions to understanding atomic structure and quantum theory, for which he received the Nobel Prize in Physics in 1922. Bohr was also a philosopher and a promoter of scientific research.

¹⁵³ <https://blogs.scientificamerican.com/cross-check/david-bohm-quantum-mechanics-and-enlightenment/>

“If you want to find the secrets of the universe, think in terms of energy, frequency and vibration”¹⁵⁴,-Nikola Tesla¹⁵⁵ said. Following them, *if a judge wants to comprehend the secrets of changing thought, conscience, religion, he has to think in terms of energy, frequency, vibration, seen and unseen.*

Here are some of the interesting and radical concepts and ideas that are emerging from quantum physics. If every judge would really get what the scientists are now saying about *the nature of reality* – judicial practice would change dramatically!! And it would free a man up to have dynamic and fulfilling right to freedom of thought, conscience and religion; rather than to struggle or suffer.

-What physics has discovered is that everything is energy and that this energy is everywhere – in space and in matter.

-There is no such thing as empty space. It is filled with energy.

-This energy seems to be *aware* – it responds to consciousness and is affected by the thoughts or energy of the observer. Physics now says there is no way to prove an objective reality because the observer always affects the outcome of the experiment.¹⁵⁶

-Everything is connected. We are all one. Nothing is separate from this field of energy. This is what mystics, spiritual masters, and indigenous people have taught for a long time.

-All That Is/Universal Intelligence/God – whatever name you want to call this – is omnipotent, omniscient, and omnipresent. Omnipresent means present everywhere. There is NO place it isn't. So whatever *Universal Intelligence* is – it is everywhere.

Darwin had the dilemma, appeared from the 1870s letter to Joseph D. Hooker¹⁵⁷: “I cannot look at the universe as the result of blind chance. However, I cannot see evidence of a benevolent design, or indeed of a design of any kind, in detail.”¹⁵⁸At the end of his life, the evolutionary scientist is not certain - he cannot be - that the engine of evolution is chance; too many other findings say this is not the case. But he cannot see a drawing, also; many other findings say that there is not something precise that happens in this immense movement in which we were born. In short, no theory can be built, neither “the radiant one of creationism nor the dark one of atheism”, says Vito Mancuso¹⁵⁹. He concludes: “We are sent back to the impossibility of a vision of the world as knowing”. We know nothing, only hypotheses, more or less sensible arguments. What is certain is that we are moving towards something more, which shows a final perfection. However, there is a direction. Here is what Darwin writes again: “And since natural selection works exclusively through and for the good of each being, all bodily and psychic enrichments will tend to progress towards perfection.”¹⁶⁰

Carlo Rovelli writes on the strange phenomenas: they have one thing in common: they highlight a curious granularity of energy and other physical quantities. Before the quantum no one suspects that energy could be granular.¹⁶¹ It was Einstein who suggested that light and all other electromagnetic waves are made up of elementary *grains*, each with a fixed energy, which depends on frequency. Today we call them photons, the quanta of light.

¹⁵⁴ <https://www.forbes.com/sites/davidbressan/2020/01/07/nikola-teslas-earthquake-machine/>

¹⁵⁵ Nikola Tesla (1856-1943) was a Serbian-American inventor, physicist, and electrical engineer. His life's work is characterized by numerous innovations in the field of electrical engineering, especially in electrical energy technology, such as the development of the system for electrical energy transmission, now known as two-phase alternating current. Tesla has received over 280 patents in 26 countries, 112 of them in the United States.

¹⁵⁶ Check out the research being done at Princeton University around the Random Number Generator. They are working to see how consciousness affects the results of experiments. Also check out the research being done around consciousness at the Institute of Noetic Sciences.

¹⁵⁷ Sir Joseph Dalton Hooker (1817–1911) was a British botanist and explorer in the 19th century. He was a founder of geographical botany and Charles Darwin's closest friend.

¹⁵⁸ More letters of Charles Darwin, edited by F. Darwin, A. C. Seward, vol. 1, 321 (1903).

¹⁵⁹ Vito Mancuso (1962) is an Italian theologian and teacher.

¹⁶⁰ Darwin Charles, *The origin of species*, Newton Compton, 511 (1994)

¹⁶¹ <https://spazio-tempo-luce-energia.it/tempo-e-meccanica-quantistica-1629d269e561>

Einstein manages to explain a phenomenon not understood at the time. Called the photoelectric effect, and predicting its characteristics before they are measured. Einstein was the first to realize that the problems raised by these phenomena are so serious that they require a revision of the entire mechanics.¹⁶² This makes him the spiritual father of quantum theory. His idea that light is a wave but also a cloud of photons is confusing, but it is the idea that inspires de Broglie to think that all elementary particles are waves and then Schrödinger to introduce the wave. Einstein is therefore the inspirer of quantum mechanics in several ways: Born learns from him that mechanics must be completely revised; Heisenberg is inspired by him in restricting attention to measurable quantities only; Schrödinger starts from de Broglie's idea inspired by Einstein's photons. What's more: Einstein is also the first to study atomic phenomena using probability, thus putting Born on the road to understanding that the meaning of the wave Ψ is a probability. The construction of quantum theory was a team game.

The name of quantum theory comes from *grains*. Quantum phenomena reveal a granular aspect of the world on a very small scale. Granularity is not just about energy: it is extremely general. In Rovelli's field of study, quantum gravity, it is shown that the physical space in which we live is granular at a very small scale. *Granularity* is the third key conceptual ingredient of quantum theory, alongside *probability* and *observations*.¹⁶³ It is physical reality that passions and preferred world views often cloud one's judgement, biasing this or that goal with a sense of purpose that is undeservedly deemed unique or unavoidable. We are most blind at the end of knowledge, the boundary between knowing and not-knowing.

*Complexity*¹⁶⁴ is a way of reality's being. The complexity of contemporary Europe presents many challenges at different levels. This complexity was well presented in the Lautsi case,¹⁶⁵ specifically issues to do with neutrality, secularism and the role of religion in the public sphere.

The freedom of religion protects an inherent right of the individual and the *social dimension of thought, conscience, religion* is difficult to legally comprehend, it's complex.

And namely through this shift of focus from the conduct to the nature of society, freedom of thought, conscience, religion becomes an efficient operational concept to secularize society. This concept of freedom of religion does not ignore but reduces the spiritual, religious dimension of social life and the social dimension of spirituality, religion.

According to the modern concept of freedom of thought, conscience, religion, only individuals (alone or collectively) possess religious rights exercised within the limits imposed by national legislation. Only each believer individually holds a right, which is exercised mainly against society, the society of a secular state. Even more, considering that secular society is oppressing in itself, some want fundamentally to negate or

¹⁶² In March 1905, Einstein — still a lowly patent clerk in Switzerland — published a paper explaining the photoelectric effect.

¹⁶³ More details: Rovelli Carlo, Helgoland (2020); Rovelli Carlo, Unfinished revolution (2008), <https://arxiv.org/pdf/gr-qc/0604045.pdf>

¹⁶⁴ Complexity characterises the behaviour of a system or model whose components interact in multiple ways and follow local rules, meaning there is no reasonable higher instruction to define the various possible interactions (See: Johnson Steven, Emergence: The Connected Lives of Ants, Brains, Cities. New York: Scribner, 19 (2001) Neil Johnson states that *even among scientists, there is no unique definition of complexity – and the scientific notion has traditionally been conveyed using particular examples*, (Johnson Neil F, Chapter 1: Two's company, three is complexity, in Simply complexity: A clear guide to complexity theory (2009), <https://web.archive.org/web/20151211064454/http://www.uvm.edu/rsenr/nr385se/readings/complexity.pdf> In several scientific fields, *complexity* has a precise meaning.

¹⁶⁵For ex, see: Andreescu Gabriel, Liviu Andreescu, The European Court of Human Rights' Lautsi Decision: Context, Contents, Consequences, Journal for the Study of Religions and Ideologies 9(26), August 2010 https://www.researchgate.net/publication/49613972_The_European_Court_of_Human_Rights'_Lautsi_Decision_Context_Contents_Consequences

neutralize the spiritual, religious dimension of societies and to empty the public arena of the free exercise of individual conscience.

In many areas it is recognized in international law that nations may be entitled to subjective rights, such as the right to development or self-determination. Similarly, nations are legitimately entitled to protect their ecological, linguistic, and cultural identity and pass it down to subsequent generations. It is not so for the spiritual, religious dimension of their cultural identity, though it is one of the deepest elements of identity.

Freedom of thought, conscience, religion is no longer treated as a primary, fundamental right directly stemming from the ontological dignity of the human person. Rather, it becomes a secondary right, conceded by the civil authorities, derived from the ideal of democratic pluralism and held within the neutrality requirements of the public arena. This is a conceptual reversal.

From a subjective right originating in a morally neutral individual conscience and exercised against the collective identity, we shift to an individual right that stems from a morally neutralized collective identity.

The manifestation of spiritual, religious convictions is, thus, limited by the requirements of the public order, understood as a neutral collective identity.

Moreover, while pluralism was initially meant to be an inclusive perspective according to which various religions are considered equally good, the perspective now seems to have been reversed to the detriment of religion, treating religions as basically evil. Therefore, considering the dangerousness of religions, pluralism becomes the justification of a greater secularism, aiming at preserving a threatened public arena. The outlines of the public arena can expand farther and farther: religious expression can become banned, not only from the civil service and State institutions, but also from the street.

This gradual expansion of secularism to society as a whole is the opposite of the original intention of the Convention, which meant to protect individual rights from an invasion of society by the State.

Finally, this expansion gradually reduces the freedom of thought, conscience, religion to a mere freedom of creed. In other words, freedom of thought, conscience, religion is reduced to the freedom to privately have or not have a belief, but not to manifest it in public and collectively.

Confronted with the logic that identifies neutrality and secularism, and finally reduces conscience, religion to faith and freedom of religion to secularism, the Italian Government presented the concept of neutrality to the Court as an inclusive concept, in opposition to secularism.¹⁶⁶ The Italian Government, as well as the European Centre for Law and Justice, tried to prove that the concept of freedom of religion had to evolve, such that the law better takes the religious dimension of culture into account.¹⁶⁷ Taking into account the religious dimension of culture should allow, under some conditions, for the recognition of the legitimate interests that a society may have in preserving its culture, language, national heritage, and socio-religious dimension. To that aim, they specifically argued that secularizing the European public arena would contradict the Council of Europe project.¹⁶⁸

The reality is complex, it is articulated. Therefore it is necessary to find a way, a strategy to deal with it. A judge needs to have a new mentality that accepts to abandon the securities. Simplifying is not good. The world is made up of a great deal of interactions (biological and social). Knowing does not eliminate ignorance. Scientists know this well, they see infinite problems open up as soon as they solve one.

The discovery of complexity, which took place thanks to computers that made it possible to reproduce the complex that exists in nature, is one of the most important achievements in knowledge of the world: a science that has revolutionized the way a man sees things and

¹⁶⁶See Written submission of the Government to the Grand Chamber, § 18.

¹⁶⁷Ibid

¹⁶⁸See Written submission of the Government and of the ECLJ to the Grand Chamber

asks himself about them. As for evolution it is not a theory, but a way of being of the real, of all the real, even and above all what a man has inside him, the world of biology. Indeed it was this world that made the most important steps in the field. It is interesting to know how scientists, step by step, have advanced in these discoveries, a completely unknown area. Complexity includes chaos, network science, statistics. If a man considers that quantum mechanics has discovered the relationship, the system, the networks at the basis of reality, he comprehends that he is in possession of a really important knowledge.

Werner Heisenberg¹⁶⁹ was shure, existing scientific concepts always embrace only a limited part of reality, while the other part, that still misunderstood, is infinite.¹⁷⁰¹⁷¹

What physicists have discovered is this *field* of energy. It is a field of all possibilities – until an Understanding complexity means understanding that it is not possible to have total knowledge, so it is necessary to accept all arguments, even the most contradictory ones, to try to connect, not to incorporate.

Edgar Morin¹⁷² says: “from the start, complex thought is aware of the impossibility of complete knowledge: one of the axioms of complexity is the impossibility of even theoretical omniscience. ... I have always aspired to multidimensional thinking. ... I have always felt that some profound truths, antagonistic to each other, were complementary for me, without ceasing to be antagonistic”¹⁷³ It is wrong to think that it is necessary to simplify, that it is possible to arrive at a single doctrine, and that everything can be rationalized. Men need to develop a theory, a logic and an epistemology of complexity that can be adapted to the knowledge; at the same time to seek the unity of science and the theory of the highest human complexity. Men need a non-totalitarian, theoretical but not doctrinal, multidimensional discourse, open to uncertainty and overcoming; not ideal/idealistic, knowing that the thing will never be totally enclosed in the concept, the world will never be imprisoned in the discourse. This is the idea of the new science. For Morin, complexity is the challenge, it is not the answer observer measures it or focuses on it. So consciousness seems to be intrinsically connected with this field of all possibilities. *Judges are literally creating (or co-creating) their own reality along with this energy. Judges like to imagine the infinite, the unknown, that surrounds and invades them. Judges like to get lost in it as poets did.* We think this is the most important and true position. We think this is the wisest way to apply discretion, to resolve the disputes, not neglecting the commitment to reach their fullness because they can *shipwreck* with all of theirselves in that infinity. Positive immersion, contemplation that completes are the most important things.

The second decision of the European Court of Human Rights in the Lautsi case is almost entirely grounded on *the margin of appreciation doctrine*. This paper attempts to show one counter-intuitive consequence of the doctrine.¹⁷⁴ Quantum physics is challenging and

¹⁶⁹ Werner Karl Heisenberg (1901–1976) was a German theoretical physicist and one of the key pioneers of quantum mechanics. He published his work in 1925 in a breakthrough paper. In the subsequent series of papers with Max Born and Pascual Jordan, during the same year, this matrix formulation of quantum mechanics was substantially elaborated. He is known for the uncertainty principle, which he published in 1927. Heisenberg was awarded the 1932 Nobel Prize in Physics *for the creation of quantum mechanics*.

¹⁷⁰ See: Pangle Thomas L, On Heisenberg's Key Statement Concerning Ontology, *The Review of Metaphysics* Vol. 67, No. 4, 835-859 (JUNE 2014), <https://www.jstor.org/stable/24636444>

¹⁷¹ See Morin Edgar, *On Complexity* (2008)

¹⁷² Edgar Morin (1921) is a French philosopher and sociologist who has been internationally recognized for his work on complexity and *complex thought* (*pensée complexe*), and for his scholarly contributions to such diverse fields as media studies, politics, sociology, visual anthropology, ecology, education, and systems biology. He holds degrees in history, economics, and law.

¹⁷³ https://tantestorie.weebly.com/uploads/3/8/8/3/38831493/pensiero_complesso.pdf

¹⁷⁴ Taking into account that science is beginning to recognize the reality of intuition, where it comes from and how natural it is within all of us. What can judges learn from the rise of post-material science? See here: https://www.collective-evolution.com/2018/05/26/scientists-explain-how-intuition-may-be-the-highest-form-of-intelligence/?fbclid=IwAROn-oYlw4ASvNAew_TmxOQARQtNvBdkQ8cZErtoPIe9e7JbaWwzcFwVS4

revising what judges have believed about *reality*. Taken seriously, the doctrine seems to imply that the European Court of Human Rights is the exemplar of a court that enjoys no discretion. This construction cannot be accepted. Two other reconstructions are more plausible: the margin of appreciation is a canon of interpretation or, alternatively, a proportionality test. We argue that both reconstructions entail certain normative consequences for the way in which the European Court should have reasoned in the Lautsi case.

According to the abovesaid, *man's conscience\consciousness reflects his mind, it isn't limited by the body, it influences the reality, it creates simple or complex reality (with the tendency to the compexity), it influences on the freedom of thought, conscience, religion, on "what thought, conscience, religion are in Europe", established by courts. The outside reality is complex, always.*

Men's realities interconnects, causing the essential changes in the society, in Consciousness itself. The importance of Lautsi rests not only in the political and legal aspects of the case, but also in the spiritual.

We share the idea of Thomas Merton¹⁷⁵ that *spiritual life* is not intellectual life. It is not just thought. And of course it is not even a life of sensation, a life of feeling and experiencing the things of the spirit and the things of God. But the spiritual life does not exclude thought and feeling. It needs both. It is not a life from which mind, imagination and body are excluded. If it would be so, only few people could experience it. And again, if such would be the spiritual life, it would not be a life at all. If a man is to live, body, soul, mind, heart and spirit should be alive. Everything must be elevated and transformed by the action of spirit.¹⁷⁶

William A Tiller is convinced that men's mind can evolve so that it can influence men's daily life, and even physically change reality. Obviously, these are ideas that sink into the quantum theory of reality. Thoughts can change reality. Thoughts of a judge, incorporated in judicial discretion, manifested in decisions, change the reality. So, the decision of the Court's Second Section in Lautsi v Italy has implications regarding the malleable nature of the doctrines of the margin of appreciation and consensus, as well as the development of Strasbourg's application of double standards in its case law regarding the public display of religious symbols. We share the opinion that the Grand Chamber's decision is unfortunate and, in many respects, objectionable.¹⁷⁷

The psychoenergetic science inaugurated by Tiller, assuming the ideas of Quantum Theory, essentially states that human consciousness and physical reality influence each other, and the sense of physical life is to learn about oneself, others and the world. We enagurate energy in law, assuming the ideas of Quantum Theory, essentially state that human (legal) consciousness (mindfulness) present in a State (society) and physical reality of a State (society) influence each other. Consciosness of a State, of a court consisits of consiousness of its members. They are all one. Everything is connected. *Et sic*, the spiritual life of a man is revealed in his body and his reality. It's because: the state of mind of a man is revealed in his physical appearance: the inner experience of someone who is in an optimistic state can be read in his face, or even in his gait. Similarly, the tense bearing and the tense face of a person oppressed by pain communicate his

¹⁷⁵ Thomas Merton (1915 -1968) was an American Trappist monk, writer, theologian, mystic, poet, social activist, and scholar of comparative religion. On May 26, 1949, he was ordained to the priesthood and given the name *Father Louis*. He was a member of the Abbey of Our Lady of Gethsemani, near Bardstown, Kentucky, living there from 1941 to his death.

¹⁷⁶ More details Thomas Merton. Thoughts in solitude, <https://www.monasterovirtuale.it/pensieri-nella-solitudine.html>

¹⁷⁷ Ronchi Paolo, Crucifixes, Margin of Appreciation and Consensus: The Grand Chamber Ruling in Lautsi v Italy, *Ecclesiastical Law Journal* 13(03), September 2011, 287 – 297, https://www.researchgate.net/publication/231922258_Crucifixes_Margin_of_Appreciation_and_Consensus_The_Grand_Chamber_Ruling_in_Lautsi_v_Italy

inner torment. The most evident manifestations are laughter and crying, visible signs of our inner feelings. The state of mind also affects the physical functioning of the body. "The works which I do (in my Father's name), these witness concerning me",¹⁷⁸-Jesus Christ said. The state of mind of a judge is revealed in his discretion, interpretative activity. The state of mind of a country is revealed in its acting.

Mental or psychological stress is linked to a range of diseases ranging from skin disorders, allergies, asthma and ulcers to cancer. Depression and despair lower the body's resistance, making us vulnerable to a whole series of ailments. The same to a State, where war, violence, including terrorism are great diseases. On the other hand, a positive determination to overcome the disease can *guide* our organs and even individual cells towards recovery. The same to a State.

But the human minds seem to be configured to think that emptiness is more neutral than fullness.

The issues involved in the Lautsi case speak strongly to the mind. It is a very important point, while it reflects the tension between freedom of and freedom from thought, conscience, religion in the Court's case law. It isn't a question of a legal mind. We have strong conviction that this can be an issue to be decided by a human rights court, consisted of mindful judges.

The human mind has three powerful functions, the Negative, Positive and Neutral Minds, following Yogi Bajan.¹⁷⁹ A man has the Negative Mind to instinctively protect him. It alerts him to something that is wrong or is a threat. When the Negative Mind gives to a man a thought, normally the Positive Mind should tell him what can be useful or right about that same thought. It should provide a contrast and comparison. Instead, when the man's mind is full of intrigues, it begins to pull every memory from the subconscious that supports that thought from the Negative Mind. Yogi Bajan said: "The meditative mind is the neutral mind that runs your destiny. There are three ways to conduct your destiny: Through the law of karma-action and reaction: you can tune into the magnetic field of the Earth and just float with it as a freeloader: or, your life can be run by that magnetic, attractive, creative, meditative, Neutral Mind, That way you do very well."¹⁸⁰The way the mind intrigues a man is to combine its thoughts with his subconscious and with his attachments.¹⁸¹ The subconscious mind is neutral in nature, which means it does not distinguish between positive and negative. Therefore, whatever a man thinks, intends or does will leave a track for its later manifestation in his life, regardless of that whether for his sake or not. A man's thought is energy. A man's thought influences reality. "It followed from the special theory of relativity that mass and energy are both but different manifestations of the same thing — a somewhat unfamiliar conception for the average mind",¹⁸² - Einstein said. Jung shared the Enstein's idea: "The concept of energy implies that of polarity, since a current of energy necessarily presupposes two different states, or poles, without which there can be no current. Every energetic phenomenon...consists of pairs of opposites: beginning and end, above and below, hot and cold, earlier and later, cause and effect, etc. The inseparability of the energy concept from that of polarity also applies to the concept of libido."¹⁸³ That's why some authors believe that: (1) it is not possible to feel neutral because people are always feeling something, (2) neutrality is not an affective state because affect must be

¹⁷⁸John 10:25

¹⁷⁹ Harbhajan Singh Khalsa (born as Harbhajan Singh Puri (1929–2004), also known as Yogi Bajan and Siri Singh Sahib to his followers, was an Indian-born-American yoga teacher, spiritual teacher, and entrepreneur. He introduced his version of Kundalini Yoga to the United States. He was the spiritual director of the 3HO (Healthy, Happy, Holy Organization) Foundation, with over 300 centers in 35 countries.

¹⁸⁰<https://legalnoodle.com/wp-content/uploads/2018/04/Man-to-Man-by-Yogi-Bhajan-CHAPTER-5.pdf>

¹⁸¹Excerpts from a lecture published in Yogi Bajan, *The Mind Its Projections and Multiple Facets* (2020)

¹⁸² From 1948 film called *Atomic Physics*.

¹⁸³Jung C. G. *Psychological Types: The Collected Works*, Volume 6. London: Routledge and Kegan Paul., 202 (1971)

positively or negatively valenced, and (3) neutral affect is unimportant because it does not influence cognition or behavior.¹⁸⁴

Does neutrality exist in a court, in politics? Claims and accusations of judicial abuses, political bias are common in many countries.¹⁸⁵ “About fifty percent of politics is detestable because it poisons the utterly incompetent minds of the masses. We warn of contagious diseases of the body, but we are exasperatingly careless about collective diseases - even more dangerous - of the mind”,¹⁸⁶ Jung wrote.

Neutral mind is achievable. It's mindful work, desire (intention) and happiness.

Thich Nhat Hanh says: “If you are a good practitioner you can easily handle your difficulties; the transformation is quicker. There are many kinds of feelings: painful feelings, pleasant feelings, and neutral feelings. In the process of practicing we discover that the neutral feelings are very interesting. As when we sit, there is a sensation that is neutral. When we bring mindfulness to the neutral feeling, you find that it is quite nice. You see that you already have enough conditions for happiness with a neutral feeling. If you look deeply at the neutral feeling you see that it is wonderful. When you see your feelings passing by like a river, you see that 80% of your neutral feelings are quite pleasant. With mindfulness, our neutral feeling is transformed into happiness.”¹⁸⁷

Known as the Functional Minds, the three minds are the primary way that the mind processes thoughts and makes decisions. Whether conscious or driven blindly by the subconscious, the three minds work to make decisions. The more a judge becomes aware of the decision-making process – how the three Functional Minds work – the more a judge can integrate the observer into that process. Among the different methods of conscious reprogramming of the subconscious mind, the fastest and most effective are *meditations, affirmations or self-suggestions, and creative visualizations*. Our goal, the goal of any politician\lawmaker\judge is to transform positive thoughts, actions and intentions into habits of the subconscious neutral mind.¹⁸⁸ At the first teaching of the Buddha in the Deer Park, he spoke of the Four Noble Truths and the the eight correct practices. The Fourth Noble truth charts the method for attaining the end of suffering, known as the Noble Eightfold Path. The steps of the Noble Eightfold Path are *Right Understanding, Right Thought, Right Speech, Right Action, Right Livelihood, Right Effort, Right Mindfulness and Right Concentration*.¹⁸⁹

“Your Positive Mind has access to your subconscious and can use it to expand a thought instead of contrast it. If it acts this way, you can never reach your Neutral Mind to know who you are and what to do. The Positive Mind should say, “Well, this is the positive side of the real and apparent dangers.” Then your Neutral Mind can say to you, “That is the negative and that is the positive, but this is you in relationship to all of that”,¹⁹⁰ -said Yogi Bhajan. The Neutral (or Meditative) Mind is the mind that judges and assesses without attachment in relation to own purpose and reality of a man. The Neutral Mind observes the actions of both the Negative and Positive Mind, and judges both in relationship to *higher self of a man*.

The Theravada Abhidharma teachings have Tatramajjhataṭṭā (a synonym of upekkha) as one of the twenty-five beautiful mental factors. Tatramajjhataṭṭā (Pali) is a Buddhist term

¹⁸⁴ See Gasper Karen, Spencer Lauren A, Hu Danfei, Does Neutral Affect Exist? How Challenging Three Beliefs About Neutral Affect Can Advance Affective Research (2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6856204/>

¹⁸⁵ See on the issue: Yair Omer, When do we care about political neutrality? The hypocritical nature of reaction to political bias (2018), <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0196674>

¹⁸⁶ Jung C. G, Psychological Types (Italian) Newton Compton (1993), <http://www.altritasti.it/index.php/archivio/diritti-sociali/3438-cosa-pensava-jung-della-cosiddetta-politica>

¹⁸⁷ Quoted in <https://tnhaudio.org/2011/01/19/the-happiness-of-neutral-feelings/>

¹⁸⁸ <https://rezka.ag/films/detective/824-otstupniki-2006.html>

¹⁸⁹ <https://www.pbs.org/edens/thailand/buddhism.htm>

¹⁹⁰ Ibid.

that is translated as *equanimity*, *neutrality of mind*, etc. In the Theravada tradition, it is defined as a mental attitude of balance, detachment, and impartiality.¹⁹¹ Bhikkhu Bodhi¹⁹² explains: “The Pali term.. literally means "there in the middleness." It is a synonym for equanimity (*upekkha*), not as neutral feeling, but as a mental attitude of balance, detachment, and impartiality. It has the characteristic of conveying consciousness and the mental factors evenly. Its function is to prevent deficiency and excess, or to prevent partiality. It is manifested as neutrality. It should be seen as the state of looking on with equanimity in the *citta* and *cetasikas*, like a charioteer who looks on with equanimity at the thoroughbreds progressing evenly along the roadway”.¹⁹³ Nina van Gorkom¹⁹⁴ notes: “When there is equanimity there is neither elation nor depression. The object which is experienced is viewed with impartiality and neutrality, just as a charioteer treats with impartiality his well-trained horses”.¹⁹⁵ Neutrality as outside action isn't the same as neutrality inside the action. We agree with Trigg¹⁹⁶ that neutrality in the application of the law is not the same as neutrality in the basis of law.¹⁹⁷ In this context, the neutrality of the State may be understood. But in its profound sense neutral acting must be neutral being. All things are interconnected. Italy and the intervening States amply questioned the difference between neutrality, emptiness and fullness during the *Lautsi v Italy* hearing.¹⁹⁸ To clear up this confusion, which is the implicit basis of the Second Section judgment, they recalled that there was nothing neutral about the secularism of soviet regimes.¹⁹⁹ M.Antonov²⁰⁰ clarifies: “The Soviet state was secular from the very beginning (...). This historical experience does not allow the unambiguous linking of positive or negative values: secularity is conceptually associated with Bolshevik repressions of the clergy and believers. For this reason, the principle of secularity in public discussions in Russia is often critically reassessed with reference to the anti-religious and atheist campaigns conducted by the Bolsheviks under the flag of secularity”.²⁰¹ Every State possesses religious or philosophical presuppositions and a culture. They are its being and they cannot renounce without violence. In this sense, a secular State is not more neutral than a denominational State. Neutrality is full of content. In the *Lautsi v Italy* case ECtHR resolved this paradox in that context also. The Court considered neutrality as a question of measure. In other words, the obligation of neutrality as understood by the Court concerns State action, not the State's nature or identity. Neutrality was applied by the Court to the *acting* and not the *being* of a State.²⁰² But state's acting and the state's being *are both but different manifestations of the same thing — a somewhat unfamiliar conception for the average mind*, we've already comprehended this.

¹⁹¹ Bhikkhu Bodhi, 86 (2003),

https://books.google.it/books?id=hxopJgv85y4C&q=neutrality+mind&redir_esc=y#v=snippet&q=neutrality%20mind&f=false

¹⁹² Bhikkhu Bodhi (1944), born Jeffrey Block, is an American Theravada Buddhist monk, ordained in Sri Lanka and currently teaching in the New York and New Jersey area. He was appointed the second president of the Buddhist Publication Society and has edited and authored several publications grounded in the Theravada Buddhist tradition.

¹⁹³ Ibid

¹⁹⁴ <http://www.abhidhamma.org/interview%20with%20nina.html>

¹⁹⁵ See Nina van Gorkom, *Cetasikas* (Inglese), 2014

¹⁹⁶ Roger Hugh Trigg (1941) is a British philosopher and Emeritus Professor of Philosophy at the University of Warwick. He is known for his works on philosophy of religion.

¹⁹⁷ See Trigg Roger, *Free to Believe?: Religious Freedom in a Liberal Society* (2010)

¹⁹⁸ Puppinc Grégor, *The Case of Lautsi v. Italy: A synthesis*, 2012 *BYU L. Rev.* 873, 892 (2012), <https://digitalcommons.law.byu.edu/lawreview/vol2012/iss3/7>

¹⁹⁹ Puppinc Grégor, *The Case of Lautsi v. Italy: A synthesis*, 2012 *BYU L. Rev.* 873, 892 (2012), <https://digitalcommons.law.byu.edu/lawreview/vol2012/iss3/7>

²⁰⁰ Antonov Mikhail Valerievich is Associate Professor at the Higher School of Economics in St. Petersburg / Faculty of Law / Department of Theory and History of Law and State.

²⁰¹ Antonov M, *Opt.cit*, 155.

²⁰² Puppinc Grégor, *Opt.cit*, 872-73.

In the *Lautsi v Italy* case the Grand Chamber recalled, in substance, that in religious matters national authorities are only required to act with *neutrality and impartiality*.²⁰³ The fact that a State is secular, denominational, or otherwise has no decisive consequences in itself as to whether it is *neutral*. The Grand Chamber held that, under the Convention, the obligation of *neutrality and impartiality* concerns the acts of the State, not its nature.²⁰⁴ This is what the Court recalled: «States have responsibility for ensuring, neutrally and impartially, the exercise of various religions, faiths and beliefs. Their role is to help maintain public order, religious harmony and tolerance in a democratic society, particularly between opposing groups»,²⁰⁵ whether believers or nonbelievers.

Judge Bonello expressed this view vigorously in his concurring opinion: “Freedom of religion is not secularism. Freedom of religion is not the separation of Church and State. Freedom of religion is not religious equidistance – all seductive notions, but of which no one has so far appointed this Court to be the custodian. In Europe, secularism is optional, freedom of religion is not”.²⁰⁶

“Freedom of religion, and freedom from religion, in substance, consist in the rights to profess freely any religion of the individual’s choice, the right to freely change one’s religion, the right not to embrace any religion at all, and the right to manifest one’s religion by means of belief, worship, teaching and observance. Here the Convention catalogue grinds to a halt, well short of the promotion of any State secularism». ²⁰⁷

Passing judgment on a State’s being, the essence of the State can only be assessed with reference to a pre-established conception of the common good. Such a judgment presupposes an opinion on the structural social conditions favorable for this common good.²⁰⁸

We can only add that the healthy, happy²⁰⁹ country is such in being and acting, both. Such state can follow the *just* and *legitimate* decisions of ECtHR. Its wellbeing and health is its spirit, consisted of people’s consciences. It’s a spirit-matter’s reality.

Pierre Teilhard de Chardin wrote on the reality of spirit-matter, inevitably translated into and confirmed by a structure of the spirit.²¹⁰ It is worth quoting a passage from Chardin’s *Evolution of Chastity*²¹¹: it is in these invisible and, we might almost say, immaterial zones that we can look for true initiation into unity. The depths we attribute to matter are no more than the reflection of the peaks of spirit.²¹² When our determination changes - Daisaku Ikeda²¹³ writes- everything will begin to move in the direction we want. The moment we decide to be victorious, every nerve and fiber in our being will immediately head towards our success. If, on the other hand, we think that *we will never make it* then in that instant, each of our cells will be emptied and will succumb. Neutrality and impartiality, wellbeing,

²⁰³ *Lautsi*, 2011 Eur. Ct. H.R. §§ 71–72.

²⁰⁴ See *Lautsi*, 2011 Eur. Ct. H.R. at §§ 71–72.

²⁰⁵ *Id.* at § 60. (citing *Leyla Şahin v. Turkey*, App. 44774/98, 2005 Eur. Ct. H.R. at § 107)

²⁰⁶ *Puppinck Grégor*, Opt.cit, 894.

²⁰⁷ *Ibid.*

²⁰⁸ *Puppinck Grégor*, Opt.cit, 893.

²⁰⁹ According to the World Happiness Report 2020, Finland holds the rank of the happiest country in the world. It is followed by Denmark, Switzerland, Iceland and Norway. Afghanistan received the lowest score. See World Happiness Report 2020, <https://worldhappiness.report/ed/2020/>

²¹⁰ Teilhard de Chardin Pierre, *Sketch of a Personalistic Universe* (1936). *Hymn of the Universe* (1961) is perhaps the work of Pierre Teilhard's that stands alone in that it contains almost no scientific treatises. It is mainly a poetic/spiritual testament to the world of spirit in matter. It envisions Christ as the heart of the universe, in the heart of matter.

²¹¹ See <https://teihard.com/tag/the-evolution-of-chastity/>

²¹² Teilhard de Chardin Pierre, *The Evolution of Chastity* (1934), as translated by René Hague in *Toward the Future* (1975)

²¹³ Daisaku Ikeda (1928) is a Japanese philosopher, educator, Buddhist teacher and activist, third president of the national section of the Soka Gakkai in the period 1960 - 1979, is currently the president Ikeda, is defined as one of the most important Buddhist spiritual leaders of the second half of the 20th century and the 2000s, along with the Dalai Lama and Thích Nhất Hạnh.

happiness, peace, conscience, religion, everything are both the physical and spiritual aspects.

Professor Tiller's research is summarized by himself with a thought of the Buddha: "All that we are is the result of what we have thought. The mind is everything. What we think we become".²¹⁴

Tiller conducted a rigorous experimental and theoretical study in field of psycho-energetic science,²¹⁵ developing ideas that go far beyond conventional scientific theories on the nature of human consciousness: he hypothesizes the existence of subtle energies that go beyond the four fundamental forces (the gravitational force, the electromagnetic force, the weak nuclear force and the strong nuclear force),²¹⁶ which work in concert with human consciousness. Tiller views humans as spiritual beings clothed in a bio-body, also endowed with enormous powers that they are not even aware of. Tiller believes that our consciousness is a by-product that is generated when the spirit enters dense matter. Tiller changed the way of thinking, from professor of materials science and engineering to professor of Human Transformation, who knows how to transform a problem into an opportunity. He's the Western Professor who, between a materialistic conception and the uniqueness of body and mind, chooses the uniqueness of body and mind, psychoenergetics, a matter that will probably become part of the physics of tomorrow. And to us, it's profound.

Turn the problem into an occasion,
Change your way of thinking,
Shake hands with your body and mind,
Unite them!

And enjoy for the sake of their uniqueness.
Enjoy the bio-body you have.

Eat the subtle energy that you create day after day
and if necessary - share that subtle energy - ...

May those around you *eat and drink* you!

A famous statement by the German philosopher Ludwig Feuerbach is: *Der Mensch ist, was er isst.* (man is what he eats).²¹⁷ But even before him, in 1826, the French lawyer Anthelme Brillat-Savarin wrote, in *Physiologie du Gout, ou Meditations de Gastronomie Transcendante*:

"Dis-moi ce que tu manges, je te dirai ce que tu es. (Tell me what you eat and I will tell you what you are)".²¹⁸ In his Easter Sermon, 227, St. Augustine exhorted: "we become what we receive".²¹⁹

Saint Ignatius went further, writing: "Allow me to become food for the wild beasts, through whose instrumentality it will be granted me to attain to God. I am the wheat of God, and let me be ground by the teeth of the wild beasts, that I may be found the pure bread of Christ".²²⁰ Jesus said: "Those who eat my flesh and drink my blood have (...) life"²²¹ It is clear that for Jesus Christ, St. Augustine, St Ignatius, Tiller etc a man is much more than flesh and blood.

"We are all spiritual being having a physical experience".²²² "We are the product of our thoughts, attitudes and actions lived in this huge simulator that is the Universe", -says Tiller.

²¹⁴ <https://www.goodreads.com/quotes/1296640-all-that-we-are-is-the-result-of-what-we>

²¹⁵ Tiller William A, *Psychoenergetic Science* (2007)

²¹⁶ <https://www.britannica.com/science/fundamental-interaction>

²¹⁷ More details: Cherno Melvin, Feuerbach's "Man is what He Eats": A Rectification, *Journal of the History of Ideas*, Vol. 24, No. 3, 397-406 (Jul. - Sep., 1963)

²¹⁸ More details <https://www.phrases.org.uk/meanings/you-are-what-you-eat.html>

²¹⁹ <https://stanselmminstitute.org/files/SERMON%20227.pdf>

²²⁰ The Epistle of Ignatius to the Romans, <https://www.newadvent.org/fathers/0107.htm>

²²¹ <https://www.biblegateway.com/verse/en/John%206%3A54>

²²² On the phrase see: <https://quoteinvestigator.com/2019/06/20/spiritual/>

In this simulator a man is mortal from the body point of view, but essentially indestructible from the point of view of consciousness.²²³

Saint Ambrose said: "let us drink with joy the sober abundance of the Spirit (Laeti bibamussobriam profusionem Spiritus)".²²⁴ The expression *sober abundance* is not just a paradox or a purely poetic theme; it is full of meaning and truth for a man. The effect of abundance is always to make man come out of himself, from his own narrow limit. But while in material abundance man comes out of himself to live *below* his rational level, almost like beasts - in spiritual abundance, he goes out of himself to live *above* of one's reason, in the very horizon of Consciousness.²²⁵

Further: being simple, of the simplicity that comes from sobriety. A sobriety that is not misery, but the daily ability to use the means without becoming their servants and slaves. Using money, but don't becoming its servant. Using what a man needs to live, but don't letting himself be worn out by the idol of the *power-have-appear*.

Tiller said: "You have to be willing to suspend judgment, be open individuals and learn as much as possible about yourself, others and the world. With meditation it is possible to push oneself to explore one's inner self".²²⁶ In his *Markings* (1963)²²⁷ ex UN Secretary-General Dag Hammarskjöld wrote: "God does not die on the day when we cease to believe in a personal deity, but we die on the day when our lives cease to be illumined by the steady radiance, renewed daily, of a wonder, the source of which is beyond all reason. In this sense we can understand the words of the mystic Saint John of the Cross: What prepares the soul to be united with God is the desire for God."²²⁸ Dag Hammarskjöld continued: "The language of religion is a set of formulas that record a basic spiritual experience. Faith is a state of mind and soul."

Éric-Emmanuel Schmit²²⁹ in his *Le sumo qui ne pouvait pas grossir* writes:

"- You don't need the religion to live.

- the religion, maybe not. But the spirituality, yes."

("- On n'a pas besoin de religion pour vivre.

- De religion, peut-être pas. Mais de spiritualité, si.")²³⁰

How many precious different thoughts and ideas! At the same time, there are ideals and goals common to all peoples, rooted in the depths of unit human spirit. Therefore, each nation, having achieved the practical expression of its right to independent existence in the field of thought, conscience, religion, language and everyday characteristics, then must adhere to these ideals and strive for these goals, only realizing them in accordance with its natural properties. This is how unity in diversity is achieved, which is the true task of culture.

²²³ <https://www.filosofiaelogos.it/News/Siamo-esseri-spirituali-rivestiti-di-un-Bio-Corpo.html>

²²⁴ <https://emmanuel.info/en/charis/>

²²⁵ On the experience of being drunk see: <https://www.ilcattolico.it/catechesi/spirito-santo/laeti-bibamus-sobriam-profusionem-spiritus.html>

²²⁶ <https://www.pianetablunews.it/2014/07/30/professore-emerito-william-tiller-siamo-esseri-spirituali-che-abitano-un-bio-corpo/>

²²⁷ After the tragic death of UN Secretary-General Dag Hammarskjöld in 1961 his personal notes, *Vägmärken*, were translated into English and published in 1963 under the title *Markings*. The world was surprised that Hammarskjöld apparently had been a devout Christian. More details: Nylund Jan, *Dag Hammarskjöld's Spirituality Revisited: A Critique of W.H. Auden's Understanding and Translation of Markings* (January 2014), https://www.researchgate.net/publication/274384735_Dag_Hammarskjöld's_Spirituality_Revisited_A_Critique_of_WH_Auden's_Understanding_and_Translation_of_Markings

²²⁸ Quoted in <https://catholicstrength.com/tag/the-soul-experiences-substantial-touches-of-union-with-god/>

²²⁹ Éric-Emmanuel Schmitt (1960) is a Franco-Belgian playwright, short story writer, novelist, as well as a film director, translated into 46 languages and performed in more than 50 countries.

<https://www.eric-emmanuel-schmitt.com/home-official-website.html>;

<https://www.avvenire.it/agera/pagine/schmitt-convertito>

²³⁰ *Le Sumo qui ne pouvait pas grossir* of Eric-Emmanuel Schmitt is the fifth part of the *Cycle de l'Invisible*, published in 2009.

Many readers would listen to Einstein: “being a lover of freedom, when the revolution came in Germany, I looked to the universities to defend it, knowing that they had always boasted of their devotion to the cause of truth; but, no, the universities immediately were silenced. Then I looked to the great editors of the newspapers whose flaming editorials in days gone by had proclaimed their love of freedom; but they, like the universities, were silenced in a few short weeks. [...] Only the Church stood squarely across the path of Hitler's campaign for suppressing truth. I never had any special interest in the Church before, but now I feel a great affection and admiration because the Church alone has had the courage and persistence to stand for intellectual truth and moral freedom. I am forced thus to confess that what I once despised I now praise unreservedly.”²³¹

Many readers would agree with V.I. Solovjev that all conditions of modern European culture should be Christian.²³² This determines what should be the unity of not only ideals and goals, but also of the ways to achieve them.

In a way, the Lautsi case gave an opportunity for Catholics, Orthodox, and some Protestants, including Evangelicals, to clarify their common understanding of freedom of thought, conscience, religion. The Lautsi was the way.

Benedict XVI in his message for the World Day of Peace 2011²³³ explained that, due to the link between religious and moral freedom, “[r]eligious freedom should be understood, then, not merely as immunity from coercion, but even more fundamentally as an ability to order one’s own choices in accordance with truth”.²³⁴ In the same way, he said that “[a] freedom which is hostile or indifferent to God becomes self-negating and does not guarantee full respect for others”.²³⁵ It was the most in-depth declaration on religious freedom. The reminder that freedom is subordinate to truth is fundamental, and it constitutes a noticeable clarification of the present view on this point. Similarly, the message insists on “the public dimension of religion, *and in particular, it warns that “to eclipse the public role of religion is to create a society which is unjust.”*²³⁶

Even more directly, the representative of the Russian Orthodox Church declared to the Organization for Security and Co-operation in Europe (OSCE), referring to the Lautsi case, “I consider the concept of the religious neutrality of a state to be the most disputable issue in the OSCE area. Attempts to establish a model religiously-neutral state in Europe have many negative implications”.²³⁷

In these few declarations, it clearly appears that, for the Catholic and Orthodox Churches, religious freedom does not imply the confessional neutrality of the State and society. This is not new, in the Encyclical *Mater et Magistra* of 15 May 1961, Pope John XXIII denounced the modern era: “[t]he most perniciously typical aspect of the modern era consists in the absurd attempt to reconstruct a solid and fruitful temporal order divorced from God, who is, in fact, the only foundation on which it can endure”.²³⁸ Benedict XVI wrote: “whoever does not know God, even though he may have multiple hopes, is hopeless ultimately”.²³⁹

And change your mind,
move you, light, in the direction you want

²³¹ This statement was reported in the article *Religion: German Martyrs*, published in *Time Magazine* (December 23, 1940).

²³² Koni AF, Vladimir Sergeevich Solovjev, 24 (1873)

²³³ Pope Benedict XVI, *Religious Freedom, the Path to Peace*, Message for the World Day of Peace (Jan. 1, 2011).

²³⁴ *Ibid*

²³⁵ *Ibid*

²³⁶ *Ibid*

²³⁷ Kipshidze Vakhtang, *Address during the Supplementary Human Dimension Meeting on Freedom of Religion or Belief of the OSCE, Vienna* (Dec. 9–10, 2010) available at <http://www.mospat.ru/en/2010/12/13/news32334/>

²³⁸ <https://cardinalsblog.adw.org/2013/06/03/blessed-pope-john-xxiii-and-the-second-vatican-council/>

²³⁹ Benedict XVI from the Encyclical Letter *Spe Salvi*, http://www.vatican.va/content/benedict-xvi/it/encyclicals/documents/hf_ben-xvi_enc_20071130_spe-salvi.html

behind thought and reality.

Human consciousness and physical reality
influence each other.

Thoughts can change reality.

Change to learn about yourself, others and the world.

All that we are is the result of what we have thought.

He sings the dream of the world:

you become logos made flesh!

May all countries contend to have generated you ...

Yet VI. Solovjev wrote on the common Spirit, that unites Europe.²⁴⁰ But why is the modern

Western Professor who calls on a journey beyond traditional science welcomed into the scientific community? Because the true view does not look around for the mistake that someone has made, but for some idea that a scientist has sown in the furrows of the world to solve the problem and *the problems that exist in the world today cannot be solved by the level of thinking that created them.*

We like this scientific community to which solving the problem, finding a solution matter even more than fidelity to some traditional idea of science, which places society, its problems before ideas of science, which welcomes our ideas too. We like a scientist who is such not only in his greatness but also in his humanity. The mistakes teach us. "They teach us something instead, I believe, about the nature of intelligence", - says Carlo Rovelli. Intelligence is not about stubborn adherence to your own opinions. It requires readiness to change and even discard those opinions. In order to understand the world, you need to have the courage to experiment with ideas, not to fear failure, to constantly revise your opinions, to make them work better: "The Einstein who makes more errors than anyone else is precisely the same Einstein who succeeds in understanding more about nature than anyone else, and these are complementary and necessary aspects of the same profound intelligence: the audacity of thought, the courage to take risks, the lack of faith in received ideas – including, crucially, one's own".²⁴¹ Because what's important is not being right. It's to try to understand. Try to understand. Criticism of understanding (*Critica del capire* (1942) is the beautiful book's title of an almost unknown Italian philosopher of the twentieth century Luigi Scaravelli.²⁴²

Because what's important is a choice of true *Thinking Hat*.²⁴³

Whatever your opinions, dear readers, this trend is particularly pertinent given the completion of the *Ruddock review of religious freedom*.²⁴⁴ The issue of religious resurgence is reinventing.

Given that Australia's religious identity appears to be changing, we think about the future of the freedom of thought, conscience, religion in Europe. We think that religious freedoms should be extended to people with spiritual beliefs.

²⁴⁰ Koni A.F, Vladimir Sergeevich Solovjev (1873)

²⁴¹ Rovelli Carlo, There are places in the world where kindness is more important than rules, *Corriere della Sera* (2018)

²⁴² Luigi Scaravelli (1894 - 1957) was an Italian philosopher. He comes to philosophy after studying medicine, mathematics and music, the interests that also re-emerge in his detailed analyzes of classical thinkers: Plato, Descartes, Kant, Hegel, Croce, Heidegger. Scientists remember him as "a free, light-hearted Tuscan", "immune from any pedantic gravity", capable of "reducing an entire system to an essential formula of logic".

²⁴³ Six Thinking Hats was written by Dr. Edward de Bono. *Six Thinking Hats* and the associated idea parallel thinking provide a means to plan thinking processes in a detailed and cohesive way. It's a powerful technique for looking at decision making from different points of view. It allows emotion and skepticism to be brought into what might normally be a purely rational process, and it opens up the opportunity for creativity within decision making. See De Bono, Edward, *Six Thinking Hats: An Essential Approach to Business Management*. Little, Brown, & Company. (1985)

²⁴⁴ <https://www.ag.gov.au/sites/default/files/2020-03/religious-freedom-review-expert-panel-report-2018.pdf> ;

See here on *Ruddock religious freedom review: what is it and what do we know so far?*:

<https://www.theguardian.com/australia-news/2018/oct/11/ruddock-religious-freedom-review-what-is-it-and-what-do-we-know-so-far>

For instance, on 27 October 2009 in the case of *Bayatyan v. Armenia* ECtHR²⁴⁵ was asked whether conscripts who had spiritual beliefs opposing war could qualify for *conscientious objector* status. The Grand Chamber got it right in that case, determining that opposition to military service, where it is motivated by a serious and insurmountable conflict between the obligation to serve in the army and a person's conscience or his deeply and genuinely held religious or other beliefs, constitutes a conviction or belief of sufficient cogency, seriousness, cohesion and importance to attract the guarantees of Article 9.²⁴⁶

The believer of the future "will either be a mystic, one who has experienced something, or he will cease to be anything at all"^{247,248}, - said Karl Rahner.²⁴⁹

We agree with Jeremy Patrick, who after applying that framework of analysis to SBNRs, concluded that "although their beliefs are easily dismissed as "dilettantism" or "half-baked," judges tasked with adjudicating their claims should approach those beliefs with as much compassion, respect, and deference as is given to more traditional forms of religion. If our understanding of religious freedom remains static while religion itself continues to evolve, one of the fundamental rights of liberal constitutionalism may gradually become hollow for future generations of believers".²⁵⁰

Here are what the implications of the landmark judgment in *Lautsi* for the freedom of thought, conscience, religion must be.

However, what European society has been experiencing in recent years is called a severe moral crisis.

Why crisis? Let's start with Ch. Dickens: "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way – in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only".²⁵¹

Men are so the same, so different. But really, what does distinguish men from one another, what have men, humanity, managed to do, separating? Men have made the sin of division from the miracle of uniqueness. The only answer is: men need an *enemy* to grow, men need obstacles to evolve, to challenge themselves and bring out the best in themselves. Is it enough as an answer? Men do not know. What do you think? To Etty Hillesum²⁵² to provoke us: "That is your disease; you want to capture life in formulas of your own. You

²⁴⁵ The *Bayatyan* case is the first case in which the Court has examined the issue of the applicability of Article 9 of the Convention to conscientious objectors. https://www.echr.coe.int/Documents/FS_Conscientious_objection_ENG.pdf

²⁴⁶ More details: https://www.pul.it/cattedra/upload_files/16947/Copia%20di%20Guide_Art_9_ENG.pdf ; https://www.echr.coe.int/Documents/FS_Conscientious_objection_ENG.pdf

²⁴⁷ Rahner Karl, *Christian Living Formerly and Today*, in *Theological Investigations VII*, trans. David Bourke (New York: Herder and Herder, 15 (1971), as quoted in Egan Harvey D, *Soundings in the Christian Mystical Tradition*, Collegeville, MN: Liturgical Press, 338 (2010).

²⁴⁸ This is an often-cited Rahner quote. What exactly it means see here: Steinmetz Mary, *Thoughts on the Experience of God in the Theology of Karl Rahner: Gifts and Implications*, *Lumen et Vita*, Vol. 2 (2012), <https://ejournals.bc.edu/index.php/lumenetvita/article/download/1900/1907/0>

²⁴⁹ Karl Rahner, SJ (1904–1984) was a German Jesuit priest and theologian who, alongside Henri de Lubac, Hans Urs von Balthasar, and Yves Congar, is considered to be one of the most influential Roman Catholic theologians of the 20th century.

²⁵⁰ Jeremy Patrick, *Religious freedoms should include spiritual beliefs too*, <https://talkabout.iclrs.org/2020/07/21/individual-spirituality-and-the-future-of-freedom-of-religion/#four>

²⁵¹ Dickens Charles, *A Tale of Two Cities* (1859, https://en.wikiquote.org/wiki/A_Tale_of_Two_Cities)

²⁵² Esther *Etty* Hillesum (1914–1943) was the Dutch author of confessional letters and diaries which describe both her religious awakening and the persecutions of Jewish people in Amsterdam during the German occupation. In 1943 she was deported and killed in Auschwitz concentration camp.

want to embrace all aspects of life with your intellect instead of allowing... .. yourself to be embraced by life. You want to create the world all over again each time, instead of enjoying it as it is. There is something compulsive about it all".²⁵³

Gabor Mate²⁵⁴ says: "Materialistic Society creates Toxic Culture".²⁵⁵ Z.Bauman²⁵⁶ concludes that the current reality is characterized by individuals who do not have time nor space to relate with the everlasting, with absolute and established values.²⁵⁷ Men, humanity, lack broad horizons, the profound vision of becoming, men restrict themselves to their small spaces of fruitless and miserable selfishness. Lofty ideals fade, goals are becoming more and more isolated and if they can be called great, then not by their content, but by the amount of means necessary to achieve them. Men act for things of little value, wealth, power, self-affirmation, status symbol, the pleasure that ends the next day.

Dante Alighieri aptly put it in the Divine Comedy: "In the middle of the journey of our life I came to myself within a dark wood where the straight way was lost. Ah, how hard a thing it is to tell what a wild, and rough, and stubborn wood this was, which in my thought renews the fear!"²⁵⁸.

A.Puskin writes in his *Demons*:

"All roads are skidded;

For the life of me, no trace is visible;

We got lost. What should we do!"²⁵⁹

It's thought that Europeans can achieve a better life by reforming state structures. The current crisis is attributed to the finance, the economy, the legislation, the judiciary. Instead, it is necessary to go further upstream, to a Man, to one who acts both in politics, in the economy, in the executive power, in judiciary and to think of a new form of humanity, where human rights and justice are really achieved and are not proclaimed only. It's necessary to go to *human navel point*, that's according to Yogi Bhajan, "sometimes misunderstood, but it is the most active point in the entire body".²⁶⁰

²⁵³ Hillesum Etty, a diary note of 6 October (1941) in *An Interrupted Life: The Diaries of Etty Hillesum, 1941-1943* (1984)

²⁵⁴ Gabor Maté CM (1944) is a Hungarian-born Canadian physician. He has a background in family practice and a special interest in childhood development and trauma, and in their potential lifelong impacts on physical and mental health, including on autoimmune disease, cancer, ADHD, addictions, and a wide range of other conditions.

²⁵⁵ <https://www.youtube.com/watch?v=Ez2N%20ScXYZb4>

²⁵⁶ Zygmunt Bauman (1925–2017) was a Polish sociologist and philosopher. He was driven out of the Polish People's Republic during the 1968 Polish political crisis and forced to give up his Polish citizenship. He emigrated to Israel; three years later he moved to the United Kingdom. He resided in England from 1971, where he studied at the London School of Economics and became Professor of Sociology at the University of Leeds, later Emeritus. Bauman was a social theorist, writing on issues as diverse as modernity and the Holocaust, postmodern consumerism and liquid modernity.

²⁵⁷ Bauman Zygmunt (Autore) Braun-Vega Herman (Commento), Metzger Gustav (Commento), *Arte, ¿líquido?* (2007)

²⁵⁸ *Inferno Cantos I-VII*, <https://www.poetryintranslation.com/PITBR/Italian/DantInf1to7.php>

²⁵⁹ Puskin A.S. *Demons*, 1830, <https://kp-tts.ru/en/mchatsya-tuchi-novyi-grazhdanin-poet-besy.html>

²⁶⁰ "This is what the scriptures say. Human grows to life (in the womb) without the breath of life (because the praana comes from the mother) through the navel point. The only energy you had was at the navel point. That is why we stimulate the navel. In Kundalini Yoga there are two points that we stir up: one is the pituitary and the other is the navel point", -Yogi Bhajan, quoted in <http://lakshminarayanlenasia.com/articles/Praana-Praanee-Praanayam-Harijot-Kaur-Khalsa.pdf>

Today human body, mind (emotions),²⁶¹ conscience (consciousness)²⁶² are as Krylov's Swan, Pike and Cancer²⁶³ or Gurdjieff's rider, charioteer, horse and cart²⁶⁴ When freedom of thought, conscience, religion becomes more important than thought, conscience, religion, when religion becomes more important than conscience (thought), when religious practice with its external aspects becomes more important than internal motivations and love, it is good to return to the essential. A Man must harmonise, synchronize²⁶⁵ his *three brains*²⁶⁶. A Man must seek his neutral Mind. A Man has to climb to a higher floor than the one inhabited by most today. A plan that belongs to him, it is his, but it is little practiced, it is the dimension of the spirit. It is here the human rights (freedoms), common good become such. In the lower floors they are colored by private interest, by lobbies, by parties, they become personal success, of the clan. If the human rights, freedoms, the common good, recognized by all, fail on the lower floors, it is because of lack of understanding that the rights, freedoms of human being, the common good are not something to be placed in a showcase that decorates the room, they are not ethical, but must be a mentality, a particular and precious interior attitude that can be realized only in the dimension of the spirit. The good of all must guide action, support hope, feed the gift, give it substance. The dimension of the spirit, however, isn't an individual living, it develops together, it is the attitude of openness, doing things with a disposition towards what is greater, because a man recognizes the precariousness of "I"; it is the attitude towards what is great.²⁶⁷ The Hindu tradition, Katha Upanishad sets: "Know

²⁶¹ During the past 30 years, Antonio R. Damasio has strived to show that feelings are what arise as the brain interprets emotions, which are themselves purely physical signals of the body reacting to external stimuli. Researchers study the mind-body connection and scientifically demonstrate Mind-Body Connection.

²⁶²Or physical, astral, mental, causal bodies.

²⁶³ Swan, Pike and Cancer is a fable of Ivan Andreevich Krylov, written in 1814 and published in the collection *New Fables* (1816, part 4). The plot contains a hint of the events of that time: the dissatisfaction of the Russian society with the actions of the political allies of Emperor Alexander I (the war of the Sixth Coalition against Napoleon); according to another version, contemporaries associated the plot of the fable with disagreements between members of the State Council. (Big Encyclopedic Dictionary, ed. Brockhaus F. A. and Efron I. A. (1890-1907) (Russian), https://naurok.su/bio/rus/Krylov_Ivan_Andreevich/;

<https://wikibath.ru/en/krylov-kogda-v-tovarishchah-soglasia-net-vyrazhenie-a-voz-i-nyne.html>

²⁶⁴ Gurdjieff says: "Man is like a rig consisting of passenger, driver, horse and carriage" in Gurdjieff G. I, Views From the Real World, http://www.giurfa.com/real_world.pdf . See Nicoll Maurice, Psychological Commentaries on the Teaching of Gurdjieff and Ouspensky, Volume 3,

http://www.gianfrancobertagni.it/materiali/gurdjieff/nicoll_commentari3.pdf

²⁶⁵ In G.I. Gurdjieff's *Fourth Way*, centers or brains refer to separate apparatuses within a being that dictate its specific functions. According to this teaching, there are three main centers: intellectual, emotional, and moving. These centers in the human body are analogous to a three-storey factory, the intellectual center being the top storey, the emotional center being the middle one, and the moving center being the bottom storey. The moving center, or the bottom storey is further divided into three separate functions: sex, instinctive, and motor.

Gurdjieff classified plants as having one brain, animals two and humans three brains. In *Beelzebub's Tales to His Grandson*, Gurdjieff greatly expanded his idea of humans as *three brained beings*.

In the book *The Fourth Way*, Ouspensky refers to the *center of gravity* as being a center which different people primarily operate from (intellectuals, artists, and sports enthusiasts, for example, might represent each of these centers). See Ouspensky, P. D., *The Fourth Way*, Vintage new edition (February 1971)

²⁶⁶ We have three brains – our HEAD brain, our HEART brain, and our GUT brain: the intellect which resides in the head, the moving-instinctive brain which resides in the spine and the emotional brain which is centered in the solar plexus, but disperse to some degree throughout the abdomen. The three brains are like an orchestra, with billions of neurons cooperating to produce a harmonic symphony – harnessing together an ever-changing network of neurons that work in synchrony. It knows as Eastern thought (Dantian or simply *energy center*. Dantian are the *qi focus flow centers*, important focal points for meditative and exercise techniques such as qigong, martial arts such as t'ai chi ch'uan, and in traditional Chinese medicine) as West one. <https://www.goodnet.org/articles/head-heart-gut-how-to-use-3-brains> On their influence on decision-making see Soosalu Grant Henwood Suzanne, Deo Arun, Head, Heart, and Gut in Decision Making: Development of a Multiple Brain Preference Questionnaire (2019), <https://doi.org/10.1177/2158244019837439>

²⁶⁷See on the issue: Riley Clare Valentine, An Impersonal Liberalism: Simone Weil and the Sacred, <https://epochemagazine.org/an-impersonal-liberalism-simone-weil-and-the-sacred-6843f9794f85>

the Self as lord of the chariot, the body as the chariot itself, the discriminating intellect as charioteer, and the mind as reins. The senses, say the wise, are the horses; selfish desires are the roads they travel".²⁶⁸

For Pema Chödrön²⁶⁹ the eight worldly dharmas²⁷⁰ can become the means to let's become wiser, kinder and more satisfied.²⁷¹ This stems from the belief that a creative energy acts in the cosmos that needs to be welcomed in us to create new forms, never developed.

This is why a man is a co-creator, in fact the evolutionary process has been transferred to a man, in each of men. Then in this vision the judicial/politician's action appears in its limit and at the same time in its task, which is exactly that of facilitating, helping, supporting the actions of everyone, of the entire community, so that the peculiarities of each one develop in a harmonious way. "For all that has been, Thanks. To all that shall be, Yes".²⁷² Dag Hammarskjöld testified: "I don't know Who, or what, put the question, I don't know when it was put. I don't even remember answering. But at some moment I did answer Yes to Someone, or Something, and from that hour I was certain that existence is meaningful and that, therefore, my life, in self-surrender, had a goal".²⁷³ "Life has to have the meaning",²⁷⁴ says Tiller. Great V. Frankl said *quasi* the same thing in his logotherapy²⁷⁵. In his book Frankl quotes Nietzsche's words: "Those who have a 'why' to live, can bear with almost any 'how'".²⁷⁶

Today's Europe needs *to overcome the crisis*. Today, like front-line reports, news about the facts of violence, extremism and terrorism with religious and national connotations come from different countries. In a letter to Nicaraguan Catholic priest, liberation theologian and politician Ernesto Cardenal (who entered Gethsemani but left in 1959 to study theology in Mexico), Merton wrote: "The world is full of great criminals with enormous power, and they are in a death struggle with each other. It is a huge gang battle, using well-meaning lawyers and policemen and clergymen as their front, controlling papers, means of communication, and enrolling everybody in their armies".²⁷⁷

The great battle of our time is the challenge between Macron and Erdogan, the new *Kulturkampf*.²⁷⁸

²⁶⁸<https://www.bmcm.org/inspiration/passages/razors-edge/>

²⁶⁹ Pema Chödrön (born Deirdre Blomfield-Brown, 1936) is an American Tibetan Buddhist. She is an ordained nun, former acharya of Shambhala Buddhism and disciple of Chögyam Trungpa Rinpoche. Chödrön has written several dozen books and audiobooks, and is principal teacher at Gampo Abbey in Nova Scotia, Canada.

²⁷⁰ On eight worldly concerns see: https://encyclopediaofbuddhism.org/wiki/Eight_worldly_concerns

²⁷¹ <https://pemachodronfoundation.org/wp-content/uploads/2017/03/The-Essential-Pema-Study-Guide.pdf>

²⁷² Hammarskjöld Dag, *Markings* (1963)

²⁷³ <https://www.goodreads.com/quotes/829100-i-don-t-know-who-or-what-put-the>

²⁷⁴ <https://excellencereporter.com/2015/03/20/dr-william-a-tiller-working-hypotheses-regarding-the-meaning-of-life/>

²⁷⁵ Viktor Emil Frankl (1905 – 1997) was an Austrian Holocaust survivor, neurologist, psychiatrist, philosopher and author. (Frankl Viktor, *Recollections: An Autobiography* (2008); Klingberg Haddon, *When Life Calls Out to Us: The Love and Lifework of Viktor and Elly Frankl* (2001)). He was the founder of logotherapy based on the premise that the primary motivational force of an individual is to find a meaning in life. It is a meaning-centered school of psychotherapy, considered the Third Viennese School of Psychotherapy (Längle Alfred, *From Viktor Frankl's Logotherapy to Existential Analytic psychotherapy*; in: *European Psychotherapy 2014/2015*. Austria: Home of the World's Psychotherapy. Serge Sulz, Stefan Hagspiel (Eds.). p. 67. (2015)), following Freud's psychoanalysis and Adler's individual psychology. Logotherapy is part of existential and humanistic psychology theories. (Redsand Anna, *Viktor Frankl: A Life Worth Living*, Houghton Mifflin Harcourt (2006)).

Frankl is the author of over 39 books; he is most noted for his best-selling book *Man's Search for Meaning* based on his experiences in various Nazi concentration camps. (Schatzmann Morton, *Obituary: Viktor Frankl*. *The Independent* (UK) (5 September 1997), <https://www.independent.co.uk/news/people/obituary-viktor-frankl-1237506.html>)

²⁷⁶ Frankl Viktor E (1946), *Man's Search for Meaning*, (1997).

²⁷⁷ Letter, November 17, 1962, quoted in Monica Furlong's *Merton: a Biography*, 263 (1995).

²⁷⁸ *Kulturkampf* (culture struggle) was the conflict that took place from 1872 to 1878 between the government of the Kingdom of Prussia led by Otto von Bismarck and the Roman Catholic Church led by Pope Pius IX. The main issues were clerical control of education and ecclesiastical appointments. A unique feature of *Kulturkampf* compared to other struggles between the state and the Catholic Church in other countries was its anti-Polish component. (Smith Helmut Walsler, ed., *The Oxford Handbook of Modern German History*, 360 (2011) By analogy, the term *Kulturkampf* is

It's a radically new phase that enriches the traditional Western fight against terrorism with fundamental themes. The clash between Europe and an accomplished Islamic ideology takes place in the Mediterranean at the same time on all levels: geopolitical, energetic, on the secular or religious nature of the state, cultural and jihadist penetration.

Future of any European State will be the same for a *civilization* reason: Afro-Turkish-Arab Islamic immigration, when it exceeds a certain percentage, can no longer be integrated, because at a certain point, the number becomes a force, and the countries of origin of these new immigrants are increasingly intolerant Islamic countries where hatred towards the Jew, the Christian-Crusader, the Atheist or the apostate is taught in flies and also in national education because it is based on the Sharia.

VI Soloviev also spoke about the stubborn and exhausting struggle that some European states will have to endure against the awakened Islam.²⁷⁹

Alexandre del Valle²⁸⁰ says: "It is enough to be over 50 years old to observe how the Islamic world is much more contaminated by the radical Islamist virus now than in the 1980s. Thirty years later, the Islamist virus multiplied in Europe, it is accompanied by the uncontrolled Islamic immigration that every day brings to Europe hundreds of thousands of young Muslims whom the fundamentalist Islamist organizations know very well to train and fanatize".²⁸¹

In 1993 Samuel P. Huntington said: «It is my hypothesis that the fundamental source of conflict in this new world will not be primarily ideological or primarily economic. The great divisions among humankind and the dominating source of conflict will be cultural. Nation states will remain the most powerful actors in world affairs, but the principal conflicts of global politics will occur between nations and groups of different civilizations. The clash of civilizations will be the battle lines of the future".²⁸²

Now the scholars give little support to the clash-of-civilizations hypothesis.²⁸³ The today crisis isn't a clash between Christianity and Islam. The epicenter is in France, where almost 15 percent say they are atheist²⁸⁴ and in which almost one in 10 people are

sometime used to describe any conflict between secular and religious authorities or deeply opposing values, beliefs between sizable factions within a nation, community, or other group.)"Kulturkampf – Definition, meaning & more – Collins Dictionary". Retrieved 21 December 2016.)

²⁷⁹ Solovjov Vladimir (Author) Thomas R. Beyer (Editor), Alexander Bakshy (Translator), Czesław Miłosz (Introduction), Stephan Hoeller (Afterword), War, Progress, and the End of History: Three Conversations: Including a Short Tale of the Antichrist (Esalen-Lindisfarne Library of Russian Philosophy)
<http://www.vehi.net/soloviev/trirazgov/razgovor1.html>

²⁸⁰ Marc d'Anna (1968), writing under the pen name Alexandre del Valle, is a Franco-Italian writer, professor, columnist, and political commentator. He is known primarily for his analysis of Islamic extremism, and his criticism of Erdoğan's neo-Ottoman, Islamist, and post-Kemalist Turkey. Del Valle is a proponent of the "PanWest paradigm"—the cooperation between the West and Russia against radical Islamism—and coined the concept of "Red-green-brown alliance" in 2002. His domains of interest focus on Islamic extremism, new geopolitical threats, civilizational conflicts, and terrorism, as well as Mediterranean issues such as Turkey's proposed accession to the European Union. Alexandre del Valle wrote on international relations and geopolitics of the Arab-Muslim world.

<https://www.alexandredelvalle.com/single-post/2004/12/06/The-Reds-The-Browns-and-the-Greens-or-The-Convergence-of-Totalitarianisms>

²⁸¹ <https://www.alexandredelvalle.com/single-post/2002/09/06/islamist-totalitarianism-democracies-under-attack-english-summary>

²⁸² Huntington Samuel P, The Clash of Civilizations?, Foreign Affairs, 72:3, 22-49 (Summer 1993),
<https://www2.kenyon.edu/Depts/Religion/Fac/Adler/Politics/Huntington-Clash.htm>

²⁸³ The Clash of Civilizations is a thesis that people's cultural and religious identities will be the primary source of conflict in the post-Cold War world. The American political scientist Samuel P. Huntington argued that future wars would be fought not between countries, but between cultures. It was proposed in a 1992 lecture at the American Enterprise Institute, which was then developed in a 1993 Foreign Affairs article titled *The Clash of Civilizations?* (Official copy (free preview): The Clash of Civilizations?, Foreign Affairs (Summer 1993), <https://www.foreignaffairs.com/articles/united-states/1993-06-01/clash-civilizations>) in response to his former student Francis Fukuyama's 1992 book, *The End of History and the Last Man*. Huntington later expanded his thesis in a 1996 book *The Clash of Civilizations and the Remaking of World Order*. The phrase itself was earlier used from 1946.

²⁸⁴ See above EVS overview

immigrants. It's a clash of two *faces*. The *face* of Turkey has a reality of Erdogan, the *national-Islamist*, pan-turkish²⁸⁵ -neo-Ottoman²⁸⁶ reality. The *face* of France has a reality of President Macron, the reality of democracy, liberty, secularism, human freedoms and rights.

Using World Values Surveys from 86 nations, some scientists examined differences between Christians and Muslims in preferences for religious political leaders.²⁸⁷ The results suggested a marked difference between Muslims and Christians in their attitudes toward religious politicians, with Muslims more favorable by 20 points out of 100. Instead, the scholars found that a clash of individual beliefs—between the devout and the secular—along with enduring differences between the more developed and less developed world explains the difference between Islam and Christianity with regards to preferences for religious political leaders.²⁸⁸

Hans Urs von Balthasar²⁸⁹ said that “the greatest enigma that there is in man is that he is two things at the same time: a nature (that is, a spiritual soul incarnated in a body, an individual) and a person (incomparable, eternal uniqueness)”.²⁹⁰ Men don't have two detached and distinct dimensions, but men have a magnificent integration of two friend areas that transform and elevate themselves.

The current conflict in France arises not from the fact that one system of norms or one separate norm is *correct* and the other is not, but because these norms were formed within the framework of different cultures that were separated one from another. They remain different: a girl with a navel pierced - a student from the Parisian Sorbonne- and a girl in the burqa from the Afghan or Turkish wilderness. Globalization confronts them at the same place.

The German chancellor, Angela Merkel said the idea of people from different cultural backgrounds living happily *side by side* did not work, the onus was on immigrants to do more to integrate into German society. She claimed the country's attempts to create a multicultural society have *utterly failed*. “This [multicultural] approach has failed, utterly failed”, - Merkel told at the meeting in Potsdam, west of Berlin, in 2010.²⁹¹ Does it mean that in Western countries the complexity is already announced un looser by politics and by judiciary as a consequence?

²⁸⁵ Pan-Turkism is an ideological nationalist movement that seeks to promote the union of all Turkish peoples, including - at least originally - also the Hungarians, linked to the Turanian ideology (widespread, even at an official level, in Hungary, Turkey and Japan), Pan-Turkism is a movement born in the late nineteenth century, spread between the Ottoman Empire, Austria-Hungary and Germany, and later spread also to the Russian Empire, particularly in the regions of Western Turkestan. The father of Pan-Turkism is considered the Hungarian orientalist Ármín Vámbéry.

Ármín Vámbéry (Arminius Vámbéry) born Hermann Bamberger, also known as Ármín Bamberger; (1832-1913) was a Hungarian historian, linguist, orientalist and writer.

²⁸⁶ On the neo-ottomanism see: Wastnidge Edward, Imperial Grandeur and Selective Memory: Re-assessing Neo-Ottomanism in Turkish Foreign and Domestic Politics. Middle East Critique. 28 (1): 7–28 (2 January 2019), <https://www.tandfonline.com/doi/abs/10.1080/19436149.2018.1549232?journalCode=ccri20> ; LE RADICI DEL NEO-OTTOMANESIMO DI ERDOĞAN, <https://www.babilonmagazine.it/turchia-erdogan-neo-ottomanesimo/>

²⁸⁷ Breznau Nate, LykClash Valerie, Kelley Jonathan, M. D. R. Evans, A of Civilizations? Preferences for Religious Political Leaders in 86 Nations, 2011, <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1468-5906.2011.01605.x>

²⁸⁸ External link: <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-5906.2011.01605.x/full>

²⁸⁹ Hans Urs von Balthasar (1905–1988) was a Swiss theologian and Catholic priest, unique among the great Central European theologians. He has produced a vast theological work, which can be considered among the most influential of the twentieth century and has since found many interpreters in contemporary theological research. His theology was influenced by his contacts with Jesuits, philosophers and theologians, such as Erich Przywara, Jean Daniélou and Henri de Lubac. With his activity as a lecturer and his numerous publications he contributed to a renewed interest in patristics, making it available again to theology and the Christian faith. Von Balthasar is considered among the greatest Catholic theologians of the twentieth century, together with Karl Rahner, Henri de Lubac, Romano Guardini and others.

²⁹⁰ On the issue see: Harrison Victoria S, Personal Identity And Integration: Von Balthasar's Phenomenology Of Human Holiness, The Heythrop Journal, 40(4):424 - 437 (December 2002)

²⁹¹ <https://www.theguardian.com/world/2010/oct/17/angela-merkel-german-multiculturalism-failed>

The globalization as well as the present disintegration of societies, witnessed especially in Western countries that intensifies the crisis of collective identities, put a brake on the individualist liberalism that supports the modern concept of freedom of thought, conscience, religion. From this perspective, the plea of the Italian government in Lautsi in favor of the crucifix as a fundamental symbol of the civilization reveals all its value. Italy, while resolutely desiring to respect individual liberties, refused to renounce to one of its main traditional symbol in the name of the postmodern cultural relativism and nihilism. Italian Ambassador Sergio Busetto expressed it as follows: “respecting the religious identity of an individual must be possible while respecting the religious identity of the society in which he lives”.²⁹²

People all want very simple and natural things. We have come to a conclusion that boils down to two lines:

Man does not need God, religion or anything else.

A person just wants to be protected, calm and happy, to live in abundance.

Law and intelligence have nothing to do with this. But to protect their rights men go to authorities. Alexei Malashenko²⁹³ shares the opinion that Muslims went to France for happiness, for being protected and calm. When there was the first massive wave of emigration in the 70s of the XXth century, the French said that they were ready to assimilate the newcomers. But the Muslims have been feeling offended. They say “Europeans humiliate us, write bad things about our prophet”.²⁹⁴ *Et sic*, as long as judges, politicians themselves do not unload the warehouse of things they carry on their shoulders, they will not protect the human rights of others, because they will continue to accumulate this load. They do not want to confront a single thing until this warehouse is overflowing and human rights are completely frozen. They become so insensitive that they can no longer contact themselves, with their rights of human being, let alone the others and their human rights. The authorities want really to protect the rights of human being, but they cannot interconnect normally, in a healthy way. Zygmunt Bauman noted: “We live in a globalising world. That means that all of us, consciously or not, depend on each other. Whatever we do or refrain from doing affects the lives of people who live in places we'll never visit”.²⁹⁵

The declarations of Orthodox countries in favor of Italy in the Lautsi may be understood along the same lines. These countries are particularly attached to the religious dimension of their culture and reluctant to embrace western post-modernity. Several Orthodox Churches (Churches of Ukraine, Serbia, and Bulgaria) even formally intervened through a letter to the Court. Others publicly took a stand. For example, in a letter to the Italian Prime Minister, Patriarch Kirill of Moscow and all Russia declared that “European democracy should not encourage Christianophobia like atheistic regimes did in the past”.²⁹⁶ He added that «the Christian heritage in Italy and other countries in Europe should not become a matter to be considered by European human rights institutions . . . the pretext of ensuring the secular nature of a state should not be used to assert an anti-religious ideology, which apparently violates peace in the community, discriminating against the religious majority in Europe which is Christian”.²⁹⁷

²⁹² Busetto Sergio, Ambassador of Italy, Opening speech of the symposium organised by the ECLJ, the CNR and the Italian Embassy, at the Council of Europe (Apr. 30 2010) available at

https://classic.iclrs.org/content/blurb/files/ARTICLE_LAUTSI_PUPPINCK_English_BYU_Law_Review.pdf

²⁹³ Alexei Vsevolodovich Malashenko (1951) is Soviet and Russian orientalist, Islamic scholar and political scientist. Doctor of Historical Sciences, Professor. One of the leading Russian experts on Islamic problems.

²⁹⁴ <https://www.bbc.com/russian/features-54907557>

²⁹⁵ Quoted in <https://www.brainyquote.com/authors/zygmunt-bauman-quotes>

²⁹⁶ Letter from Patriarch Kirill, Russian Orthodox Church, to the Italian Prime Minister (Nov. 26, 2009) available at <http://www.mospat.ru/en/2009/11/26/news9194>

²⁹⁷ Ibid

The interventions of twenty-one Member States to support Italy in Lautsi v Italy case demonstrate that the postmodern model of liberal democracy, cut off from its cultural and religious roots, has not entirely conquered Europe. It may even be drawing back, due to the social and cultural constraints imposed by globalization. Z. Bauman is sure: "Globalization is the last failed hope that, somewhere, there still exists a land where one can escape and find happiness. Or the last failed hope that, somewhere, there still exists a land different from yours in terms of being able to oppose the sense of meaninglessness, the loss of criteria and, ultimately, moral blindness and the loss of sensitivity".²⁹⁸ Gérard de Nerval²⁹⁹ wrote: "Free thinker! Do you think you are the only thinker on this earth in which life blazes inside all things? Your liberty does what it wishes with the powers it controls, but when you gather to plan, the universe is not there".³⁰⁰ Carlo Molari³⁰¹ said that "the universe is a system composed of other systems. They are complex, they continually adapt to their surroundings. We too are part of this constantly changing system of relationships".³⁰² Molari speaks of the *opportunities of time*, which must be seized with an open and available attitude, like an open door, in order to be able to welcome the elements that are most suitable for us. Men need to feel like citizens of the cosmos, which is the highest feeling, the one that generates a great force out of men and out towards the environment that surrounds men, of intense participation in the motion of life in which men are placed. Feeling this participation helps the establishment of harmonious relationships, the harmonious adaptation of the inside with the outside, helps the approach to others who are also part of the universe. It is a vision that gives security, that makes men feel solid, on a broad foundation. Teilhard de Chardin attributed to this feeling an awakening towards ever wider forms of humanity.³⁰³ S. Weil even claimed that union with the entire universe causes a kind of symbiosis.³⁰⁴ Psychologist Otto Rank³⁰⁵ sees mental health in it.³⁰⁶ Eastern spirituality has always supported the positivity of this mental orientation.³⁰⁷ Dag Hammarskjöld in his *Markings* wrote: "Our work for peace must begin within the private world of each of us. To build for man a world without fear, we must be without fear. To build a world of justice, we must be just".³⁰⁸ He perceived the quest for maturity and maturity of mind as basic elements of this attitude.

²⁹⁸ Bauman Zygmunt, *Moral Blindness: The Loss of Sensitivity in Liquid Modernity* (2013)

²⁹⁹ Gérard Labrunie, known as Gérard de Nerval (1808-1855) is a French writer and poet. He is a major figure in French romanticism, he is best known for his poems and short stories, including his book *Les Filles du feu*, a collection of short stories (the most famous being *Sylvie*), his collection of sonnets (*Les Chimères*) published in 1854 and his new poetic *Aurélia* published in 1855.

³⁰⁰ Gérard de Nerval, *Golden Lines* (translator Robert Bly) (1854), <http://poemhunter.blogspot.com/2007/12/golden-lines.html>

³⁰¹ Carlo Molari (1928) is an Italian presbyter and theologian.

http://www.rocca.cittadella.org/rocca/autori/00000112_Molari.html

³⁰² Molari Carlo, *The spiritual journey of the Christian*.

THE FOLLOWING OF CHRIST IN THE NEW PLANETARY HORIZON (Italian) (2020)

³⁰³ See in detail: King Ursula, *Teilhard de Chardin's vision of science, religion and planetary humanity: A challenge to the contemporary world*, *Journal for the Study of Religion*, vol.31 no.1 Pretoria (2018),

http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1011-76012018000100009&lng=pt&nrm=iso&tlng=pt

³⁰⁴ See in detail: Lowtoo Bharatee, *Love for God's Necessity: the ambiguity of Simone Weil's hupomone* (2009), <http://arno.uvt.nl/show.cgi?fid=96578>

³⁰⁵ Otto Rank (1884–1939) was an Austrian psychoanalyst, writer, and teacher. Born in Vienna, he was one of Sigmund Freud's closest colleagues for 20 years, a prolific writer on psychoanalytic themes, editor of the two leading analytic journals of the era, managing director of Freud's publishing house, and a creative theorist and therapist. In 1926, Rank left Vienna for Paris and, for the remainder of his life, led a successful career as a lecturer, writer, and therapist in France and the United States.

³⁰⁶ See in detail: Hecht Philip J, *The "Fine Line" of Otto Rank* (1994),

<https://core.ac.uk/download/pdf/231833667.pdf>

³⁰⁷ See *ex grazia*: King Ursula, *Towards a New Mysticism: Teilhard De Chardin and Eastern Religions Hardcover* (1980)

³⁰⁸ Hammarskjöld Dag, UN Press Release SG/360, December 22, 1953.

Vito Mancuso offers the four masters³⁰⁹ who together foreshadow an itinerary: Socrates, the educator; Buddha, the physician; Confucius, the politician; Jesus, the prophet. The goal is the most important teacher: the inner teacher, the fifth teacher.³¹⁰ Going back to the ancient spiritual and philosophical traditions of humanity, in the thought of these four figures Vito Mancuso identifies the teachings that are still valid and precious for us, men and women of today. Their word thus becomes a decisive guide to travel with greater awareness the arduous paths of our existence, to live in the chaos that we experience every day, and to trace a new path. "Dostojevski gives me more than any scientist, more than Gauss!"³¹¹ - Einstein said.

In his *Markings* Dag Hammarskjöld continued: "no life gave greater satisfaction than a life of selfless service to one's country and humanity. This service required the sacrifice of all private interests, but at the same time the courage to stand firm for one's convictions, accepting as troubles so happiness." Dag Hammarskjöld had the conviction³¹² that, "in the true sense of the Gospel, all men are equal as children of God and must be approached and treated by us as our lords in God".³¹³

Weil³¹⁴ said: "At the bottom of the heart of every human being, from earliest infancy until the tomb, there is something that goes on indomitably expecting, in the teeth of all experience of crimes committed, suffered, and witnessed, that good and not evil will be done to him. It is this above all that is sacred in every human being".³¹⁵ That's why the mystical experience isn't a privilege of a few, perhaps closed in a convent, but a wealth life experience, a complete and profound experience, a human characteristic, human excellence, a summit. "The mass of a body is a measure of its energy content",³¹⁶ -Einstein said.

Eastern thought is a mystical thought that arises from the awareness of the unity and interdependence of all phenomena, so many moments can be mystical, you just need to feel part of this integrated system. Eastern mystics have a direct experience of reality and come to the enlightenment which is precisely an absolute knowledge, intuitive, direct, undivided, it is an embrace. The intellect is only a means of opening the way to direct mystical experience, which is called Awakening. Paul Knitter³¹⁷ says: "To have a mystical or personal religious experience is to feel oneself connected with, part of, united with, aware of, one with, Something or Some-activity larger than oneself. One feels transported beyond one's usual sense of self as one grows aware of an expanded self, or a loss of self, in the discovery of something beyond words. Philosopher of religion John Hick describes mystical experience as the shift from self-centeredness to Other-centeredness or Reality-centeredness. Certainly, our description of Buddhist Enlightenment squares with this unitive characteristic of mysticism, even though Buddhists, while strong on loss of self, use deliberately slippery terms for what they're connected with: Emptiness, Groundlessness, InterBeing. Christian mystics, on the other hand, are very clear about what they are united with. Christian mystical literature abounds with expressions such as

³⁰⁹Mancuso Vito, *The Four Masters* (Italian) (2020)

³¹⁰<https://www.vitomancuso.it/libri/i-quattro-maestri/>

³¹¹ In 1920; quoted in Moszowski Alexander, *Conversation with Einstein*, Horizon Press, New York, 185 (1970).

³¹²Simone Weil had the same conviction. See Weil Simone, *An Anthology*, 51 (2000)

³¹³See in details Bouman Monica, *The Quest for Maturity*, *Philosophia Reformata*, Vol. 81, No. 1, 32-49 (May 2016), <https://www.jstor.org/stable/26547895>

³¹⁴ Simone Adolphine Weil (1909-1943) was a French philosopher, mystic and writer, whose fame is linked, in addition to the vast essay-literary production, to the dramatic existential events that she went through, from the choice to leave teaching to experience the working condition, up to her commitment as a partisan activist, despite persistent health problems.

³¹⁵Weil Simone, *An Anthology*, 51 (2000)

³¹⁶ Einstein A, *Does the inertia of a body depend upon its energy content?* (September 27, 1905)

³¹⁷ Paul Francis Knitter (1939) is an American theologian, known for his work on religious pluralism and multiple religious belonging, particularly regarding Buddhism and Christianity.

one with Christ, temples of the Holy Spirit, the Body of Christ, Spouses of Christ, the Divine indwelling, participants in the divine nature".³¹⁸

Dag Hammarskjöld wrote in his *Markings* that the explanation of how man should live a life of active service to society in complete harmony with himself as an active member of the community of the spirit, he found in the writings of those great medieval mystics for whom *submission* was the way of self-realization. In the *honesty of the mind* and in the *interiority* they found the strength to say yes to every request that the needs of their neighbor put before them, and to say yes to any fate life had in store for them. For them Love - this word so abused and misunderstood - simply meant a surplus of strength, entirely filled them, when they began to live in self-forgetfulness. And this love found natural expression in an unhesitating fulfillment of duty and an unreserved acceptance of life, whatever it brought them personally: fatigue, suffering, or happiness. We share the Dag Hammarskjöld's view that their discoveries on the laws of inner life and action have not lost their meaning.³¹⁹ John O'Donohue supports us in *Anam Cara (friendly soul in Gaelic)*.³²⁰ When St Patrick arrived in Ireland in the 5th century AD, he found Celtic people and a vivid spiritual tradition, thousands of years old. The Celts had a refined and passionate sense of the divine; their imagery gave birth to an inner friendship that held nature, divinity, the underworld and the human world in one embrace. The Celts did not separate the visible from the invisible, time from eternity, the human from the divine. The ancient wisdom, poetry and grace of Celtic spirituality awaken and enrich the beauty the landscape of our heart. O'Donohue opens us the magical and discreet world of the divine that is in us, that place of the soul where there is no distance between us and the eternal. We explore themes such as the mystery of natural rights and freedoms, common good, the spirituality of the senses, work as a poetic of growth, old age as the art of an inner harvest, and death as the ultimate homecoming. Surviving to the present day, Celtic respect for the soul is a vibrant spiritual legacy unique in the Western world. "The twenty-first century will be religious, or it will not be (Le vingt-et-unième siècle sera religieux, o³²¹ il ne sera pas)".³²² This prophetic word of André Malraux³²³ is often quoted. In the Age of Pisces,³²⁴ leaders were those with material resources. But they didn't have Spirits. We need prophets. The prophets are those who see, further away, before and in events, but they see and that seeing is also a feeling, feeling something that speaks within them. And then the prophets - and we can all be prophets - are true antennas and true megaphones in humanity, points on which to rest for the light that must enlighten and guide us. The evolutionary development of our species continues only if there is love towards life, which means openness and harmonious relationships. "Man is a personality not by nature but by spirit. By nature he is only an individual",³²⁵ Berdyaev³²⁶ wrote. Men, in addition to being endowed with the dimension that pertains to the body (bios and zoè), also have the dimension of the spirit.

³¹⁸Knitter Paul F, *Without Buddha I Could Not be a Christian* (2009)

³¹⁹ More details: Hoskins R. Taylor, *Dag Hammarskjöld: The Diplomat, The Mystic, The Man, The Mystery Hardcover* (2014)

³²⁰O'Donohue John, *Anam Cara* (1998)

³²¹<https://www.helloastrology.com/pisces/age-of-pisces/>

³²²<https://www.lesoir.be/art/1136269/article/soirmag/soirmag-histoire/2016-02-29/xxie-siecle-sera-religieux-ou-ne-sera-pas>

³²³ Georges André Malraux (1901–1976) was a French novelist, art theorist, and Minister of Cultural Affairs. Malraux's novel *La Condition Humaine (Man's Fate)* (1933) won the Prix Goncourt. He was appointed by President Charles de Gaulle as Minister of Information (1945–46) and subsequently as France's first Minister of Cultural Affairs during de Gaulle's presidency (1959–1969).

³²⁴<https://www.helloastrology.com/pisces/age-of-pisces/>

³²⁵Berdyaev N, *Slavery and Freedom*, 21(1939)

³²⁶ Nikolai Alexandrovich Berdyaev (1874–1948) was a Russian political and Christian religious philosopher who emphasized the existential spiritual significance of human freedom and the human person.

“The harvest is abundant but the laborers are few”,³²⁷- Jesus Christ said. The rights of human being are abundant. We need great mystics who become great politicians\lawmakers\judges. The mystic that one day develops in politician is a proof that he is genuine: some great mystics have become great politicians. But they remained mystics. Regarding three catholics, three frontier men³²⁸ Maria Chiara Malaguti³²⁹said:..”The canonization process does not only concern Schuman, but also De Gasperi.. People who have dedicated their commitment to the common good ..deserve to be canonized. It is a rare thing and it is a pity that it is so rare, because it is significant.”³³⁰ The true mystics are significant.

The true mystic is who constantly renews his mystical life in the political field. “Today it is still possible to think of a saintly politician”,-Malaguti says. Indeed we would need even more this type of saints as points of reference. A saintly politician would also be an easier message for us who live our daily life, with all its difficulties This is the first revolution that humanity needs today: contemplative men (judges, politicians). “Contemplation is the highest expression of man’s intellectual and spiritual life...It is spiritual wonder. It is spontaneous awe at the sacredness of life, of being. It is a vivid realization of the fact that life and being in us proceed from an invisible, transcendent and infinitely abundant source. Contemplation is, above all, awareness of the reality of that source”,³³¹- Merton says. Perhaps Ivan Ilyin’s greatest gift to us, through his writings, is his insight on contemplative living in a world filled with chaos and distraction.³³² He wrote extensively on this subject, in books such as *Singing Heart*.³³³ It is consideration of the sacred character of life, before which one must be in full reverence. And this life comes from an invisible Source, the divine, transcendent and infinitely rich Spirit. Contemplation makes us aware of the reality of this Source, which is known in an obscure way, but which is felt that it transcends reason, but also simple faith. Contemplation is a spiritual vision that completes. And it can be reached through various routes. We need men (judges, politicians) of mystical experience; men (judges, politicians) for whom mystical experience is action and action is mystical experience.

“The most important thing is that they (mystics) claim to be able to grasp the ultimate reality in a single experience, in contrast to the long and tortuous deductive sequences of the logical-scientific method of investigation”,³³⁴- Paul Davies³³⁵said.

Mystical experience is the Life, lived in a complete, wellness and full way. It’s natural access of the most precious human dynamics. It’s the anthropological dimension, which belongs to the human being as such. The mystic is the authentic man, the man who lives his humanity as something more (and not less) than pure rationality. It is joyful because mystics feel an integral part of life, of beauty, of its superabundance, of its excess, of its

³²⁷Luke 10, 1-9

³²⁸ Three Catholics, three frontier men, three persecuted by the Nazi-fascist dictatorships: the French Robert Schuman, the German Konrad Adenauer, the Italian Alcide De Gasperi are the founding fathers of the European Union, Nobel Peace Prize 2012.

³²⁹ MARIA CHIARA MALAGUTI, ORDINARY PROFESSOR, Department of Private and Public Economic Law, FACULTY OF ECONOMICS, INTERNATIONAL LAW, Catholic University of the Sacred Heart, Italy

³³⁰ <https://www.cittanuova.it/bisogno-politici-santi/?ms=005&se=020>

³³¹Merton Thomas, *New Seeds of Contemplation* (2003)

³³²<https://thesaker.is/ivan-ilyin-on-contemplative-love/>

³³³ Ilyin Ivan, *The Singing Heart: A Book of Quiet Reflections* (2016)

³³⁴ Davies Paul, *The Mind of God: The Scientific Basis for a Rational World* (1993). See more on *The Mind of God*: Slezak Peter, *The mind of god: Science and the search for ultimate meaning*, *Science & Education*, 5(2), 201-212 (January 1996)

³³⁵ Paul Charles William Davies (1946) is a British theoretical physicist, cosmologist, astrobiologist, writer and popularizer of science. Regent Professor at the University of Arizona and co-director of its research center "Beyond" (Center for Fundamental Concepts in Science), Principal Investigator of the Center for the Convergence of Physical Sciences and Cancer Biology at the same university, Fellow of the Royal Society of Literature (1999). Templeton Prize Winner (1995).

being terribly beautiful, which they experience directly. And it is an experience that cannot be described, it must only be felt. "There are only two ways to live your life. One is as though nothing is a miracle. The other is as though everything is",³³⁶-Einstein said. "God always grants, but not our requests, rather, His promises"³³⁷, -D. Bonhoeffer³³⁸ was sure. Jesus Christ promised us some things: "I came so that you may have life and have it abundantly, I will not leave you orphans, I will be with you every day until the end of time, the Father knows what you need."³³⁹ And *he is faithful that promised*.³⁴⁰ The passage to the Age of Aquarius³⁴¹ is the promise. It implies the passage to a spiritual man. Spiritual men are leaders the world needs right now. And they must be able to manage all resources. A resource of energy, but also the material resources. Following the words of Isaiah, they "are my witnesses. Is there any God besides me? No, there is no other Rock; I know not one".³⁴² Spirit is All that is One in the cosmic hologram and all is alchemy, all, created from nothing. And men (judges, politicians) have access to this technology. For judges, politicians it is not enough to wake up every morning, they need to have Spirit, they need to be aware that everything is given to them, delivered, as a gift, and that only if they know how to *keep and cultivate*, it will bear fruit.

The right to freedom of thought, conscience, religion isn't based on the neutrality of a state, but it's based on the essence of a man and must be ensured by the state. The degree of realization of this right is precisely something that entirely depends on internal conditions, on the degree of the achieved consciousness. As history has shown atrociously, it is not enough to call oneself a good politician\legislator\judge\man to be one truly, and not even Christian, and not even Jews, and not even Muslims.

Is it possible that you don't understand? It is like in Eduardo's old comedy *Natale in casa Cupiello*³⁴³ in which the pretended naive son said and repeated stubbornly: I don't like *il presepio* (Italian nativity scene's character). It is not that he denied *il presepio*, it's that there was the hidden face of the tragedy behind the beautiful *presepio*.

Why Islam³⁴⁴? Modern Europe is a continent and a culture caught in the act of suicide, updated with new French material. These include rapid changes in the dynamics of global politics, world leadership, terror attacks across Europe, mass immigration, cultivated self-

³³⁶ Quoted by Gilbert Fowler White in *Journal of France and Germany (1942–1944)*; quoted in Robert E. Hinshaw, *Living with Nature's Extremes: The Life of Gilbert Fowler White*, Big Earth Publishing, 62 (2006). Gilbert Fowler White quoted this sentence without however specifying the occasion in which Einstein would have uttered it.

³³⁷ Quoted in <https://donboscosalesianportal.org/pray-always/>

³³⁸ Dietrich Bonhoeffer (1906–1945) was a Lutheran pastor, theologian, anti-Nazi dissident, and key founding member of the Confessing Church. His writings on Christianity's role in the secular world have become widely influential, and his book *The Cost of Discipleship* has been described as a modern classic.

³³⁹ *I came that they may have life, and have it abundantly* (Jn 10:10); *Your Father knows what you need before you ask him* (Matthew 6:8)

³⁴⁰ Hebrews 10:19-25

³⁴¹ https://en.wikipedia.org/wiki/Age_of_Aquarius; <https://www.elle.com/uk/life-and-culture/culture/longform/a33093/astrologers-explain-age-of-aquarius/>

³⁴² Isaiah, 44.8

³⁴³ It's a tragicomic play written by Eduardo De Filippo in 1931. It is one of the most appreciated by the public and by critics.

³⁴⁴ There are the two main sects within Islam: Sunni and Shia. Today, about 85 percent of the approximately 1.6 billion Muslims around the world are Sunni, while 15 percent are Shia, according to an estimate by the Council on Foreign Relations. Sunni Islam is separated into four main schools of jurisprudence, namely, Hanafi, Maliki, Shafi'i, Hanbali. Shia Islam, on the other hand, is separated into three major sects: Twelvers, Ismailis, and Zaydis. Though Sunni and Shia agree on most of the fundamental beliefs and practices of Islam, a bitter split between the two goes back some 14 centuries. The divide originated with a dispute over who should succeed the Prophet Muhammad as leader of the Islamic faith he introduced.

In recent years, Sunni–Shia relations have been increasingly marked by conflict, particularly the Iran–Saudi Arabia proxy conflict. Sectarian violence persists to this day from Pakistan to Yemen and is a major element of friction throughout the Middle East and South Asia.

distrust and delusion have contributed to a continent in the grips of its own demise. In France 2020, the factors have come together to make Europeans unable to argue for themselves and incapable of resisting their alteration as a society. We see disappointing failures of multiculturalism, Angela Merkel's U-turn on migration, the lack of repatriation and the Western fixation on guilt, uncovering the malaise at the very heart of the European culture.³⁴⁵

Sociologists and politicians began to clarify the attitude of Europeans to Islam (and the attitude of Muslims to Europeanism) for several reasons:

1- because the percentage of Muslims - both immigrants and *indigenous* residents converting to Islam- began to increase dramatically and Muslims became very noticeable elements of the European *landscape*;

2- because the parties and movements such as The Party for Freedom (Dutch: Partij voor de Vrijheid, PVV)³⁴⁶ began to appear in Europe - and it is not alone - who have anti-Islamism and anti-immigrantism in their program;

3- because the parties and movement such as International Eurasian Movement (Международное Евразийское Движение, Meždunarodnae Evrazijskoj Dviženie, MED)³⁴⁷ began to appear who have the dialogue of confessions and ethnic groups of Eurasia, the commitment to support Shi'i Islam,³⁴⁸ the wish that all nations be at liberty to pursue their own self-determined lines of development, free from interference and control by US Empire in their program.³⁴⁹

4- because Muslims from different countries of the Islamic world are less integrated into the cultural environment of their host European countries than the followers of other religions (Jews, Buddhists, Orthodox Christians, Confucians, etc.)

Alexander Ignatenko³⁵⁰ connects this with the circumstances of the emergence of Islam on the Arabian Peninsula in the 7th century. It emerged in *competition* with Christianity and Judaism already widespread there, and won in that *competition*. The evidence of that *competition* and victory is recorded in the foundations of Islam – in the Koran and Sunnah.

And now a Muslim comes to Europe, and if he is a sincere believer and religiously educated, then he experiences a kind of *culture shock* from the fact that the *overcome* religion - Christianity - is dominant in Europe. Further Alexander Ignatenko gives one example: Muslims believe that Allah took to heaven a man, the prophet of true monotheism, the son of Mary named Isa (Jesus), when the Romans came for him with the traitor Judas. Allah gave Judas the features of Isa. And the Romans crucified Judas on the cross, not Isa. It turns out, according to the logic of Muslims, that Christians worship crucified Judas in churches! What do they feel? Shock? Shock.³⁵¹

³⁴⁵See in detail: Murray Douglas, *The Strange Death of Europe: Immigration, Identity, Islam*, 2018.

³⁴⁶ The Party for Freedom (Dutch: Partij voor de Vrijheid, PVV) is a nationalist, right-wing populist political party in the Netherlands, founded in 2006.

³⁴⁷ The International Eurasian Movement (Международное Евразийское Движение, Meždunarodnae Evrazijskoj Dviženie, MED) is a non-governmental organization based in Moscow with branches in various European and Asian countries. Its founder and chief executive is the philosopher and political scientist Aleksandr Dugin.

In the 1990s, Aleksandr Dugin developed the philosophical-geopolitical doctrine known as neo-Eurasianism. Soon Dugin decided to support it with an organization capable of leading her to success. In 2000 he created the Eurasia Pan-Russian Political Movement, which the following year turned into a political party in support of President Vladimir Putin (but without competing in the elections). On November 20, 2003, the Eurasia party became a non governmental organization, under the name of "International Eurasian Movement" (Meždunarodnae Evrazijskoj Dviženie, MED).

³⁴⁸ More details: Upton Charles [Sidi Akram], *Dugin against Islam. Realpolitik alliances should not fool committed Muslims*, in: Upton Charles, *Dugin against Dugin: A Traditionalist Critique of the Fourth Political Theory* (2018), <https://crescent.icit-digital.org/articles/dugin-against-islam>

³⁴⁹ <http://med.org.ru/article/1915>

³⁵⁰ Ph.D in Philosophy, head of the Russian Institute of Religion and Politics and a member of the Presidential Council for Interaction with Religious Associations and the Council for Foreign and Defense Policies, who specializes in Arab and Islamic studies and has written extensively on various aspects of Islam.

³⁵¹ <https://rg.ru/2010/11/18/islam-site.html>

The Court states that Shari'a as a system is not compatible with the fundamental values of the Convention.³⁵² The Court is right, remaining neutral, because there are³⁵³ differences between the sources of law in Civil, Common and Islamic legal systems. One of the main reasons for this is the different origins of law. In Islamic law, God created the law, in Civil/Common law, people made legislations.³⁵⁴ In Islamic countries, law is considered absolute and constant, whereas it is much more flexible, changeable and negotiable in Civil/Common laws³⁵⁵ "Islamic law" refers to juristic interpretations (fiqh) of divine law (sharī'ah). In 2000, the Court found that there had been a violation of Article 9 in the Hasan and Chaush v. Bulgaria case. The applicants, a former Chief Mufti of the Bulgarian Muslims and a teacher of Islam, complained about the Bulgarian authorities' decision to change the leadership and statute of the Muslim community. The Court found that there had been interference with the internal organisation of the Muslim community and the applicants' freedom of religion.³⁵⁶

This paper argues that if one looks at actual cases rather than legal differences, a very different view of Islamic law emerges. The stress is not on antecedent concepts, but consequences. This is consistent both with the legal style and the social relationships within which the law (or a court) is active.

Islam has been rooted in Europe for decades through a huge wave of labor immigration. Hundreds of thousands of Spanish-speaking migrants from Latin America converted to evangelical Christianity in Spain between 1992 and 2008. France has the largest number of Muslims in the Western world. According to the Pew Research Center, Muslims make up 5.8% of the population of France.³⁵⁷ According to the latest Eurobarometer poll (2019), on the other hand, the Muslim population in France is 5% of the total population.³⁵⁸ Islam is the second-most widely professed religion in France (behind only Christianity). The majority of Muslims in France belong to the Sunni denomination.³⁵⁹ Also in Russia Islam is the second largest religion (up to 20 million people, 10% of the total population), adherents of which follow various directions and tariqa.³⁶⁰ The majority of Russian Muslims are Sunnis, about 10% are Shiites. *Muslims to make up 30% of Russia's population by 2034*. Number of Muslims in the country has been increasing every day, says Russia's grant mufti.³⁶¹ Islam in Russia is a complex, transversal and multidimensional issue and its growing importance in Russia will shape the future of the country in at least five main directions: the overall demographic balance of the country; the strategy of *normalizing* the regions of the North Caucasus; Russia's migration policy; Russia's positioning on the international scene; and the transformation of Russian national identity.³⁶²

³⁵²https://www.echr.coe.int/Documents/Research_report_application_islamic_law_ENG.PDF

³⁵³Juraev Nosirjon, Differences between the sources of law in Civil, Common and Islamic Legal Systems, <https://www.grin.com/document/233559>

³⁵⁴Juraev Nosirjon, Differences between the sources of law in Civil, Common and Islamic Legal Systems, <https://www.grin.com/document/233559>

³⁵⁵Juraev Nosirjon, Differences between the sources of law in Civil, Common and Islamic Legal Systems, <https://www.grin.com/document/233559>

³⁵⁶<https://minorityrights.org/wp-content/uploads/old-site-downloads/download-382-Hasan-and-Chaush-v-Bulgaria.pdf>

³⁵⁷ 5 facts about the Muslim population in Europe, Pew Research Center, <https://www.pewresearch.org/fact-tank/2017/11/29/5-facts-about-the-muslim-population-in-europe/>

³⁵⁸ https://en.wikipedia.org/wiki/Islam_in_France

³⁵⁹ https://en.wikipedia.org/wiki/Islam_in_France

³⁶⁰ Tariqa is a term adopted in Islam to designate a Sufi order or school that practice a special mystical teaching and spiritual practices for the intimate comprehension of divine truth and achieving spiritual self-improvement.

List of Sufi orders see here: https://en.wikipedia.org/wiki/List_of_Sufi_orders

On the Religious Movements THE SUFIS see here:

https://www.academia.edu/9422575/Religious_Movements_THE_SUFIS

On the Sufi Levels of Self and the Enneagram Levels of Development see here:

<https://enneagramegypt.com/f/the-sufi-levels-of-self-and-the-enneagram-levels-of-development>

³⁶¹ <https://www.aa.com.tr/en/world/-muslims-to-make-up-30-of-russia-s-population-by-2034-/1409181>

³⁶² Laruelle Marlene, How Islam Will Change Russia. The Jamestown Foundation (September 13, 2016)

Historically, many different nationalities live on the territory of Russia. Despite the fact that they differ from each other in traditions, culture and religion, since ancient times all peoples communicated with each other, traded, exchanged experiences, traditions and culture.

M. Antonov is right, confirming that "Religion, morality, and the law work together in Russia in a rather specific manner—with no prevalence on the part of the law (which is expected from a state based on the rule of law) and with rights being subject to concerns of sovereignty".³⁶³

Here it should be noted that the peoples of Russia did not adopt other people's traditions and culture, but accepted it and treated it with respect, not condemning it, not humiliating it. An example is the traditional Tatar holiday Sabantuy.³⁶⁴ Recently, this holiday has become an all-Russian one, that is, it is now celebrated not only in the Republic of Tatarstan, but throughout Russia.

Now the French Interior Minister Gérald Darmanin speaks of France fighting a *civil war*. "They want our death. So we will fight them to the death"³⁶⁵, -the French President is reported to have said. "The French Republic is a nice girl but she won't allow herself to be raped".³⁶⁶ To defend France's secular and unitary Republic against the *separatist* teaching of extremist Islam he suggests that ethnic food aisles in supermarkets should be closed. In other words: Let's punish the innocent French Muslims as well as the guilty ones... What will do judges regarding the freedom of thought, conscience, religion? How to organize for different peoples the Sabantuy³⁶⁷ holiday but not the Sabantuy war, described in the epigraph to the article?

Twardovsky narrates that suddenly, the soldiers of different nationalities, being in one place, meet a simple Russian woman *the mother of holy eternal power, of unknown mothers who are unbearable in work and in any misfortune*. The soldiers surround the woman with care, give her a horse, a cow, a feather bed, dishes, even a wall clock and a bicycle. Terkin in pursuit advises the woman, if they detain her and try to take away the good, to say that Vasily Terkin provided her with all this.³⁶⁸

Firstly, we need to find *the mother of holy eternal power*.

Secondly, Russia can be the *Terkin* for other countries.

Of course, great F. Tyutchev³⁶⁹ is right, writing in one of his philosophical monostrophe miniatures³⁷⁰:

You cannot grasp Russia with your mind

Or judge her by any common measure,

Russia is one of a special kind –

³⁶³ Antonov Mikhail, Conservative Philosophy and Doctrine of Sovereignty: A Necessary Connection?, Archiv für Rechts- und Sozialphilosophie No.153, 45-59 (2017)

³⁶⁴ Sabantuy is a Tatar, Idel-Uralian and Bashkir summer festival, that dates back to the Volga Bulgarian epoch. Sabantuy traces its origins to the pre-Islamic epoch, when it was celebrated before the sowing season. The presence of Sabantuy was noticed by ibn Fadlan as early as in 921. Traditional songs and other customs of the Sabantuy probably had a religious connotation at that time. Later, with the spread of Islam among Tatars and Bashkirs and Christianity among Chuvashs, it became a secular holiday. In each region, villages took turns to celebrate the holiday. In the beginning of the 20th century Sabantuy gained recognition as the national festival of the Tatars.

Recently, Moscow announced plans to nominate Sabantuy for the inclusion into the Masterpieces of the Oral and Intangible Heritage of Humanity list. (See: Drayton James. "Sabantuy", home to roam (4 July 2012), <http://hometoroam.blogspot.com/2012/07/sabantuy.html>)

³⁶⁵ <https://www.nytimes.com/2020/10/27/world/europe/French-Muslims-Turkey-crackdown.html>

³⁶⁶ <https://www.politico.eu/article/on-islam-macron-is-more-measured-than-his-critics-claim/>

³⁶⁷ Using Sabantuy as *Allgemeinbegriff*, the general notion.

³⁶⁸ <https://499c.ru/en/vasilii-terkin-polnostyu-po-glavam-chitat-knigu-vasilii-terkin/>

³⁶⁹ Fëdor Ivanovič Tyutchev (1803 - 1873) was a writer and eminent Russian poet, diplomat. He lived in Munich and Turin, he knew Heine and Schelling. He did not participate in literary life and did not call himself a man of letters.

³⁷⁰ In addition to this poem, Tyutchev wrote several other philosophical monostrophe miniatures (*When the last hour of nature strikes, Nature is a sphinx, It is not given to us to predict*) See in detail: Valiulis Svetlana, Reference book on literary criticism (2004)

You can only believe in her.³⁷¹

Russia's experience in balancing secular and religious values and peaceful coexistence of peoples is important for the international community. "Our model of interreligious cooperation and current Russian statutes do not allow the citizens of Russia, our society to make disrespectful statements about issues of faith and beliefs of people,³⁷² -A. Shkolnik³⁷³ says.

"Without Russia, the German bloodhounds would have already achieved their goal, or would achieve it very soon. [...] we and our children owe a great debt of gratitude to the Russian people for having experienced such immense losses and suffering. [...] [Russia's] conduct the war has made obvious her great achievements in all industrial and technical fields. [...] and in the limitless sacrifice and exemplary self-denial of every single individual, I see proof of a strong and universal will to defend what they have won. [...] In Russia the equality of all national and cultural groups is not merely nominal but is actually practiced!,³⁷⁴-Einstein said.

Although some scholars argue against comparing Western and Eastern Europe, we suggest that it is possible to evaluate balancing secular and religious values and peaceful coexistence of peoples among all European countries.

Religion and state. Courts are part of the judicial branch of government. A court settles disputes through a legal process. Resolving a case, the court applies the Rule of Law. Constitution is the supreme law of the land.

According to the article 14 of the Constitution of the Russian Federation, the Russian Federation shall be a secular state. No religion may be instituted as state-sponsored or mandatory religion.

Religious associations shall be separated from the state, and shall be equal before the law.³⁷⁵

Also France is a secular country in that it claims it is officially neutral in matters of religion, supporting neither religion nor the absence of it, as well as not having a state religion.

The Constitution of 1958 states: "France is an indivisible, secular, democratic and social Republic, guaranteeing that all citizens regardless of their origin, race or religion are treated as equals before the law and respecting all religious beliefs".³⁷⁶

"The French state does not favour any one religion and guarantees their peaceful co-existence in respect of the laws and principles of the Republic", - the government's website reads.³⁷⁷

³⁷¹ Tyutchev's lines have also recently become popular with politicians. Some years ago when welcoming French President Nicolas Sarkozy in the Kremlin, Vladimir Putin cited these lines, albeit revising the last line to say *You should only believe in her*. The verse also appeared in the remarks of former French President Jacques Chirac when he visited to Kremlin to accept a state award from Russia: <https://polit.ru/news/2008/06/13/5000000/>

See in detail: Tsonchev T.S, RUSSIA AND THE WEST:FYODOR TYUTCHEV ON RUSSIAN EXCEPTIONALISM, The Montréal Review (September 2018), <http://www.themontrealreview.com/2009/Russia-and-the-West-Fyodor-Tyutchev-on-Russian-Exceptionalism.ph>

³⁷² <https://www.oprf.ru/ru/press/news/2617/newsitem/56247?PHPSESSID=510o20fkf6ifui9i2acffnqsd0>

³⁷³ Aleksander Shkolnik (1964) is the Russian statesman, director of the Central Museum of the Great Patriotic War since April 28, 2017. According to the decree of the President of the Russian Federation, in 2020 he became a member of the Public Chamber of the Russian Federation, elected Deputy Secretary of the Public Chamber of the Russian Federation. He is the Member of the Public Chamber of Moscow of the III convocation (2019).

³⁷⁴From the speech to the Jewish Council for Russian War, 453-454 (25 October 1942)

³⁷⁵

<https://www.departments.bucknell.edu/russian/const/ch1.html#:~:text=Article%2014.,be%20equal%20before%20the%20law.>

³⁷⁶ <https://www.diplomatie.gouv.fr/en/coming-to-france/france-facts/secularism-and-religious-freedom-in-france-63815/article/secularism-and-religious-freedom-in-france#:~:text=Secularism%20Today-,Introduction,states%20the%20Constitution%20of%201958.>

³⁷⁷ <https://www.euronews.com/2020/11/05/what-is-secularism-and-why-is-it-causing-such-divisions-in-france>

Must a society be secular to be democratic? This is in substance what the applicants claimed in *Lautsi v Italy* case: “the principle of secularism coincides with the principle of democracy. A non-secular State could not be considered democratic.”³⁷⁸

This opinion is conceivable from a philosophical point of view, provided democracy is considered necessarily liberal by nature, as it is presently in most western States. Indeed, the principles of liberalism ultimately imply a certain moral relativism, and consequently a privatization of religion. According to this view, Western democracies are thus secular, at least in their essence.

Affirming that a democratic State is necessarily secular is unrealistic; moreover, it infringes the sovereignty of the Member States which have never undertaken such an obligation.

What was at stake in the *Lautsi v Italy* case was the determination of the ideological system, either liberal or Christiandemocratic, directing the interpretation of the Convention. In the case it clearly appears that, in the context of the European Convention, democracy does not imply secularism.³⁷⁹

But namely in the name of French secularism, Macron expressed his determination to *build in the country “enlightened Islam” that can be at peace with the French Republic*, to train imams locally, to limit access to private Islamic schools, and to strictly control the activities of cultural and sports associations, which in turn triggered anti-French protests in many Muslim countries.

His remarks angered Muslims all over the world. The head of Chechnya, Ramzan Kadyrov said that he is not ready to “silently watch how the atheists mock religion”.³⁸⁰ Might judges follow similar initiatives?

Judges shouldn’t allow for such measures. State authority wants to control the religions more, but to do so, a state authority must give them more legal rights, without building one religion.

Thus, in Russia, a number of ministries, departments, government agencies have their own religious temples, often there are public councils for covering religious topics in these ministries, departments. An ecclesiastical court, also called court Christian or court spiritual, is in modern Russia. In October 2012, the Department of Theology³⁸¹ appeared at the National Research Nuclear University MEPhI (Moscow Engineering Physics Institute)³⁸², aimed at mindful interdisciplinary study and research. The Department offers optional courses, special courses of choice, without confessional restrictions: History and Monuments of Christian thought, Contemporary history of religions in Russia, History of Russian science, Social history of Soviet physics, Scientific thought in a general cultural context: the formation of scientific programs, Current trends in the humanities, History of Christian art, Russian language (Academic writing), Research paradigm in social sciences. The academic subject *Fundamentals of Religious Cultures and Secular Ethics* appeared at Russian schools, and a new position of the military priest (chaplain)³⁸³ appeared in the staff of the Russian Armed Forces. The chairman of the Spiritual Directorate of Muslims of the Saratov Region³⁸⁴, Muqaddas Bibarsov³⁸⁵ said that it is necessary that the spiritual pastor, the imam-chaplain, should regularly turn to the Muslim military personnel. The mufti also called on the command of the armed forces to respect the food and ritual culture of Muslims, to understand “the difficult geopolitical and ethno-

³⁷⁸Observations of the applicants for the hearing of June 30, 2010, p. 6.

³⁷⁹Puppinck Grégor, Opt. cit, 897

³⁸⁰ <https://www.bbc.com/russian/features-54907557>

³⁸¹ <http://theology.mephi.ru/>

³⁸² National Research Nuclear University MEPhI (Moscow Engineering Physics Institute) is one of the most recognized technical universities in Russia.

³⁸³ https://en.wikipedia.org/wiki/Military_chaplain

³⁸⁴ See in detail: Matsuzato Kimitaka, Muslim Leaders in Russia's Volga-Urals: Self-Perceptions and Relationship with Regional Authorities, *Europe-Asia Studies*, Vol. 59, No. 5. 779-805 (Jul., 2007)

³⁸⁵ <http://lizagubernii.ru/ppage/17412/biografiya.html>

demographic conditions in which the Russian army exists today and will exist tomorrow".³⁸⁶ Bibarsov declared that the muftis are ready to agitate Muslims to serve in the Russian army. The Mufti noted that "in Islam to serve in order to protect the native land is a sacred duty, it is called" jihad ", therefore none of the Muslims has ever refused to serve in the Armed Forces, neither in peacetime, nor during an armed struggle".³⁸⁷

As for France, Geneva-based researcher Reda Benkirane³⁸⁸, who has studied contemporary Islam and inter-religious dialogue in both France and Switzerland, says Macron's vision goes against a cornerstone of French society: the separation between religion and state.

"The irony is that while Macron is leading the defence of secularism in France, his proposals are actually reinforcing state intervention to shape the religious convictions of its citizens",³⁸⁹ - the Swiss researcher says.

Under the traditional standard, religious reasons could permissibly animate public decision-making so long as there was a distinct predominant secular purpose.³⁹⁰ The Court has recently indicated its willingness to dispose of the secular purpose requirement. In the Lautsi ECtHR stated that *secularism* is a conviction and is respectable since it is compatible with the Convention, like many other convictions.³⁹¹ Rather than requiring a primary secular justification, the Court now substitutes a standard that tolerates any conviction for governmental acting. To the extent that there remains a secularism standard, it is no longer meaningful. It is easily satisfied by the assertion of any secular legislative purpose, no matter how transparent, as long as the underlying religious purpose *coincides* with the asserted secular purpose. This is in harmony with the opinion of Ivan Ilyin: "everyone believes: both the free-thinking and the atheist, and the materialist believe; both socialists and communists believe, and persecutors of Christianity".³⁹²

This Court's argumentation corresponds to *Pascal's Wager*³⁹³, also.

There are two convictions in the secular state: religion and secularism; religion penetrates practically all spheres of public life, including those areas that are separated from religion according to the Constitution: government agencies, schools, the army, education.

In international or European law, there is no precise or generally accepted definition of secularism.

The essence of the State, secular, confessional, or otherwise, is a country's internal affair. In the Lautsi in focusing on Italy's nature rather than its conduct, the Second Section placed itself in a position to blame Italy for being what it is, and to require it to act as if it were not so.³⁹⁴

We agree with Trigg that in recent years there has been a clear trend for courts in Europe to prioritize equality and non-discrimination above religion.³⁹⁵

³⁸⁶ <https://ria.ru/20201126/muftiy-1586418839.html>

³⁸⁷ <https://ria.ru/20201126/muftiy-1586418839.html>

³⁸⁸ Réda Benkirane (1962) is a Swiss sociologist from Morocco, consultant to international organizations in Geneva, specialist in communication. Engaged in various projects of weaving and mixing of knowledge (scientific humanities, digital humanism), his research has focused successively on urbanity, complexity (Benkirane Réda, *La complexité comme manière de remplir et d'habiter l'espace et le temps*", 2ème colloque international francophone sur la Complexité, *La pensée complexe : défis et opportunités pour l'éducation, la recherche et les organisations*, Université Lille 1, 31 mars-1er avril 2010, http://www.archipress.org/reda/?page_id=591), *Islamity and radicalism*.

³⁸⁹ <https://www.swissinfo.ch/eng/how-switzerland-and-france-approach-islamic-separatism-/46105336>

³⁹⁰ See in detail: Teitel Ruti, *Critique of Religion as Politics in the Public Sphere*, *Cornell Law Review*, Volume 78 (5 July 1993), <https://core.ac.uk/download/pdf/73975532.pdf>

³⁹¹ Puppink Grégor, *The Case of Lautsi v. Italy: A synthesis*, 2012 *BYU L. Rev.* 873, 891 (2012), <https://digitalcommons.law.byu.edu/lawreview/vol2012/iss3/7>

³⁹² Read more: Ilyin Ivan, *Collected writings in 10 volumes. Volume 1 (collection) (Russian) (2017)*

³⁹³ See Pascal Blaise, *Columbia History of Western Philosophy*, 353.

³⁹⁴ *Opt.cit.*, 914

³⁹⁵ See Trigg Roger, *Free to Believe?: Religious Freedom in a Liberal Society (2010)*

Determining it in the Lautsi, the Grand Chamber expressed refusal to arbitrate the Italian domestic debate on the meaning of secularism.³⁹⁶ It isn't something that the ECtRH is competent to decide.

In the Lautsi v Italy case the Court rejected the secularism in favor of the notion of neutrality.³⁹⁷

French domestic law clearly enshrines secularism. Of course, its concept of secularism differs from that of Italy, *inter alia*. But in the Lautsi case the efforts of the Italian government to prove that the crucifix—as a symbol of civilization—supports secularism, instead of opposing it, finally proved useless.³⁹⁸ The issue was relevant in the domestic debate, but off topic before the European Court. The government's presentation still held merit however, describing an original concept of secularism that respects the culture of society instead of aggressively stirring conflict within it.

For Macron and his ministers to talk about civil war, a fight to death and France under siege is not the right way to resolve the nation's Islamist crisis. *Sabantuy* war seems as the far right prepares to attempt to take over in coming elections, banking on rising hatred and distrust within French society.

"In European countries, the policy is turning towards the interference of regulatory bodies in the life of Muslims", - Igor Alekseev³⁹⁹ says, - "Muslims were not incorporated into the life of society, the state did not know very well what was going on with them. And now they apparently decided to increase control".⁴⁰⁰ The mainstream organizations have embraced the principles of the Republic, including the separation of church and state, but those on the fringes feel left out and so are easy prey for extremists. Even Macron admitted that the country's Muslim citizens have been let down by successive governments. He said that France has created its own *separatism* by dumping poorer people in suburban ghettos with poor-quality housing and few jobs. He vowed to right this wrong, but there has been scant follow-up. Mr. Castex, the prime minister, told reporters that France would "build more social housing, better distributed throughout the territory in order to break with the logic of ghettos".⁴⁰¹ That promises to be a long process with uncertain outcome.

Experts call what is happening in France as another clash between the Islamic world and the West.

Some Europeans have a negative attitude towards Islam and Muslims. But there is also a positive attitude of some Europeans towards Islam and Muslims. We won't give statistics here, it is available on the Internet.⁴⁰² It is important to understand one thing: judges are

³⁹⁶ Puppincq Grégor, The Case of Lautsi v. Italy: A synthesis, 2012 BYU L. Rev. 873, 894 (2012), <https://digitalcommons.law.byu.edu/lawreview/vol2012/iss3/7>

³⁹⁷ Opt.cit, 892

³⁹⁸ Puppincq Grégor, Opt.cit, 898

³⁹⁹ Associate professor of the Department of Contemporary Oriental Studies at the Russian State Humanitarian University; Moscow.

⁴⁰⁰ <https://www.bbc.com/russian/features-54907557>

⁴⁰¹ <https://www.nytimes.com/2020/12/09/world/europe/france-islamist-extremism-bill.html>

⁴⁰² In 1996, the Runnymede Trust researched public opinions about Islam. The research showed people have different opinions about Islam. The most negative opinions that some people have about Islam are:

That the Islamic World (*Islam*) is seen as a single block that will not change.

That Islam does not have common values with other cultures.

That Islam is inferior to *the West*. It has a barbaric culture, which is also irrational and sexist.

That they think Islam is aggressive and threatening. Some people think it supports terrorism.

That it is seen as an ideology which can be used in politics or war.

That if Muslims criticise *the West*, these criticisms are not tolerated.

That Muslims are discriminated against in society, Islamophobia is used as a justification.

That hostility against Muslims is seen as natural and normal.

<http://www.runnymedetrust.org/uploads/publications/pdfs/islamophobia.pdf>

A study found that Muslim women experienced Islamophobic attacks more often than Muslim men, but almost all are committed by Muslim men. (Siddique Haroon, Muslim Women more likely to suffer Islamophobic attacks than men -

witnessing the accumulating and ever-growing mutual hostility of *native* Europeans and a significant part of immigrants arriving from different countries of the Islamic world. Judges are witnessing the state's failure to integrate many of Muslims into society. Judges are witnessing a man in the street's (conscience) consciousness and acting.

"One must divide one's time between politics and equations. But our equations are much more important to me, because politics is for the present, while our equations are for eternity",⁴⁰³ Einstein said.

It seems Teilhard de Chardin talks about it, saying: "Such perspectives seem unlikely to the "common sense" of the man in the street and to a certain philosophy of the world for which nothing is possible except what has always existed. Instead they seem completely natural to the mind familiar with the fantastic dimensions of the Universe, because they are purely proportionate to the astral immensities. In the direction of Thought, as in the direction of Time and Space, could the Universe end in something that is not characterized by Dismeasure?"⁴⁰⁴

Here Teilhard says: a *Super-consciousness*, that is a consciousness higher than the one men have, it is possible to develop within the men of the future. Humanity could move towards a broader and more cohesive unity, in which contrasts diminish greatly and there is greater communion; in short, the brotherhood of which Jesus speaks. It is necessary to imagine an evolution that responds to the needs of the quantities that exist in the Universe. Then the idea of *super* union becomes something plausible, not an illogical and senseless thing. If the Universe is immense, the evolutionary process can create something immense. To these considerations he adds the fact that consciousness has always existed in the elements that evolve - he speaks of the *inside of things* - and has always expanded by becoming more and more mature up to our consciousness which is very complex. If this happened in the past, and given that the evolutionary motion does not stop, it can be deduced that the development of consciousness also continues to expand.

It's important to reflect on this idea of the great French paleontologist. Consciousness is not only an experience lived consciously, but it is a process, a constantly evolving flow that men all possess and that diversifies within men and has a social dimension, also. David Bohm⁴⁰⁵ hypothesizes two levels of human consciousness⁴⁰⁶, one that makes us see a portion of reality and a deeper level where everything is connected in a kind of *continuous wholeness*, a kind of global consciousness that unites us all, especially when there is a strong thought common to many people, but not only is there a type of consciousness in all things that develop following this kind of *program*.⁴⁰⁷

Bohm was deeply interested in exploring the nature of consciousness, with particular attention to the role of thought as it relates to attention, motivation, and conflict in the individual and in society.⁴⁰⁸

Politics and religion. The question can and should be comprehended that thought, conscience, religion relate to the sources of normative order in society, that religion, politics and law interconnect, relate to each other, and that only mindful judges can resolve

study (20 November 2013)– via www.theguardian.com., <https://www.theguardian.com/world/2013/nov/20/muslim-women-islamaphonic-attacks>)

⁴⁰³ Quoted in Strauss E, Assistant bei Albert Einstein in Zeit Helle, Zeit Dunkle: In Memoriam Albert Einstein, ed. Carl Seelig, Europa Verlag, Zurich, 38 (1956)

⁴⁰⁴<https://medium.com/transumanisti/luomo-come-singularit%C3%A0-evolutiva-e-fenomeno-planetario-3157c4f08482>

⁴⁰⁵ David Joseph Bohm (1917–1992) was an American scientist who has been described as one of the most significant theoretical physicists of the 20th century and who contributed unorthodox ideas to quantum theory, neuropsychology and the philosophy of mind.

⁴⁰⁶ On levels of consciousness see here also: <https://www.barrettacademy.com/levels-of-consciousness>

⁴⁰⁷ More details: Scaruffi Piero. The Nature of Consciousness (2006)

⁴⁰⁸ See David Bohm, Thought as a System, Psychology Press (1994)

the cases regarding the right to the freedom of thought, conscience, religion, given the growing varieties of spiritual experiences, its complexity.

We critically assess the phenomena of judicialization of politics and politicization of the judiciary. We all know the rising impact of courts on key constitutional principles, such as democracy, separation of powers, human rights and freedoms, which is paralleled by increasing criticism of this influence from both liberal and illiberal perspectives. So, Muslims of Russia are convinced that “the preservation of peace and stability is possible only by combining the efforts of representatives of all religions, nations, governments, international and public institutions”.⁴⁰⁹ (Albir Krganov)⁴¹⁰

According to Krganov, overcoming modern challenges and terrorist threats is directly related to strengthening the cultural, civilizational and interreligious dialogue, as well as to overcoming religious ignorance and conflict and to harmonizing ethno-religious relations. In addition, he argues that a big problem for many European states is the influx of migrants, which has generated many problems in the social and security sectors.⁴¹¹

Macron should have shown the moral leadership that is needed in a polarized society. He should have initiated dialogue with Muslim organizations in France with the aim of addressing the challenges a majority of French Muslims face.

Macron promises: “I will always defend in my country the freedom to say, to write, to think, to draw”.⁴¹² But the principles of absolute freedom of speech and secularity advocated by French society - one of the basic principles in the country - are not easily perceived by Muslims. In 2016, 29% of Muslims living in France said that Sharia should be more important than the country's national legislation. Three years later, it turned out that about 46% of Muslims born outside of France wanted to implement Sharia law into the country's legal system. According to a poll published in early September 2020, 59% of all French people support the publication of cartoons as an expression of free speech. Among Muslims, 19% adhere to this position.

Leonid Syukiyainen helps us: in France “they say that Muslims are against freedom of speech. No, they are not! Muslims are quite indifferent to the freedom of speech... If you conduct a dialogue with Muslims, you should choose the arguments that matter to them, and not just to refer to the freedom of speech, to the slogans of the French revolution, to the UN charter - for Muslims it is an empty phrase”.⁴¹³

Eric-Emmanuel Schmitt wrote properly: “Compassion of course. Open your heart to others. Feel theirs. In our western tradition, we know pity, only, this hierarchical virtue, this condescension for the other that a higher conscience feels; nothing to do with the compassion, this deep cordiality, this religion of kindness.”⁴¹⁴

Interreligious relations. Opportunities for meeting religious needs. While Orthodox Christianity is the Russia's predominant confession, Russia is home to Muslims of various ethnic backgrounds. The great majority of France's 5 million Muslims were born in France.⁴¹⁵

⁴⁰⁹<https://www.oprf.ru/press/news/2617/newsitem/56247>

⁴¹⁰ Albir Krganov (1944), Deputy Chairman of the Commission on Harmonization of Interethnic and Interreligious Relations, Mufti of the Spiritual Assembly of Muslims of the Russian Federation
<https://roscongress.org/en/speakers/krganov-albir/biography/>

⁴¹¹ 10 Dicembre 2020,

<https://www.oprf.ru/ru/press/news/2617/newsitem/56247?PHPSESSID=510o20fkf6ifui9i2acffnqsd0>

⁴¹² <https://www.aljazeera.com/news/2020/10/31/frances-macron-cartoons-came-from-free-and-independent-news>

⁴¹³ <https://www.bbc.com/russian/features-54907557>

⁴¹⁴ La compassion bien sûr. Ouvrir son cœur aux autres. Ressentir le leur. Dans notre tradition occidentale, on ne connaît que la pitié, cette vertu hiérarchique, cette condescendance pour l'autre qu'éprouve une conscience supérieure ; rien à voir avec la compassion, cette cordialité profonde, cette religion de la bonté. Schmitt Eric-Emmanuel, Milarepa (2009)

⁴¹⁵ Something like half of them are non-practising: <https://www.politico.eu/article/on-islam-macron-is-more-measured-than-his-critics-claim/>

It is for this reason that it is appropriate to consider the relationship of these two confessions with each other, not including other confessions.⁴¹⁶

There isn't an ancient tradition of peaceful coexistence of Christians and Muslims in France. The vast majority of French Muslims are of immigrant origin,⁴¹⁷ while an estimated 100,000 are converts to Islam of indigenous ethnic French background.⁴¹⁸

For more than forty years (Handyside, 1976⁴¹⁹ and Young, 1981⁴²⁰) the jurisprudence of the ECtHR has attributed importance to intercultural dialogue and to respect for minorities as necessary conditions for the defense of democratic society and the preservation of pluralism, elements which it considers inseparable from protection of the freedoms and fundamental rights enshrined in the European Convention. The European Court, in this field in particular, has to deal with its tasks of harmonizing the protection of fundamental rights in Europe and recognizing the diversity that exists between the countries that are parties to the Convention. The comparative method, the identification of a minimum European standard of protection, the attribution of a margin of appreciation are the guiding principles that the ECHR has used so far in the three levels at which it has been called to intervene: cultural conflicts within individual European societies, between the different cultures of the European countries adhering to the Convention, in relations between Europe and the rest of the world. In particular, the first level involves the freedom and the right to preserve one's lifestyle and the possibility of maintaining traditional values and customs that are also profoundly different from those of the host societies.⁴²¹

Now France launches checks on dozens of mosques. French president Macron spoke out against what he said was *Islamist separatism* in the country, vowing to place mosques under greater control.⁴²² Gérald Darmanin said the swoop on the mosques was *a massive and unprecedented action against separatism*; the mosques would be inspected and any found to be *breeding grounds of terrorism* would be shut. Darmanin ordered the closing of a mosque in Pantin, north-east of Paris, for six months. He officially announced the dissolving of the high-profile Muslim organisation the Collective Against Islamophobia in France (CCIF), which the government accuses of spreading Islamist propaganda. The CCIF accused the minister of having *given in to the calls of the far right*. The interior minister also confirmed that 66 undocumented migrants suspected of radicalisation had been expelled from France.

The moves are part of the French government's ongoing campaign to combat Islamist extremism after a series of terrorist attacks but has led to accusations it is unjustly targeting the wider Muslim community. "Until now, the state has focused on radicalisation and terrorism. Now we're also going to attack the breeding grounds of terrorism, where

⁴¹⁶ France has had many ethnic and religious minorities, including Germans, Swiss, Italians, Protestants, Jews, Gypsies, and Mennonites. More details: <https://www.independent.co.uk/news/world/politics/how-french-law-makes-minorities-invisible-a7416656.html> ; <https://www.washingtonpost.com/news/global-opinions/wp/2017/06/12/why-its-so-hard-for-minorities-in-france-to-find-safe-spaces/> . On the minorities in Russia see inter alia: Antonov Mikhail, Formalism, realism and conservatism in Russian law, Leiden (2019)

⁴¹⁷ Muslim immigration, mostly male, was high in the late 1960s and 1970s. The immigrants came primarily from Algeria and other North African colonies; however, Islam has an older history in France, since the Great Mosque of Paris was built in 1922, as a sign of recognition from the French Republic to the fallen Muslim tirailleurs mainly coming from Algeria, in particular at the battle of Verdun and the take-over of the Douaumont fort.

https://en.wikipedia.org/wiki/Islam_in_France#1960-1970s_labor_immigration

⁴¹⁸ https://en.wikipedia.org/wiki/Islam_in_France

⁴¹⁹ <https://globalfreedomofexpression.columbia.edu/cases/handyside-v-uk/>

⁴²⁰ https://en.wikipedia.org/wiki/Young,_James_and_Webster_v_United_Kingdom

⁴²¹ See in detail: Raimondi Guido, Il multiculturalismo nella giurisprudenza della Corte europea dei diritti dell'uomo https://www.questionegiustizia.it/rivista/articolo/il-multiculturalismo-nella-giurisprudenza-della-corte-europea-dei-diritti-dell-uomo_428.php

⁴²² <https://www.independent.co.uk/news/world/europe/france-mosques-closing-macron-b1765646.html>

people create the intellectual and cultural space for secession and imposing their values”, - Darmanin told *Le Figaro*.⁴²³

Let's consider recent French history. There have been 36 serious or very serious Islamist terror attacks in France in the eight years since Mohamed Merah murdered three children outside a Jewish school in Toulouse and killed five other people in March 2012.

There has been a series of coordinated suicide attacks on the Bataclan music venue and nearby bars in Paris slaughtered 130 Friday evening revelers. 86 people died when a 19-tonne truck was driven into crowds in Nice celebrating France's national day. There has been attacks in autumn 2020, including the beheading of a history teacher, Samuel Paty, who had shown caricatures of the Prophet Muhammad to his class.

Starting from the end of the 20th century, significant terrorist activity has taken place in Russia, most notably Budyonovsk hospital hostage crisis, 1999 apartment bombings, Moscow theater hostage crisis and Beslan school siege. Many more acts of terrorism have been committed in major Russian cities, as well as the regions of Chechnya and Dagestan.⁴²⁴

To date, in the Russian Federation 7,200 mosques have been restored and built. There are 17,000 active Orthodox churches. Synagogues - 70.⁴²⁵ Now the northernmost Buddhist temple in the world - the datsan Gunzechoinei⁴²⁶, built before the revolution in Petrograd, serves as a tourist and cult center of Buddhist culture. Preparations are under way to build a Buddhist temple in Moscow⁴²⁷ that could unite Buddhists around itself in joint practice.⁴²⁸ From the above, it follows that in Russia the adherents of each religion can freely visit temples and perform religious rituals.

In Russia peaceful coexistence of Christians and Muslims is an ancient tradition. There were no conflicts based on faith between them in Russia. Volga, Astrakhan, Siberian Tatars, as well as Caucasian Tatars (Azerbaijanis) adopted Islam in historical antiquity. M. Antonov is right writing: "The Soviet state was secular from the very beginning, and nothing fundamentally changed with perestroika in terms of legal regulation. This historical experience does not allow the unambiguous linking of positive or negative values: secularity is conceptually associated with Bolshevik repressions of the clergy and believers. For this reason, the principle of secularity in public discussions in Russia is often critically reassessed with reference to the anti-religious and atheist campaigns conducted by the Bolsheviks under the flag of secularity"⁴²⁹

It's indisputably, Islam is the root religion of Russia. Therefore, it is unacceptable to neglect the interests of Muslims in modern Russia. Now there are no cases when Islam comes into conflict with other religions in Russia, and this is a huge achievement for the country. Tatarstan President Rustam Minnikhanov⁴³⁰ told about this at a press conference dedicated to the results of the year 2020. "There is nowhere a tense point in our country for Islam to come into conflict with other religions. This is a huge achievement of our Russian state, this is the attitude of our President to the role of Islam",⁴³¹ - Minnikhanov noted.

⁴²³ <https://www.theguardian.com/world/2020/dec/03/france-crackdown-76-mosques-suspected-separatism>

⁴²⁴ On more recent attacks see: https://en.wikipedia.org/wiki/Terrorism_in_Russia#More_recent_attacks

⁴²⁵ <http://sherkaly-adm.ru/society/safety/safetymemory/media/2018/4/3/rossiya-mnogokonfessionalnoe-gosudarstvo/>

⁴²⁶ <https://dazan.spb.ru/>, the Datsan Gunzechoinei is a large Buddhist temple in Saint Petersburg, Russia. It is the northernmost Buddhist temple in Russia. (Andreev Alexandr, Agwan Dorjiev and the Buddhist Temple in Petrograd, In: Chö-Yang: The Voice of Tibetan Religion and Culture. Year of Tibet Edition, Gangchen Kyishong, Dharamsala, H.P., India (1991)

⁴²⁷ https://en.wikipedia.org/wiki/Buddhist_Temple_with_a_Stupa_in_Moscow

⁴²⁸ https://www.rbth.com/travel/2015/18/11/top_5_buddhist_sites_in_and_around_moscow

⁴²⁹ Antonov Mikhail, Formalism, realism and conservatism in Russian law, Leiden, 155 (2019)

⁴³⁰ Rustam Nurgaliyevich Minnikhanov (1957) is a Russian politician and the second and current President of Tatarstan, a federal subject of Russia. https://en.wikipedia.org/wiki/Rustam_Minnikhanov

⁴³¹ More details: <https://www.tatar-inform.ru/news/religion/24-12-2020/minnikhanov-dostizhenie-rossii-otsutstvие-konfliktov-islama-i-drugih-religiy-5795035>

Speaking on the dialogue with Islam in France, the French Government was seeking to reinforce the affirmation in France of an Islam that is true to the values of the Republic, while strictly observing the principle of secularism.⁴³²

France doesn't speak on the spiritual dialogue between traditional confessions. France is speaking on secularism and the freedom of speech. The New York Times wrote of "a broad government crackdown against Muslim individuals and groups in France".⁴³³ An American sociologist, Crystal Fleming, an expert on white supremacist groups, tweeted: "It is beyond sad to see French officials respond to violent extremism with violent extremism".⁴³⁴

There isn't violent extremism in France. There isn't a broad crackdown on Muslims in France. President Emmanuel Macron's government hasn't invaded Iraq, hasn't passed a Homeland Security Act to suspend some civil liberties, hasn't set up an off-shore prison camp for Muslim detainees. No. The government has closed a mosque. It has arrested a few dozen people. It has taken steps to investigate and maybe close 51 Muslim associations alleged to have extremist sympathies. It has announced plans to expel 231 foreigners, most of them already in prison.

Measured criticism of the French reaction is possible. Arié Alimi, a lawyer with the French League of Human Rights, said: «Morning and night we are hearing calls for new actions against Muslims. What we need [from Macron] is something ... wiser, something more balanced». ⁴³⁵

Alimi is right. What Macron should focus on instead is the state of France's 5 million Muslim citizens, most of whom were born in the country. What he should investigate are the causes of radicalization among the nation's Muslim youths. Macron needs to return to the sensible, considered approach to France's relationship with its Muslim citizens that he adopted in a speech two weeks before the murder of Samuel Paty.

French President E. Macron is no authority on Islam as a religion and should draw a line between the faith that is embraced by billions of people, and what is now called *political Islam*, in its various manifestations.

At the beginning of the XX century, Ivan Ilyin posed the following questions: «Can a person striving for moral high quality resist evil by force? and Can a person who accepts God, His universe and His place in the world, not resist evil by force?»⁴³⁶

Here is what he wrote⁴³⁷: A spiritually healthy person cannot but be indignant at the sight of internally triumphant and externally pouring out evil; he cannot non feel that non-resistance to it is not only permissiveness, and approval, and silent encouragement, but also complicity in its act (...). Genuine resistance to evil isn't limited to censuring it, nor to rejecting it; no, it puts a person in front of the question of life and death, demanding from him an answer whether he should live with the presence of victorious evil, and if he should, then how will he live? But is the unloving person competent to judge the tragedy of the lover? What can the *cold* and *warm* say to the one who receives the Divine through burning? Does it make sense to ask an indifferent person what will he do if he sees the death of something to which he is indifferent? That is why when a spiritual nihilist and indifferentist pose the problem of resistance to evil by means of physical coercion and suppression, they remove it by their posing and give it an imaginary permission (...)

Physical suppression and compulsion can be a direct religious and patriotic responsibility of a person, and then he isn't entitled to avoid them (...) Resistance to evil by force isn't a

⁴³² <https://www.gouvernement.fr/en/dialogue-with-islam-in-france>

⁴³³ <https://indianexpress.com/article/world/france-waging-a-broad-crackdown-depicts-a-plot-in-teachers-beheading-6840892/>

⁴³⁴ <https://www.justiceforallcanada.org/fmcondemnfrance.html>

⁴³⁵ <https://www.politico.eu/article/on-islam-macron-is-more-measured-than-his-critics-claim/>

⁴³⁶ Ilyin Ivan (Author), Benois K (Translator), On Resistance to Evil by Force (2018)

⁴³⁷ Written in 1925, On Resistance to Evil by Force is one of the most important tracts composed by white émigré philosopher Ivan Ilyin.

sin wherever it's objectively necessary or where it turns out to be the only exit. To argue that such resistance is *evil*, *sin* or *moral crime* is to reveal a scarcity of moral experience or a helpless lack of clarity of thinking.

It seems obvious that it would be useful to get acquainted with the opinion of the Russian Orthodox thinker and lawyer to all those who, in the language of the same Ivan Ilyin, discover a *scarcity of moral experience* and *helpless lack of clarity of thinking* and thoughtlessly hang the labels of *villains*, *criminals* and *Islamic terrorists* on the heroes of the Resistance in Palestine, Iraq, Afghanistan and some other countries. Instead, they should have dealt with the reasons and essence of what is happening there.

As he explains, in the face of evil which can be contained by no other means, a forceful response isn't only permissible, but becomes knightly duty. Further, heroic courage consists not only in recognising this duty, but in bearing its heavy moral burden without fear. In his own time, Ilyin penned this guide for the exiled Russian White Army in its continued resistance against the godless Bolsheviks. But everywhere the people can still find great relevance in his words, as the same evil continues its designs through other means and under other names.

As the Russian orientalist Nikolai Zhdanov⁴³⁸ correctly notes⁴³⁹: «In the zone of the spread of Islam, terrorism has become stable in connection with the chronic unresolved problems that gave rise to it. And if the international community allows the use of double standards to resolve the problems of the Islamic world, then some Muslim countries act in a similar way: while condemning terrorism in official documents, they continue to support and reproduce the infrastructures of terrorist organizations that use religious motivation in their activities.

The overwhelming majority of reasons for the widespread spread of terrorism in the Islamic zone are associated with the problems of external invasion of the Islamic civilization». ⁴⁴⁰ He continues: «Terrorism in the zone of the spread of Islam is a stable phenomenon, and not only because of the persistence of its (terrorism) causes, but also because it has been and remains an instrument of the struggle of the intelligence services of states against each other. (...) in the zone of the spread of Islam there are wars between states in the form of terror by various organizations from both sides. In the meantime, the international community is adopting various conventions on the fight against terrorism, which include the same states waging a covert war. But the situation is not hopeless, its fundamental improvement is associated with the elimination of the practice of double standards in approaches to international security problems.»

It's difficult to disagree with these words. However, as long as there is a double morality and *external invasion into the environment of Islamic civilization* continues, heroic resistance to evil and all its carriers with *sword and force* is inevitable. We have no doubt: if Ivan Ilyin would alive today, he would never, under any circumstances, condemn anyone

⁴³⁸<http://intlaw.rudn.ru/history-in-faces/zhdanov/>

⁴³⁹ Zhdanov Nikolai, *Islamic concept world order (Islamskaya kontseptsiya miropanyadka)* (2003),

[https://www.amazon.com/-/es/N-V-](https://www.amazon.com/-/es/N-V-Zhdanov/dp/5713311686/ref=sr_1_15?dchild=1&qid=1609266183&refinements=p_27%3AZhdanov+V.&s=books&sr=1-15)

[Zhdanov/dp/5713311686/ref=sr_1_15?dchild=1&qid=1609266183&refinements=p_27%3AZhdanov+V.&s=books&sr=1-15](https://www.amazon.com/-/es/N-V-Zhdanov/dp/5713311686/ref=sr_1_15?dchild=1&qid=1609266183&refinements=p_27%3AZhdanov+V.&s=books&sr=1-15)

⁴⁴⁰ «Great Britain initiated the adoption of the Arthur James Balfour Declaration in November 1917, promising a national home for Jews where other peoples lived, subsequently pushing Arabs and Jews into a vicious circle of massacres and pogroms. Great Britain has divided the territory between Pakistan and India in such a way that these two great Asian countries are doomed in their relations to constant military tension, alternating with periods of some weakening of the threat of military conflict between the nuclear powers. Several people in the Soviet leadership at the end of 1979, ignoring the opinion of civilian specialists and the General Staff of the USSR, decided to carry out social transformations by military means in Afghanistan, which by that time had not yet completed the feudal stage of society development in a number of its regions. Not without the intervention and pushing of the United States, Iran began by force of arms to resolve ideological and territorial disputes in the region, where the history of statehood of each of the countries can constantly give rise to military conflicts. And as a result - the deployment of foreign troops on the territory of Saudi Arabia - the historical homeland of Islam.» (Zhdanov Nikolai, *Opt.cit*)

from those who today, sacrificing themselves, are consciously fighting against the power of the occupiers and the celebration *Blasphemous anti-spirituality*. Einstein said: «Many persons have inquired concerning a recent message of mine that «a new type of thinking is essential if mankind is to survive and move to higher levels." [...] Past thinking and methods did not prevent world wars. Future thinking must prevent wars». ⁴⁴¹

More than 20 European Muslim organizations called on the French president to end his “divisive rhetoric and show moral leadership. In an open letter, they said that maligning Islam and your own Muslim citizens, closing mainstream mosques, Muslim and humanitarian rights organizations, and using this as an opportunity to stir up further hatred, has given further encouragement to racists and violent extremists”. ⁴⁴²

William Bourdon, a lawyer who lodged an unsuccessful challenge to the closure order, said shutting the mosque was “a very serious error that risked marginalising thousands and thousands of worshippers”. ⁴⁴³

Sheikh Mohammed Abu Zaid, Chairman of the Sunni Court and imam of the largest mosque in Saida, near Beirut believes that only peaceful collaboration will improve relations. “Using the state’s power and authority will do the opposite”, - he told to *Deutsche Welle*. ⁴⁴⁴

“Muslims and the French government need to focus on three aspects”, - the prominent imam believes. Firstly, he sees the necessity for the French government to be open to the Muslim community by collaborating with their leadership. “Otherwise, people will feel over-ruled”, - he said. Secondly, he recommends that imams be trained and qualified in the country they live in. Thirdly, he says, it’s crucial to raise awareness that closing mosques will only lead to new problems. “People will not stop praying or listening to imams, they will just do this secretly”, ⁴⁴⁵ - Mohammed Abu Zaid said.

Zaid’s opinion is rare in the Islamic world. “Fanatics will accuse me of being weak and of giving in to the French authorities”, - he noted. In the history of strictly secular France none of the around 2,600 mosques and prayer rooms, including their privately employed imams, have been inspected by the state, but Abu Zaid believes the state should take on that task. “As a man of responsibility and long experience I think this is the right way”, ⁴⁴⁶ - the 45-year-old imam says. While the charter, which Macron had urged the CFCM to hammer out in cooperation with the interior ministry, is seen critically in many Muslim countries, Abu Zaid welcomes its message: “Imams need training, this is not about control but about awareness what is legal and what is illegal in a country”. ⁴⁴⁷

As for the spiritual dialogue between traditional confessions, the discovery of doctrinal parallels, dogmatic coincidences and the identity of ethical postulates, then, undoubtedly, there is no need to talk about the prospects of the path of dialogue as an unambiguous convergence of positions. Delving into dogmatic and ethical details does not in itself lead to rapprochement, although it does promote mutual understanding. For example, one can

⁴⁴¹ From *The real problem is in the hearts of men*, New York Times Magazine (23 giugno 1946); Calaprice Alice, *Ultimate Quotable Einstein*, Princeton University Press, 273 (2010)

⁴⁴² <https://www.arabnews.com/node/1758071>

⁴⁴³ <https://www.theguardian.com/world/2020/dec/03/france-crackdown-76-mosques-suspected-separatism;>
<https://www.independent.co.uk/news/world/europe/france-mosques-closing-macron-b1765646.html>

⁴⁴⁴ Abu Zaid is widely known as an Islamic scholar focused on dialogue. He is the author of 18 books advocating for a moderate, peaceful Islam and dialogue with non-Muslim or minority-Muslim countries. He has also taught at Stanford University in the US, and was among the first imams to travel to Denmark after protests erupted over the publication of cartoons of the prophet Muhammad in 2005. <https://www.dtnext.in/News/World/2020/12/08033723/1265684/Muslims-in-France-Peaceful-dialogue-to-mend-broken-.vpf>

⁴⁴⁵ <https://www.dtnext.in/News/World/2020/12/08033723/1265684/Muslims-in-France-Peaceful-dialogue-to-mend-broken-.vpf>

⁴⁴⁶Ibid

⁴⁴⁷Ibid

find striking correspondences in Islamic and Christian eschatology,⁴⁴⁸ so significant that in this field one can even speak of these two faiths as closely related. However, in many other respects Christianity and Islam share doctrinal chasms. This does not mean that there is no place for two traditions on the same land - on the contrary, Russian supranationalism is aimed at combining fundamentally different, stable in itself, spiritual, cultural, ethnic worlds.

In the 19th century, in Russian society, the relationship between Orthodox and Muslims in connection with the Russian-Turkish wars⁴⁴⁹ was vigorously discussed. Many authors from the democratic movement said on the need to declare the *non-confessional* content of the war, so as not to provoke Russian Muslims into riots. These statements of the time are very reminiscent of the speeches of modern politicians who, for any convenient reason, frighten the people with inter-religious strife. In *The Clash of Civilizations and the Remaking of World Order*⁴⁵⁰ Huntington claimed that today's major conflicts are most likely to erupt between religiously defined *civilizations*, in particular between Christianity and Islam.⁴⁵¹

Abu Zaid sends a clear message to Muslim immigrants to see themselves as part of the country they live in and not just as visitors. From Abu Zaid's point of view, the religious Muslim community needs to defend the country that welcomed you and gave you citizenship. He also deliberately addresses French Muslims, telling them that you are French citizens, you should not bring your Turkish, Indian, Pakistani or Lebanese customs but you should live according to the new country.⁴⁵²

Heda Inderbaeva, a representative of the Caucasian community in France, knows families who could not accept the values of French Republic and decided to leave France. But Inderbaeva says that in the community as a whole the approach is different: "France accepted us in the most terrible years of our life, and we have no right to dictate anything. Yes, there are Muslims who condemn cartoons. And there are those who say: if it's unpleasant for you- close your eyes. France has its own peculiarities that Chechens cannot understand. But it seems to me that the main thing is to show tolerance. Now this is our country".⁴⁵³

The French Council of the Muslim Faith circulated a sermon to mosques that said this: "The law of the Republic permits these cartoons but obliges no one to like them. We can even detest them. But nothing, absolutely nothing, justifies murder".⁴⁵⁴ This is the kind of message French Muslims should embrace.

⁴⁴⁸ Eschatology is a part of theology concerned with the final events of history, or the ultimate destiny of humanity. This concept is commonly referred to as the *end of the world* or *end times* (BBC - Religions - Christianity: End Times, BBC Online (2011-07-19),

http://www.bbc.co.uk/religion/religions/christianity/beliefs/endtimes_1.shtml)

⁴⁴⁹ As a result of the Russo-Turkish wars, many regions were liberated from the Turkish yoke and incorporated into Russia: the southern Ukraine, Bessarabia, the Crimea, the northwestern Caucasus, the Caucasian Black Sea coast, southwestern Georgia, and the northern part of Turkish Armenia, <https://encyclopedia2.thefreedictionary.com/Russo-Turkish+Wars+of+the+17th-19th+Centuries>

⁴⁵⁰ Huntington Samuel, *The Clash of Civilizations and the Remaking of World Order*, Simon&Schuster (2017)

⁴⁵¹ On What is Islamophobia after September 11th 2001? Why does the Huntingtonian (Huntington 1993, 1996) clash of civilisations theory seem to mark the political relationships between the West and Islam? see: Marranci Gabriele, MULTICULTURALISM, ISLAM AND THE CLASH OF CIVILISATIONS THEORY: RETHINKING ISLAMOPHOBIA, in *Culture and Religion* Vol. 5, No 1, 105-117 (2004); On the relationship between Islam and democratic forms of governance see: HOFMANN STEVEN RYAN, ISLAM AND DEMOCRACY, *Micro-Level Indications of Compatibility in COMPARATIVE POLITICAL STUDIES*, Vol. 37 No. 6, 652-676 (August 2004); On the Huntington's clash of civilizations thesis see: TUSICISNY ANDREJ, *Civilizational Conflicts: More Frequent, Longer, and Bloodier?*, in *Journal of PEACE RESEARCH*, volume 41, number 4, 485-498 (July 2004)

⁴⁵² <https://www.dnnext.in/News/World/2020/12/08033723/1265684/Muslims-in-France-Peaceful-dialogue-to-mend-broken-vpf>

⁴⁵³ <https://www.bbc.com/russian/features-54907557>

⁴⁵⁴ <https://www.arabnews.com/node/1758071>

All people should embrace that the negative freedom of religion remains limited to the safeguard of the individual sphere. The extension of a negative freedom to the environment would have established a *confessional neutrality* obligation under the Convention.

The Grand Chamber refused to give symmetrical weight to the positive and negative aspects of freedom of religion. Indeed, it is important to make sure the respect of the negative freedom is not guaranteed at the expense of the positive exercise of the right. The Court already explained this principle in the famous case of *Pretty v. the United Kingdom*⁴⁵⁵ concerning euthanasia. In that case, the Court refused to grant the applicant the benefit of a *diametrically opposite right, namely a right to die*,⁴⁵⁶ i.e. a negative right to life. In *Lautsi*, the negative freedom concerned a purely subjective matter, that one may feel offended by some words, caricature, or symbols, while others may not. Generally, there is no fundamental right not to be offended or upset under the Convention. Of course France can rely on the national majority conviction (secularism). Of course, Muslims as minorities must be protected.

The Court has always been keen on protecting minorities, considering that, in a democracy, majorities tend to misuse their dominant position. The democratic system, which entrusts power to the majority, must be corrected by supranational human rights protection mechanisms. These mechanisms ensure the protection of fundamental rights for each individual against the State and society as a whole. In *Lautsi* the applicants requested that the Court protect them against *the despotism of the majority*.⁴⁵⁷ Such despotism was allegedly manifested, for example, through the nearly unanimous vote of the school's governing body to maintain the crucifix.

In its decision, the Second Section blamed the Italian majority religion for being the majority religion. The Second Section stated that in countries where the great majority of the population owe allegiance to one particular religion[,] the manifestation of the observances and symbols of that religion, without restriction as to place and manner, may constitute pressure on students who do not practise that religion or those who adhere to another religion.⁴⁵⁸

Following the reasoning of the Section, the presence of the crucifix would be more acceptable if the majority of the population of Italy was not Catholic and the presence of secularism would be more acceptable if the majority of the population of France was not secular. The Italian Government properly noted that this rationale is absurd.⁴⁵⁹ All readers note the same thing.

Finally, in *Lautsi* the Court refused to endorse a complete conceptual reversal of freedom of religion against itself. This conceptual reversal, which supposed that the freedom of some could be ruined by the manifestation of the religion of others,⁴⁶⁰ was denounced by the Italian Government before the Grand Chamber as the main *scandal* in the case: "What is scandalous in this case is the negation of freedom of religion in the name of freedom of religion! It is this claim to defend freedom of religion by socially banning religion! It is the will of extending the negative dimension of freedom of religion until negating its positive dimension!"⁴⁶¹

M. Antonov writes: "In most Western countries, the secularization of the state was a painful and lengthy process connected with the struggle for individual liberties leading to the

⁴⁵⁵App. 2346/02, 2002 Eur. Ct. H.R.

⁴⁵⁶Ibid. § 35

⁴⁵⁷ According to the words of the applicant's counsel before the Grand Chamber. Oral argument may be consulted in the file on the case at the Court's Registry.

⁴⁵⁸*Lautsi v. Italy*, App. 30814/06, 2009 Eur. Ct. H.R. §50 (2d Sec.), rev'd, App. 30814/06, 2011 Eur. Ct. H.R. (G.C.).

⁴⁵⁹See *Lautsi*, 2011 Eur. Ct. H.R. §§ 37, 39 (discussing how it was acceptable for Italy to permit Islamic headscarves because it was a minority religion, but that symbols of a majority religion were wrongly perceived as *aggravating*).

⁴⁶⁰Pleading of the Italian Government before the Grand Chamber, June 30, 2010, § 24–26

⁴⁶¹Opt.cit § 4

conviction that tolerance is a prerequisite for the protection of rights”.⁴⁶² In the West, the fundamental right of freedom of religion developed alongside toleration⁴⁶³ — the idea that a nation could allow more than a single religious group to operate freely within its borders. The assumption, however, was that religion was practised by organisations. Today, when courts inquire about whether someone’s right to freedom of religion has been violated, they ask for proof that the beliefs are religious in nature and that the individual was sincere in holding them. That proof usually involves demonstrating membership of a religious group that has established moral obligations the individual was trying to follow. Organized religion is distinguished from the broader idea of religion especially in anthropology, sociology and philosophy. American philosopher William James considered organized religion to be distinct from and secondary to religion in and of itself, stating that “out of religion in the sense in which we take it, theologies, philosophies, and ecclesiastical organisations may secondarily grow”.⁴⁶⁴ James further comments that the essential elements of “institutional religion are worship and sacrifice, procedures for working on the dispositions of the deity [i.e.] theology, and ceremony and ecclesiastical organisation”.⁴⁶⁵ In the modern era, the definition of the term *religion* is becoming increasingly opaque, making the task of defining *organised religion* difficult. Anthropologists, theologians and scholars have thus attempt to embed the idea of an *organisation*¹ into the definition of religion itself. Some examples of this are found in the definition provided by Clifford Geertz, who defines religion as a *Cultural system*.⁴⁶⁶

Courts have historically treated idiosyncratic spiritual beliefs as unworthy of protection. For example, in the case of *Fédération chrétienne des témoins de Jéhovah de France v. France*⁴⁶⁷ the Court observed the French legislation in question, aimed to strengthen preventive and punitive action against sectarian movements infringing human rights and fundamental freedoms.⁴⁶⁸ Court noted *inter alia* that in so far as the impugned legislation targeted sects, it did not define a term.

We share the Jeremy Patrick’s view⁴⁶⁹ that the judicial discretion regarding the freedom of religion needs to evolve alongside religion itself. What matters is that those beliefs may be just as real to the *spiritual but not religious* person as the doctrines of any established church are to a regular attendee. Freedom of religion is premised on the notion that matters of conscience — the most cherished and deeply-held moral beliefs a person may have — should not lightly be burdened by the government. In the spirit of tolerance and generosity that animates the doctrine of freedom of religion, more should be allowed to shelter under its umbrella.

⁴⁶²Antonov M. Opt.cit, 155.

⁴⁶³ Religious tolerance redirects to Freedom of religion. Religious toleration is people allowing other people to think or practice other religions and beliefs. Religious tolerance includes not only state tolerance, but also tolerance among sects. See: Barzilai Gad, *Law and Religion*, Ashgate (2007); Beneke Chris. *Beyond Toleration: The Religious Origins of American Pluralism*, Oxford University Press, USA (September 2006)

⁴⁶⁴ James William, Lecture II: Circumscription of the Topic, *The Varieties of Religious Experience*. Arc Manor LLC, 31 (1902)

⁴⁶⁵ Opt cit, 30.

⁴⁶⁶ Geertz Clifford, *Religion as a Cultural System* (1966)

⁴⁶⁷No. 53430/99, ECHR 2001-XI, https://www.echr.coe.int/documents/research_report_religion_eng.pdf

⁴⁶⁸ The 2001 law for the *Prevention and Repression of Cultic Movements* permits the French judiciary to dissolve a religious organization when one of its leaders, or the movement itself, is convicted of crimes. The 2001 law is targeted at sects and movements deemed cultic (mouvements sectaires) that "undermine human rights and fundamental freedoms", as well as *mental manipulation* (Henley Jon, Church attacks new French anti-cult law, *The Guardian* (2000-06-23), <http://www2.trincoll.edu/csrlp/RINVol4No3/French%20sects.htm>;

<https://www.theguardian.com/world/2000/jun/23/jonhenley>). The law has caused controversy internationally, with some commentators alleging that it infringes on religious freedom while proponents contend that it reinforces religious freedom. (Cults Are Making a Comeback in France — Why?, OZY (2017-08-17), <https://www.ozy.com/fast-forward/cults-are-making-a-comeback-in-france-why/79756/>)

⁴⁶⁹<https://theconversation.com/religious-freedoms-should-include-spiritual-beliefs-too-97445>

VI. Solovjev found that true religious tolerance should consist in allowing everyone to freely and inviolably profess the doctrine that he considers to be true, as long as it does not cause social harm, that is, it is not expressed in actions dangerous to public morality or order.⁴⁷⁰

You have to move south for a few thousand kilometers and meet Pope Francis, the mystical political expert. As St. Francis was, who crossed the lines of the Crusader army to meet the Sultan al-Malik al-Kamil 800 years ago.⁴⁷¹ In 1219 Francis joins the crusade and arrives in Egypt. He witnesses the fierce battle between the Crusaders and the Muslims who defended the port and the fortress of Damietta. For his desire for peace, he feels the need to meet the sultan. The guards who *watched over the sultan's residence, seeing such a simple and kind man, didn't even think of letting him in* but then admitted him to enter and *even the sultan was surprised hearing Francis in his request for peace*. Pope and Francis are prophets of peace, and if in some people's minds the world still looks like it was 800 years ago, someone else dares to cross mental barriers and shakes hands. We discover that 2019 was the year of tolerance in the Emirates, explained as follows:

1.1 Tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness, communication, and freedom of thought, conscience and belief. Tolerance is harmony in difference. It is not only a moral duty, it is 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.

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

1.3 Tolerance is the responsibility that upholds human rights, pluralism (including cultural 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.

1.4 Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one's convictions. It means that one is free to adhere to one's own convictions and accepts that others adhere to theirs. It 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. It also means that one's views are not to be imposed on others. (Art.1, Declaration of Principles on Tolerance, 16 November 1995).⁴⁷²

Based on the above, it follows that the issue of religious tolerance is extremely important in the society we live in. Religious tolerance is of several types, depending on the object:

- tolerance towards other religions (Christian Muslim, Buddhist Muslim, Christian Buddhist);
- tolerance towards representatives of other confessions (Protestant Catholic, Sunni Shiite);
- tolerance to sectarian movements, as well as tolerance of sectarian movements to each other;

⁴⁷⁰Koni AF, Vladimir Sergeevich Solovjev, 29 (1873)

⁴⁷¹Encounter Muslim, St Francis of Assisi and Islam: a theological perspective on a Christian, <https://core.ac.uk/reader/2732890>

⁴⁷²http://portal.unesco.org/en/ev.php-URL_ID=13175&URL_DO=DO_TOPIC&URL_SECTION=201.html

- tolerance between believers and non-believers (atheist).

Guide on article 9 ECHR says that a court should ensure inter-faith harmony.⁴⁷³ Regarding the crisis in France Britain and the US have accused the French authorities of intolerance, namely.⁴⁷⁴ Sometimes we wonder if we should also announce 2021 a year of tolerance!

Interfaith conflicts. Everything is complex here. Yes, often a trial, initially expected to focus on the limits of freedom of religion, increasingly focuses on the impartiality of judges.⁴⁷⁵ Yes, Islam itself has an inner conflict. Yes, in their decisions, Russian courts demonstrate an unequivocal and categorical negative attitude towards *radical* Islam.⁴⁷⁶ Today the term *militant* is applied only to Islam and not to other religions. The term militant is an European-American *invention*.⁴⁷⁷ Russians rarely say that. Ignatenko thinks that this and other terms, such as *fundamentalist* Islam, *radical*, *extremist*, *traditional*, *moderate*, etc. are the manifestation of the desire to understand Islam as something differentiated.⁴⁷⁸ There is another important point in this use of the words *Militant Islam*: in this way, politically correct Europeans⁴⁷⁹ avoid accusing *Islam as such* of those excesses on religious or pseudo-religious grounds that take place in Europe - recall the terrorist attacks in Paris, London, Madrid, which were committed by Muslims and on behalf of organizations or groups with the word *Islamic* in a title such as *World Islamic Front for Jihad Against Jews and Crusaders* (the full name of *Al-Qaeda*).

To talk about *Islam in general* is pointless. Islam exists in different regional forms. The Prophet Muhammad foretold this fragmentation of Islam by saying: "My ummah will split into seventy-three sects, all of whom will be in Hell except one group." They said: Who are they, O Messenger of Allaah? He said: "(Those who follow) that which I and my companions follow."⁴⁸⁰ The implication is that seventy-two of the seventy-three sects will be deluded, in other words, their Islam will be *wrong*, a kind of *pseudo-Islam*. Thus, there are at least seventy-three Islam. They differ and reach bloody violence, as it is in Pakistan⁴⁸¹, where the Sunni Taliban have been committing terrorist acts in the mosques of Shiites, Sufis, Ahmadis for the past 30 years.⁴⁸² As many as 4,000 people are estimated to have been killed by Shia-Sunni sectarian attacks in Pakistan between 1987–2007.⁴⁸³ And since 2008 thousands of Shia have been killed by Sunni extremists according to Human Rights Watch (HRW).⁴⁸⁴

One significant aspect of the attacks in Pakistan is that militants often target Sunni and Shia worshipping places during prayers in order to maximize fatalities and to *emphasize*

⁴⁷³https://www.echr.coe.int/Documents/Guide_Art_9_ENG.pdf

⁴⁷⁴<https://theconversation.com/for-french-muslims-every-terror-attack-brings-questions-about-their-loyalty-to-the-republic-149151>

⁴⁷⁵See for ex, <https://www.taiwannews.com.tw/en/news/1573295>

⁴⁷⁶ See for ex, Appellate Ruling of the Judicial Collegium for Servicemen of the Supreme Court of the Russian Federation, 03.09.2019

<https://legalacts.ru/sud/apelliationnoe-opredelenie-sudebnoi-kollegii-po-delam-voennosluzhashchikh-verkhovnogo-suda-rossiiskoi-federatsii-ot-03092019-n-201-apu19-36/>

⁴⁷⁷ See for ex: Pipes Daniel, *Militant Islam Reaches America* (2003); Vertigans Stephen, *Militant Islam: A Sociology of Characteristics, Causes and Consequences* (January 2008).

⁴⁷⁸ <https://rg.ru/2010/11/18/islam-site.html>

⁴⁷⁹ On *Why is Europe so politically correct?* see: <https://www.quora.com/Why-is-Europe-so-politically-correct>

⁴⁸⁰ <https://www.islamiqate.com/2448/prophet-ummah-would-divide-sects-where-would-enter-paradise>

⁴⁸¹ Country Profile: Pakistan,

<https://web.archive.org/web/20050717171649/http://lcweb2.loc.gov/frd/cs/profiles/Pakistan.pdf>, Religion: The overwhelming majority of the population (96.3 percent) is Muslim, of whom approximately percent are Sunni and 9 percent Shia.

⁴⁸² Targets in Pakistan include the Shia, Barelvis, Sunnis, Sufis, Ahmadis, and small groups of Deobandis.

⁴⁸³ Montero David, *Shiite-Sunni conflict rises in Pakistan*, *Christian Science Monitor* (2 February 2007), <https://www.csmonitor.com/2007/0202/p01s02-wosc.html>

⁴⁸⁴ Pakistan: Rampant Killings of Shia by Extremists, Human Rights Watch (30 June 2014), <https://www.hrw.org/news/2014/06/29/pakistan-rampant-killings-shia-extremists>

*the religious dimensions of their attack.*⁴⁸⁵ Human Rights Watch also states that in 2011 and 2012 Pakistan minority groups Hindus, Ahmadi, and Christians *faced unprecedented insecurity and persecution in the country.*⁴⁸⁶ Attacks on Sufi shrines by Salafis have also been reported.⁴⁸⁷

Among those blamed for the sectarian violence in the country are mainly Sunni militant groups, such as the Sipah-e-Sahaba, the Tehrik-e-Taliban Pakistan,⁴⁸⁸ Jundallah (affiliates of Islamic State of Iraq and the Levant).⁴⁸⁹ Tehrik-i-Taliban Pakistan *has claimed responsibility for most of the attacks* on Shia according to Human Rights Watch.⁴⁹⁰ Taliban militant groups are also blamed for attacks on Shias, Barelvis and Sufis.⁴⁹¹

Dugin says that we are dealing with Islam that threatens Sunni Islam as such. It denies Sufism, the most subtle and spiritual dimension in Islam, all the luxury of philosophy, culture, poetry, replacing him with simplified primitive formulas, which insists on with all the totalitarian pressure. This Islam forces to accept them by force. So Cromwell's Protestants massacred the Catholic population of Ireland.⁴⁹² Think about it, English Protestants destroyed 50% of the Irish population - Celts and Catholics ... Islamic Protestants are following exactly the same footsteps. They consider only their Islam to be real, everyone else will die. It definitely needs to be stopped.⁴⁹³

Sure, all readers will agree that the term *militant* is quite applicable to these fighters from the Tahrik-e Taliban Pakistan and the Taliban militant groups of Pakistan. Especially if they plan and try to carry out a terrorist attack against Shiites, Sufis or Ahmadi in Europe, where Islamic and non-Islamic religious movements enjoy complete freedom, and in Great Britain, in London, where the world's largest Ahmadi mosque has been built.⁴⁹⁴

When you hear about a series of terror attacks which have left more than 260 people dead in France since 2015, about three such attacks in autumn 2020, including the beheading of Samuel Paty, who do you picture? Chances are, it is not a white person. Chances are, it is a muslim. When we talk about terrorism, we associate this concept with Islam. But religious extremism is not exclusive to Muslims, as demonstrated by the actions of Buddhist zealots in Myanmar, Jewish fundamentalists in Israel, and Christian white supremacists in the US.⁴⁹⁵

⁴⁸⁵ Animesh Roul, Growing Islamic State Influence in Pakistan Fuels Sectarian Violence, Terrorism Monitor, 13 (13) (26 June 2015), <https://jamestown.org/program/growing-islamic-state-influence-in-pakistan-fuels-sectarian-violence/#.VZLZRVJggg4>

⁴⁸⁶ Timeline: Persecution of religious minorities, DAWN.COM (4 November 2012), <https://www.dawn.com/news/761507/timeline-persecution-of-religious-minorities>

⁴⁸⁷ https://worddisk.com/wiki/Sectarian_violence_in_Pakistan/

⁴⁸⁸ Pakistan's militant Islamic groups, http://news.bbc.co.uk/2/hi/south_asia/1758534.stm

⁴⁸⁹ Animesh Roul, Growing Islamic State Influence in Pakistan Fuels Sectarian Violence, Terrorism Monitor, 13 (13) (26 June 2015), <https://jamestown.org/program/growing-islamic-state-influence-in-pakistan-fuels-sectarian-violence/#.VZLZRVJggg4>

⁴⁹⁰ Pakistan: Rampant Killings of Shia by Extremists, Human Rights Watch (30 June 2014), <https://www.hrw.org/news/2014/06/29/pakistan-rampant-killings-shia-extremists>

⁴⁹¹ Sunni Ittehad Council: Sunni Barelvi activism against Deobandi-Wahhabi terrorism in Pakistan – by Aarish U. Khan (23 January 2013), <https://web.archive.org/web/20130123005941/http://criticalppp.com/archives/239339> ; Sufism Under Attack in Pakistan, produced by Charlotte Buchen, The New York Times (28 May 2012), <https://web.archive.org/web/20120528051803/http://video.nytimes.com/video/2011/01/06/world/asia/1248069532117/sufism-under-attack-in-pakistan.html>

⁴⁹² https://en.wikipedia.org/wiki/Cromwellian_conquest_of_Ireland

⁴⁹³ Dugin A, Modern Islam, <http://dugin.ru/en/node/4766>

⁴⁹⁴ <https://www.theguardian.com/uk/2003/oct/03/religion.world> : The Baitul Futuh (English: House of Victories) is a mosque complex of the Ahmadiyya Muslim Community, situated in Morden, London. Completed in 2003 at a cost of £15 million, entirely from donations of Ahmadi Muslims, the full complex accommodates 13,000 people. (Baitul Futuh Mosque, Morden - Exploring Surrey's Past, www.exploringsurreyspast.org.uk. ; <https://www.exploringsurreyspast.org.uk/themes/subjects/diversity/amc/morden/>)

⁴⁹⁵ <https://www.arabnews.com/node/1758071>

There are other examples but the focus in the past two decades has been on the various Islamist movements that have embraced a revisionist and violent dogma that is shunned by the majority of Muslims around the world. Neither Al-Qaeda nor Daesh is a true representation of what more than a billion Muslims believe and practice every day. In the United States, two common though false narratives about terrorists who attack America abound. The first is that *terrorists are always (brown) Muslims*. The second is that *white people are never terrorists*.⁴⁹⁶

In September 2004, after the Beslan school siege in which so many children died, the famous Arab publicist Abdul Rahman Al Rashed,⁴⁹⁷ soon after taking the job at Al Arabiya, provoked anger and gratitude across the Islamic world by writing in a column in the newspaper that “not all Muslims are terrorists, but it is equally certain, and exceptionally painful, that most terrorists are Muslims”.⁴⁹⁸

That article was urgently translated into almost all languages of the world. It was a shake-up of the Arab and Muslim world at a time when the *echo* of the monstrous terrorist attacks of September 11, 2001 had not yet died down, when the terrorism returned to Arab, Islamic countries. In 2004, terrorist acts began in Saudi Arabia, carried out by mujahideen⁴⁹⁹, who were sent to *jihad* in Afghanistan, Bosnia, Chechnya and in other places.⁵⁰⁰

For France's six million Muslims, the current sadness is compounded by dread and fear. Dag Hammarskjold shows the way: “Freedom from fear' could be said to sum up the whole philosophy of human rights”.⁵⁰¹

Is a secular, democratic state capable of resisting radicals? Or is it only a totalitarian state that can deal with this threat? This is a good question.

It literally suggests itself if we compare Iraq under Saddam Hussein, when both Shiite and Sunni radicalism was practically absent, with today's Iraq after the establishment of *democracy* (big *quotes* are needed here), where a real religious war is going on between Shiites and Sunnis and a real genocide against Christians is being carried out. Or we could take Pakistan. Under *tough* Musharraf, the military controlled at least the radicals. Now, under the *democratic* President Asif Ali Zardari, the Taliban have completely lost their

⁴⁹⁶ See in detail: Corbin Caroline Mala, Terrorists Are Always Muslim but Never White: At the Intersection of Critical Race Theory and Propaganda, Fordham Law Review, Volume 86 Issue 2 Article 5, 455-485 (2017).

⁴⁹⁷ Abdulrahman Al-Rashed is a veteran columnist. He is the former general manager of Al Arabiya news channel, and former editor-in-chief of Asharq Al-Awsat.

<https://www.arabnews.com/authors/abdurahman-al-rashed>

⁴⁹⁸ See in: Seib Philip, Janbek Dana M, Global Terrorism and New Media: The Post-Al Qaeda Generation (2010)

⁴⁹⁹ Mujahideen (mujāhidīn) is the plural form of mujahid, the Arabic term for one engaged in jihad (literally, *struggle*). The English term jihadists grammatically corresponds to it. Basmachi opponents of Tsarism and Bolshevism in Central Asia (1916 to the 1930s) called themselves mojahed, also. BASMACH[:] A derogatory term used by Russian/Soviet authorities and researchers to designate the participants of the indigenous protest movements in Central Asia against the Russian and Soviet regimes from 1916 to the mid-1930s. [...] The rebels referred to themselves as mojahed, or *participants of jihad*, a Muslim holy war against infidels, or non Muslims. (Kassymova Didar, BASMACH. Historical Dictionary of Kazakhstan. Scarecrow Press, 47 (2012),

https://books.google.it/books?id=kWXSgG28y4IC&redir_esc=y) Its widespread use in English began with reference to the guerrilla-type militant groups led by the Islamist Afghan fighters in the Soviet–Afghan War and now extends to other jihadist groups in various countries. The modern term of mujahideen referring to spiritual Muslim warriors, originates in the 19th century when Pashtun tribal leaders in Afghanistan fought against the British attempts to raid Pashtun territory, (although initially the British derogatorily called them the Sitana Fanatics).

It began in 1829 when a religious man, Sayyid Ahmed Shah Brelwi, came back to the village of Sitana from a pilgrimage to Mecca and began preaching war against the ‘infidels’ in the area defining the Northwest border of British India. Although he died in battle, the sect he had created survived and the Mujahideen gained more power and prominence. During the Indian Mutiny of 1857, the Mujahideen were said to accept any fleeing Sepoys and recruit them into their ranks. As time went by the sect grew ever larger until it was not only conducting bandit raids, but even controlling areas in Afghanistan.

⁵⁰⁰ On the War against terrorism in Saudi Arabia see: Al Doghere Fahad, The Long War Against Terrorism in Saudi Arabia (2008).

⁵⁰¹ In a statement on the 180th anniversary of the Virginia Statute for Religious Freedom, written by Thomas Jefferson, as quoted in Quote, May 20, 1956.

girdle, they have begun to carry out terrorist attacks using *shahid belts* almost every day. But, fortunately, there are no totalitarian regimes in Europe. And, it isn't expected in the near future.

Alexandre del Valle was one of the first European experts to alert politicians to the danger of Islamic totalitarianism⁵⁰² and Erdogan and to the fact that Turkey was becoming the center of political Islam and that is why it should not enter the European Union.⁵⁰³ A. del Valle considers that the Islamic totalitarianism is a more correct expression than *integralism*. He had invented it to better describe the fact that radical Islamism is the THIRD Totalitarianism with Nazism and Communism. He denounced «the method of infiltration of the Salafist Islamists, the Turkish Milli Görüs and the Muslim Brotherhood, the

⁵⁰² He was the first to define it this way. See about Islamist totalitarianism: <https://www.alexandredelvalle.com/single-post/2002/09/06/islamist-totalitarianism-democracies-under-attack-english-summary>

⁵⁰³ Negotiations for full membership of Turkey in the EU were started on 3 October 2005. Progress was slow, and out of the 35 Chapters necessary to complete the accession process only 16 had been opened and one had been closed by May 2016. The early 2016 refugee deal between Turkey and the European Union was intended to accelerate negotiations after previous stagnation and allow visa-free travel through Europe for Turks.

Since 2016 accession negotiations have stalled. The EU has accused and criticized Turkey for human rights violations and deficits in rule of law. In 2017, EU officials expressed that planned Turkish policies violate the Copenhagen criteria of eligibility for an EU membership. On 26 June 2018, the EU's General Affairs Council stated that "Turkey has been moving further away from the European Union. Turkey's accession negotiations have therefore effectively come to a standstill and no further chapters can be considered for opening or closing and no further work towards the modernisation of the EU-Turkey Customs Union is foreseen." See: Chronology Of Turkey-European Union Relations (1959-2019), https://www.ab.gov.tr/siteimages/birimler/kpb/chronology-_en-_1959-_ocak2020.pdf

most active and dangerous, their paradoxical but efficient alliance with the subversive forces of leftists⁵⁰⁴, and their shameless exploitation of anti-racism».⁵⁰⁵

The point is that all Islamic states, without exception, strive to use Islam, or rather, the corresponding *country's* diasporas in Europe to influence the foreign and domestic policies of European states. All states *sin* with this - Saudi Arabia, Iran, Pakistan, Turkey, Libya, Algeria, and Morocco. Yes, there isn't Islamic state that would avoid the temptation to use this *lever* in its *European* policy! It also uses *influence* on shares - on behalf of *all Muslims*, although most often we are talking about specific Islamic centers of power. The forms of influence are very different, from demonstrations to terrorist attacks. The clearest example here is the terrorist attack in Madrid, when March 11, 2004.⁵⁰⁶ 193 people are killed and nearly 2,000 are injured when 10 bombs explode on four trains in three Madrid-area train stations during a busy morning rush hour. On March 14 the Spanish Socialist Party won the parliamentary elections in Spain, and Jose Luis Rodriguez Zapatero announced the withdrawal the Spanish military contingent from Iraq.⁵⁰⁷ *No Spanish member of the Plus Ultra II brigade*⁵⁰⁸ *remains in Iraq*, - in a debate Zapatero told to Parliament to withdraw the 1,300 troops. It has been established with absolute certainty

⁵⁰⁴ French philosopher Pascal Bruckner understands Islamo-leftism as *the fusion between the atheist Far Left and religious radicalism* (Bruckner Pascal, *The Tyranny of Guilt: An Essay on Western Masochism*. Princeton University Press, 25 (2010)). According to Bruckner, Islamo-leftism was "chiefly" conceived by British Trotskyites of the Socialist Workers Party. Because these dedicated leftists perceive Islam's potential for fomenting societal unrest, they promote tactical, temporary alliances with reactionary Muslim parties. According to Bruckner, leftist adherents of Third-Worldism hope to use Islamism as a *battering-ram* to bring about the downfall of free-market capitalism and see the sacrifice of individual rights, in particular of women's rights, as an acceptable trade-off in service of the greater goal of destroying capitalism. Bruckner contends that Islamists, for their part, pretend to join the left in its opposition to racism, neocolonialism and globalization as a tactical and temporary means to achieve their true goal of imposing the *totalitarian theocracy* of Islamist government. (Bruckner Pascal, *The Tyranny of Guilt: An Essay on Western Masochism*. Princeton University Press, 25 (2010); Pascal Julia, *The Tyranny Of Guilt: An Essay On Western Masochism*, By Pascal Bruckner, trans by Steven Rendall. *The Independent* (22 September 2011), <https://www.independent.co.uk/arts-entertainment/books/reviews/tyranny-guilt-essay-western-masochism-pascal-bruckner-trans-steven-rendall-1951335.html>)

Political scientist Maurice Fraser regards Islamo-leftism as part of a *striking and recent abdication of the Enlightenment project of human rights, freedom, secularism, science and progress* on the part of the political left, particularly among the anti-globalization activists of the New Left. (Fraser Maurice, *Is the Decline of the West Reversible?*. *European View*. 9 (2): 149 (11 November 2010))

Bernard-Henri Lévy has described *Islamism as this grand new alliance between the reds and the new browns, of the axis which runs from Le Monde diplomatique to the death squads* (Walden George, *Public Enemies; Two French intellectuals fight it out*, *New Statesman* (5 December 2011)) and as a sort of *anti-American religion*. (Lévy Bernard Henri, *Left in Dark Times: A Stand Against the New Barbarism*, Random House, 114 (2009))

According to Mark Silinsky of the United States Army War College, Islamo-leftism is alliance of Islamists and leftists in opposition to Western values that can also be also referred to as the *red-green axis*. (Silinsky Mark, *Jihad and the West: Black Flag over Babylon*, Indiana University Press, 49 (2016)) Silinsky characterizes the black-green alliance between Black Lives Matter and the Council on American-Islamic Relations as an example of Islamo-leftism. (Silinsky Mark, *Jihad and the West: Black Flag over Babylon*, Indiana University Press, 49 (2016))

According to Robert S. Wistrich, *[a] poisonous anti-Jewish legacy can be found in Marx, Fourier, and Proudhon, extending through the orthodox Communists and "non-conformist" Trotskyists to the Islamo-Leftist hybrids of today who [are allied with] the Islamist anti-Semites of Hamas* (Wistrich Robert, *From Ambivalence to Betrayal: The Left, the Jews, and Israel*. University of Nebraska Press. p. xii. (2012)).

Alvin Hirsch Rosenfeld describes Islamo Leftism as *the hope, entertained by a revolutionary fringe, of seeing Islam become the spearhead of a new insurrection, engaged in a 'Holy War against global capitalism*. (Rosenfeld Alvin, *Deciphering the New Antisemitism*, Indiana University Press, 12 (2015)).

⁵⁰⁵ See the exclusive interview with Alexandre Del Valle, December 15, 2020. Alexandre Del Valle offers us a clear vision of what is happening in Turkey and of the relationship between the terrorist attacks in France and the clash between the European Judeo-Christian civilization and Islam: <https://www.imolaoggi.it/2020/12/15/estremismo-islamico-e-turchia-in-europa-intervista-ad-alexandre-del-valle/> On the Judeo-Christian Tradition see also: Nathan Is Emmanuel, Topolski Anya, *Is there a Judeo-Christian Tradition?: A European Perspective*, De Gruyter (2016)

⁵⁰⁶ See: https://en.wikipedia.org/wiki/2004_Madrid_train_bombings

⁵⁰⁷ <https://edition.cnn.com/2004/WORLD/europe/04/18/spain.withdraw/>

⁵⁰⁸ On the Plus Ultra Brigade see: https://en.wikipedia.org/wiki/Plus_Ultra_Brigade

that the perpetrators of those terrorist attacks were Arab Muslims. Isn't that why 83% of Spaniards associate Islam with *fanaticism* and associate terrorism with Islam? In France the most shocking of all was another lone actor attack in Nice. On June 14, 2016, a truck driver drove at speed into hundreds of pedestrians celebrating Bastille Day on the promenade, killing 86 and injuring more than 400. The outrageous beheading of the well-meaning teacher Samuel Paty on October 16, 2020 and a similar attack on a 60-year-old woman and two others in the Notre-Dame cathedral in Nice two weeks later were acts of violence calculated to provoke anger. Isn't that why 79% of French respondents feel *Islamism had declared war* on France and the French republic? An even higher percentage considered France's rigid approach to secularism to be threatened...And french people doesn't know that these revolting murders are condemned by French Muslims? According to studies, only a minority of French Muslims embraces a radical, paranoid, anti-Western version of Islam.⁵⁰⁹

The barbarism was deliberate. It was intended to divide France and its people. After the murder of Paty, the French Council of the Muslim Faith (CFCM) sought to remove any doubt about where French Muslims stood: "The horrible assassination [...] reminds us of the scourges which sadly mark our reality: that of the outbreaks in our country of radicalism, violence and terrorism, which claim to be Islam, making victims of all ages, all conditions and all convictions. Samuel Paty was killed because Islamists want our future and because they know that with quiet heroes like him, they will never have it. They divide the faithful and the unbelievers".⁵¹⁰

It is not by chance that the crisis is now: the 2022 French presidential election will be held soon. Some observers have said there could be an electoral agenda behind Macron's plan for reforming Islam.⁵¹¹ Critics accuse Mr Macron and the French government of inciting Islamophobia, with some saying Mr Macron's public statements on Islam constitute a crude attempt to win support from the far-right.⁵¹² Macron should be wary of unleashing waves of Islamophobia in France that would target millions of moderate and law-abiding Muslims.

On the other hand, one should not fall for Turkish President Recep Tayyip Erdogan's opportunistic rhetoric targeting Macron. His tussle with the French president transcends religion and is purely political. Erdogan's incitement is both dangerous and reckless. His controversial approach to regional politics has undermined his credibility both at home and abroad. His use of religion to mobilize followers seeks to divide and serves no good purpose.

To imply that France is more culprit than victim — as Erdoğan and some Western critics do — is dishonest and dangerous. France has suffered more from Islamist terrorism than any other European country in the last decade.

Clearly, all countries are on an equal footing here: during election and vote campaigns, we see political parties playing up questions of immigration, religion, violence against minors and women.

Also today the attacks in France have already hardened positions around the legislation. France takes on Islamist extremism with new Bill. The bill has gone through three name changes, reflecting its sensitivity, starting life as an *anti-separatism* law and ending up as a *law to reinforce Republican principles*.

The legislation would curb online hate speech of the kind that led to Mr. Paty's killing; punish doctors who provide so-called *virginity certificates* for traditional religious marriages; clamp down on home-schooling for children over three years old; and rein in

⁵⁰⁹ <https://www.arabnews.com/node/1758071>

⁵¹⁰ <https://theconversation.com/for-french-muslims-every-terror-attack-brings-questions-about-their-loyalty-to-the-republic-149151>

⁵¹¹ <https://www.swissinfo.ch/eng/business/how-switzerland-and-france-approach--islamic-separatism-/46105336>

⁵¹² <https://www.independent.co.uk/news/world/europe/france-mosques-closing-macron-b1765646.html>

community associations by obliging them to sign declarations of allegiance to the *values of the republic* at the same time as imposing strict controls on their funding.

The words *Islamic* or *Islamist* do not appear in the legislation, but the government's intent is clear: To get at the root of the separate culture of extremist groups holding the laws of Islam as superior to the laws of the Republic.

The French government says draft legislation aimed at combating the extremist ideology that has taken many lives on French soil in recent years is a *law of freedom* necessary for peaceful coexistence.

This bill is not a text aimed against religions or against the Muslim religion in particular, - Prime Minister Jean Castex declared after the cabinet approved the draft law. "It is the reverse — it is a law of freedom, it is a law of protection, it is a law of emancipation against religious fundamentalism".⁵¹³

The president, Emmanuel Macron, has strenuously denied that new legislation to reinforce secularism was targeting Muslims. He said the law was aimed at tackling radical *Islamist separatism*. New French law may increase discrimination. Critics say the measures are inefficient and will further stigmatize Muslims. Opponents think the government is pandering to the country's far right, and the law has prompted angry protests in Muslim countries.⁵¹⁴ The law has been assailed by Turkey and other Muslim countries, and criticized as *heavy-handed* by the U.S. envoy on international religious freedom. In a society in which almost one in 10 people are immigrants, being French means acting French, and secularism means there is no place in public life for expressing religious identity or commitment – unless that happens to be aligned with French Catholicism. In Russia the main reasons for inter-confessional conflicts are the transfer of political and national contradictions to the religious sphere and the collision of economic interests of representatives of different national groups, which are covered by religious slogans. Also, the reasons may be such phenomena as religious fanaticism, intolerance of believers, selective, biased attitude of the authorities towards various religious organizations, as a result of which their constitutional rights aren't ensured equally, the unfair attitude of the media to the presentation of information can also inflame a conflict on religious grounds. Could we say that radical Islam has become a social rather than a religious movement? We are sure this topic can't be divided between *social* and *religious*. There is one thing to watch out for. As a result of these actions and counteractions in the political or the social, public sphere, transformations and even deformations of Islam in its specific manifestations take place. To simplify things, we can say that some time ago *traditional - pre-globalizational* Islam, integrated into the culture of these European countries, or, at least, peacefully *cohabitating* with it, was widespread in various European countries. In the course of globalization and as a result of the purposeful activity of Islamic centers of power, other forms of Islam were introduced to European territories, and the most active (not to say *most aggressive*) of them - the so-called *Salafism* (the self-name of a special trend in Islam - *Wahhabism*). On the one hand it began to supplant *traditional* Islam, on the other hand, to transform it in doctrinal terms. And among the *old* and *new* (so-called *converted*) Muslims, extremists and terrorists have appeared who are ready to commit terrorist acts against their non-Muslim compatriots. It is time to deduce the rule: *Not all Wahhabis are terrorists, but all terrorists are Wahhabis*.

Any social conflict goes through three main stages:

- Pre-conflict - conflict situation. The parties are aware of the existing emotional stress, strive to overcome it, realize the causes of the conflict, assess their capabilities;

⁵¹³ <https://www.nytimes.com/2020/12/09/world/europe/france-islamist-extremism-bill.html>

⁵¹⁴ <https://theconversation.com/for-french-muslims-every-terror-attack-brings-questions-about-their-loyalty-to-the-republic-149151>

- Directly conflict - distrust and lack of respect for the enemy; consent is not possible. The presence of an incident, i.e. social actions aimed at changing the behavior of opponents. Their overt and covert actions.
- Conflict resolution - completion of the incident, elimination of the causes of the conflict. When the conflict is eliminated at the first stage, it is most often quickly forgotten and *painlessly* experienced by the participants, which is most beneficial for both the participants and the state as a whole, but most often the conflict goes through all three stages.

Ways of solving interfaith conflicts. So what can judges do? Europe is now in a difficult search for solutions to the problems it faces. We can't say that it succeeds. There are also excesses of Islamophobia. But we think that the solution of problems largely depends on the Muslims of Europe. Many of them argue that Islam and terrorism are two incompatible things, that Islam is a religion of peace. Well, the Qur'an says: "Bring your evidence if you are telling the truth".⁵¹⁵

Ensuring normal relationships between religions, and hence between ethnic groups, is of great social importance. It is important to ensure formal and, in particular, de facto equality between religious organizations, as well as their equality before the law and rights. No religion should be superior to others. The state should be neutral in matters of freedom of conscience (in being and acting), etc. Moreover, it is necessary not only to fix the duty of the state to ensure equality and tolerance between religions, but also in real politics to do everything necessary to ensure this in practice.

Very important in ensuring the normal development of interfaith relations is the rise of the general culture of the people, including conscience and (legal) consciousness, the establishment of tolerant traditions in society, in the family, in everyday life. The formation of public consciousness in the spirit of religious tolerance and worldview and spiritual pluralism largely depends on the maturation of civil society, rule of law, which is the guarantor of ensuring the rights and freedoms of man and citizen.

For a cardinal solution to the problem of interfaith relations, a single nationwide idea uniting all the people is important. Such an idea should be higher than church and confessional ideas, values of one nation or social group. Insisting on the priority of one religion, on the priority of religion in general, is not a path to creating national unity, but to the collapse of statehood. A single idea is a value of the highest order. It is necessary to develop and nurture a national identity, within the framework of which representatives of different nations and confessions will feel equally comfortable as citizens of one country, one society.

The former Soviet Union coped well with this task, and then there were no problems of interreligious relations as in modern times. And the merit here lies not only in the fact that all the republics of the USSR were united by one goal and country, but also in promoting the equality of all peoples and religions. Now we are increasingly seeing reverse propaganda, where, with the help of the media, whether intentionally or not, but very often inequality between groups is emphasized. Conducting a small experiment in the form of a survey, one can observe a situation when a person says that he or she dislikes a particular ethnic or religious group, but cannot explain why this is happening, referring to information only from TV or the Internet.

The tasks set in this paper help us to conclude that Russia may well exist as an inter-confessional state in peaceful conditions. However, the emotional factor, the media, conflicts in political life provoke inter-religious strife. This phenomenon suggests that state, public life is closely linked and intertwined with religious relations: almost any action from

⁵¹⁵Qur'an, Surah *The Cow*, ayah 111

the outside is reflected in religion. In fact, it turns out that it contradicts the Constitution: religious associations are not separated from the state, they depend from the state. “The overwhelming part of the Islamic world is sincerely against terrorism, because it interferes with them. But at the same time, the conflict of civilizations is a natural global trend. So, first of all, dialogue between people is needed. These emigrants are part of civil society”.⁵¹⁶ Finding a common ground on which the principles of the Republic and freedom of worship can coexist is something that must be arrived at without foreign interference. It must be done through dialogue and cooperation, rather than incitement. In our opinion, the cultural/religious education of all citizens of a nation as a whole, awareness of the unity of the people will help to correct the current conflict. Everyone should have his own opinion and everyone should be ready for dialogue. We have to give attention to the role of verbal communication between people. The current crisis puts before us some critical issues that relate to the impact of the words spoken by us on others. Moreover, our attention must be focused precisely on what kind of reaction words cause in people, and it is from this position that the crisis must be considered. At the same time, kind words, words of tolerance and fraternity in this crisis could be equated with *grace*, in which we see God's love for man. Our main idea in this work is that sympathy, tolerance, fraternity and a good, kind attitude towards each other are the most important elements of normal interpersonal (international, interreligious) relationships. We directly say that none of the people can predict in advance what kind of reaction this or that carelessly thrown word may cause, since each person treats others in completely different ways. What is perceived indifferently for one person can hurt another person, and, in turn, a kind word can cause strong, positive emotions. We must find words to communicate with Muslims and vice versa. Let's choose these words as epigraph to the second part of the article:

It is not given to us to predict
How will our word respond,
And sympathy is given to us,
How grace is given to us ..⁵¹⁷

Part II. **WHAT WILL DO THE COURT?**

Our modern society experiences so many changes today that it seems like it is raining and thundering outside.

The French President described Islam as a religion in crisis, leading to mass protests in cities across the Islamic world.⁵¹⁸ In France a top court has ordered the closure for six months of the Great Mosque of Pantin (in a low-income area on the capital's north-eastern outskirts) after it published a video denouncing Mr Paty.⁵¹⁹ July 7, 2021, a French court has convicted 11 of 13 people charged with harassing and threatening a teenager who

⁵¹⁶ <https://www.bbc.com/russian/features-54907557>

⁵¹⁷ A small poem written on February 27, 1869 by the Russian poet Fyodor Ivanovich Tyutchev (1803 - 1873). The expression has become winged and denotes, of course, not so much the power of the word, which can kill, as human lack of power over one's future, the impossibility of calculating the consequences of certain actions, decisions, actions, words, even gestures. But, although the results of our manifestation of compassion for our neighbor “are not given to us to predict,” the poet calls to him, because pity, participation, responsiveness are grace, that is, a feeling given by God. See in detail: <https://pkvolt.ru/en/interior-design/i-nam-sochuvstvie-daetsya-otkuda-vyrazhenie-nam-ne-dano-predugadat-kak-slovo.html>

⁵¹⁸ <https://www.independent.co.uk/news/world/europe/france-mosques-closing-macron-b1765646.html>

⁵¹⁹ <https://www.bbc.com/news/world-europe-55173833>

harshly criticized Islam in online posts and ended up changing schools and receiving police protection to preserve her safety.⁵²⁰

“The encroachment on religious freedoms seems to Western observers to be an indisputable and impermissible violation of civil rights; however, this is not the case for many Russians. The case law that indirectly promotes prevailing religious creeds has popular support. The authorities pragmatically endorse this case law and the value choice behind it to buttress their legitimacy. Judges, in their turn, pragmatically choose to follow the general political line and interpret the law conservatively”- M. Antonov writes.⁵²¹

What will happen with France, with French lawmaking, judicial decision-making, with freedom of thought, conscience, religion in France, in Europe? It's a reasonable question that worries lawyers, judges, international authorities, the ECtHR included, not least because independent UN human rights experts have declared that a controversial French bill on global security is incompatible with international human rights law. In its defence, the government claims to be defending *republican values* in a country still traumatised by various terrorist attacks. However, has the defence of the republic and its values become the consequence of and the pretext for a political reaction that undermines precisely these same values and this same republic? Is France heading towards its own *Kulturkampf*?

This is an effective image of modern judiciary regarding human rights disputes: a boat that faces storms and sometimes seems on the verge of being overwhelmed⁵²². What saves it is not judges' qualities and their courage, but their conscience-consciousness (religion), which allows them to walk even in the dark, in the midst of difficulties. We seem to hear Christiane Singer when she says that “so I have gained the certainty that catastrophes are only there to prevent the worst from happening to us. And is there anything worse than having lived through life without swells and shipwrecks, to have remained on the surface of things, to have danced a lifetime at the Ball of Shadows?”⁵²³. Finally judges can only return to the question to put in their own pocket: “today, applying our discretion do we allow ourselves to be guided by politics or by conscience-consciousness (religion)?”

The words of Paolo Sarpi⁵²⁴ are for modern judges, also: “it doesn't save the Christian that the Pontiff affirms his precepts are right, but he must examine them and regulate oneself taking into account whether they are convenient, legitimate and obligatory.. Those who, without making any examination of the precepts, obey blindly to them, sin”.⁵²⁵

Here we have to strengthen legal and political sciences themselves, while sharing the often-voiced concern about ECtHR, its role in the contracting states.

The judgments of the Court are not directly enforceable. Thus, the authority of the Court is based on the assent of the States and, perhaps even more, on its prestige. Because of the intergovernmental nature of the Court, the execution of judgments comes under the competence of the national authorities, under the supervision of the other governments.

⁵²⁰<https://www.usnews.com/news/world/articles/2021-07-07/france-11-convicted-of-cyberbullying-teen-who-slammed-islam>

⁵²¹ Antonov M, Opt. Cit, 155

⁵²² Like Jesus with friends (Mark 4: 35-41)

⁵²³ “Aussi ai-je gagné la certitude que les catastrophes ne sont là que pour nous éviter le pire.

Et y a-t-il pire que d'avoir traversé la vie sans houle et sans naufrage, d'être resté à la surface des choses, d'avoir dansé toute une vie au bal des ombres?” <https://www.albin-michel.fr/ouvrages/du-bon-usage-des-crisis-9782226125576>

⁵²⁴ Paolo Sarpi (1552–1623) was a friend of Galileo, lover of science and freedom, a Venetian historian, prelate, canon lawyer, and statesman active on behalf of the Venetian Republic during the period of its successful defiance of the papal interdict (1605–1607) and its war (1615–1617) with Austria over the Uskok pirates. He was so well versed in many fields of human knowledge that he was called the *Oracle of the century*. Author of the famous *Istoria del Concilio tridentino*, he was a firm opponent of the Catholic Church monarchical centralism, defending the prerogatives of the Venetian Republic, struck by the interdict issued by Paul V. He refused to appear before the Roman Inquisition which intended to try him and suffered a serious attack that was suspected to have been organized by the Roman Curia, which however denied any responsibility, *Agnosco stilum Curiae romanae*, literally, *I recognize the style of the Roman Church*, but with a play on words *I recognize the dagger of the Roman Church*.

⁵²⁵ Quoted in <https://www.atuttascuola.it/wp-content/uploads/2019/01/Paolo-Sarpi.pdf>

States execute the judgments with, more or less, docility and goodwill according to the circumstances. The reaction to the Lautsi judgment freed many political and religious authorities to speak out against what has often been perceived as an unacceptable ideological abuse of the Court.

In the Lautsi case, it was obvious that the present Italian government would have refused to submit to a decision to withdraw crucifixes. Even more serious for the authority of the Court, this refusal would have been supported by numerous governments. Finally, it seems that for the Court, the present crisis in Europe make it impossible to maintain both a unanimously appreciated prestige and *progressive* judicial activism.

In the famous judgment of Leyla Sahin, the Grand Chamber ECtHR affirmed that “[w]here questions concerning the relationship between State and religions are at stake, on which opinion in a democratic society may reasonably differ widely, the role of the national decision-making body must be given special importance.”⁵²⁶

This choice pertaining to the religious aspect of the common good is ultimately a fundamental choice, and the European Court must abstain from making it. Those who want the European Court to overstep its jurisdiction to exercise such a choice, in fact—in a very medieval way—long to see it set up as a new spiritual authority above the States: a theocracy of the atheistic religion of human rights. In their defense, it is true that the absorption of morality and religiosity by human rights transforms the European Court into a *conscience of Europe*.⁵²⁷ Thus, the Court becomes the functional equivalent of an ultimate oracle of a new magisterium, which specifically applies directly to States, not only in civil matters but also in moral and religious matters. This magisterium also imposes its positions upon individual consciences because of its great prestige. In fact, as any society naturally has a religious dimension, a society which claims to be purely secular can only capture the totality of spiritual power by transforming the political ideology which rules it into religion.

The Grand Chamber did not choose to implicate such matters, unlike the Second Section’s judgment.⁵²⁸

Which judicial discretion would be just and legitimate regarding a young man, who has been living in France since the age of six, brought up in a strict Muslim family, decided to take a knife in his hands and decapitate a school teacher who is showing cartoons of the Prophet Muhammad in class? In France, few people know the answer to this question. Some doesn’t blame that young man but blame the Internet, others say the streets are to blame, while others see the failure of the state system for integrating immigrant children into Western society. Which discretion should independent Judge use? We suppose, creative discretion. And in our time, unusual decisions are often made. One of the representatives of “creative” justice is Judge Michael Cicconetti, Ohio, USA, who has made national headlines over the years for his unique but effective judgements. Cicconetti, who’s approaching 70, is a sharp Italian with a quick wit who dispenses what he calls creative justice.⁵²⁹

Creative justice with Judicial Discretion is at a critical crossroads now. *Applied phronesis* can solve the problems.

Phronesis is an ancient Greek word for a type of wisdom or intelligence relevant to practical action, implying both good judgement and excellence of character and habits. Sometimes referred to as *practical virtue*. The word was used in Greek philosophy, and

⁵²⁶Leyla Şahin v. Turkey, App. 44774/98, 2005 Eur. Ct. H.R. § 109.

⁵²⁷As the Court presents itself in the book celebrating its fiftieth anniversary, THE CONSCIENCE OF EUROPE: 50 YEARS OF THE EUROPEAN COURT OF HUMAN RIGHTS (Jonathan Sharpe ed. 2011)

⁵²⁸The Case of Lautsi v. Italy: A Synthesis

⁵²⁹<https://attorneyatlawmagazine.com/judge-michael-a-cicconetti>

<https://clevelandmagazine.com/in-the-cle/the-read/articles/creative-justice>

<https://orderisda.org/culture/old-school/judge-michael-cicconetti-making-offenders-think-twice-with-creative-sentences/>

such discussions are still influential today. In Aristotelian ethics, for example in the *Nicomachean Ethics*, it is distinguished from other words for wisdom (*sophia*) and intellectual virtues – such as *episteme* and *techne*.⁵³⁰ Because of its practical character, when it is not simply translated by words meaning wisdom or intelligence, it is often translated as *practical wisdom*, and sometimes (more traditionally) as *prudence*, from Latin *prudentia*. So, this term was translated as *prudence* by Jules Tricot.⁵³¹ The English derivative word *prudence* is too narrow, but it reminds us that *phronesis* is a virtue, not just a cognitive skill. Richard Bodéüs, in 2004, opted *sagacity* for the translation.⁵³² Thomas McEvelley has proposed that the best translation is *mindfulness*.⁵³³ *Et sic*, if judges, looking at Lady Justice, turn to *sophia* (wisdom) and *fronesis* (practical wisdom), *prudentia* and *mindfulness* appear.

Fronesis was studied by Plato⁵³⁴, Aristotle⁵³⁵, Sextus Empiricus⁵³⁶, Heidegger⁵³⁷, in the Pyrrhonism and the social sciences.⁵³⁸ The essence of *fronesis* is the ability to make the right decisions, do the right things, the ability to distinguish good from bad in specific life situations.⁵³⁹ G. Skirbekk and N. Guilier propose to define *fronesis* as *ethical competence*, which can be acquired through personal experience of communication with people who are able to distinguish social situations and form a specific attitude towards them. Such competence allows them to develop the ability to assess public life.⁵⁴⁰ S.M. Obradovich notes that *fronesis* is a necessary instrumental component of a scientist's competence along with the methods of induction and analogy, and thanks to this ability, a specialist working with complex problems in wide areas of research is able to correctly pose a problem, choose a direction of research and its method, formulate hypotheses and axioms.⁵⁴¹ According to S. G. Chukin, *fronesis* should be regarded as *practical rationality*, thought and act associated with a specific situation and conditioned by it, a kind of means of individualization of a particular case, in contrast to the generalizing nature of science. As a result, a person is faced with the need to solve a practical syllogism, the initial data (premises), in which there are the knowledge that something is a good, and the desire to have such a good; the result is this or that action.⁵⁴² *Fronesis* is "a key Western thought concept. Convincing arguments in this regard were expressed at different times by such philosophers as G.-G. Gadamer, Hannah Arendt, A. MacIntyre, P. Bernstein (R.J. Bernstein), Sanford Schram and others.

⁵³⁰Aristotle distinguishes *phronesis* from:

Sophia (wisdom about abstractions, often spiritual in nature)

Techne (art), which is knowledge about how to make things or make things work

Episteme (knowledge that consists of general propositions, connected logically, and therefore teachable)

⁵³¹ Ladrière Paul, *Practical wisdom. The implications of the Aristotelian notion of phronesis for the theory of action* (French) (1990)

⁵³²<https://journals.openedition.org/philonsorbonne/904>

⁵³³ McEvelley Thomas, *The Shape of Ancient Thought*, 609 (2002).

⁵³⁴ Guthrie W. K. C., *A History of Greek Philosophy: Volume 6, Aristotle: An Encounter*, Cambridge University Press, 348 (1990 (reprint, revised)

⁵³⁵ *Nicomachean Ethics*, Book 6

⁵³⁶ *Ibid*

⁵³⁷ Figal Günter, *Martin Heidegger zur Einführung*, Hamburg, 58 (2003)

⁵³⁸ On the original perspective within the social sciences, see: Flyvbjerg Bent, Landman Todd, Schram Sanford F, *Real Social Science: Applied Phronesis* (April 2012)

⁵³⁹ Romanovskiy N. V. *Fronesis in the concept of Bent Flyvberg* (Russian),

<http://ecsocman.hse.ru/data/2012/05/18/1271955753/Romanovskiy.pdf>; Maracha VG, *MMK methodology as a metaphronesis of collectively distributed thinking* (Russian), <http://rudocs.exdat.com/docs/index-286833.html>.

⁵⁴⁰ Skirbekk G, Guilier N, *History of philosophy*,

https://gunnarskirbekk.no/artiklar_som_skal_vises_pa_net/A%20history%20of%20western%20thought.pdf

⁵⁴¹ Obradovich SM, *Some principles of constructing a system of axioms of physical theory* (Russian),

https://archive.is/20130417084602/www.philosophy.nsc.ru/journals/philsience/12_02/OBRAD.htm

⁵⁴² Chukin S. G. *Turn to virtues: the mission of philosophy in a divided world* (2012),

<https://cyberleninka.ru/article/n/povorot-k-dobrodetelyam-missiya-filosofii-v-razdelennom-mire>

In light of his fundamental ontology, Martin Heidegger interprets Aristotle in such a way that phronesis (and practical philosophy as such) is the original form of knowledge and thus primary to sophia (and theoretical philosophy).⁵⁴³

A theory of social science (phronesis) of Flyvbjerg has been highly influential; for example, it provided one inspiration for the Perestroika movement in political science. Flyvbjerg asserts that social science tries to be an episteme, but as such, it does not work. "No predictive theories have been arrived at in social science, despite centuries of trying. This approach is a wasteful dead-end".⁵⁴⁴

In *After Virtue*, Alasdair MacIntyre called for a phronetic social science. He points out that for every prediction made by a social scientific theory there are usually counter-examples. Hence the unpredictability of human beings and human life requires a focus on practical experiences.

The psychologist Heiner Rindermann uses in his book *Cognitive Capitalism* the term phronesis for describing a rational approach of thinking and action: "a circumspect and thoughtful way of life in a rational manner. Intelligence is supporting such a burgher lifestyle".⁵⁴⁵

There is the research in Human Development, done by Michel Ferrari, Aftab Kahn, Marcus Benayon & Julie Nero at Ontario Institute for Studies in Education, University of Toronto.⁵⁴⁶

It has examined phronesis and sophia (Hebrew, hochma) within particular religious and cultural groups. The researchers interviewed 50 Muslims from Pakistan and 76 Jews from Canada about people and historical figures they consider wise. Also, the Three-Dimensional Wisdom Scale measured phronesis, the Foundational Values Scale measured sophia/hochma and the Life Satisfaction Scale measured quality of life. The researchers found Jewish participants scored higher on phronesis, whereas Muslim participants scored higher on sophia/hochma. Children had less phronesis than adolescents or adults, whereas adults had more sophia/hochma than did children and adolescents. All participants were more likely to nominate men as wise.

Through an integration of Lady Justice, Prudentia, Sophia, the concept of equity as particularised justice, the phronesis (*mindfulness* or *practical wisdom*)⁵⁴⁷ judges could arrive to creative discretion.

Before asking whether sophia and phronesis can be brought together in judicial discretion, creative justice, it is necessary to consider their individual natures. Their meanings have changed over time and Aristotle seems to have been the first to try to establish a clear and technical distinction between them. In contemporary terms, the distinction might be presented in terms of how phronesis and sophia develop in a man, in a judge, one by acquisition, the other by transformation. However, if acquisition and transformation could be seen as two sides of the same coin, perhaps the same can be said of sophia and phronesis? Let's start from traditions and symbols.

Traditions and symbols. Alexandre del Valle book *The Western Complex - Small Treaty of Excuse*⁵⁴⁸ ends with a rather original conclusion: "the worst enemy of the West is not

⁵⁴³Günter Figal, Martin Heidegger zur Einführung, Hamburg 58 (2003)

⁵⁴⁴ See in detail: Flyvbjerg Bent, *Social Science that Matters* (2006); Flyvbjerg Bent, *Making Organization Research Matter: Power, Values and Phronesis* (2006)

⁵⁴⁵ Rindermann Heiner, *Cognitive Capitalism: Human Capital and the Wellbeing of Nations* (1 ed.). Cambridge University Press, 188 (2018-02-15)

⁵⁴⁶ Ferrari Michel, Kahn Aftab, Benayon Marcus & Nero Julie (2011), *Phronesis, Sophia, and Hochma: Developing Wisdom in Islam and Judaism*, *Research in Human Development*, 8:2, 128-148, <http://dx.doi.org/10.1080/15427609.2011.568869>

⁵⁴⁷ See in detail: Curnow Trevor, *Sophia and Phronesis: Past, Present, and Future*, <https://doi.org/10.1080/15427609.2011.568849>

⁵⁴⁸ Da Valle Alexandre, *Western Complex. Small treaty of de-guilt*, Countries Editions (2019).

radical Islamism on one side or disloyal China on the other, which aspire to conquer us, but our renunciation of defending our identity...”

In *Lautsi* the Grand Chamber specifically considered the State’s ability to justify interference in Conventional rights in regard to traditions and symbols.

In support of their argument, the Italian government and the intervening governments requested that the Court respect and not abolish a tradition.⁵⁴⁹ Beyond respect for ethnic diversity and even the *pluralism* of European cultures demanded by the Court, the real question raised concerned the relationship between pre-modern traditional customs and values, and the modern (even sometimes postmodern) values promoted by the Court. On this issue, the Court was very clear that although the decision to perpetuate a tradition in principle falls within the margin of appreciation of the State, considering the European cultural and religious diversity, “the reference to a tradition cannot relieve a Contracting State of its obligation to respect the rights and freedoms enshrined in the Convention and its Protocols”.⁵⁵⁰ The values of the Convention prevail over traditions.

For the Court, the fact that a custom has become traditional, in a social and historical sense, does not deprive it of its religious nature.⁵⁵¹

Even more, in some Islamic cases, the Court had the opportunity to conclude that some traditions were not compatible with the values of the Convention as understood by the Court. Although the Court has held that the fundamental principle of the freedom of religion “excludes any discretion on the part of the State to determine whether religious beliefs or the means used to express such beliefs are legitimate”,⁵⁵² it has concluded several times⁵⁵³ “that sharia is incompatible with the fundamental principles of democracy, as set forth in the Convention”.⁵⁵⁴

This demonstrates the global cultural confrontation between modern and Islamic legal traditions, which goes beyond the confrontation between western modernity and tradition. Traditions must not only be compatible with the rights and freedoms enshrined in the Convention, but they, more generally, must be compatible with *underlying values* and *fundamental principles of democracy*.⁵⁵⁵ These two notions have ample potential legal implications.⁵⁵⁶ Invoking a tradition is not sufficient to justify it; the justification is tied to the margin of appreciation. Thus, in the *Dogru* case, the Court expressly stated that “Where questions concerning the relationship between State and religion[] are at stake . . . notably . . . when it comes to regulating the wearing of religious symbols in educational institutions, in respect of which the approaches taken in Europe are diverse. Rules in this sphere will consequently vary from one country to another according to national traditions and the requirements imposed by the need to protect the rights and freedoms of others and to maintain public order”⁵⁵⁷

In fact, secularism may also be recognized by the Court as a national tradition, in particular as a pillar of Turkish democracy.⁵⁵⁸

⁵⁴⁹See *Lautsi v. Italy*, App. 30814/06, 2011 Eur. Ct. H.R. § 36 (G.C.)

⁵⁵⁰*Ibid.* § 68

⁵⁵¹*Buscarini v. San-Marino*, App. 24645/94, 1999 Eur. Ct. H.R. § 34 (holding that requiring elected representatives to take a traditional oath on the Gospels violated Article 9)

⁵⁵²*Manoussakis v. Greece*, App. 18748/91, 1996 Eur. Ct. H.R. § 47

⁵⁵³*Refah Partisi v. Turkey*, App. 41340/98, 41342/98, 41343/98, 41344/98, 2003 Eur. Ct. H.R. § 123; *Günduz v. Turkey*, App. 35071/97, 2003 Eur. Ct. H.R. § 51; *Güzel v. Turkey*, App. 54479/00, 2006 Eur. Ct. H.R.; *Kalifatstaat v. Germany*, App. 13828/04, 2006 Eur. Ct. H.R.

⁵⁵⁴*Refah Partisi*, 2003 Eur. Ct. H.R. § 123.

⁵⁵⁵*Ibid.* §§ 86, 100

⁵⁵⁶The Court began to give them some substance, especially with the cases of *Refah Partisi*, *Kalifatstaat*, *Leyla Şahin* and *Dahlab*. They relate to an evolutionary concept of civil liberties, sex equality, pluralism, tolerance and broad-mindedness.

⁵⁵⁷*Dogru v. France*, App. 27058/05, 2008 Eur. Ct. H.R. § 63; see also *Kervanci v. France*, App. 31645/04, 2008 Eur. Ct. H.R.

⁵⁵⁸*Refah Partisi*, 2003 Eur. Ct. H.R. § 52

It is true that the French and Turkish republics consider themselves as secular, under at least the constitutional aspect, while other countries are culturally, and even constitutionally, Catholic, Lutheran, or Orthodox.

The position of the Court on this issue has not changed. Moreover, it has not been established that the display of a crucifix and the values it represents are contrary to the Convention, to its underlying principles, and to the fundamental principles of democracy. "I wear a hijab"⁵⁵⁹, - the Muslims girl says, - "But I can't wear it at school because of the law"⁵⁶⁰, and I have to take it off when I go to school, it's very unpleasant for me. All the time they talk to us about freedom, but for some reason it is a Muslim girl who does not have this freedom to dress at school as she wants".⁵⁶¹

A. Dugin believes that the battle for the hijab is of deep significance. "The hijab debate (or hijab battle) in France is very precise and very subtle. Because this is a debate about how the secular does not recognize the religious", -⁵⁶²Dugin said. Hijab debate in France isn't a struggle for French identity, but against a culture that is trying to preserve centuries-old traditional cultural forms, Dugin believes.

We express our confidence that traditional clothing is a factor that unites different cultures, unites Muslims and Christians, and the ban against cultural traditions, wearing traditional clothes "isn't only anti-Islamic, it is deeply anti-national, anti-cultural issues", -A. Dugin stressed. The Islamic hijab is not opposed to some kind of French beret or to a traditional Breton shirt⁵⁶³, which would reflect the French identity, but to the absence of traditional clothing, namely.

Could one imagine such debate on a kilt, a symbol of scotish identity,⁵⁶⁴ if a scotish boy wears it as casual costume at school? No, of course. And here a key point revolves around the long-standing problem of intolerance of Muslim traditional women coverings in secular Western countries.

"Fighters against traditional coverings of Muslim women target not only Islamic ones, they also hit the crucifix, the church, the sacrament", - Dugin said.

Multiple laws and regulations in Western Europe have been enacted on the premise that headscarves and face veils constitute an existential threat to the constitutional identity of the respective legal systems. Thus, the logic of militant democracy as a justification for restricting fundamental rights have been applied in order to restrict the freedom to manifest one's religion. Yet, the policymakers claiming to defend the constitutional identity through militant democracy have not been able to prove the existence of a concrete, imminent threat against the state from the women who wear headscarves or face veils. Nonetheless, the European judiciaries have taken the political claim at face value and allowed the restrictions without compelling the political decision-makers to provide substantive justifications.⁵⁶⁵

⁵⁵⁹ Hijab, niqab, burka - there are lots of different kinds of coverings worn by Muslim women all over the world. See: <https://www.bbc.co.uk/newsround/24118241>

⁵⁶⁰ In France it is illegal for Muslim women to wear veils (burkas and niqabs) that cover their faces. France said it was applying the secular principle in a March 2004 law that prohibits all clothing or other attire conspicuously displaying religious worship to be worn in schools, no matter what the religion. (Lentze Georg, Islamic headscarf debate rekindled in France (2 April 2013)– via www.bbc.co.uk, <https://www.bbc.com/news/world-europe-21997089>). And in Spain in 2010, several cities in Catalonia banned the burqa and niqab, as well as face-covering veils, in public buildings.

⁵⁶¹ <https://www.bbc.com/russian/features-54907557>

⁵⁶² <http://91.227.17.26/news/res/8654647.html>

⁵⁶³ Commonly associated French clothing is the beret and the Breton shirt. Every region has its own specific design of the national costume. <https://www.quora.com/What-are-the-traditional-costumes-of-France>

⁵⁶⁴ <https://concept.mgimo.ru/jour/article/view/215/0>

⁵⁶⁵ See in detail: Hilal-Harvald Malthe, Islam as a Civilizational Threat: Constitutional Identity, Militant Democracy, and Judicial Review in Western Europe, *German Law Journal* , Volume 21 , Issue 6 , September 2020 , pp. 1228 - 1256, DOI: <https://doi.org/10.1017/glj.2020.70>

Here the judgment in *Dahlab v. Switzerland* is appropriate.⁵⁶⁶ This case concerned prohibiting a State school teacher from wearing an Islamic headscarf while teaching.⁵⁶⁷ The Court considered the headscarf to be a powerful external sign and ruled that the prohibition was compatible with the Convention.⁵⁶⁸ However, the fact that the prohibition of a religious symbol is compatible with the Convention does not mean that the authorization of that religious symbol would be incompatible. The power to prohibit does not create an obligation to prohibit. Thus, the cases of headscarves and face veils offer a prism, through which we can study fundamental paradoxes of liberal democracy and constitutionalism. Religious symbols cannot be correctly understood if one ignores the cultural context. The *Dahlab* Court was explicit on this point, stating that it was difficult “to reconcile the wearing of an Islamic headscarf with the message of tolerance, respect for others and, above all, equality and nondiscrimination that all teachers in a democratic society must convey to their pupils.”⁵⁶⁹ For the Court, this compatibility problem justified the headscarf prohibition in the non-confessional education system.

This compatibility issue couldn't arise in France regarding Muslim women's coverings, but not because the hijab etc is per se incompatible with European and civilized values. There isn't compatibility issue here because Muslim women do not have to justify the covering's presence, which is a matter within the scope of their belief and tradition. A hijab in itself does not infringe any individual rights. Thus, the France's decision should only concern the concrete impact of the hijab, this impact being partly determined by the meaning of Muslim women coverings.

The burqa is associated with the tradition of female seclusion, which was common in the Middle East even before the birth of Islam. The tradition was reinforced by local moral and ethical norms, an integral part of which were the principles of chastity and spiritual purity.⁵⁷⁰

The hijab debate is a fight against traditional cultural values. “These are nihilistic attacks by representatives of culture without any religion, sacredness, on the culture that has preserved this sacredness”, -Dugin said.

In 2005 the Regional Administrative Court of Veneto⁵⁷¹, argued *inter alia* that “in the current social reality, the crucifix must be considered not only as a symbol of historical and cultural evolution, and therefore of the identity of our people, but also as a symbol of a system of values of freedom, equality, human dignity and religious tolerance and therefore also of the secular nature of the State, principles that innervate our Constitutional Charter.” Later, on 13 April 2006, the Council of State also resolved in favor of the display of the crucifix.⁵⁷²

The final sentence of the Grande Chambre of 18 May 2011 overturned the first instance sentence.⁵⁷³

In Italy the crucifix in classroom, in bar, in cafe, in theater, in courtroom, in hospital, in any public place has the same of traditional cloths meaning. We could parathrase: the classroom has such clothing as the crucifix. It isn't the decoration. The crucifix is a national value for Italy.⁵⁷⁴ It's for Italy, because many Italian cultural traditions go together with

⁵⁶⁶ *Dahlab v. Switzerland*, App. 42393/98, 2001 Eur. Ct. H.R.

⁵⁶⁷ *Dahlab*, 2001 Eur. Ct. H.R. § 1.

⁵⁶⁸ *Ibid*

⁵⁶⁹ *Dahlab*, 2001 Eur. Ct. H.R., § 1.

⁵⁷⁰ <https://meduza.io/feature/2016/09/01/stydnye-voprosy-pro-hidzhab-i-parandzhu>

⁵⁷¹ Regional Administrative Court of Veneto Section III, Sentence 17-22 March 2005, n. 1110,

https://it.wikipedia.org/wiki/Caso_Lautsi#cite_note-6

⁵⁷² Crucifix: Strasbourg acquits Italy, Lautsi case closes, <https://www.cairn.info/revue-politique-europeenne-2013-3-page-12.htm>

⁵⁷³ https://it.wikipedia.org/wiki/Caso_Lautsi#cite_note-6

⁵⁷⁴ More details: Coutinho José Pereira, *Religiosity in Europe: an index, factors, and clusters of religiosity* (2016), <https://journals.openedition.org/spp/2397> ; Come cambiano gli italiani. Valori e atteggiamenti dagli anni Ottanta a oggi

religious one. For Italy, its national identity is intimately linked to religion through its history and the presence of the Vatican. Catholic Church is the centripetal force of national identity in Italy.⁵⁷⁵ The absence of the crucifix in the classroom would be the real loss for a lot of Italians.⁵⁷⁶

Among the declarations of Benedict XVI during *Lautsi*, he recalled on August 15, 2005 that “[i]n public life, it is important that God be present, for example, through the cross on public buildings”.⁵⁷⁷ On June 5, 2010, just a few weeks before the hearing before the Grand Chamber, the Holy Father recalled that “[t]he Cross is not just a private symbol of devotion . . . it has nothing to do with the imposition of a creed or a philosophy by force”.⁵⁷⁸ On June 12, 2010, at the time of the meeting of the ambassadors to the Council of Europe Development Bank, the Holy Father was even more specific: “Christianity has enabled Europe to understand what the freedom, responsibility and ethics that imbue its laws and social structures actually are. To marginalize Christianity also by the exclusion of the symbols that express it would lead to cutting our continent off from the fundamental source that ceaselessly nourishes it and contributes to its true identity. Effectively, Christianity is the source of “spiritual and moral values that are the common patrimony of the European peoples”, values to which the Member States of the Council of Europe have shown their undying attachment in the Preamble to the Statutes of the Council of Europe. This attachment . . . establishes and guarantees the vitality of the principles on which European political and social life are founded and, in particular, the activity of the Council of Europe”.⁵⁷⁹ He clearly refers to the underlying values of the Convention, liberal or Christian. Finally, in his 2011 address to the diplomatic corps, also dedicated to the issue of religious freedom, Pope Benedict XVI expressed worry: “Another manifestation of the marginalisation of religion, especially Christianity, consists in the ban on religious symbols and feasts from public life, in the name of respect for those who belong to other religions or do not believe. In so acting, not only is the right of believers to the public expression of their faith limited, but also the cultural roots which feed the deep identity and the social cohesion of many nations are cut”.⁵⁸⁰

In the *Lautsi* the Grand Chamber took into account the specifically Italian religious dimension of social life.⁵⁸¹ Because Catholicism holds a predominant place in the Italian history and tradition, its Government may give it some preponderant visibility in the public environment.

Thus, the Court recognized that in countries with a Christian tradition, Christianity possesses a specific social legitimacy which distinguishes it from other religious and philosophical beliefs. This reality justifies a differential approach. Because Italy is a country with a Christian tradition, the Christian symbol may legitimately have a preponderant visibility in society.

The Court had already reached a similar solution in other cases. For example, it has ruled that, “taking into account the fact that Islam is the majority religion in Turkey,

(How Italians change. Values and attitudes from the eighties to today), ed by Biolcati Ferruccio, Rovati Giancarlo and Segatti Paolo, (2020), <https://europeanvaluesstudy.eu/category/dissemination/italy/>

⁵⁷⁵ More details: Coutinho José Pereira, *Religiosity in Europe: an index, factors, and clusters of religiosity* (2016), <https://journals.openedition.org/spp/2397> ; Come cambiano gli italiani. Valori e atteggiamenti dagli anni Ottanta a oggi (How Italians change. Values and attitudes from the eighties to today), ed by Biolcati Ferruccio, Rovati Giancarlo and Segatti Paolo, (2020), <https://europeanvaluesstudy.eu/category/dissemination/italy/>

⁵⁷⁶ <http://www.gliscritti.it/blog/entry/3932>

⁵⁷⁷ Pope Benedict XVI, Homily of His Holiness Benedict XVI at Castel Gandolfo (Aug. 15, 2005). This took place after the judgment of the Veneto administrative Court in favor of the crucifix of Mar. 17, 2005.

⁵⁷⁸ Pope Benedict XVI, Homily of His Holiness Benedict XVI at Nicosia (June 5, 2010).

⁵⁷⁹ Pope Benedict XVI, Address to the participants of the 45th Joint Meeting of the Council of Europe Development Bank (June 12, 2010). This meeting, which gathers the ambassadors of the Member States to the Council of Europe, was held in the Vatican, as the Holy-See is a member of the Council of Europe Development Bank.

⁵⁸⁰ Pope Benedict XVI, New Year Address to the Diplomatic Corps (Jan. 10, 2011).

⁵⁸¹ *Lautsi v. Italy*, App. 30814/06, 2011 Eur. Ct. H.R. § 71 (G.C.)

notwithstanding the secular character of the State, for the State in Turkish schools to grant a larger share [in the curriculum] to the knowledge of Islam than to that of other religions . . . could not in itself be considered a breach of the principles of equality and objectivity susceptible to constitute an indoctrination".⁵⁸² Similarly, in the famous case of *Otto-Preminger Institute v. Austria*, the Court did not disregard the fact that Catholicism is the religion of an overwhelming majority of Tyroleans.⁵⁸³ The European Court has long been attentive to relative and specific factors such as the national "moral climate,"⁵⁸⁴ "tradition,"⁵⁸⁵ "cultural traditions,"⁵⁸⁶ the "historical and political factors peculiar to each State,"⁵⁸⁷ the "specificity of the religious issue"⁵⁸⁸ in a given country, or the "historical and cultural traditions of each society" in areas concerning the "deep convictions" of society.⁵⁸⁹ With this variety of religious, historical and cultural traditions, the Court noted that there was no "uniform conception of the significance of religion in society."⁵⁹⁰ Therefore, taking into account the historical religious identity of countries is necessary to place the judgments of the Court in their context with regard to the social dimension of religion and the naturally religious dimension of society. This does not only benefit the majority religion, but it may also benefit secularism when this philosophical conviction constitutes the "religious" identity of society.

Symbols differ with regard to their meaning and their cultural context. Symbols do not have the same impact, and sometimes the same meaning, depending on the cultural context in which they are displayed. The hijab is in its own cultural context in Turkey. The crucifix is in its own cultural context in Italy. This is not the same as an Islamic headscarf's cultural context in Switzerland, in France, in Italy etc or a crucifix cultural context out of Italy. The context of the display, especially cultural context, helps determine the strength of an external religious symbol: the impact of the public display of an Islamic head scarf definitely varies according to the circumstances. It is a more powerful external symbol in Turkey than in France.

In France the head scarf's impact was too limited to restrict the rights invoked.

Dahlab has several special aspects:

First of all, prohibitions against wearing religious signs or clothes constitute an interference with the individual freedom to manifest one's beliefs because the person is prevented from acting in conformity with his beliefs. It was for the Court to determine the compatibility of this interference with the Convention.

Conversely, in France in case of the Muslim women's coverings, nobody was prevented from acting, nor was anyone forced to act, besides Muslims women themselves. Strictly speaking, Muslim women did not have to justify any co-action (coercion), or any infringement of the French's internal or external liberty. There was no violation of the Frenchmen's external liberty, because the French were not forced to act against their conscience. Nor were they prevented from acting in conformity with their conscience. Nor were the pupils at school, the students at Universities prevented from believing anything. They were not indoctrinated and did not suffer from any proselytism.

Even if ECtHR could perceive the France's apprehension, the Court wouldn't support the interference by the State concerning the rights at issue. Here neither the subjective

⁵⁸² *Zengin v. Turkey*, App. 46928/99, 2004 Eur. Ct. H.R. § 63 (unofficial translation).

⁵⁸³ App. 13470/87, 1994 Eur. Ct. H.R. § 56.

⁵⁸⁴ *Dudgeon v. United Kingdom*, App. 7525/76, 1981 Eur. Ct. H.R. § 57.

⁵⁸⁵ *Campbell and Cosans v. United Kingdom*, App. 7511/76, 7743/76, 1983 Eur. Ct. H.R.

⁵⁸⁶ *Casado Coca v. Spain*, App. 15450/89, 1994 Eur. Ct. H.R. § 54.

⁵⁸⁷ *Gitonas v. Greece*, App. 18747/91, 19376/92, 19379/92, 28208/95, 27755/95, 1997 Eur. Ct. H.R. § 39

⁵⁸⁸ *Murphy v. Ireland*, App. 44179/98, 2003 Eur. Ct. H.R. (relating to a minister interdicted from publishing an advertisement with a religious aim on a local radio).

⁵⁸⁹ *F. v. Switzerland*, App. 11329/85, 1987 Eur. Ct. H.R. § 33; see also *A. B. and C. v. Ireland*, App. 25579/05, 2010 Eur. Ct. H.R. (relating to abortion).

⁵⁹⁰ *Otto-Preminger-Institute v. Austria*, App. 13470/87, 1991 Eur. Ct. H.R. § 50

perception nor emotional disturbance of France regarding Muslim women's coverings don't matter.

Let's return to a battle around the crucifix in classroom in Italy in the *Lautsi v Italy* case.⁵⁹¹ Here the Grand Chamber went further. Although the Court perceived the applicant's apprehension, it nevertheless rejected the applicant's argument: "Be that as it may, the applicant's subjective perception is not in itself sufficient to establish a breach of Article 2 of Protocol No. 1".⁵⁹² But the judges' subjective perception is in itself sufficient? It seems that Yes. The judges of Grand Chamber rejected the Second Section's argument that the display of the crucifix resulted in the *emotional disturbance*.⁵⁹³ The Grand Chamber reasoned that emotional disturbance is only a *subjective perception*, which is not in itself sufficient to establish a breach of Article 2 of Protocol 1.⁵⁹⁴ The Convention does not protect subjective perceptions.

This simple statement was sufficient to conclude that there was no infringement of the rights at issue. This statement would be sufficient to conclude that in France Muslim women wearing the coverings don't infringe of the rights at issue.

The slight impact of the crucifix and of Muslim women coverings is the real *ratio decidendi*. We agree with the Court. The Convention does not require any confessional neutrality, the presence of constraint exercised by a State on Muslim women would suffice to conclude there is violation of Article 9.⁵⁹⁵

As the crucifix in Italy so the hijab in France is *an essentially passive symbol*. Theoretically, a teacher wearing a kippa could teach pupils wearing veils and turbans in a classroom that has a crucifix mounted on the blackboard.

The concept of a *passive symbol* was developed by the Italian Government in its argument in *Lautsi v Italy* case. It was done not in order to denigrate the crucifix. The Government explained that the symbol was passive, because it did not require any action, prayer, or reverence from those who view it.⁵⁹⁶ It does not mean that the meaning of the crucifix is insignificant. This is also how the Grand Chamber understood the crucifix's character: the crucifix is passive.⁵⁹⁷

A *weak external symbol* may be a religious covering worn by Muslim women—such as hijab, niqab or burka—the impact of which is weak on other people. In addition of being a weak external symbol, such religious covering is also a passive symbol because it requires no action on the part of others. On the other hand, practically in every state Themis could be an example of an active symbol because it represents the justice and (sometimes) requires those who is in a courtroom to stand up.

We share the idea that the concept of a *passive symbol* is not contradictory with that of *powerful external symbols*, although it is often affirmed that such is the case. The concept of a passive symbol is opposite to that of an *active symbol*, while a *powerful external symbol* is opposite to a *weak external symbol*.

In addition, this distinction between signs and symbols, according to whether they are powerful or weak, passive or active, will probably be useful below to distinguish other situations.

Symbols are a language of allegory, created long before the lettered words we are imprisoned by today. "A picture tells a thousand words"⁵⁹⁸. Combined with oral tradition,

⁵⁹¹ More details: Zucca Lorenzo, *Lautsi: A Commentary on a decision by the ECtHR Grand Chamber*, International Journal of Constitutional Law, Volume 11, Issue 1, 218–229 (January 2013) <https://doi.org/10.1093/icon/mos008>

⁵⁹² Puppincck Grégor, *Opt. cit.*, 902

⁵⁹³ *Ibid*

⁵⁹⁴ *Ibid*

⁵⁹⁵ Puppincck Grégor, *Opt. cit.*, 904

⁵⁹⁶ *Lautsi*, 2011 Eur. Ct. H.R. § 36.

⁵⁹⁷ *Ibid*. § 72.

⁵⁹⁸ Henrik Ibsen, a Norwegian playwright and theatre director, first said "A thousand words leave not the same deep impression as does a single deed." After his death in 1906 this quote was plagiarized and para-phrased into what we

symbols are just as effective at containing and recalling information as any computer – possibly more so.

Let's investigate few Symbols: Justice (Lady Justice)- Prudentia-Wisdom (Sapience, Sophia).

Why Themis-Prudentia-Sophia? Our first question is why we have the confidence to offer our ideas on “what are thought, conscience, religion?”, stated by a court, by relying on Themis-Prudentia-Sophia for the content. We are not, after all, addressing our article only to people familiar with Greek mythology. Starting from Themis, why did we assume that readers would connect the symbol to justice rather than to Homer's Odyssey? Our project is (in part) to answer that question. And the response (in part) is that we are not alone in appropriating the symbol of Justice. Artwork depicting the Lady of Justice statue, whether in the form of paintings, sculptures, coats of arms or metal statues, is found throughout the world. One such example comes from the front of the Supreme Court in Moscow, Russia. If you're in North or South America, Europe, Africa, the Middle East, Southern and Eastern Asia, and Australasia, you will likely see the Lady of Justice statue in courthouses, law offices and legal educational institutions. In addition, Bangladesh's Islamists are angry that the compound of the country's Supreme Court has a statue of Lady Justice. The very existence of an idol goes against Islam's strictures, they argue.⁵⁹⁹ Around the world the lawyers, politics drape themselves in Justice's accoutrements. In short, from Europe to Iraq, from North and South America to Africa, Australia, and Asia, we have capacity to recognize Themis as the symbol, powerful and active.⁶⁰⁰ Further, and illustrated by competitions such as *Crystal Themis* in Russia⁶⁰¹, Themis has other functions.

The history of the Lady Justice statue goes back many thousands of years, dating back to ancient Greek and Egyptian times, and she typically carries symbols of justice. Themis, the Greek goddess, represented the law, order, and justice, while the Egyptians had Ma'at, who stood for order and carried both a sword and the Feather of Truth. The most direct comparison, however, is with the Roman goddess of justice, Justitia. Some of the first images similar to the Lady of Justice date back to the Egyptian goddess Maat, who signified truth and order in that ancient society. Later, the ancient Greeks worshipped the goddess Themis, the personification of divine law and custom, and her daughter, Dike, whose name means *justice*. Dike was always depicted carrying a pair of balance scales, and it was believed that she ruled over human law. The ancient Romans revered Justitia or Iustitia, who most closely resembles the Lady of Justice statues formed in more modern times. She represented the morality of the justice system.

These words have, we hope, sufficed to anchor a first point. Throughout the twentieth century and into the twenty-first, around the world we can see Justice as the oddly dressed woman with a set of attributes (scales, sword, and a blindfold). Allegorically Themis is justice, the law. The Greco-Roman garment symbolizes the status of the philosophical attitude that embodies justice.⁶⁰² She is holding a sword in one hand and the scales of

know now.

⁵⁹⁹<https://scroll.in/article/835086/in-bangladesh-a-movement-against-a-statue-of-lady-justice-reveals-the-dangers-of-rising-islamism>

⁶⁰⁰ More details: Resnik Judith, Curtis Dennis E, The Jayne Lecture: Representing Justice: From Renaissance Iconography to Twenty-First-Century Courthouses, Proceedings of the American Philosophical Society, Vol. 151, No. 2, 139-183 (Jun., 2007), <https://www.jstor.org/stable/4599055>

⁶⁰¹ Annual Competition on Constitutional Justice among Russian Law Faculties Higher Education Students. The Institute for Law and Public Policy set up the Crystal Themis competition together with The European Commission for Democracy through Law, better known as the Venice Commission. The competition has been held annually since 2011. <https://ilpp.ru/ct>

⁶⁰² Edwards Brent T, Symbolism of Lady Justice (2018), <https://www.theclassroom.com/symbolism-of-lady-justice-12080961.html>

God in another. The symbol of the sword of Themis takes its origins from the mythology of the most ancient people. The sword represented authority in ancient times, and conveys the idea that justice can be swift and final.⁶⁰³ This is the path of the spiritual warrior and endless battle. This is what Lady Justice symbolically means. She uses the scales of God. "A just balance and scales are the Lord's; all the weights in the bag are his work".⁶⁰⁴ "A false balance is an abomination to the Lord, but a just weight is his delight".⁶⁰⁵ Her eyes are close. Her view is inside herself. Since the 16th century, Lady Justice has often been depicted wearing a blindfold.⁶⁰⁶ The goddess Themis, with her eyes closed, was able to judge fairly, impartially, but only guided by evidences, facts and the law. The first known representation of blind Justice is Hans Gieng's 1543 statue on the Gerechtigkeitsbrunnen (Fountain of Justice) in Berne. The blindfold represents impartiality, the ideal that justice should be applied without regard to wealth, power, or other status. The earliest Roman coins depicted Justitia with the sword in one hand and the scale in the other, but with her eyes uncovered.⁶⁰⁷ The scales represent the weighing of evidence, and the scales lack a foundation in order to signify that evidence should stand on its own. The goddess of justice did not give pity to surpass reason and the letter of the Law. Born of Gaia and Uranus, she had the gift of foresight. In the hands of the goddess were a sword and scales. Scales in order to weigh all the arguments and understand the essence, to extract the truth. The scales of Themis are a symbol of justice; servants (priests) of Themis are servants of the law, judges.⁶⁰⁸

Where does the symbol of Justice come from? "The particular attributes that became associated with Justice harken back to the Babylonian iconography of the god Shamash and to the Egyptian goddess Maat. Along with other Egyptian deities including Thoth and Osiris, Maat (in a female form) has been found on papyri illustrating what is commonly called the Book of the Dead. In these scenes, the heart of an individual sits on one side of a balance. On the other side is a feather, itself another symbol of Maat, whose cosmological importance was to denote a state of order, stability, truth, justice, or well-being.(.)

From there, one can trace Justice's roots through goddesses both Greek and Roman, from Themis and Dike to Iustitia. The iconographical trail continues through the portrayal of the archangel St. Michael, often shown weighing souls or brandishing a sword to ward off the dragon of Satan. By the Middle Ages, Justice (holding sword and scales, à la St. Michael) became one of several Virtues identified in presentations of the Psychomachia, the epic battle of Virtues and Vices for a person's soul".⁶⁰⁹

This means that Lady Justice fights, she lives, she is invincible, she is a flow of spirit, she is the radiance of life, she is living in God. She is selfless. She is faithful. She is the radiance of light and the foundation of the world. And these are not difficult things. They

⁶⁰³Ibid.

⁶⁰⁴Proverbs 16:11 ESV

⁶⁰⁵Proverbs 11:1 ESV

⁶⁰⁶Many modern sculptures simply leave out the blindfold altogether. For example, atop the Old Bailey courthouse in London, a statue of Lady Justice stands without a blindfold; the courthouse brochures explain that this is because Lady Justice was originally not blindfolded, and because her *maidenly form* is supposed to guarantee her impartiality which renders the blindfold redundant. Another variation is to depict a blindfolded Lady Justice as a human scale, weighing competing claims in each hand. An example of this can be seen at the Shelby County Courthouse in Memphis, Tennessee.

⁶⁰⁷ See: The Scales of Justice as Represented in Engravings, Emblems, Reliefs and Sculptures of Early Modern Europe in G. Lamoine, ed., *Images et représentations de la justice du XVIe au XIXe siècle*, Toulouse: University of Toulouse-Le Mirail, 8 (1983).

⁶⁰⁸Serov Vadim, Themis // Encyclopedic Dictionary of winged words and expressions, Moscow, Lokid-Press (Russian) (2003).

⁶⁰⁹More details: Resnik J, Curtis DE, The Jayne Lecture. Representing Justice: From Renaissance Iconography to Twenty-First-Century Courthouses, Proceedings of the American Philosophical Society, Vol.51, No.2, 139-185 (June 2007).

can seem difficult to achieve. But this is easy for Lady Justice who constantly confirms to herself that she is who she is.

Lady Justice often appears as a pair with Prudentia, who holds a mirror and snake.⁶¹⁰ Prudentia⁶¹¹ is an allegorical female personification of the virtue of Prudence.⁶¹²

Etymologically, Prudence designates the act of thinking.⁶¹³ According to the German philologist Werner Jaeger⁶¹⁴, it was Heraclitus of Ephesus who first used the concept of prudence in philosophy, placing it at the same level as wisdom (sophia, σοφία).⁶¹⁵ In this case, the virtue is the ability to judge between virtuous and vicious actions, not only in a general sense, but with regard to appropriate actions at a given time and place.

Prudence is the application of universal principles to particular situations.⁶¹⁶ *Integral parts* of virtues⁶¹⁷ are the elements that must be present for any complete or perfect act of the virtue. The following are the *integral parts of prudence*⁶¹⁸:

Memoria : accurate memory; that is, memory that is true to reality; an ability to learn from experience;

Docilitas : an open-mindedness that recognizes variety and is able to seek and make use of the experience and authority of others;

Intelligentia : the understanding of first principles;

Sollertia : shrewdness or quick-wittedness, i.e. the ability to evaluate a situation quickly;

Ratio : Discursive reasoning and the ability to research and compare alternatives;

Providentia : foresight – i.e. the capacity to estimate whether particular actions can realize goals;

Circumspection : the ability to take all relevant circumstances into account;

Caution : the ability to mitigate risk.

Prudence is classically considered to be a virtue, and in particular one of the four Cardinal virtues (which are, with the three theological virtues, part of the seven virtues).

Prudence was considered by the ancient Greeks and later on by Christian philosophers, most notably Thomas Aquinas, as the cause, measure and form of all virtues.⁶¹⁹

Distinguishing when acts are courageous, as opposed to reckless or cowardly, is an act of prudence, and for this reason it is considered to be the *auriga virtutum* or the charioteer of the virtues. It is the cause in the sense that the virtues, which are defined to be the *perfected ability* of man as a spiritual person (spiritual personhood in the classical western understanding means having intelligence and free will), achieve their *perfection* only when they are founded upon prudence, that is to say upon the perfected ability to make right decisions. For instance, a judicial discretion can mean temperance when a judge has acquired the habit of making correctly the decisions which are just from the point of view of law. The function of prudence is to point out which course of action is to be taken in any concrete circumstances. It has nothing to do with directly willing the justice it discerns.

Although prudence itself does not perform any actions, and is concerned solely with knowledge, all virtues had to be regulated by it. Without prudence, bravery becomes foolhardiness; justice -injustice; mercy sinks into weakness, free self-expression and

⁶¹⁰For ex, the main gate of 18th-century Castellania portrays Lady Justice and Lady Prudentia above.

⁶¹¹Lat, meaning *foresight, sagacity*.

⁶¹²Prudence - Definition and More from the Free Merriam-Webster Dictionary,
<https://www.merriam-webster.com/dictionary/prudence>

⁶¹³Delannoy Gill, *Éloge de la prudence*, Berg International, Paris, 20, note 4 (1993)

⁶¹⁴Jaeger Werner, *Paideia la formazione dell'uomo greco I* (1959). Werner Wilhelm Jaeger (1888–1961) was a German classical philologist and Greek scholar, one of the most important classicists of the 20th century.

⁶¹⁵Delannoy Gill, *Opt.cit*

⁶¹⁶McManaman Douglas, *The Virtue of Prudence*, Catholic Education Resource Cente,
<https://www.catholiceducation.org/en/education/catholic-contributions/the-virtue-of-prudence.html>

⁶¹⁷In Scholastic philosophy.

⁶¹⁸*Ibid*

⁶¹⁹See in detail: Roche Donal, *Prudence in Aristotle and ST. Thomas Aquinas* (2005),
http://mural.maynoothuniversity.ie/5204/1/Donal_Roche_20140711140904.pdf

kindness into censure, humility into degradation and arrogance, selflessness into corruption, and temperance into fanaticism.

Civil Procedure and judicial discretion should be about the justice. Its office is to determine for each case in judicial practice those circumstances which should be observed, and which the Scholastics comprise under the term *medium rationis* (the mean of reason). In the case of Justice the *medium rationis* is the *medium rei* (the objective mean).⁶²⁰ In the *Nicomachean Ethics*, Aristotle gives a lengthy account of the virtue *phronesis*⁶²¹ (Ancient Greek: φρόνησις), traditionally translated as *prudence*. More recently φρόνησις has been translated by such terms as *practical wisdom*, *practical judgment* or *rational choice*.

“The work of art is true and real by its correspondence with the pattern of its prototype in the mind of the artist. In similar fashion, the free activity of man is good by its correspondence with the pattern of prudence”,⁶²²- Josef Pieper⁶²³ said. For instance, a judge using the law and discretion decides that it is beneficial to suspend the hearing A till next week and open the hearing B today. The content of the decision (e.g., the conditions, stated by law, discretion itself) is the product of an act of prudence, while the actual carrying out of the decision may involve other virtues like fortitude (doing it in spite of fear of mistake) and justice. The actual act's *justice* is measured against that original decision made through prudence.

In Greek and Scholastic philosophy, *form* is the specific characteristic of a thing that makes it what it is. With this language, prudence confers upon other virtues the form of its inner essence; that is, its specific character as a virtue. For instance, not all decisions followed the legal norms are considered just, considered as done with the virtue of the letter of law. What makes a decision a virtue is whether it is done with prudence.

In ethics, a *prudential judgment*⁶²⁴ is one where the circumstances must be weighed to determine the correct action. Generally, it applies to situations where two people could weigh the circumstances differently and ethically come to different conclusions.

For instance, in the theory of just war, the government of a nation must weigh whether the harms they suffer are more than the harms that would be produced by their going to war against another nation that is harming them; the decision whether to go to war is therefore a prudential judgment.

In another case, a patient who has a terminal illness with no conventional treatment may hear of an experimental treatment. To decide whether to take it would require weighing on one hand, the cost, time, possible lack of benefit, and possible pain, disability, and hastened death, and on the other hand, the possible benefit and the benefit to others of what could be learned from his case.

According to The Laws of Plato: “In the order of divine goods, the first is prudence; after comes temperance; and from the mixture of these two virtues and strength comes justice, which occupies the third place; the force is in the fourth. These latter goods deserve by

⁶²⁰<https://maritain.nd.edu/jmc/etext/hhp37.htm>

⁶²¹See below

⁶²²https://download-pdfs.com/v6/preview/?pid=6&offer_id=447&ref_id=2fc264a1bc1785fff0aecRHrUDWlYHh1_b303a14c_c28f910b&sub1=b303a14c&keyword=Art%20and%20Prudence:%20Studies%20in%20the%20Thought%20of%20Jacques%20Maritain

⁶²³Josef Pieper (1904 – 1997) was a German Catholic philosopher and an important figure in the resurgence of interest in the thought of Thomas Aquinas in early-to-mid 20th-century philosophy. Among his most notable works are *The Four Cardinal Virtues: Prudence, Justice, Fortitude, Temperance; Leisure, the Basis of Culture*; and *Guide to Thomas Aquinas* (published in England as *Introduction to Thomas Aquinas*).

⁶²⁴As example see: Judiciary of England and Wales, In the matter of the prudential assurance company limited and in the matter of Rothesay life PLC and in the matter of part VII of the financial services and markets act 2000. Judgment Summary (2nd December 2020), <https://www.judiciary.uk/wp-content/uploads/2020/12/Prudential-JudgmentSummary.pdf>

their nature the preference over the former; and it is the duty of the legislator to preserve it for them” .⁶²⁵

The legislation of many states contains the requirement of rationality (reasonableness), in particular, rationality (reasonableness) in certain norms of the Russian Civil Code is directly referred to as a principle - in the expression “principles of good faith and rationality (reasonableness)” (paragraph 3 of article 602, paragraph 2 of article 662 of the Civil Code of the Russian Federation). Normative theories of judgment either focus on rationality (decontextualized preference maximization) or reasonableness (pragmatic balance of preferences and socially conscious norms). Despite centuries of work on these concepts, a critical question appears overlooked: Prudence includes both, rationality and reasonableness. Namely Prudence is who accompanies the Lady Justice. To achieve Justice we need Prudence.

Cicero defined prudentia as a rhetorical norm in *De Oratore*, *De officiis*, *De Inventione*, and *De re publica*. He contrasts the term with imprudens, young men failing to consider the consequences before they act. The prudens, or those who had prudence, knew when to speak and when to stay silent. Cicero maintained that prudence was gained only through experience, and while it was applied in everyday conversation, in public discourse it was subordinated to the broader term for *wisdom, sapientia*.⁶²⁶

The word *Sapience* is derived from the Latin *sapientia*, meaning *wisdom*.⁶²⁷ The corresponding verb *sapere* has the original meaning of *to taste*, hence *to perceive*, *to discern* and *to know*⁶²⁸; its present participle sapiens was chosen by Carl Linnaeus⁶²⁹ for the Latin binomial for the human species, *Homo sapiens*.

Sapience is closely related to the term *sophia* often defined as *transcendent wisdom, ultimate reality*, or the ultimate truth of things.⁶³⁰ Sapiential perspective of wisdom is said to lie in the heart of every religion, where it is often acquired through intuitive knowing.⁶³¹ This type of wisdom is described as going beyond mere practical wisdom and includes self-knowledge, interconnectedness, conditioned origination of mind-states and other deeper understandings of subjective experience.⁶³² This type of wisdom can also lead to the ability of an individual to act with appropriate judgement, a broad understanding of situations and greater appreciation/compassion towards other living beings. Yuval Noah Harari⁶³³ says:

⁶²⁵ Plato, *The Laws*, Book I, 631c-d. See in detail: Armstrong John Melvin, *THE POLITICS OF VIRTUE IN PLATO'S LAWS*, 1998, <https://philarchive.org/archive/ARMTPO-9>

⁶²⁶ Hariman Robert, *Prudence: classical virtue, postmodern practice*. The Pennsylvania State University Press, 37 (2003).

⁶²⁷ Lewis, C.T. & Short, C, *Latin Dictionary*. Oxford University Press (1963)

⁶²⁸ Pokorny (1959) s.v. sap-, sab- "to taste, savvy, perceive", <https://lrc.la.utexas.edu/lex/master/1652>

⁶²⁹ Carl Linnaeus (1707 – 1778), also known after his ennoblement as Carl von Linné, was a Swedish botanist, zoologist, taxonomist, and physician who formalised binomial nomenclature, the modern system of naming organisms. The first part of the name – the generic name – identifies the genus to which the species belongs, while the second part – the specific name or specific epithet – identifies the species within the genus. For example, modern humans belong to the genus *Homo* and within this genus to the species *Homo sapiens*.

He ushered in a new era of taxonomy. With his major works *Systema Naturae* 1st Edition in 1735, *Species Plantarum* in 1753, and *Systema Naturae* 10th Edition, he revolutionized modern taxonomy.

⁶³⁰ Trowbridge R, *Waiting for Sophia: 30 years of Conceptualizing Wisdom in Empirical Psychology*, *Research in Human Development*, 8 (2): 111–117 (May 2011),

<https://www.tandfonline.com/doi/abs/10.1080/15427609.2011.568872>; Walsh R, *What Is wisdom? Cross-cultural and cross-Disciplinary Syntheses*, *Review of General Psychology*, 19 (3): 178–293 (June 2015),

<https://escholarship.org/uc/item/4228v47q>; Karunamuni N.D, *The Five-Aggregate Model of the Mind* (May 2015), <https://journals.sagepub.com/doi/10.1177/2158244015583860> .

⁶³¹ Trowbridge R, *Opt.cit*, 111–117; Walsh R, *Opt.cit*, 178–293.

⁶³² Karunamuni N, Weerasekera R, *Theoretical Foundations to Guide Mindfulness Meditation: A Path to Wisdom*, *Current Psychology*, 38 (3): 627–646. (2019), <https://link.springer.com/article/10.1007/s12144-017-9631-7>; Trowbridge R, *Opt.cit*; Walsh R, *Opt.cit*.

⁶³³ Prof. Yuval Noah Harari (1976) is a historian, philosopher. He is the author of the popular science bestsellers *Sapiens: A Brief History of Humankind* (2014), *Homo Deus: A Brief History of Tomorrow* (2016), and *21 Lessons for the 21st Century* (2018). His writings examine free will, consciousness, intelligence, happiness and suffering. Discover

“Homo sapiens is a social being, and our well-being depends to a large extent on the quality and depth of our social and family relations - and in the last 200 years, they have been disintegrating”.⁶³⁴

Sophia is the value concept of philosophy, meaning science, knowledge, mastery of skills, which is fully available only to the gods, while a person could only strive for this and therefore could be called a *friend of wisdom*- the point of view is probably originating from Pythagoras. He claimed to be a lover of wisdom, for which word *love* in Greek is *philo* and *wisdom* is *Sophia*.⁶³⁵ This understanding of philosophia permeates Plato's dialogues, especially the Republic. In that work, the leaders of the proposed utopia are to be philosopher kings: rulers who are lovers of wisdom. Namely the term philosophy (*love of wisdom*) as used by Plato significantly shaped the meaning of the term Sophia, close to the meaning of Phronesis.⁶³⁶ Socrates defends this verdict in Apology to the effect that he, at least, knows that he knows nothing. Socratic skepticism is contrasted with the approach of the sophists, who are attacked in Gorgias for relying merely on eloquence. Cicero in De Oratore later criticized Plato for his separation of wisdom from eloquence.⁶³⁷

Philo, a Hellenized Jew writing in Alexandria, attempted to harmonize Platonic philosophy and Jewish scripture. Also influenced by Stoic philosophical concepts, he used the Koine term logos (λόγος, lógos) for the role and function of Wisdom, a concept later adapted by the author of the Gospel of John in the opening verses and applied to Jesus as the Word (Logos) of God the Father.⁶³⁸

In the later teachings of the Gnostics, *Pistis Sophia*⁶³⁹ was revered as a person and deity of symbolic origin. In the Orthodox Church and the Roman Catholic Church, the feminine personification of divine wisdom as Holy Wisdom (Hagía Sophía) refers either to Jesus Christ the Word of God (as in the dedication of the church of Hagia Sophia in Constantinople) or to the Holy Spirit.

Human wisdom is seen only as a symbolic reflection of divine wisdom, which a *homo sapiens* is never able to achieve. French philosopher René Descartes wrote in the preface for his Principles of Philosophy: “It is really only God alone who has Perfect Wisdom, that is to say, who has a complete knowledge of the truth of all things; but it may be said that men have more wisdom or less according as they have more or less knowledge of the most important truths”.⁶⁴⁰ Human beings become wise, Descartes suggested, as they begin to approach the truths known only by God.⁶⁴¹

his ideas, writing and lectures. <https://www.ynharari.com/>

⁶³⁴Harari Yuval Noah, Sapiens: A Brief History of Humankind (2014).

⁶³⁵Some venture to believe that the word “philosophy” was invented by Pythagoras.

⁶³⁶See below

⁶³⁷Herrick James, The History and Theory of Rhetoric: An Introduction. Boston: Allyn and Bacon, 103 (2005)

⁶³⁸Harris Stephen L, Understanding the Bible. Palo Alto: Mayfield, 302–10 (1985)

⁶³⁹ Pistis Sophia (Koinē Greek: Πίστις Σοφία) is a Gnostic text discovered in 1773, possibly written between the 3rd and 4th centuries AD. The existing manuscript relates one Gnostic group's teachings of the transfigured Jesus to the assembled disciples, including his mother Mary, Mary Magdalene, and Martha. In this text, the risen Jesus had spent eleven years speaking with his disciples, teaching them only the lower mysteries. After eleven years, he receives his true garment and is able to reveal the higher mysteries revered by this group. The prized mysteries relate to complex cosmologies and knowledge necessary for the soul to reach the highest divine realms.

⁶⁴⁰Principles, 204.

⁶⁴¹More details:

[https://plato.stanford.edu/entries/wisdom/#:~:text=Descartes%20wrote%2C%20%E2%80%9CIt%20is%20really,%E2%80%9D%20\(Principles%2C%20204.](https://plato.stanford.edu/entries/wisdom/#:~:text=Descartes%20wrote%2C%20%E2%80%9CIt%20is%20really,%E2%80%9D%20(Principles%2C%20204.)

"[Sophia] learns that she can't really understand God,- Pagels⁶⁴²said,-but she understands that she lives and exists in a divine world that God created."⁶⁴³

Christian legends about saints represent St. Sophia as the mother of three daughters: Faith, Love (in the sense of love for one's neighbor⁶⁴⁴or, Charity) and Hope, who were martyred under the Emperor Hadrian (117-138).⁶⁴⁵ Faith, Love (Charity) and Hope, daughters of wisdom, are the three *theological virtues*.⁶⁴⁶ Eliphaz Levi,⁶⁴⁷interpreting the intersecting lines, writes that these are the three foundations of human life - Faith, Hope, Love (Charity). The names are symbolic - Wisdom as the mother of three *theological virtues*. Also he wrote: *True knowledge never deceives; reasonable faith is not an illusion. A cheerful, sympathetic laugh is an act of faith, hope and charity*.⁶⁴⁸

Sophia is a potent symbol of spiritual and political authority over the world. In particular, it's confirmed by recent changes regarding the Hagia Sophia in Turkey. It has shifted identity with every change in power.⁶⁴⁹

In Ancient Greece the term Sophia was used as an abstract concept. Sophia is not a goddess in classical Greek tradition; Greek goddesses associated with wisdom are Metis and Athena (Latin Minerva). Although originally in Homer Sophia is found in combination with the name of the goddess Athena - in relation to the business of construction and ordering, art and handicraft.⁶⁵⁰ Athena has much in common with Sophia; and yet, if the mythologeme of Greek Athena as the goddess of wisdom (but without the application of the term Sophia to her) is the personification of wisdom, then wisdom in Greek mythology has no a face.

Sophia is the personified wisdom of the deity in Judaistic and Christian religious and mythological concepts. Due to the specifics of Judaistic mythology, in the Old Testament tradition the concept of Wisdom takes on a personal aspect: in the world the self-disclosure of God was supposed to take on the character of a "face".

Christianity assimilates the understanding of Sophia as personality. Thus, Wisdom, being a quality of God, is separated from Him and is presented as an independent subject of action, as a Person. Of course, in Christian understanding it seems obvious that the poetic comparisons inherent in the Old Testament consciousness already contain a mystery that prepares the revelation of the Holy Trinity.

⁶⁴² Elaine Pagels, née Hiesey (1943), is an American religious historian. She is the Harrington Spear Paine Professor of Religion at Princeton University. Pagels has conducted extensive research into early Christianity and Gnosticism. Her best-selling book *The Gnostic Gospels* (1979) examines the divisions in the early Christian church, and the way that women have been viewed throughout Jewish history and Christian history. Modern Library named it as one of the 100 best books of the twentieth century.

⁶⁴³https://www.huffpost.com/entry/sophia-christian-wisdom_n_5589360

⁶⁴⁴More details: <https://www.saintsophias.org/who-is-st-sophia.html>

⁶⁴⁵More details: <https://www.saintsophias.org/who-is-st-sophia.html>

⁶⁴⁶More details: Chang Aloysius, Thomas Aquinas' Three Supernatural Virtues: Faith, Hope and Charity (March 2009).

⁶⁴⁷Éliphas Lévi Zahed, born Alphonse Louis Constant (1810–1875), was a French sage, poet, and author of more than twenty books about magic, Cabbalah, alchemical studies, and occultism. Considered the greatest occultist of the nineteenth century (<https://www.grupopensamento.com.br/produto/dogma-e-ritual-da-alta-magia-nova-edicao-5550>), he followed the ecclesiastical career in the Catholic Church until, with a particularly great struggle, at the age of 26, he quit the priestly path. Only much later in his life, at the age of 40, did he attain the knowledge of the occult, also becoming a ceremonial magician (McIntosh Christopher, Éliphas Lévi and the French Occult Revival (1972)).

⁶⁴⁸Levi Eliphaz, *The Great Secret, or Occultism Unveiled*, Book 3, Chapter 17, <https://selfdefinition.org/magic/eliphas-levi/great-secret/book-3-chapter-17.htm>

⁶⁴⁹<https://theconversation.com/why-hagia-sophia-remains-a-potent-symbol-of-spiritual-and-political-authority-143084>

⁶⁵⁰See in detail: Squire Michael, *The Iliad in a Nutshell: Visualizing Epic on the Tabulae Iliacae* (2016).

Origen⁶⁵¹ although describes her as "incorporeal of diverse thoughts, embracing the logos of the world as a whole, but at the same time animate and as if alive".⁶⁵² In the early era of the development of Christianity, the concept of Sophia approached the face of *Christ - Logos*⁶⁵³, and then the third hypostasis of the Trinity - *the holy spirit*.

However, in Judaism and religious philosophy, Sophia is sometimes viewed as *the personified wisdom of God*.

The image of *Sophia the Wisdom of God* occupies a special place. He equally belongs to both the Old and New Testaments, being a name that refers to the face of the Lord who created the universe, and at the same time one of the most important concepts associated with the idea of the presence and participation of God in human affairs.

The concept of Sophia as the *Wisdom of God* was especially developed in Byzantium and Russia.

Over the centuries, the minds of prophets, theologians, philosophers, poets, artists have tried to reveal its deep and multifaceted meaning by all means available to them. The source that nourished them is the books of the *Old Testament: the Wisdom of Solomon, the Book of Proverbs, the Book of Sirach*.

Wisdom appears as *the artist* (Wis. 7:21), as well as the *Holy Spirit* (7:22). She participated in the creation of man (9: 2).

In theology, Wisdom in its relation to God can be regarded as His demiurgic, world ordering will. She is described⁶⁵⁴ as an *artist*, building the world according to the laws of divine craft (which brings her closer to Athena again); the nature of this cosmogonic Sophia-artist includes joy.

In *Wisdom 7:22-23* Sophia is extolled on the basis of twenty-one attributes. She is a mirror reflecting God's activities and an image of God's goodness. She is the steam of God's power and a pure emanation. She is a radiance of eternal light and a spotless mirror of God's action.⁶⁵⁵

The Book of Sirach says that seeking Wisdom brings happiness: "Happy are those who meditate on Wisdom and who reason intelligently. Those who consider her ways in their hearts will also reflect on her secrets. Pursue her like a hunter, and lie in wait by her paths. Those who peer into her windows will also listen at her doorways. Those who lodge near her house will also fasten a tent peg in her walls. They will pitch their tent close at hand and will find accommodation in a lodging place full of good things. They will put their children under her shelter, and will encamp under her branches. She will shelter them from the heat, and they will dwell in her glory".⁶⁵⁶

The books of the Old and the New Testaments describe Sophia as a personality. It appears as a virgin offspring of the supreme father, close to him to the identity: "She is a

⁶⁵¹Origen of Alexandria (c. 184 – c. 253), also known as Origen Adamantius, was an early Christian scholar, ascetic, and theologian who was born and spent the first half of his career in Alexandria. He was a prolific writer who wrote roughly 2,000 treatises in multiple branches of theology, including textual criticism, biblical exegesis and hermeneutics, homiletics, and spirituality. He was one of the most influential figures in early Christian theology, apologetics, and asceticism. He has been described as "the greatest genius the early church ever produced" (McGuckin John Anthony, *The Life of Origen* (ca. 186-255). In McGuckin John Anthony (ed.). *The Westminster Handbook to Origen*. The Westminster handbooks to Christian theology. Louisville, Kentucky: Westminster John Knox Press, 13 (2004)).

⁶⁵²More details: Cvetkovic Vladimir, *Ontologies of freedom and necessity: an investigation of the concepts of logos in Greek philosophy and Christian thought*, http://etheses.dur.ac.uk/4269/1/4269_1789.pdf?UkUDh:CyT=

⁶⁵³ 1 Cor. 1:24, 25 directly defines Jesus Christ as God's power and wisdom: "ma per quelli che sono chiamati, tanto Giudei quanto Greci, predichiamo Cristo, potenza di Dio e sapienza di Dio; poiché la pazzia di Dio è più saggia degli uomini e la debolezza di Dio è più forte degli uomini." http://www.laparola.net/wiki.php?riferimento=1+Corinzi+1,24-30&formato_rif=vp

⁶⁵⁴Proverbs 8, 27-31

⁶⁵⁵See in detail: Waetjen Herman C, *The Gospel of the Beloved Disciple: A Work in Two Editions* (2006)

⁶⁵⁶<https://www.biblestudytools.com/ceba/sirach/passage/?q=sirach+14:20-27>

breath of the power of God, and a pure emanation of the glory of the Almighty"⁶⁵⁷, which came out *from the mouth of the Most High*.

In addition to the books of Wisdom were the texts of the Liturgy and liturgical canons, among which the Canon and Akathist Hymn to Saint Sophia and Her Three Daughters⁶⁵⁸, in which the image of Sophia is sung and interpreted.

Sophia is feminine, feminine traits are guessed in the passive image of the *spotless mirror of God's action*. By the Roman Empire, it became common to depict the cardinal virtues and other abstract ideals as female allegories. Thus, in the Library of Celsus in Ephesus, built in the 2nd century, there are four statues of female allegories, depicting wisdom (Sophia), knowledge (Episteme), intelligence (Ennoia) and valour/excellence (Arete).

Allegory of Wisdom and Strength of Paolo Veronese⁶⁵⁹ is a large-scale allegorical painting depicting Divine Wisdom personified on the left and Hercules, representing Strength and earthly concerns, on the right.

Sophia assumes aspects of a goddess or angelic power in Gnosticism.

In Judaistic religious beliefs, Sophia is a cosmic, often feminine being, containing in itself the beginnings and an ideal prototype of the world; an analogue of Tara in Buddhism and the Mother of the *book* (Umm-ul-Kitab) in Islam.

In Christian iconography, Holy Wisdom or Hagia Sophia was depicted as a female allegory from the medieval period, as a winged virgin surrounded by heavenly blue, that is, the air of color sapphire. In Western (Latin) tradition, she appears as a crowned virgin.

The goddess Sophia (Holy Wisdom) is one of 1,038 women depicted in the contemporary work *The Dinner Party* by Judy Chicago (1979).⁶⁶⁰⁶⁶¹ This work is in the form of a triangular table of 39 guests (13 per side). Each guest is a woman, historical or mythical figure. The names of the 999 other women appear on the base of the work. The goddess Sophia is the sixth guest of the wing of the table, she appears there between the Snake goddess and the Amazons.⁶⁶²

Elaine Pagels, saying about Sophia and the significance of a personified wisdom, noted: "In the Book of Proverbs, wisdom as a feminine being", - Pagels said. "She is God's partner, or darling, his delight. The idea is that wisdom is a personified feminine being who is with God and helps him out".⁶⁶³

Radu Iacob, a religion scholar at the University of Leuven, concurs that theologians throughout history have often understood wisdom to be a feminine being who contains both human and divine traits. "In some cases", - Iacob writes, - "[wisdom] was personified in a feminine nature, as the divine consort of a god, or later as the Eternal Feminine... The Stoics understood sophia as 'knowledge of the divine and the human,' which they regarded as a 'crucial underpinning for the goal of leading a moral life'".⁶⁶⁴

The concept of the Eternal Feminine (German: *das Ewig-Weibliche*) was particularly important to Goethe, who introduces it at the end of *Faust*, Part 2.⁶⁶⁵ Faust, not satisfied with pure intellectualism and dwelling in a deep inner loneliness, finds deliverance in coming to Sophia (Eternal Femininity) - the spiritual-bodily principle, in which

⁶⁵⁷Wisdom 7:25-30

⁶⁵⁸<https://akathisthymns.wordpress.com/sophia-daughters/>; http://www.logoslovo.ru/forum/all/topic_18205/

⁶⁵⁹https://en.wikipedia.org/wiki/Allegory_of_Wisdom_and_Strength

⁶⁶⁰<https://www.theattic.space/home-page-blogs/judychicago>

⁶⁶¹ Since 2007, it has been on permanent exhibition in the Elizabeth A. Sackler Center for Feminist Art at the Brooklyn Museum, New York.

⁶⁶²Brooklyn Museum – Sophie, https://www.brooklynmuseum.org/eascfa/dinner_party/place_settings/sophia

⁶⁶³http://www.asphodel-long.com/html/lady_wisdom.html

⁶⁶⁴Radu Iacob, Sophia, the Wisdom of God. An Eastern Christian Political Theology in the Sophiology of Sergei Bulgakov,

<https://www.academia.edu/1196645>

Sophia_the_Wisdom_of_God_An_Eastern_Christian_Political_Theology_in_the_Sophiology_of_Sergei_Bulgakov

⁶⁶⁵Oppel Frances Nesbitt, Nietzsche On Gender: Beyond Man And Woman, 16 (2005)

contradictions and obstacles to human communication have been removed. For Goethe, "woman" symbolized pure contemplation, in contrast to masculine action, parallel to the eastern Daoist descriptions of Yin and Yang.⁶⁶⁶ Sophia symbolizes the world measure of being. "What Goethe calls das Ewig-Weibliche is seldom out of my consciousness; I don't think it is ever entirely out of any man's consciousness," Lanny says to Gertrud Schultz in *Wide is the Gate*.⁶⁶⁷

He is fundamentally triune, that is, he has three aspects: Father, Mother and Son. This means that he reveals himself also and above all in the archetype of the Great Heave In *Gnosticism* Sophia is interpreted as a *mediator between God and the world*. For Valentinus⁶⁶⁸ and Ptolemy⁶⁶⁹, Sophia acts as the last of the aeons, closing the pleroma.⁶⁷⁰ She is assigned a special role in the gnostic cosmogony: rushing in a passionate impulse to the First Father, thereby Sophia violates the integrity of the pleroma and she is expelled from it. The negative emotions of the fallen Sophia (horror, sadness, etc.) give rise to matter (*hylē*) and soul (*psychē*), and she herself gives birth to the Demiurge, who creates the material world out of them. Secretly from the Demiurge, Sophia "mixes" into the world created by him her inherent, but not inherent in Him *pneuma* (spirit); thus, it is she who is *responsible* for the appearance of the *spiritual principle* in the world. In Valentinianism, there is a division into the *elder Sophia*, which, despite its fall, remains in the pleroma thanks to the *Limit* created by God, and Sophia-Achamot - a formless emanation of the fallen Sophia, likened to a miscarriage and expelled from the pleroma.⁶⁷¹ Christ (for the Gnostics, he acts as a timeless spiritual entity) imparts a form to Sophia-Achamot, after which she, following the same example, tries to form the mental-bodily level of being and creates the Demiurge, who, in turn, becomes the Creator of the material world.⁶⁷² In rabbinic and later Gnostic thought⁶⁷³, Sophia is understood as the sense of the foundation, the beginning, the mother's womb of originality. The specificity of Sophia is feminine passivity, coupled with maternal multiple fertility, her *joy*, as well as a deep connection not only with the cosmos, but also with humanity⁶⁷⁴, for which she stands up. If in relation to God Sophia is a passive mirror of the glory of God, then in relation to the world she is a builder who creates the world, like a carpenter or an architect puts together a house as an image of an inhabited and ordered world, fenced off by walls from the boundless spaces of chaos; house is one of the main symbols of Biblical Wisdom.⁶⁷⁵ In Proverbs, Wisdom itself testifies about its activity in the creation of the world⁶⁷⁶ and about its attitude towards people whom it leads to God.⁶⁷⁷ It is the source of life - "For whoever is finding me, has found life".⁶⁷⁸

⁶⁶⁶Gilbert Sandra; Gubar Susan, *The Madwoman in the Attic: The Woman Writer and the Nineteenth-Century Literary Imagination*, 21 (1979)

⁶⁶⁷*Wide is the Gate* is the fourth novel in Upton Sinclair's Lanny Budd series. First published in 1943, the story covers the period from 1934 to 1937. More details: Arthur Anthony, *Radical Innocent: Upton Sinclair*, Random House (2006).

⁶⁶⁸Valentinus (also spelled Valentinus; c. AD 100 – c. 160) was the best known and, for a time, most successful early Christian gnostic theologian. He founded his school in Rome.

⁶⁶⁹Ptolemy the Gnostic, or Ptolemaeus Gnosticus, was a disciple of the Gnostic teacher Valentinus and is known for the Letter to Flora.

⁶⁷⁰More details [https://en.wikipedia.org/wiki/Aeon_\(Gnosticism\)](https://en.wikipedia.org/wiki/Aeon_(Gnosticism))

⁶⁷¹Irenaeus of Lyons, *Against Heresies* (Russian), I, 4:1, http://yakov.works/acts/02/iriney_lionsky/iriney_vers_1.html

⁶⁷²Averintsev S. S. *Akhamot // Myths of the peoples of the world: Encyclopedia* (Russian), M, Vol.1, 527-533 (1980), <http://www.mifinarodov.com/a/ahamot.html>.

⁶⁷³The Italic school distinguished on the other hand a two-fold Sophia, the ano Sophia and the katō Sophia or Achamoth.

⁶⁷⁴Proverbs 8, 31, etc.

⁶⁷⁵Proverbs 9, 1, etc

⁶⁷⁶Proverbs 8, 27-30

⁶⁷⁷Proverbs 8, 31, 35-36

⁶⁷⁸Proverbs 8, 35

The aspects of Sophia associated with the idea of human community are also emphasized.

In Latin Christian literature, the term Sophia is supplanted by the almost synonymous designation of the mystically understood *church*. Since the Church is the *mystical Body of Christ*⁶⁷⁹, she represents the incarnate Wisdom of God (Sophia), and Christ and Sophia, as the bride and groom, are One.⁶⁸⁰

One of the first religious thinkers to place the Sophia at the heart of his theology was Valentin Weigel⁶⁸¹, precursor of German theosophy and main representative in the sixteenth century of the Rhenish-Flemish mystical tradition.⁶⁸² It emphasizes the creative and generative mission of divine Wisdom. In his collections of homilies (Hauspostill), published in 1578, he evokes the mystery of the marriage of God and Sophia, whose union produced a supreme generation, that of Christ, of Adam and of the world.⁶⁸³

According to Weigel, Sophia also “made God a God, she tore God from the eternity of his retreat, so that he might reveal himself in his creation”.⁶⁸⁴

The outstanding Russian thinker and theologian Sergey Bulgakov,⁶⁸⁵ expressing the centuries-old theological experience of Orthodoxy, writes: “Sophia is the Church, which accepts the gifts of the revelation of the triune Divinity, is the idea of God, according to the word of revelation, and “the body of Christ, the body of God”.⁶⁸⁶

The concept of marriage in Heaven was described by Emanuel Swedenborg⁶⁸⁷ in 1749. Swedenborg defined heavenly marriage as a marriage of love with wisdom or good with truth.⁶⁸⁸ He wrote: “Truth and good joined together is what is called the celestial marriage, which constitutes heaven itself with a person”.⁶⁸⁹

⁶⁷⁹See, for example, Epistle to the Ephesians, 1, 21-23.

⁶⁸⁰ Epistle to the Ephesians, 5, 25-27.

⁶⁸¹ Valentin Weigel (or Weichel; 1533-1588) was a German theologian, philosopher and mystical writer, from Saxony, and an important precursor of later theosophy. In English he is often called Valentine Weigel.

⁶⁸² Houssin H, Sophia (occident moderne), in Servier J. (dir.), Dictionnaire critique de l'ésotérisme, Paris, PUF, 1207 (1998)

⁶⁸³More details: Schipflinger Thomas, Sophia-Maria: A Holistic Vision of Creation (1998)

⁶⁸⁴<https://www.journals.uchicago.edu/doi/abs/10.1086/385089?journalCode=isis>

⁶⁸⁵ Sergei (Sergiy) Nikolaevich Bulgakov (1871-1944) was Russian philosopher, theologian, Orthodox priest, economist, theologian. One of the founders and professor of the *Institut de théologie orthodoxe Saint-Serge* in Paris. Best known for his teaching on the Sophia of the Wisdom of God, which received mixed ratings.

⁶⁸⁶Bulgakov S.N. Non-evening light: Contemplation and speculation (Russian), M, 220 (1994); Bulgakov SN (Autore), Djambov Vladimir (Traduttore), NON-EVENING LIGHT: (Svet Nevecherniy) (Inglese) (2019).

⁶⁸⁷Emanuel Swedenborg(1688–1772) was a Swedish pluralistic-Christian theologian, scientist, philosopher and mystic. He is best known for his book on the afterlife, Heaven and Hell (1758).

⁶⁸⁸<http://www.swedenborgstudy.com/articles/marriage/cl1.htm>

⁶⁸⁹Swedenborg E, Arcana Coelestia §10300.

Sophia was included in The Order of Melchizedek.⁶⁹⁰ Melchizedek⁶⁹¹ presented the bread and wine⁶⁹² since he was Priest of *El Elyon*⁶⁹³ and thus this operation becomes a liturgical rite officiated by the representative of God on earth, which goes beyond any human religion, even current. It is a central pivot in the representation of the Universal Cosmic Spirituality. The Priest according to the Order of Melchizedek, like Christ, is the Mediator between human and Divine; he is the *Adam Kadmon*⁶⁹⁴. He is the testimony of the possible reintegration of every human being towards the realization of Unity. And the *Pistis Sophia* attests that Melchizedek, the first Priest, the King of the World cares for the life and spiritual development of the planet by guiding it with Light and Consciousness, receiving the title of Light Receptor. He is the Great Receptor of Cosmic Light and the planetary genius of the Earth. The teaching of Deunov⁶⁹⁵ and Aïvanhov⁶⁹⁶ is inspired by this Order. However, let us not forget that Melchizedek does not belong to any human culture and in fact he manifested himself with different names and faces: Christ, Zorokothòra, Metatron, Michael, Mercury, Merlin (Myrddyn), Arthur, Toth, Osiris, Adam Kadmon, Krishna, Buddha, Apollo, Horus, Hermes Trismegisto, Mithra and Ahura Mazda and every other enlightened Master. nly Mother: the Sophia, called Mary, Isis⁶⁹⁷, Shekinah⁶⁹⁸. All the Gods of the ancient mysteries are he (his aspects), and he is they.

According to the initiatory philosophy, Melchizedek is the Master of all Masters, he is the creator of Peace and Justice and all the great Masters who have brought civilization and light to various peoples over the centuries come from the order of Melkizedek. The Primordial Tradition handed down him as the “Eternal Lord of Light, the Prince of Light, Virgin of Light, Bringer of Light, Morning Star etc”.⁶⁹⁹

⁶⁹⁰Its importance is extraordinary if we consider that Jesus and Abraham belonged to the order of Melkizedek.

⁶⁹¹ Melchizedek (Melchizedek or Malki-tzédek, *My King is righteous*, Hebrew Standard Malki-zédeq / Malki-zádeq, Tibetan Hebrew Malki-şédeq / Malki-şádeq), sometimes written Malchisedech) Melchizedek, Melchisedeq or Melkizedek, is an mysterious figure in the Old Testament, of the Tanakh or Hebrew Bible. According to the initiatory philosophy Melchizedek is the Master of all Masters, he is the creator of peace (Melki) and justice (tsedek) and all the great Masters who have brought civilization and light to peoples over the centuries come from the Order of Melkizedek and they are Priests in his name. Melchizedek, in Hebrew, means *King of Justice* and this qualification in the Torah is given only to the Holy of Holies. He is King of Salem. Salem means *founded by the God of Peace*. SLM means PEACE. It is significant that Melchizedek was not a Priest of any religion, but only of the Most High God, the bearer not of a sacrificial rite but of a totally bloodless offering rite, which presents to God the simple bread and wine, the products closest to the human dimension, like earth and water, and blesses Abraham and blesses God. That blessing of Melchizedek to Abraham is a recognition and an Initiation and the offering of Abraham's tithes is a thanksgiving, a recognition and a submission. Melchizedek is a tangible and sacred reality that represents the King / protector of the World, a sacred and mysterious figure present in many esoteric schools also of Tibetan origin such as the 4-volume Sanskrit treatise entitled *Sanatana Drama Dipika* which indicates it as *Light of the Eternal Law*.

⁶⁹²See Genesis 14:18-20

⁶⁹³ It is an epithet of the God of the Israelites in the Hebrew Bible. 'Ēl 'Elyōn is usually rendered in English as God Most High.

⁶⁹⁴ Primordial Man; also called Adam Elyon, Supreme Man; in Kabbalah, is the first spiritual World that came into being after the contraction of God's infinite light.

⁶⁹⁵ Peter Deunov (1864–1944), also known by his spiritual name Beinsa Douno and often called the Master by his followers, was a Bulgarian philosopher and spiritual teacher who developed a form of Esoteric Christianity known as the Universal White Brotherhood.

⁶⁹⁶ Omraam Mikhaël Aïvanhov (Mihail Ivanov) (1900–1986) was a Bulgarian philosopher, pedagogue, mystic, and esotericist. A leading 20th-century teacher of Western Esotericism in Europe, he was a disciple of Peter Deunov (Beinsa Douno), the founder of the Universal White Brotherhood.

⁶⁹⁷ In Wisdom, Sophia is the spouse of God and of the king—just as Isis is spouse of a God and mother of the king. Sophia protects the *righteous man*, grants the ability to rule, and has *knowledge of all holy things*. Isis gives to *all who are righteous* great blessings (Hymns of Isidorus)

⁶⁹⁸ In Judaism Sophia corresponds to the Shekinah, *the Glory of God*, a figure who plays a key role in kabbalistic cosmology as an expression of the feminine aspect of God. Like the Gnostic Sophia, the Shekinah plays a dual role, sits beside God, but it is also exiled to the world of matter, the Malkuth (the tenth of the sephiroth in the Kabbalistic Tree of Life, it sits at the bottom of the Tree)

⁶⁹⁹More details about Melchizedek: Aïvanhov Omraam Mikhaël, *Book of Revelations: A Commentary* (1991)

St. Paul⁷⁰⁰ testified that Melkizedek was both king of justice, king of peace. He was both king and priest. He was the unborn. He was “without father, without mother, without descent, having neither beginning of days, nor end of life; but made like unto the Son of God; abideth a priest continually”.⁷⁰¹

In the Catholic Church, the figure of Sophia was forgotten until Saint Hildegard of Bingen⁷⁰² said she had a vision. Hildegard celebrated Sophia as a cosmic figure both in her writings and in her art, depicting her wearing a golden tunic adorned with precious gems.⁷⁰³ In a prayer to Sophia, Bingen wrote:

“You of the whirling wings,
circling, encompassing energy of God:
you quicken the world in your clasp.
One wing soars in heaven,
one wing sweeps the earth,
and the third flies all around us.
Praise to Sophia!
Let all the earth praise her!”⁷⁰⁴

With one wing in heaven and one on earth, Hildegard writes, Sophia *quicken*s the world. In English, the word *quicken* literary referres to give life to; to animate, make alive, revive.⁷⁰⁵ Thus Hildegard suggests the world comes alive through Sophia.

In 1602, the German alchemist Heinrich Khunrath⁷⁰⁶ presented in his *Amphitheatrum sapientiae Aeternae* (eng. *Amphitheater of Eternal Wisdom*) the synthesis between Kabbalah, alchemy, and sophiological tradition, in which Sophia appears less as a generator than as a mediator between Christ, from whom she emanates, and humanity. Sophia is for him the operative fire for obtaining the *philosophical mercury*, the initial ingredient of the philosopher's stone which is itself the final stage of alchemical research. In German romanticism the powerful Sophianic current was resurrected, thanks to the great Spirit of Novalis.⁷⁰⁷ Novalis's vision of the future looks to the unity of all three: Beauty, Love and Wisdom, with Sophia (wisdom) at the core. She is, in fact, the Eternal Feminine, drawing humanity upwards to the heavenly realm.⁷⁰⁸

Within the Protestant tradition in England, Jane Leade⁷⁰⁹, seventeenth-century Christian mystic, Universalist, and founder of the Philadelphian Society, wrote copious descriptions of her visions and dialogues with the *Virgin Sophia* who, she said, revealed to her the spiritual workings of the Universe.⁷¹⁰ Leade was hugely influenced by the theosophical

⁷⁰⁰ Letter to the Hebrews, also called Epistle to the Hebrews, abbreviation Hebrews, anonymous New Testament letter traditionally attributed to St. Paul the Apostle but now widely believed to be the work of another Jewish Christian. Some traditions hold that the author may have been St. Barnabas or perhaps one of Paul's other associates or later disciples.

⁷⁰¹ Hebrews 7:3.

⁷⁰² Hildegard of Bingen (1098–1179), also known as Saint Hildegard and the Sibyl of the Rhine, was a German Benedictine abbess, writer, composer, philosopher, Christian mystic, visionary, and polymath of the High Middle Ages. She is one of the best-known composers of sacred monophony, as well as the most-recorded in modern history. She has been considered by many in Europe to be the founder of scientific natural history in Germany.

⁷⁰³ http://sophiainpractice.com/mentor_links/hildegard_of_bingen

⁷⁰⁴ Quoted in <https://seeinggodinart.wordpress.com/2015/10/11/divine-sophia/>

⁷⁰⁵ [https://en.wiktionary.org/wiki/quicken#:~:text=\(file\)-,Etymology%201,turn%20on%2C%20ignite%E2%80%9D\).](https://en.wiktionary.org/wiki/quicken#:~:text=(file)-,Etymology%201,turn%20on%2C%20ignite%E2%80%9D).)

⁷⁰⁶ Heinrich Khunrath (c. 1560–1605), or Dr. Henricus Khunrath as he was also called, was a German physician, hermetic philosopher, and alchemist. Frances Yates considered him to be a link between the philosophy of John Dee and Rosicrucianism. His name, in the spelling "Henricus Künraht" was used as a pseudonym for the 1670 publisher of the *Tractatus Theologico-Politicus* of Baruch Spinoza.

⁷⁰⁷ Georg Philipp Friedrich Freiherr von Hardenberg (1772–1801), better known by his pen name Novalis, was an 18th-century German aristocrat, poet, author, mystic and philosopher of Early German Romanticism.

⁷⁰⁸ Hamnett Brian, *The Historical Novel in Nineteenth-Century Europe: Representations of Reality in History and Fiction*, 65 (2011)

⁷⁰⁹ See <https://www.thecenterforsophiologicalstudies.com/post/an-introduction-to-jane-leade-freedom-and-sophiology>

⁷¹⁰ Hirst Julie, *Jane Leade: Biography of a XVII-century Mystic*. Ashgate, 72 (2005)

writings of Jakob Böhme, who also speaks of the Sophia in works such as *The Way to Christ* (1624).⁷¹¹ Jakob Böhme was very influential to a number of Christian mystics and religious leaders, including George Rapp⁷¹² and the Harmony Society.⁷¹³ German mysticism in the person of Henry Suso⁷¹⁴, and then J. Boehme⁷¹⁵, and later the Pietism (G. Arnold⁷¹⁶), specifically refer to the symbol of Sophia.

Goethe takes the symbol of Sophia from the hands of German mysticism, but in contrast to Boehme with a strong bias towards paganism, emphasizing her maternal features.

Novalis also perceives the image of Sophia.

At the end of the eighteenth century through the theosophical prism of Böhme, the French Louis-Claude de Saint-Martin⁷¹⁷ developed an original philosophy of nature close to that of the romantics, but also laid certain foundations for modern sophiology. He grants Sophia a primordial role in the creation of man and makes her the agent of his reintegration.⁷¹⁸ The Sophia, or *Sophie*, is seen by him as a divine emanation which contains *the laws of universal Harmony and of Numbers* which presided over creation.

A goddess Sophia was introduced into Anthroposophy by its founder, Rudolf Steiner, in his book *The Goddess: From Natura to Divine Sophia*⁷¹⁹ and a later compilation of his writings titled *Isis Mary Sophia*.⁷²⁰

Thomas Merton praised Sophia in his poem titled *Hagia Sophia* (1963).⁷²¹

Merton said: "The Diffuse Shining of God is Hagia Sophia

[– "Holy Wisdom" –]. Sophia is Gift, is Spirit..., is God-given and God Himself as Gift.

Sophia

in all things is the Divine Life".⁷²²

The Roman Catholic Valentin Tomberg in his magnum opus *Meditations on the Tarot*⁷²³ incorporated many Sophiological insights into his Christian Hermeticism, pairing the Holy Trinity (Father-Son-Holy Spirit) with the Trino-Sophia (Mother-Daughter-Holy Soul), which

⁷¹¹Böhme Jakob, *The Way to Christ* (1622), <http://www.passtheword.org/DIALOGS-FROM-THE-PAST/waychrst.htm>

⁷¹² John George Rapp (1757–1847) was the founder of the religious sect called Harmonists, Harmonites, Rappites, or the Harmony Society.

⁷¹³Versluis Arthur, *Western Esotericism and The Harmony Society*, *Esoterica* I, 20–47 (1999)

⁷¹⁴ In the *Horologium* (written between 1328 and 1330), Suso revised and expanded an earlier German work, the *Little Book of Eternal Wisdom* (*Büchlein der ewigen Weisheit*, ca. 1330). Both the *Horologium* and *Büchlein* teach the love of Christ Crucified, whom Suso venerates under the title of Eternal Wisdom. But the *Büchlein* is a straightforward dialogue on the Passion, while the *Horologium* interweaves its meditations on the Cross with fervent professions of love to one whom Suso calls "the goddess of all beauty"--none other than Eternal Wisdom (Sophia or Sapientia), acknowledged in her female form as the friar's courtly mistress and spiritual bride. Through the *Horologium* and the prayer books inspired by it, Suso fired all Christendom with his devotion to Christ/Sophia. See in details: Newman Barbara, *Henry Suso and the Medieval Devotion to Christ the Goddess*, *Spiritus A Journal of Christian Spirituality* 2(1):1-14 (January 2002).

⁷¹⁵ Berdyaev NA, *Studies concerning Jacob Boehme*, Etude II. The Teaching about Sophia and the Androgyne. J.

Boehme and the Russian Sophiological Current, *Journal Put'*, N. 21, 34-62 (apr. 1930),

http://www.berdyaev.com/berdiaev/berd_lib/1930_351.html;

<https://www.thecenterforsophiologicalstudies.com/post/jacob-boehme-on-the-virgin-mary-as-the-incarnation-of-sophia>

⁷¹⁶See Noyce John, *Gottfried Arnold and Sophia. The Wisdom Tradition* (2007).

⁷¹⁷ Louis Claude de Saint-Martin (1743–1803) was a French philosopher, known as *le philosophe inconnu*, the name under which his works were published; he was an influential of the mystic and human mind evolution and became the inspiration for the founding of the Martinist Order.

⁷¹⁸ Houssin H, *Sophia (occident moderne)*, in Servier J.(dir.), *Dictionnaire critique de l'ésotérisme*, Paris, PUF, 1207 (1998)

⁷¹⁹ Steiner Rudolf. *The Goddess: From Natura to the Divine Sophia : Selections from the Work of Rudolf Steiner*.

Sophia Books, Rudolf Steiner Press, 96 (2001).

⁷²⁰Steiner Rudolf, *ISIS Mary Sophia: Her Mission and Ours* (2007)

⁷²¹<https://sophiawakens.com/2018/06/25/mertons-prayer-poem-to-high-wisdom-hagia-sophia-hours-of-terce-and-compline/>

⁷²²Quoted in <http://staugustinesepiscopalchurch.org/wp-content/uploads/2010/12/First-Sunday-of-Advent-Dec.-3-2017.pdf>

⁷²³<http://theosnet.net/dzyan/miscpubs/Meditations-on-the-Tarot.pdf>

together he called *The Luminous Holy Trinity*. The book's *Afterword* was written by Hans Urs von Balthasar⁷²⁴ and kept on the nightstand of Pope John Paul II.

In Italy Sophia lives again in the work of M. Scaligero.⁷²⁵ With the particular evidence of Scaligero, the Isis-Sophia, womb of the world and of creation, is in the soul of the one who welcomes Christ. The disciple who knows the secret of the Virgin can do everything. In fact it is she, as faith, trust, fervor, who generates the inner Logos, whose presence dispels human misunderstandings, destroys the lie, dissolves the infernal lunar element: the dark world of fear from which the psyche suffers. Human thought and the Virgin are united by the cosmic thread of creation, and the Virgin is the celestial life that the soul finds beyond the boundary of fallen thought. As in the Christian tradition the Mother intercedes for man with the Son, so in the spiritual search the power that joins the light with the human, and the transcendent with the immanent, is the incorporeal individual virtue of the Isis-Sophia: the away to the original Logos.⁷²⁶

Since the 1970s, Sophia has also been invoked as a goddess in Dianic Wicca⁷²⁷ and related currents of feminist spirituality. Johnson (1993) and Meehan (1996) noted parallels between the Russian *sophiological* controversy and the Gender of God debate in western feminist theology.⁷²⁸

There is a monumental sculpture of Holy Wisdom (2000) depicted as a *goddess* in Sofia, the capital of Bulgaria (the city itself is named after Saint Sofia Church).

But the development of the *anti-Sophia* possibilities of the New European individualism continues (the images of the destructive *anti-Sophia* in the musical dramas of R. Wagner - Brunhilde, of Tristan and Isolde, Kundry). *Western Individualism vs. Sophia's Collectivism*. This is the current situation. For the Age of the Coronavirus we would paraphrase: Sophias wear masks because they don't want to risk getting others sick; individualists (the product of Western civilization), wear them so they themselves don't get sick. Sophia is *contro* individualism. Individualist is *contro* Sophia. Sophia is *pro* Union.

Why France and Russia? Our search for Sophia for the purpose of the freedom of thought, conscience, religion, defined by courts, has launched us on a fascinating and exciting journey. It has led us to both France and Russia where the cult of Sophia is very strong. Like Edgar Allen Poe's Purloined Letter, the Christian Goddess has always been right before our eyes, a little shabby, more than a little mishandled, but there nevertheless. It's taken years for us to notice her simple hiding place. One the first stopovers on this journey was Mary Magdalene-Sophia⁷²⁹ as it became clearer for us that she was nothing less than the expression of Divine Wisdom in Jesus' life— the Divine Wisdom (see the Gospel of Mary Magdalene, Gospel of Philip, Gospel of Thomas).⁷³⁰ This, in turn, led us the descriptions of Mary Magdalene as a wise woman, the disciple of Jesus and possibly

⁷²⁴<https://www.amazon.it/Meditations-Tarot-Journey-Christian-Hermeticism/dp/1585421618>

⁷²⁵ Massimo Scaligero, born Antonio Sgabelloni (1906–1980) was an Italian spiritual teacher, member of *Gruppo di Ur*, esotericist and anthroposophist.

⁷²⁶ Scaligero Massimo, *Isis-Sophia. The Unknown Goddess* (Italian) (1980)

⁷²⁷ Dianic Wicca, also known as Dianic Witchcraft, is a neopagan religion female-centered goddess ritual and tradition.

⁷²⁸ Meehan Brenda, "Wisdom/Sophia, Russian identity, and Western feminist theology", *Cross Currents*, 46(2), 149–68 (1996)

⁷²⁹ From Gregory I, the sixth century, the Church of Rome considered that Mary of Magdala was one with Mary of Bethany as well as with the sinner who anointed Christ to perfume (Lyons Eric, *The Real Mary Magdalene*, Apologeticspress.org, <http://www.apologeticspress.org/APContent.aspx?category=10&article=1803>). This position was abandoned in 1965 by the Catholic Church. After Vatican II, Saint Mary of Magdala is celebrated, on July 22, while Mary of Bethany is celebrated with her sister Martha on July 29. The Orthodox Church distinguishes between these figures, as do the Protestant churches.

⁷³⁰ Complete list of codices found in Nag Hammadi see here: https://en.wikipedia.org/wiki/Nag_Hammadi_library; On gnosticism benefiting from the discovery in 1945 of a collection of Gnostic Christian texts at Nag Hammadi in Egypt see: Pagels Elaine H, *The Gnostic Gospels* (1989)

his partner (in Gnosticism).⁷³¹ Now this idea is still largely resisted. We believe Mary Magdalene as Jesus consort/wife is beautifully aligned with the Gnostic idea of Sophia and Divine Wisdom that interests us the most.

An exceptional Conference *Christ and Magdalene the Eternal Cosmic Union*, held in Milan,⁷³² aimed to make people understand how for centuries the concealment of female energy brought the world to its current crisis. By deleting the figure of Magdalene, the archetype of the Divine Feminine, the world went against the teaching of Christ. The male power of the impactful, of the religions has fought all attempts to make the truth known. Magdalene has been hidden, and her distorted image vilified. While it is only through the awakening of the Sacred Feminine, the harmony of opposites, that the balance and peace can flourish again on our Planet. The Conference traced the history, from the Zed to the Essenes, from the Gnostics to the Search of the Grail, from the Order of Melchizedek, Cathars, Templars to the secrets of the Da Vinci Code, to reveal who Magdalene, the other half of Christ, really is. The scholars, historians, experts, physicists demonstrated the Divine Union of Christ and Magdalene was at the basis of the events that have occurred on Earth for millennia, and that announce the changes prophesied for the future.

Namely in France Mary Magdalene and her Sophia heritage (wisdom) exhale the romantic charm of sacred femininity. From exuberance to tears, from wisdom to uncertainty, she possesses all the attributes of reality, and her loyalty never falters.⁷³³

After the death of Jesus, across the sea in Southern France, a myth arose. Legend says that a boat with no sails and no oars landed on the shores of Provence. Three women named Mary, including mother Mary and the Magdalene, along with Martha, Lazarus, and an Egyptian servant named Sarah are said to have landed at Saintes Maries-de-la-Mer, now named for the arrival of the “holy Marys from the sea.” The story goes that each settled in a different area of France, that Mary Magdalene herself started a church and retired to live out her days in a grotto on the high hill of Saint Baume.⁷³⁴

The most famous account of Mary Magdalene's legendary life⁷³⁵ comes from *The Golden Legend*, a collection of medieval saints stories compiled in around the year 1260 by Jacobus de Voragine.⁷³⁶

She became one of the most revered saints in France. We felt so moved by her story—so inspired by her veiled actions and France's connection with her.

Mary Magdalene was present throughout the events of the Gospels. Christian traditions preserved in all four gospels of the New Testament tell of Mary Magdalene as a faithful follower of Jesus Christ. From the very beginning of Jesus' mission, she was constantly present in his life. Mary placed her wealth at his disposal, accompanied him on his travels, sprinkled him with perfumed oil, trusted in him and was close to the mother and sisters of Christ. She was at the foot of the Cross, she went to the tomb bringing aromatic oils and she was the first to speak with him in the garden. In the documents she is defined as consort of Jesus and Apostle of the Apostles, the woman whom Jesus kissed on the mouth

⁷³¹Mary Magdalene, the clichés, BBC, Religions (July 20, 2011),

<http://www.bbc.co.uk/religion/religions/christianity/history/marymagdalene.shtml>

⁷³² March 29, 2008, the Hotel Michelangelo, <https://www.spiritual.it/it/notizie/cristo-e-maddalena-l-eterna-unione-cosmica,3,100120>

⁷³³See in: Gardner Laurence, *The Magdalene Legacy*, London (2005)

⁷³⁴<https://perfectlyprovence.co/mary-magdalene-provence-legend/>; Jacques de Voragine, *The Golden Legend*, 160-167

⁷³⁵Erhardt Michelle; Morris Amy, Introduction, *Mary Magdalene: Iconographic Studies from the Middle Ages to the Baroque*, Studies in Religion and the Arts, Leiden, The Netherlands: Brill (2012); Ehrman Bart D, Peter, Paul, and Mary Magdalene: *The Followers of Jesus in History and Legend*, Oxford, England: Oxford University Press (2006); Maisch Ingrid, *Mary Magdalene: The Image of a Woman through the Centuries*, translated by Maloney, Linda M., Colledgeville, Minnesota: Liturgical Press, (1998) (1996)

⁷³⁶Jacobus de Voragine (1230 – 1298) was the Italian writer, a Dominican friar, archbishop of Genoa and hagiographer; he was proclaimed blessed of the Catholic Church.

and called blessed, the woman who knew everything and was particularly dear to him. Mary Magdalene was closer to him than anyone else. H. Blavatsky in *The Tablets of Karma*⁷³⁷ writes that Mary, also called Miriam and Mary Magdalene, should not be confused with other Mary, first of all with the mother of Jesus. This Mary had the greatest intuition (pneumatic) and was the most outstanding of all students. From *Philosophumena*,⁷³⁸ V, 7, we learn that the Ophites⁷³⁹ (naasenes)⁷⁴⁰ claimed to have been taught their doctrines by Mariamne, a disciple of James the Just. (Hippolytus *Philosophumena* 5, 2).⁷⁴¹ Origen also (Against Celsus,⁷⁴² V, 62) speaks of a certain Gnostic school that derived its teachings from Mariamne.⁷⁴³ For Gnostic readers Mariamne is also recognized as passably being Mary Magdalene. François Bovon, professor of the history of religion at Harvard University, has theorized based on his study of the Acts of Philip (which describes the apostle Philip as the brother of "Mariamne" or "Mariamme") that Mariamene, or Mariamne, was the actual name of Mary Magdalene.⁷⁴⁴ However, in the esoteric sense, Mary the mother, Mary, sister of Martha and Mary Magdalene correspond to buddhi, manas and lower manas.⁷⁴⁵ The discoveries of sacred texts such as the *Pistis Sophia*⁷⁴⁶, *Gospel of Mary of Magdala*, *the Gospel of Thomas* tell us that Mary Magdalene was independent, insightful, and courageous—a woman so inspirational that her voice can still be heard across the ages.⁷⁴⁷

⁷³⁷Blavatsky H. P, *The Tablets of Karma*, "SATYAT NASTY PARO DHARMAH", The Theosophy Publish, Madras, 54 (1895).

⁷³⁸ The Refutation of All Heresies (Latin: Refutatio Omnium Haeresium), also called the Elenchus or Philosophumena, is a compendious Christian polemical work of the early third century, now generally attributed to Hippolytus of Rome. It catalogues both pagan beliefs and 33 gnostic Christian systems deemed heretical, making it a major source of information on contemporary opponents of Catholic orthodoxy. (Kurt Rudolph, *Gnosis: The Nature and History of Gnosticism* (English), 13 (1983))

The first book, a synopsis of Greek philosophy, circulated separately in several manuscripts and was known as the *Philosophoumena* ("philosophical teachings"), a title which some extend to the whole work. Books IV-X were recovered in 1842 in a manuscript at Mount Athos, while books II and III remain lost. The work was long attributed to the early Christian theologian Origen.

⁷³⁹ The Ophites or Ophians (Ophits // Jewish Encyclopedia of Brockhaus and Efron (Russian) St. Petersburg, 1908-1913) or nakhashenes (naasenes, from ancient Hebrew שׂוּרָן, [na'hash], "snake") were the Gnostic sects that worshiped the snake as a symbol of higher knowledge, seeing in it the image that the Supreme Wisdom or the heavenly Eon Sophia. They were members of a Christian Gnostic sect depicted by Hippolytus of Rome (170–235) in a lost work, the *Syntagma* ("arrangement"). Apart from the sources directly dependent on Hippolytus (Pseudo-Tertullian, Philastrius and Epiphanius), Origen and Clement of Alexandria also mention the group. The group is mentioned by Irenaeus in *Adversus Haereses* (1:30).

⁷⁴⁰ Naasenes in *Theosophical Dictionary* of E.P. Blavatsky (Russian) <http://endic.ru/theosophy/Naasen-1332.html>; in Wikipedia https://en.wikipedia.org/wiki/Naasenes#cite_note-1

⁷⁴¹ More details: SALMON GEORGE, THE CROSS-REFERENCES IN THE 'PHILOSOPHUMENA', *Hermathena*, Vol. 5, No. 11, 389-402 (1985), <https://www.jstor.org/stable/23036487>

⁷⁴² *Against Celsus* (Latin: *Contra Celsum*), preserved entirely in Greek, is a major apologetics work by the Church Father Origen of Alexandria, written in around 248 AD, countering the writings of Celsus, a pagan philosopher and controversialist who had written a scathing attack on Christianity in his treatise *The True Word*.

⁷⁴³ See Gaffney Mark H. *Gnostic Secrets of the Naasenes: The Initiatory Teachings of the Last Supper* (2004)

⁷⁴⁴ <https://www.uhl.ac/prof-bovon-cries-foul-use-work/>; H Blavatsky suggests: those who find it interesting to analyze the controversy about these three Mary – who are, Mary Magdalene, Mary, Martha's sister, and "la femme pecheresse" (*sinful woman*) - in the sense of whether they were three different characters or the same person, should refer to the list of authoritative sources in Jacques Paul Migne's *Patrology* (https://en.wikipedia.org/wiki/Patrologia_Graeca), volume XXIV, 541 and 542.

⁷⁴⁵ <https://www.britannica.com/search?query=buddhi>; <https://www.britannica.com/topic/manas-Indian-philosophy>

⁷⁴⁶ Blavatsky's commentaries to *Pistis Sophia* see here:

http://www.katinkahesselink.net/blavatsky/articles/v13/ps_13.htm

⁷⁴⁷ More details: Houston Siobhan, *Invoking Mary Magdalene: Accessing The Wisdom Of the Divine Feminine* (Inglese) (2006)

The company of Blavatsky was joined by Mead⁷⁴⁸, a highly intuitive scholar. He is regarded as a pioneer in the field of Gnostic and Hermetic studies.⁷⁴⁹

Perhaps in the literature of Gnosticism the greatest influence on the symbol of Mary Magdalene was the legend contained in the 20th chapter of the Gospel of John (14-18), that it was Mary, who saw her resurrected teacher, who spoke to her. She was called to announce the resurrection to the apostles. The symbol of *Mary Magdalene-the recipient of revelation* figured prominently in the literature of Gnosticism.

This is a very important role in revelatory literature that accompanies secret devotion. The historicizing manner, which is inherent in the Gospel story of the New Testament about the life of Jesus Christ in the world of people, about those who believed in him, among whom was Mary Magdalene, is inferior in Coptic literature⁷⁵⁰ to a completely different manner, corresponding to the Gnostic apocalypticism⁷⁵¹ and exegesis⁷⁵² that unfolds in the conversations of the risen Jesus with selected pupils. Here new features emerge in the image of Mary. She is not only the recipient and interpreter of the revelation, but she herself appears to belong to the sacred reality that is revealed to her. The image seems to double. Something binds it to very specific circumstances (place, time of the conversation, the names of the participants). The well-known portrayal of Mary's character is also achieved by means of dialogue. And at the same time, her image is metaphysical and, as such, can be brought closer not to the New Testament Mary Magdalene, but to the Gnostic Sophia, to the female hypostases of the deity, found in Coptic texts under the names of Pronoia-Divine Providence⁷⁵³ (*Apocryphon of John*⁷⁵⁴), Protennoia⁷⁵⁵, (*Protennoia Trimorfos*⁷⁵⁶), etc. In this sense, the spectrum of parallels is very large.

The symbol of Mary is strong as for believers so for non-believers. Mary Magdalene was a key player in Christianity, a symbol of revelation, of Divine Providence, of His Thought, of Glory etc and the French people not only recognized that, but they celebrated it.

Teilhard de Chardin has a profound relationship with Sophia⁷⁵⁷. The French great scientist calls on his mystic and poetic gifts to describe divine love at work in the cosmos. In his

⁷⁴⁸ More details: Mead G. R. S, *Pistis Sophia: The Gnostic Tradition of Mary Magdalene, Jesus, and His Disciples* (2010)

⁷⁴⁹ Mead evidently suffered some scholarly prejudice because of his connections with Theosophy. However, he also visited with C. G. Jung during his last years, and Jung thanked him for his dedicated work, his outstanding use of the English language, and for his affinity toward the experience of Gnosis.

⁷⁵⁰ Coptic literature is the body of writings in the Coptic language of Egypt, the last stage of the indigenous Egyptian language. It comprises mostly Christian texts dating after the 2nd century AD, but also includes Old Coptic writings that predate the Christian era. There have been only a few attempts to comprehensively present Coptic literature.

<https://www.britannica.com/art/Coptic-literature>

⁷⁵¹ Apocalypticism is the religious belief that there will be an apocalypse, a term which originally referred to a revelation.

⁷⁵² Exegesis is a critical explanation or interpretation of a text, especially a religious text.

⁷⁵³ See in detail: Hainthaler Theresia, Emmenegger Gregor, Mali Franz, Ostermann Manté Lenkaityté, , *Pronoia: The Providence of Godm Tyrolia-Verlag* (2019)

⁷⁵⁴ The Secret Book of John, also called the Apocryphon of John or the Secret Revelation of John, is a 2nd-century Sethian Gnostic Christian text of secret teachings. Since it was known to Irenaeus, a Church Father, it must have been written before around 180 CE. It describes Jesus appearing and giving secret knowledge (gnosis) to John the Apostle.

⁷⁵⁵ "I [am] the Thought of the Father, Protennoia, that is, Barbelo, the perfect Glory, and the immeasurable Invisible One who is hidden. I am the Image of the Invisible Spirit, and it is through me that the All took shape, and (I am) the Mother (as well as) the Light which she appointed as Virgin, she who is called 'Meirothea', the incomprehensible Womb, the unrestrainable and immeasurable Voice" (Trimorphic Protennoia, paragraph 9 lines 5-8)

⁷⁵⁶ The Trimorphic Protennoia is a Sethian Gnostic text from the New Testament apocrypha. The only surviving copy comes from the Nag Hammadi library (Codex XIII).

⁷⁵⁷ More details: Christopher Pramuk, *Sophia: The Hidden Christ of Thomas Merton*, Collegeville: Liturgical Press (2009), especially Merton's poem, "Hagai Sophia," which Pramuk quotes at the end of his book (301-305). See John Dear's critique of Pramuk's book at <http://teilhard.com/2013/10/20/stages-of-cosmic-consciousness/> (2010)

book *Writings in Time of War*,⁷⁵⁸ Teilhard writes of a feminine presence drawn from the wisdom literature of the Bible, particularly the Book of Proverbs.⁷⁵⁹

Teilhard's poem opens at the beginning of time, at the moment when Sophia is embedded into the primordial energy that is already expanding into the space-time of the early universe. Only half formed and still elusive, she emerges as from the mist, destined to grow in beauty and grace.⁷⁶⁰ As soon as the first traces of her presence become apparent, she assumes her mandate to nurture creation, to challenge it, to unify it, to beautify it, and ultimately to lead the universe back to God. With this mission as her guide, she attends to her work of transforming the world, a world alive with potential.⁷⁶¹

Duffy reweaves Teilhard's poem, working through its shining threads new insights from science, wisdom literature and the work of many "who have contemplated the divine creativity at work at the heart of matter". Duffy names the feminine presence in Teilhard's poem "Sophia", Wisdom.

"Who then is Sophia?" Duffy asks. Her response to this question pays our attention. Here are segments:

She is the presence of God poured out in self-giving love, closer to us than we are to ourselves, ever arousing the soul to passion for the Divine. From the very depths of matter, she reveals herself to us as the ... very nature of God residing within the core of the cosmic landscape.

Attempting always to capture our attention, Sophia peers out at us from behind the stars, overwhelms us with the radiance of a glorious sunset, and caresses us with a gentle breeze. Shining through the eyes of the ones we love, she sets our world ablaze.

Sophia is the mercy of God in us. She sits at the crossroads of our lives, ever imploring us to work for peace, to engage in fruitful dialogue, and to find new ways of connecting with the other. She longs to open our eyes to the presence of pain and suffering in the world, to transform our hearts and to move us to action.⁷⁶²

Duffy says that Teilhard experienced this presence "with nature, with other persons, and with the Divine":

He began gradually to recognize her everywhere — in the rocks that he chiselled, in the seascapes and landscapes that he contemplated, and in the faces of the dying soldiers to whom he ministered during the war.... Teilhard came to know Sophia as the cosmic Love that is holding all things together.⁷⁶³

Teilhard came to understand that Sophia can be known "only in embodied human actions". Duffy concludes her illuminative essay with these words:

Sophia was the source of Teilhard's life. Her constant care for creation during so many billions of years gave him confidence she would continue to be faithful. Teilhard vowed to steep himself in the sea of matter, to bathe in its fiery water, to plunge into Earth where it is deepest and most violent, to struggle in its currents, and to drink of its waters. Filled with impassioned love for Sophia, he dedicated himself body and soul to the ongoing work needed to transform the cosmos to a new level of consciousness and to transformative love.⁷⁶⁴

In 1896 a manuscript was found in Cairo, Egypt. It was called *the Teachings of Mary Magdalene*. It was eventually translated by scholar Jean-Yves Leloup.⁷⁶⁵ The scholar carefully and lovingly worked with every single word of the manuscript to bring us an

⁷⁵⁸ It was translated by Rene Hague, London: Collins, and New York: Harper & Row (1968).

⁷⁵⁹8: 22-31

⁷⁶⁰ Teilhard de Chardin Pierre, *Writings in Time of War*, 192 (1968).

⁷⁶¹ See in detail: Duffy Kathleen; HaughtJohn (Foreword), *Teilhard's Mysticism: Seeing the Inner Face of Evolution* (2014)

⁷⁶² Duffy, *Opt. Cit*, 31-32

⁷⁶³ *Opt.cit*, 33

⁷⁶⁴ *Opt.cit*, 34

⁷⁶⁵ Leloup Jean-Yves, *The Gospel of Mary Magdalene* (Inglese) (2002)

amazing glimpse into Mary Magdalene's life. Showing us she was a scholar and a very spiritual woman and a teacher of principles of wisdom. In this document she was called the *Woman Who Knew All*.

In *The Woman Who Knew All*⁷⁶⁶ Ilene Satala, after learning her, painted Mary Magdalene in bright red, as it is a color associated with vibrancy and vitality. Her head is decorated with a golden veil as a symbol of precious knowledge. She holds a chalice in her hands with a Tree of Life on it. Holding as an invitation to drink and *know*. The painter paid close attention to depicting Mary's face with grace and compassion, attributes Mary is said to have displayed often in her life's journey. *I found in painting this work and researching her life a profound respect for her and the amazing woman she was.*⁷⁶⁷ - the painter said.

Other symbols of Mary⁷⁶⁸: the bones, the cross, the eggs, the skull, a jar (container of Ointment), pearls, long curly hair and red cloak, the rose, the pentagram etc. Mary Magdalene has around eighty symbols, each with multiple versions, interpretations, interconnecting relationships and histories preserved and handed down through millennia. So much information is generated from her symbols that they begin to colour many grey areas and total blanks of history.

By tracking her symbols, Mary Magdalene's story and forgotten tracts of history can be found in plain sight in the most surprising places. Her symbols are everywhere in modern artifacts and decorative motifs on houses, the designers mostly unknowing of their original meanings; for example, in the art, curiosities and Victorian houses of Haight Ashbury, San Francisco.

The mysterious figure of Saint Mary Magdalene has fascinated, beguiled, teased, and illuminated men and women since the days when Jesus walked the green hills of Galilee. Her cult is found within *orthodox* Christianity, Gnosticism, and beyond. Devotion to Her flourished during the Middle Ages, although it was then that She absorbed the attributes of Mary of Bethany, and of the sinful woman who washed the feet of the Christ with her tears. In a conspiracy theory⁷⁶⁹ the most famous idea is the option where the Grail in a broad sense is the breast of Mary Magdalene, then Mary Magdalene herself, whose cult, originated in the early Middle Ages, eventually mixed with the cult of the Virgin Mary, according to conspiracy theorists.⁷⁷⁰

Poems of N. Ogarev,⁷⁷¹ I. Annensky⁷⁷², A. Mariengof⁷⁷³, M. Tsvetaeva,⁷⁷⁴ B. Pasternak,⁷⁷⁵ R.M. Rilke,⁷⁷⁶ G. MacDonald⁷⁷⁷ are devoted to Mary Magdalene. An essay of I. Brodsky⁷⁷⁸ is dedicated to her. In the rock opera *Jesus Christ Superstar* of Andrew Lloyd Webber, Mary Magdalene has the lead female vocal part.⁷⁷⁹

⁷⁶⁶<https://pixels.com/featured/mary-magdalene-ilene-satala.html>

⁷⁶⁷<https://www.saatchiart.com/print/Painting-Mary-Magdalene-The-Woman-Who-Knew-All/387323/1505366/view>

⁷⁶⁸More details: <https://stravaganzastravaganza.blogspot.com/2016/10/symbols-of-mary-magdalene.html>

⁷⁶⁹ The search for the real meaning of the word *Grail* gave rise to many conspiracy theories in the XIX-XXI centuries (Perez Gonzalo Aranda, *Mary Magdalene, between tradition and fantasy*. Russian-language portal Opus Dei <https://opusdei.org/ru-ru/article/mariia-magdalina-mezhdu-traditsiei-i-fantastikoi-acepresa-41-06/>).

⁷⁷⁰Bigent Michael, Lee Richard, Lincoln Henry, *The Sacred Enigma*, St. Petersburg: Kronverk-Print (1993).

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[⁷⁷²<https://www.ozon.ru/context/detail/id/141884985/#section-description--offset-80>](https://ru.wikisource.org/wiki/%D0%9C%D0%B0%D1%80%D0%B8%D1%8F_%D0%9C%D0%B0%D0%B3%D0%B4%D0%B0%D0%BB%D0%B8%D0%BD%D0%B0_(%D0%9E%D0%B3%D0%B0%D1%80%D1%91%D0%B2);Edmondson L, Gender in Russian History and Culture (2001)</p></div><div data-bbox=)

⁷⁷³https://imwerden.de/pdf/mariengof_magdalina_1919.pdf

⁷⁷⁴ See on the issue: Knapp Liza, Tsvetaeva's Marine Mary Magdalene, *The Slavic and East European Journal*, Vol. 43, No. 4, 597-620 (Winter, 1999), <https://doi.org/10.2307/309415>

⁷⁷⁵ <https://internetpoem.com/boris-pasternak/mary-magdalene-i-poem/>;

<https://firmarkdwhite.wordpress.com/2016/11/30/st-andrew-pasternaks-magdalene-lara-and-zhivago/>

⁷⁷⁶<https://www.oshonews.com/2011/10/26/rainer-maria-rilke/>

⁷⁷⁷<https://www.poeticous.com/george-macdonald/mary-magdalene>

⁷⁷⁸<http://ec-dejavu.ru/m-2/Magdalene.html>

⁷⁷⁹<https://www.andrewlloydwebber.com/show/jesus-christ-superstar/>

Mary Magdalene, the woman with the touch of the risen one, who wears the mysteries, vested of light, *Mary, for thou art blessed before all women on the earth, because thou shalt be the fulness of all fulnesses and the perfection of all perfections,*⁷⁸⁰ is today the Lady of our life. Christian Bobin⁷⁸¹ has a phrase that seems to be sewn on Maria in her most precious moment of life: *thanks to a wait, a look, or a laugh - we sometimes gain access to that eighth day of the week, which neither dawns nor dies in the context of time.*⁷⁸²

We tried to put ourselves in those shoes, to sneak into those seams, into that woman's skin, and these are the words that came out:

Loaded with scented oils, at dawn on the third day,

I force my feet to walk to the place of your burial, my Lord.

That's where I left you,

after having accompanied you

with the eyes in your passion.

The same eyes continue to live on tears that seem to never end.

I stop, I dry them, I go again, I dry them thousand times

so as not to stumble on my tears,

on my pain, continually.

It's be for this reason that near the sepulcher

I think I see the stone rolled off and white winged robes

that seem to be waiting for me:

with all these tears

such is the well-being that I keep dreaming of angels!

The closer I get to the grave, the more my heart beats:

love for you has always had this effect on me,

has always set my heart on fire, a woman's heart.

The closer I get, the more I see out of focus,

with these eyes full of tears.

But, here they are, this time they are real,

angels as white as the wool of lambs.

And they speak to me, yes to me,

to the woman in tears.

But that's when I hear myself called by name

that a flush rises from within and I almost feel faint!

It is your voice, my Lord, my Saviour,

I would recognize it among a thousand.

It is a voice that caresses,

which heals even the deepest wounds.

It is what the eyes see and ears hear

and nose smells and tongue tastes

and hands touch, even if only for a moment,

it's life for me!

Before the beginning and beyond the end, I am;

*and everywhere in the midst.*⁷⁸³

⁷⁸⁰Pistis Sophia, chapter 19

⁷⁸¹ Christian Bobin (1951) is a French writer and poet, moralist, diarist. He is the author of a fragmentary work in which the Christian faith holds a great place, but with a distant approach to the liturgy and the clergy.

⁷⁸²Quoted in <https://exerciseseinbeinghere.blogspot.com/2019/05/on-edge-of-middle-of-nothing.html?m=0> chapter

⁷⁸³It was written with the special thought for Giorgio Bonati, Capuchin friar of Varese, Italy.

St Mary Magdalene's feast day on 22 July is still celebrated with fervent devotion in many places, but especially in France, at the church in Les-Saintes-Maries-de-la-Mer and at the basilica of La Sainte Baume, which lays claim to the relic of Her skull.⁷⁸⁴

It's true, Mary Magdalene⁷⁸⁵ has always been at home in France.

So what does France remember that the rest of us have forgotten? Until the 13th Century, the South of France, called the Midi, was a country of radical progressivism. The region flourished independently, brimming with education and new ideas as almost nowhere else. Jews held positions of power. Women were treated with equality. Until the Albigensian Crusade⁷⁸⁶ of the 13th Century brought the church in to quash these freedoms, women here were different from almost anywhere else in the ancient world. France is still a country filled with the beauty and force of the feminine archetype. It is a land where freedoms and liberty flourish. What could we learn from France? Feminine, full of mysterious and wondrous gifts—different and equal to men, the perfection of the soul in the spirit, the acquisition of virtues, veneration of saints, in particular, Virgin Mary, equal to the apostles saints: Olga, Helena, Magdalene and others, in which divine femininity is manifested.

This article invites everyone of us to develop our own personal relationship with one of Jesus' closest disciples, as she instructs us in a daily devotional practice of prayers, meditations, and visualizations from around the world. Whether we're discovering Mary Magdalene for the first time or have long felt an unquenchable desire to experience the presence of the beloved luminary, with this article we will come to share Mary Magdalene's gnosis—her indwelling knowledge of the sacred—and witness the blessings of the one who has been called Apostle of Apostles, the woman who knew the All, Sophia, symbolic of our quest for Christ, Enlightenment, HOME. Mary Magdalene.⁷⁸⁷ Can France reclaim her at last?

Can **Russia** reclaim Sophia at last? In Russia Christianity came under her sign.⁷⁸⁸ Along with the adoption of Christianity from Byzantium, the symbol and cult of Sophia the Wisdom of God runs through the entire thousand-year history of the development of Russian culture. The image of Sophia is gradually reflected in the monuments of writing, painting, architecture.

The image of Sophia determined the whole future life of Saint Cyril.⁷⁸⁹ It is about the prophetic dream of young Cyril-Constantine, called "Vision" (prophetic sleep) in separate papers.⁷⁹⁰

In the ancient Russian tradition, also the name of Yaroslav I, Grand Prince of Rus⁷⁹¹, the Wise, is inseparable from the image of Sophia the Wisdom. The story about his activities,

⁷⁸⁴ Her tomb in Saint-Maximin-la-Sainte-Baume (France), kept by the Dominicans, is considered to be the third tomb of Christendom, after the Holy Sepulcher and that of Saint Peter in Rome.

⁷⁸⁵ While not named for Her directly, the buttery little teacakes baked in scallop shell-shaped pans known as Madeleines to make a fitting treat for the feast of St Mary Magdalene.

The name Madeleine is the French form of Magdalene, and we think we should emphasise again that we cannot find any connection between the saint and scallop shells. In one version of the story concerning the origin of the exquisite little cakes, they were named for a 19th century pastry cook called Madeleine Paulmier.

⁷⁸⁶ The Albigensian Crusade or the Cathar Crusade (1209–1229) was a 20-year military campaign initiated by Pope Innocent III to eliminate Catharism in Languedoc, in southern France.

⁷⁸⁷ See in detail: Angelo Jack, *The Healing Wisdom of Mary Magdalene: Esoteric Secrets of the Fourth Gospel* (Inglese) (2015)

⁷⁸⁸ Metropolitan Hilarion describes the baptism of Russia as the arrival of "the wisdom of God," that is Sophia.

⁷⁸⁹ Constantine, better known by the monastic name of Cyril (826 or 827-869), was an evangelizer of Pannonia and Moravia in the 9th century and inventor of the Glagolitic alphabet. He is venerated as a saint by the Catholic Church and the Orthodox Church together with Methodius (815 or 825-885).

⁷⁹⁰ Ohridski Kliment. *Collect the words. Expand your life on Cyril and Metodiy*. V. 3. Sophia (Russian) (1973).

The life of Cyril is analyzed by the Italian Slavic scholar Angelo Danti in the article *The Spiritual Guide of a Saint: From Wisdom to Sapience*: Danti A. L'itinerario spirituale di un santo: dalla sagesza alla Sapienza. Note sul cap. III della vita Constantini // Constantine-Cyril the Philosopher. Materials of the scientific conference, 37–58 (1981).

⁷⁹¹ Yaroslav I, Grand Prince of Rus', known as Yaroslav the Wise or Iaroslav the Wise (c. 978–1054) was thrice grand

described in the *Tale of Bygone Years*, organically transforms into a hymn to sapience and wisdom. The words from the biblical praise to sapience are inscribed into the center of the Tale: "Ah, Wisdom, all the light and intelligence and the meaning of my calls ... My Light, my wisdom, my affirmation, my fortress".⁷⁹²

The construction of the Church of St. Sophia of Kiev by Yaroslav was perceived by contemporaries as the erection of the *God Wisdom House*. So, from the very beginning of the history of Christian Russia, the Feminine image of Wisdom, *which built a house for itself*⁷⁹³, is embodied in architecture. St. Sophia Cathedral in Kiev was modeled on the cathedral in Constantinople. Over time, the temples of Sophia were built throughout Russia: in Novgorod, Polotsk, Vologda, Tobolsk, Moscow. These temples were revered as a repository of Divine Wisdom, "were decorated with frescoes, icons on the theme of Sophia, solemn chants were sung in her honor. According to the old Russian idea Wisdom is beautiful, it is worthy of admiration and love"⁷⁹⁴

Two symbolic types of the Wisdom of God (Sophia) are created in the Russian Orthodox iconographic tradition. The Novgorod one is considered to be more ancient, and the Kiev one (from the 17th century) is considered the later. Biblical sources on which this iconography is based: Luke 10, 49; Matthew 23:34; 1 Cor. 1.24 - 30; Wisdom of Solomon 9.1-6 and others.

In Kiev iconography: there is Christ with a blessing gesture of both hands at the top in a circle, with the above inscription "Head of the Church Christ." He is surrounded by saints. The Holy Spirit emanates from under the circle in the cloud, below it is the Temple in the form of a ciborium on six columns, on the seventh column the Cross is affirmed. On the throne is a vessel into which the blood of Christ flows from His body is poured. The throne stands on stone steps."⁷⁹⁵

The icon of Sophia, the Wisdom of God, located in the Sophia Cathedral in Kiev, seems to be the most ancient of Kiev iconography. There is a house or a temple on that icon, with a standing figure of the Mother of God wearing a tunic and a veil, under a canopy supported with seven pillars. Her arms and hands are spread out, while her feet stand on the crescent. The Everlasting Baby rests on his Mother's bosom.⁷⁹⁶

In accordance with Novgorod iconography St Sophia has the appearance of an angel; her face and hands are of fiery color, behind her there are two wings. She is dressed in royal vestments (dalmatic, barmas), on her head - a golden crown. She seats on a throne with seven supports, which stand on a stone. The Virgin Mary and John the Baptist are standing before her (like Christ in the iconography of "Deisus") holding a scroll (text: "Repent ...", Matt. 3.2); above her head is seen to the waist the blessing Christ (ie, not identical with Sophia, but representing her "head", approximately as he is, according to the New Testament teaching, the "head" of the church) as well as a rainbow strip with the inscription "Wisdom of God". Above is the Prepared Throne and the angels serving it. Sophia's personal appearance, both in the Byzantine-Russian and Catholic (excepting France; for example, in the 15th-century German mystic Henry Suso) tradition⁷⁹⁷, gradually draws closer to the image of the Virgin Mary as an enlightened creature, in which it becomes sophisticated, the whole cosmos is "ennobled".

prince of Veliky Novgorod and Kiev, uniting the two principalities for a time under his rule. Yaroslav's baptismal name was George (Yuri) after Saint George.

⁷⁹²The Tale of Bygone Years // Literature Monuments of Ancient Rus. The beginning of Russian literature. XI - early XII century, (Russian) M, 177 (1978).

⁷⁹³Proverbs 9:1

⁷⁹⁴Gromov M.N; Kozlov N.S, Russian philosophical thought of the X - XVII centuries: Textbook, (Russian), M.: Publishing house of Moscow State University, 25 (1990)

⁷⁹⁵Filatov V.V. Brief icon-painting illustrated dictionary (Russian), M: Education, 168-169 (1990)

⁷⁹⁶More details: <https://blog.obitel-minsk.com/2019/08/the-icon-of-sophia-the-wisdom-of-god-of-kiev.html>

⁷⁹⁷More details: Clark James, The Great German Mystics: Eckhart, Tauler and Suso (2013)

In the Russian spiritual tradition, the theme of the Dormition of the Mother of God and the theme of Hagia Sophia have become inseparable. Therefore, gradually the Sophia Cathedrals were replaced by the Cathedrals of the Dormition.⁷⁹⁸

It is true, as Caitlin Matthews writes, that “Sophia has always been at home in Russia”⁷⁹⁹- the motherland — where in the soul of the people “Moist Mother Earth” has always been venerated, and at times even identified, as the Mother of God and the dwelling of the Holy Spirit. Enthroned in icons and images, the center of deep popular devotion, Sophia always lived a dreamlife in the Russian heart. But it was not until the last century that she awoke into philosophy, entering and illuminating the light of consciousness itself.

We find the first Russian reflections on the Sophia in the manuscripts of Mikhail Speransky⁸⁰⁰, which will be quoted later by P. Florensky. For Speransky, the Sophia is “the distinction of a part of the Being which is proper to the Son”, the “mirror” where the glory of the Father and of the Son is reflected. She is the daughter of the Father, the sister and the bride of the Son, “the mother of all that exists outside of God”, the “first external being”.⁸⁰¹ Speransky thinks of the Sophia in a panentheist⁸⁰² perspective: on the one hand, the Sophia is inseparable from the Divinity, she is his idea; on the other, it is the divine in the world, the principle of the creation and the ordering of the world, as well as the goal towards which the whole world must strive.⁸⁰³

Turning to the Russian religious and philosophical systems of the XIX - XX centuries, it is significant to note that in many of them there is a significant departure from the understanding of the Wisdom of God that is used in the dogmatic teaching of the Orthodox Church. In the works of V.S.Solovjev, P.Florensky⁸⁰⁴, S. Bulgakov etc there are many other original thoughts and concepts along with the fundamental ideas of all-unity (integrity) and integral wisdom.

One of such original representations is the complex and diverse teaching about Sophia **VI Solovjev**. It was the Russian religious thinker Vladimir Solovjev who first introduced the idea of a specific study of the Sophia, where both the realm of mysticism and that of concepts are articulated.⁸⁰⁵ Its sophiology is part of a global vision of the relationships between the created and the uncreated: theandric⁸⁰⁶, within which the notion of humanity is mixed with that of God. Vladimir Solovjev is widely regarded as Russia's greatest philosopher. The focus of this paper is the essential humanism of his core philosophical concept, Godmanhood (bogochelechestvo), which incorporates human dignity, rights of human being as a constituent and inviolable principle. Solovjev believed that personhood entails both consciousness of the absolute and the capacity to determine oneself according to that consciousness, i.e., according to absolute ideals (regarding rights of

⁷⁹⁸Sophiology, ed. PorusaV (Russian), M: The Bible-Theological Institute of St. Apostle Andrew, 18-19 (2010).

⁷⁹⁹Matthews Caitlin, Sophia: Goddess of Wisdom, Bride of God (2001)

⁸⁰⁰ Count Mikhail Mikhailovich Speransky (1772–1839) was a Russian reformist during the reign of Alexander I of Russia, to whom he was a close advisor. He later served under Tsar Nicholas I of Russia. Speransky is referred to as the father of Russian liberalism.

⁸⁰¹Speranskij quoted by Florensky (1914) and repeated by Kozyrev (2010)

⁸⁰² Panentheism is the belief that the divine pervades and interpenetrates every part of the universe and also extends beyond space and time.

⁸⁰³ Kozyrev A.P, Sophiologie, in F. Lesourd & M. Masline (ed.), Dictionary of Russian Philosophy (1995), Lausanne, L'Age d'Homme, 811-818 (2010)

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<https://publishing.cdlib.org/ucpressebooks/view?docId=ft8h4nb55x&doc.view=content&chunk.id=d0e2864&toc.depth=1&anchor.id=0&brand=eschol>

⁸⁰⁵Lévy A, Sophiologie, in J.-Y. Lacoste (ed.) Critical Dictionary of Theology (1998), Paris, 1343-1444 (2007).

⁸⁰⁶ THEANDRIC, Definition: "Literally "God human," referring to those actions of Christ in which he used the human nature as an instrument of his divinity. Such were the miracles of Christ. Other human activities of Christ, such as walking, eating, and speaking, are also theandric, but in a wider sense inasmuch as they are human acts of a divine person. The purely divine acts, such as creation, are not called theandric",

<https://www.catholicculture.org/culture/library/dictionary/index.cfm?id=36820>; More detail: Houssin H, Sophia (occident moderne), in J. Servier (dir.), Dictionnaire critique de l'ésotérisme, Paris, PUF, 1207 (1998)

human being, also). This conception of human nature, or philosophical anthropology, is deeply indebted to Kant. Solovjev develops it in his three most important philosophical works: Lectures on Godmanhood (in early 1878 he delivered his famous Lectures on Godmanhood to audiences of nearly a thousand that included Dostoevskii), Critique of Abstract Principles, and Justification of the Good.⁸⁰⁷

In 1874, in his doctoral thesis⁸⁰⁸ strongly inspired by the first Slavophile theorists (Ivan Kireyevsky⁸⁰⁹, Alexey Khomiakov⁸¹⁰) and by their doctrine, Solovjev described the movement of Western thought as an emancipation from medieval reason, which had become foreign to revealed authority. It was according to him from this process of emancipation that Western thought strayed from its real goal: to grasp the intrinsic unity of the real. Then Solovjev draws on the resources of the Russian and Orthodox religious tradition to grasp what, of reality, escapes the limiting human reason. This reality appears to him under the feminine features: "Visible reality is not serious, it is not true nature - it is only the mask, the veil of Isis."⁸¹¹

In 1875 Solovjev went on a business trip to London to work in the British Museum with the aim of studying Indian, Gnostic and medieval philosophy. He reached his destination through Warsaw and Berlin. In London, Solovjev got acquainted with spiritualism and studied Kabbalah. On October 16, 1875, he embarked on an unexpected voyage to Egypt, associated with a mystical vision of Sophia. His path ran through France and Italy. From Brindisi Solovjev went by steamer to Alexandria. In November he arrived in Cairo, where he remained until March 1876, making a trip to the vicinity of Thebais. He had a new encounter with Sophia, seen as the feminine face of God, radiating tenderness and chastity. Thanks to her, matter is transfigured, and through her the spirit is embodied. According to Solovjev it is the mysterious phenomenon of the *Sophianic Incarnation*⁸¹² which makes sophiology the main key to the intelligibility of reality.⁸¹³

Then he returned to Italy, lived in Sorrento, Naples and then he came to Paris, from where he returned to Moscow.

Recalling the icon of Divine Wisdom in the Novgorod Sophia Cathedral, Solovjev wrote: "Whom does this main and regal person depict, clearly different from Christ, the Mother of God, and from the angels? The image is called the image of Sophia of the Wisdom of God. Who is she, if not the true, pure, complete humanity itself, the highest and all-embracing form and living soul of nature and the universe, eternally united and in a temporary process uniting with the Divine and uniting everything that is with Him. Undoubtedly, this is the full meaning of the Great Being, felt as a whole, but not at all realized by our ancestors, the pious builders of the Sophia temples."⁸¹⁴

⁸⁰⁷See in detail: Poole Randall A, Vladimir Solov'ev's philosophical anthropology: autonomy, dignity, perfectibility <https://doi.org/10.1017/CBO9780511712227.007>

⁸⁰⁸ Solovjev VI, *The Crisis of Western Philosophy* (1874) in *The Crisis of Western Philosophy: Against Positivism* (Esalen Institute/Lindisfarne Press Library of Russian Philosophy) (1996)

⁸⁰⁹Ivan Vasilyevich Kireyevsky (1806-1856) was a Russian philosopher, literary critic and journalist. He began by attending the Lovers of Wisdom (1823-1825) founded by Vladimir Odoyevsky. He was closer to the Slavophile group. From 1856 in *Russkaya Beseda* (The Russian Colloquy, a Russian literary magazine founded in Moscow, Russian Empire) and, in his two landmark studies *On the nature of the enlightenment of Europe and its relation to the enlightenment of Russia* (1852) (<https://www.prlib.ru/en/node/432972>), *On the necessity and possibility of new principles for philosophy* (1856) (http://www.oocities.org/trvalentine/orthodox/kireyevsky_new-principles.html), Ivan Kireyevsky formulated a kind of Greco-Slavic neo-philosophy.

⁸¹⁰ Aleksey Stepanovich Khomyakov (1804-1860) was a Russian theologian, philosopher, poet and amateur artist. He co-founded the Slavophile movement along with Ivan Kireyevsky, and he became one of its most distinguished theoreticians. In his *On the Western Confessions of Faith* (1900) he seeks to highlight the prejudices and preconceived notions of the Western world with regard to orthodoxy. The writing is one of the first presentations "from within" of the Orthodox Church (http://archangelsbooks.com/articles/east_west/WesternConfessions_Khomiakov.asp)

⁸¹¹Solovjev VI (1874)

⁸¹²See in details: Joos Andre, *SOFIA - TEOLOGIA SOFIANICA - SOPHIA - SOPHIANIC THEOLOGY* (2010)

⁸¹³Lévy A, *Sophiologie*, in J.-Y. Lacoste (ed.) *Critical Dictionary of Theology* (1998), Paris, PUF, 1343-1444 (2007)

⁸¹⁴ <http://pravtaganrog.ru/k-voprosu-o-ponimanii-sofii-premudrosti-bozhejj-v-kontekste-pravoslavnogo-veroucheniya/>

To Solovjev, Sophia was discovered in mystical visions. He was granted three prophetic visions of Sophia. In Moscow in 1862 when Solovjev was nine years old, during the Sunday liturgy he had the first vision.⁸¹⁵ VI Solovjev describes his first experience of meeting Sophia in his poem "*Three meetings*".⁸¹⁶ In it he affirmed the divine unity of the universe.

On the basis of the passionate, personal relationship epitomized by these encounters, enriched as these were by close study of other witnesses to Sophia's approach (such as Paracelsus⁸¹⁷, Boehme, Louis-Claude de Saint-Martin, Gichtel⁸¹⁸, John Pordage⁸¹⁹, Jane Leade, Gottfried Arnold, Emanuel Swedenborg⁸²⁰, Franz von Baader⁸²¹), as well as early Gnostics, such as Valentinus⁸²², Solovjev was able to forge a new philosophical and cosmological understanding of the Divine Feminine.⁸²³ For VI. Solovjev Sophia is "... true, not opposing itself to plurality, not excluding it, but ... containing everything in itself".⁸²⁴ VI. Solovjev defined the Divine Sophia as a single substance of the Divine Trinity, Its all-unity (fr. *Tout dans l'unité*), an absolute unity that forms wisdom, and - in contrast to God, as unconditionally one, - a plurality, containing a single (mastered by him and brought together to him). That is, a whole, living organism, eternal as God.⁸²⁵ The Divine Sophia gives rise to an infinite number of possibilities and again absorbs them.⁸²⁶ Its actions begin at the moment of the creation of the "world soul".⁸²⁷

The idea of Sophia is realized in a threefold way: in **theosophy** the idea is formed, in **theurgy** it is found, and in **theocracy** it is embodied.⁸²⁸

⁸¹⁵ Similar mystical insights were repeated twice more in adulthood - in London in the British Museum, in the fall of 1875, when Solovjev was already an assistant professor of Moscow University; in the desert near Cairo, early 1876

⁸¹⁶<https://www.poetry-chaikhana.com/Poets/S/SolovyovVlad/ThreeMeeting/index.html>

⁸¹⁷See Dane T. Daniel *Invisible Wombs: Rethinking Paracelsus's Concept of Body and Matter* (2006), <https://www.tandfonline.com/doi/pdf/10.1179/174582306X117870>

⁸¹⁸See Noyce John, Johann Georg Gichtel and Sophia (2007).

⁸¹⁹See Pordage John (Author), Paddle Alan G. (Translator), Versluis Arthur (Introduction), *Sophia (The Works of John Pordage)* (2018)

⁸²⁰See Swedenborg Emanuel, *Earths in the Universe: Their Spirits and Inhabitants (Life on Other Worlds)* (2014).

⁸²¹See Friesen J. Glenn, *Sophia, Androgyny and the Feminine in Franz von Baader's Christian Theosophy* (2016) <https://www.qscience.com/docserver/fulltext/rels/2016/1/rels.2016.women.14.pdf?expires=1610287675&id=id&accname=guest&checksum=6D3522A8F826B93B5208D1710BA0D046>

⁸²²See Quispel Gilles, *The Original Doctrine of Valentinus the Gnostic* (1996).

⁸²³ About interventions that run through the Sophianic currents, from their biblical-patristic origins, to Russian religious reflection, to the heterodox development of the eighteenth century, up to the New Age and other expressions of new forms of religiosity see: Špidlík Tomáš, Bosco Nynfa, Tenace Michelina, Rupnik Marko Ivan, Wunenburger Jean-Jacques, Cavazza Antonella, Farrugia Edward G, Bergquist Lars, Ruppert Hans-Jürgen, Fuss Michael, Stasulane Anita, Rouleau François, Solovjev Vladimir S, *FROM SOFIA TO NEW AGE With the essay by Solovjev "Sophia"*, (1995)

⁸²⁴ Solovjev Vladimir Sergeevich, *Russia and the Ecumenical Church*, (Russian) M.,303–04, 1911.

⁸²⁵ "God the Father in his very essence cannot be without the Word, expressing Him, and without the Spirit, affirming Him. [...] Now it is necessary to define and name the most unconditional objectivity, the single substance of the divine Trinity. This single substance is all-unity (*tout dans l'unité*), this absolute unity is wisdom, the Sophia of the Divine. This "all", in contrast to God, as unconditionally One, is plurality, but plurality, as the content of the unconditional One, as mastered by the One, as reduced to unity. Plurality, reduced to unity, is a whole, a living organism; in the eternal God and this union of plurality is eternal ... " (Arseniev K. K., Radlov, E. L. Solovjev, Vladimir Sergeevich // *Encyclopedic Dictionary of Brockhaus and Efron: in 86 volumes (82 volumes and 4 additional)*. - Spb (1890-1907)

⁸²⁶ "Sophia, or the wisdom of God, constantly calls into existence an infinite number of possibilities from the depths of extra-divine existence and again absorbs them in the omnipotence, truth and grace of God. However, if the omnipotence and truth of God can be content with the fact that God was everything, then his goodness requires that "everything becomes God." (Arseniev K.K., Radlov, E.L. Opt.cit)

⁸²⁷ "Logos, on the basis of mechanical causality, reveals total unity in the law of universal gravitation, so that the inner force unites the scattered particles of chaos and would create a single compact body, the first materialization of the world soul, the first basis for the action of Wisdom Of God. " (Arseniev K.K., Radlov, E.L. Solovjev, Opt. Cit.)

⁸²⁸ Solovjovian thought went through three different phases, which are usually referred to as the theosophical period (1873-1880), the theocratic period (1881-1889) and a final period (1890-1900) in which the theurgic tension leads to a apocalyptic vision.

Theosophy is literally Divine wisdom. It is a synthesis of scientific discoveries and revelations of the Christian religion within the framework of integral knowledge.⁸²⁹ According to Solovjev's teachings, Sophia is the universal and individual Cause of all existence, the great Mother of all people and beings. In this sense, Sophia is the basis of all unity and development, both of the cosmos and of the human race; and this development can and should be achieved through cognition, reverence and adherence to Sophia. "In the gnostic treatise "Sophia" published by Solovjev in 1876⁸³⁰, "Sophia appears as an ontological and epistemological principle of universal and personal unity in the diversity of life forms." According to Solovjev's views, "Sophia is the intelligible (intellectual) Soul of humanity."⁸³¹ Mind does not contradict brain (intelligence), faith does not contradict reason, but complements it. Solovjev recognizes the idea of evolution, but considers it an attempt to overcome the Fall through a breakthrough to God. Evolution goes through five stages or "kingdoms": mineral, vegetable, animal, human and God.

Theurgy is literally divine creation. Solovjev strongly opposed the moral neutrality of science. Theurgy is a cleansing practice, without which it is impossible to gain truth. It is based on the cultivation of Christian love as a renunciation of self-affirmation for the sake of unity with others.

Theocracy is literally the power of God, what Chaadaev⁸³² called the perfect system. Solovjev assigned the "theocratic mission" to Russia, while maintaining sympathy for Catholicism. Theocracy consists in the true solidarity of all nations and classes, as well as in Christianity realized in public life.⁸³³ Solovjev developed the doctrine of the universe theocracy - a society built on a spiritual basis.

The philosophy of Solovjev was greatly influenced by the ideas of the Russian religious thinker Nikolay Fyodorov⁸³⁴. Solovjev considered Fyodorov his "teacher and spiritual father", called him a genius thinker.⁸³⁵

Solovjev saw the meaning of art in the embodiment of the "absolute ideal" and in the "transubstantiation of our reality".⁸³⁶ He criticized the position that the artist should create one appearance and mirages. In art, he distinguished between epic, tragedy and comedy. Solovjev's initiative was taken up by the so-called **Russian Renaissance**. The influence of V. Solovjev is noticeable in Russian symbolism and modernism of the early 20th

⁸²⁹ Solovjev VI (Author), Nollan Valeria Z. (Translator), *The Philosophical Principles of Integral Knowledge* (2008). It is the first major philosophical work of Solovjev, written in 1877. The work remained unfinished.

⁸³⁰ At the end of January 1876, in Cairo Solovjev met D. Tsertev (Prince Dmitry Nikolaevich Tsertev (1852-1911) was a Russian philosopher, poet, publicist, literary critic of the late 19th century - early 20th century). Friends lived side by side and together they wrote a small philosophical dialogue in the spirit of Plato - *Evenings in Cairo* (see: *Evenings in Cairo* of V.S. Solovjev and D.N. Tsertev as a Philosophical Dialogue (Russian), Vestn. Tomsk state univ, Philology. No. 1 (33) (2015)). In Cairo, work on the *Principes de la religion universelle*, conceived in London, began. Initially it was called *Sophie* and executed in the form of dialogue (the first three chapters) and articles - this is the first sketch of Solovjev's philosophical system. He tried to reconcile the mysticism of the ancient religions and Christianity with the achievements of new philosophy and natural sciences. In the field of philosophy his gravitation towards the systems of Spinoza and Schelling is noticeable, in the field of theology - towards apophatic theology.

⁸³¹ Sophiology, ed. V. Porus, M: The Bible-Theological Institute of St. Apostle Andrew, (Russian), 18 - 19 (2010).

⁸³² Pyotr or Petr Yakovlevich Chaadaye (1794–1856) was a Russian philosopher. He was one of the Russian Schellingians. Chaadaye wrote eight Philosophical Letters about Russia in French between 1826-1831, which circulated among intellectuals in Russia in manuscript form for many years.

More details: Aizlewood Robin, *Revisiting Russian Identity in Russian Thought: From Chaadaev to the Early Twentieth Century*, *The Slavonic and East European Review*, Vol. 78, No. 1, 20-43 (Jan., 2000)

⁸³³ Solovjev VI (Autore), *Russia and the Universal Church* (2017)

⁸³⁴ Nikolai Fyodorovich Fyodorov (1829–1903) was a Russian Orthodox Christian philosopher, who was part of the Russian cosmism movement and a precursor of transhumanism. Fyodorov advocated radical life extension, physical immortality and even resurrection of the dead, using scientific methods. More details: Shermukhamedov Said, *Levinskaya Victoriya, Spiritual Values and Social Progress*, 125 (2000)

⁸³⁵ Pankratov A.S. *Philosopher-Righteous* (Russian), *Novoe Slovo*, No. 8 (1913), <http://www.nffedorov.ru/texts/pc/28.pdf>

⁸³⁶ V. Solovjev's work *The General Sense of Art*, http://www.vehi.net/soloviev/smysl_isk.html

century.⁸³⁷ What Solovjev began was continued by Lev P. Karsavin⁸³⁸, Vyacheslav Ivanov⁸³⁹, Alexander Blok⁸⁴⁰ and Andrey Bely⁸⁴¹, theologian-philosophers like Princes Sergei Nikolaevich Trubetskoy and Evgenii Nikolaevich Trubetskoy⁸⁴².

Evgeny **Trubetskoy** criticizes Solovjev's sophiological doctrine in a work, entitled *The world outlook of V.S. Solovjev*⁸⁴³ published in 1913. He considers that Solovjev's fundamental error is to have identified the divine Sophia with the soul of the world, to have seen in the Sophia the substance of the fallen world, thus relating the evil of the world to a degraded and corrupt state of the Sophia. In *The meaning of Life*, published in 1918, Trubetskoy addresses a similar reproach to his contemporary Sergey Bulgakov, noting in his sophiology "the traces of an undefeated Gnosticism, of the Platonic and even Schellingian type".⁸⁴⁴

According to Trubetskoy, the Sophia must be brought back entirely to the sphere of the transcendent, in order to avoid the duplication between created Wisdom and uncreated Wisdom. The Sophia is not the mediator between God and the creature, but divine wisdom and strength, inseparable from Christ. The fallen world is clearly distinct from the Sophia. This can be revealed there, as with the light of day, and even be realized there, but it cannot constitute the principle of its development and its improvement.⁸⁴⁵

With the publication in 1914 of **Pavel Florensky's** *The Pillar and Foundation of the Truth*⁸⁴⁶, Sophia — *the Great Root of the whole creation*— began her journey into Christian theology.

Pavel Florensky, Orthodox priest, mathematician and representative of the new "religious conscience", at the beginning of the twentieth century took up the theme of the Sophia from a perspective which is intended to be closer to the Orthodox Christian tradition, in which dogma and religion are inextricably linked with liturgy and iconography.⁸⁴⁷

Florensky, who made a significant contribution to the scientific study of the history of the image of Sophia (historical, philosophical and iconographic excursions), sees in Sophia the "ideal personality of the world", the "mental content" of the mind of the Divine, wisdom as chastity, which maintains the integrity of the world, "actual infinity".⁸⁴⁸

⁸³⁷ More details: Rogozhnikova Varvara, Moral Sense of Art (the Doctrine about the Teurgiya in the Metaphysics of the Allmutual by VI. Solovjev) (April 2008)

⁸³⁸ See on Sophia http://bibleoteca.narod.ru/Karsavin_Sophia.htm; Rubin Dominic, The Symphonic Face of Lev Karsavin: From History to Politics in: The Life and Thought of Lev Karsavin (2013)

⁸³⁹ Vyacheslav Ivanovich Ivanov (Italian Venceslao Ivanov, 1866-1949) - Russian symbolist poet, philosopher, translator and playwright, literary critic, teacher, ideologist of Symbolism, researcher of Dionysianism. The creative development of Vyacheslav Ivanov was distinguished by the internal logic, consistency and stability of his artistic and aesthetic system and "spiritual coordinates". See: Davidson Pamela, Ivanov's ideal of mystical love, Cambridge University Press (1989), <https://doi.org/10.1017/CBO9780511735790.007>

⁸⁴⁰ Blok Alexander, Poems of Sophia (2014)

⁸⁴¹ LJUNGGREN MAGNUS, Andrey Bely and the Philosopher's Nephew in Poetry and Psychiatry. Essays on Early Twentieth-Century Russian Symbolist Culture (2014), <https://www.jstor.org/stable/pdf/j.ctt1zxsj5p.5.pdf>; WELLS DAVID N, The Symbolic Structure of Andrei Bely's Pervoe Svidanie: Echoes of Wagner and Steiner (2003), https://espace.curtin.edu.au/bitstream/handle/20.500.11937/8906/21368_Microsoft%2520Word%2520-%25208644_Bel_y__revised_.pdf?sequence=2&isAllowed=y

⁸⁴² Trubetskoy Evgeny, The Meaning of Life. CHAPTER III. Sophia (Russian) 2007, http://www.vehi.net/etrubeckoi/smysl_zhizni/04.html

⁸⁴³ <http://e-heritage.ru/ras/view/publication/general.html?id=43335486>

⁸⁴⁴ Kozyrev A. P., Sophiologie, in F. Lesourd & M. Masline (eds), Dictionary of Russian Philosophy (1995), Lausanne, L'Age d'Homme, 811-818 (2010)

⁸⁴⁵ Ibid

⁸⁴⁶ Florensky Pavel (Author), Jakim Boris (Translator), Gustafson Richard F. (Introduction), The Pillar and Ground of the Truth: An Essay in Orthodox Theodicy in Twelve Letters Paperback (2004)

⁸⁴⁷ Lévy A, Opt.cit

⁸⁴⁸ See Pillar and Truth (Russian), 319–92 (1914); Florenski Pavel (Autore), Gustafson Richard F. (Presentazione), Jakim Boris (Traduttore), The Pillar and the Ground of Truth: An Essay in Orthodox Theodicy in Twelve Letters (Inglese) (2004).

He devotes the tenth letter of the *Pillars* to the Sophia. He sees in her the cosmic reality understood as a whole, united by love for God and illuminated by the beauty of the Holy One Spirit. He regards it as "the fourth hypostatic element" whose aspects are plural and which, because of this very plurality, is interpreted in different ways by mystics and theologians.

Florensky describes Sophia not as a metaphysical essence, given by a logical definition, but as a religious reality, emphasizing the primary and authentic character of the Sophia's religious intuition in relation to the attempts to express it in metaphysical speculation. He lyrically formulates it this way: she is the "great root of the creature as a whole", the "original nature of creatures, the creative love of God" in created being. Considered in relation to the creature, Sophia is qualified by him as "Guardian Angel", "Ideal Person" of the universe.

In the interpretation of Pavel Florensky Sophia appears as a person standing on the verge of the divine world and the earthly world. It was created by the action of the Holy Trinity for the embodiment of the divine plan for the arrangement of human life according to the ideal laws of beauty. She has the highest gift to combine and harmonize everything in the world. It is no coincidence that all the philosophers and poets who wrote about her called her "Sophia, the Heavenly Artist." In the light of Sophia, Christianity was revealed as a religion of culture - creation, creativity, - which has perceived all the most valuable from the treasury of human thought, therefore it is deified by people-creators who hear the harmony of heavenly spheres, which are obeyed by "spirit, stone, tree, beast, water, fire, broadcast".⁸⁴⁹

... Creativity, art is the path of comprehending God, and Sophia is a guidebook for those who embark on this path: "... the Blessed Wife rules the path".⁸⁵⁰

... She is like an ancient muse, a meeting with her, which every poet and artist dreams of, is evidence of his God-chosenness.

The Florensky's interpretation of Sophia was very close to **Sergey Bulgakov**. It was during his exile in Paris from 1922 then Sergey Bulgakov, Russian Orthodox philosopher and theologian, developed most of his work.⁸⁵¹ He developed an original dogmatic sophiology, taking as much from the tradition of the Eastern Church as from the philosophical questions of the West. The sophiological issue occupies a central place in his philosophy and his theology. He wishes to continue the enterprise of adapting Plato's theory of Ideas to the Christian vision of the world, begun by the Fathers of the Eastern Church (Athanasius,⁸⁵² Gregory of Nyssa⁸⁵³, etc.), then taken up in Russia by VI Solovjev on whom he first relied.

The Sophia is identified by Bulgakov with the World of Ideas located in Divine Intelligence and containing the archetypes of creatures of all species as well as the laws of the Universe. The idea of the Universe, of the Cosmos, is "One" in God, but it contains all the multiplicity of Ideas which constitute the cosmic order of the world. In Divine Intelligence, this world of Ideas is eternal, uncreated, even though creation occurred at some point according to divine will. From this original moment, the Ideas, which constitute the structure of the universe, began to exist in the world, and it is indeed in the world that we can find them and thus know the divine Wisdom (the Sophia itself).

⁸⁴⁹Ivanov Vyacheslav. Poems and poems, (Russian) L, 284 (1976)

⁸⁵⁰Ivanov Vyacheslav. Winter Sonnets // Poems and Poems (Russian), L, 290 (1976)

⁸⁵¹Sapov V. V., Serge Boulgakov, in F. Lesourd & M. Masline (ed.), Dictionary of Russian Philosophy (1995), Lausanne, L'Age d'Homme, 112-116 (2010)

⁸⁵² More details: BRECKNER KATHARINA, RUSSIAN PHILOSOPHERS ON CONTINUOUS CREATION AS THE BASIS FOR SOCIAL CHANGE, Studies in East European Thought, Vol. 58, No. 4, Orthodox Christianity 271-297(December 2006), <https://www.jstor.org/stable/23317543>

⁸⁵³ Gavriilyuk Paul L., UNIVERSAL SALVATION IN THE ESCHATOLOGY OF SERGIUS BULGAKOV, The Journal of Theological Studies, NEW SERIES, Vol. 57, No. 1, 110-132 (APRIL 2006), <https://www.jstor.org/stable/23970940>

According to Bulgakov's sophiological doctrine, the world of Ideas is transcendent in God, and without division, but it has been immanent in the world from the beginning of creation where it is revealed in great diversity. It is also immanent for us, because we can only find them in reality and in ourselves. This conception leads Bulgakov to construct a theory of the double Sophia, one transcendent and properly divine and the other immanent in creation. This theory was sketched out in 1917 in *Non-Evening Light. Contemplation and speculation*, then developed in *Agnus Dei* (1933), *Wisdom of God: A brief summary of Sophiology* (1937), *The Bride of the lamb* (1939) etc

Let's note that in his writings S. Bulgakov for a long period distinguished divine and created Sophia, but, in the end, came to the conclusion that in the creation of the world, the divine Sophia becomes the created Sophia. His metaphysics of total-unity ultimately presupposes a single Sophia, which becomes "ousia", essence or nature in God. S. Bulgakov was engaged in the development of this circle of ideas, emphasizing the inapplicability of antitheses to Sophia "... of the absolute and relative, eternal and temporal, divine and created".⁸⁵⁴ Sergey Bulgakov brought the journey of Sophia closer to its destination.

For Bulgakov, the task of a human being consists in the "sophianic transfiguration" of the world, in other words, in the restoration of the original state of nature.⁸⁵⁵ He qualifies his position as "religious materialism"⁸⁵⁶ or "panentheism"⁸⁵⁷: the world belongs to God, since nothing can be outside of God, like something foreign to him. It is in fact in God that the world finds the foundation of its reality, but also its end, and it is the Sophia who realizes this relationship in creation and transfiguration.

The Sophia became a key notion in Sergey Bulgakov's project⁸⁵⁸ of developing a higher metaphysics, capable of expressing the purest heart of the Byzantine-Orthodox tradition. Bulgakov's sophiology was criticized by the Russian Orthodox Church⁸⁵⁹, but the idea of Sophia continues to be the most consciously original theme in Russian philosophical thought today. In its general type and appearance, in a number of leading motives and ideas, the system resembles the large theological systems of modern Western Christianity, drawing closer to the teachings of Teilhard de Chardin.⁸⁶⁰

Theological doctrine, formulated from the 1890s to 1910s⁸⁶¹ by Vladimir Solovjev, Pavel Florensky and Sergey Bulgakov is called **Sophiology (Sophianism or Sophism)**.

It is a Christian philosophical development, concerning the Wisdom, which has its source in the Hellenistic religious tradition, Platonism and certain forms of Gnosticism.

The essential problem of sophiology is that of the relationship between Higher Consciousness and men.

⁸⁵⁴ See *Non-Evening Light*, Moscow, (Russian), 216 (1917); Bulgakov Sergey N. (Autore), Djambov Vladimir (Traduttore), *NON-EVENING LIGHT: [Svet Nevecherniy]* (Inglese) (2019)

⁸⁵⁵ Kozyrev A. P, Opt.cit.

⁸⁵⁶ See <https://blog.acton.org/archives/31659-sergius-bulgakovs-religious-materialism-and-spiritual-hope.html>

⁸⁵⁷ More details: O'Donnell John, *The Trinitarian Panentheism of Sergej Bulgakov*, *Gregorianum*, Vol. 76, No. 1, 31-45 (1995), <https://www.jstor.org/stable/23579679>; Panentheism considers God and the world to be inter-related with the world being in God and God being in the world. See in details: <https://plato.stanford.edu/entries/panentheism/>

⁸⁵⁸ Bulgakov S, *Sophia, the Wisdom of God*, *Bulgakoviana*, http://ivashek.com/en/texts/554-sophia-the-wisdom-of-god#Gll_1

⁸⁵⁹ In 1935, parts of S. Bulgakov's doctrine of Sophia were condemned by the Patriarch of Moscow and other Russian Orthodox hierarchs. Although Bulgakov was censured by the aforementioned hierarchs, a committee commissioned by Metropolitan Eulogius to critique Bulgakov's Sophiology found his system questionable, but not heretical, and issued no formal censure (save for a minority report written by two members of the committee, Fr. Florovskiy and Fr. Chetverikov).

⁸⁶⁰ See Deane-Drummond Celia, *Sophia, Mary and the Eternal Feminine in Pierre Teilhard de Chardin and Sergei Bulgakov in Pierre Teilhard de Chardin on People and Planet* (2006)

⁸⁶¹ Bogatzky Nikolay, *A "gung-ho" approach towards Sophic Economy*. *Economic Alternatives*. Sofia: UNWE Publishing Complex (1): 160–86 (2017), https://www.unwe.bg/uploads/Alternatives/Bogatzky_ea_en_br_1_2017-10.pdf

The Sophia is understood in this problematic as an intermediate principle between the perfection of Higher Consciousness and the finitude of a human being. This notion has often been understood or misunderstood (depending upon one's point of view) as introducing a feminine "fourth hypostasis" into the Trinity.⁸⁶² According to sophiologists, in the image of Sophia the features of Russian religious consciousness were clearly manifested, the product of which was the "Sophia cosmos". They found proof of this in the ancient Russian icon and fresco images of Sophia the Wisdom of God, where her angel-like image always occupies the very center of the composition.

Being on the periphery in relation to orthodox theology, some aspects of the doctrine of the Sophiology is constructive in relation to the mindfulness, the living organism of culture, free religious and philosophical thought, freedom of thought, conscience, religion.

Reviews and alternative designs. The sophiology has been the subject of fierce criticism.⁸⁶³

G Florovsky⁸⁶⁴ and V Lossky⁸⁶⁵ opposed it and criticized this introduction of the Wisdom of God into Christian theology. For Florovsky, the iconographic references concerning Sophianic versatility (the different ways of representing the Sophia) are due to a misunderstanding of their original meaning.⁸⁶⁶ Lossky sees in sophiology an "unfortunate union" between the "Holy Spirit" and the "Virgin Mary" in a single divinity or hypostasis of God. For him there is no real basis of the patristic tradition in this doctrine.

In current orthodox theology, Lossky's "patristic neopalamism"⁸⁶⁷, opting for a distinction between essence and energy of God, seems to have prevailed over the sophiological current, which implies the existence of an intermediate principle between God and the world.⁸⁶⁸

N. Berdyaev's paper *Self-knowledge*⁸⁶⁹ prepares us for the peculiarities of perception and disclosure by a given philosopher of his sophiology. N. Berdyaev writes that his desire to the loving exploration of the transcendental originated, in particular, from physiological and mental characteristics. Among the mental characteristics of his warehouse, the philosopher singles out a peculiar perception of time, namely: neglect of the current, present, striving for eternity and anxious striving for the future. "Nothing can be loved, except for eternity".⁸⁷⁰ He experienced events that had not yet happened, but possible in

⁸⁶²Goerd W in The Encyclopedica of Christianity, 122 (2008)

⁸⁶³Lévy A. Opt.cit

⁸⁶⁴Georgy Vasilievich Florovsky (1893-1979) was Russian Orthodox priest, archpriest; religious thinker, theologian, philosopher and historian; leader of the ecumenical movement and one of the founders of the World Council of Churches. Professor of l'Institut Saint-Serge de Paris (1926-1939, 1947-1948), Doctor of Theology "honoris causa" at the University of St. Andrew in Edinburgh (1937), professor of dogmatic theology, patrology and pastoral theology and dean of St. Vladimir's Orthodox Theological Seminary in New York (1948-1955), professor at Harvard and Princeton Universities.

⁸⁶⁵Vladimir Nikolaevich Lossky (1903-1958) was an Orthodox theologian and historian of the church, a prominent figure in the Russian diaspora, one of the founders of the Paris School of Theology, who laid the foundations of a "neopatristic" synthesis in Orthodox theology.

As noted on the website of the Korsun diocese: "Vladimir Lossky - perhaps the brightest luminary in the firmament of Orthodox theological thought of the first half of the 20th century - played a fundamental role in the formation and development of not only the scientific and theological, but also the parish life of Russian Orthodox parishes in France. He stood at the origins, being the direct founder of the first Orthodox emigre communities - the Tri-Saints Compound and the French-speaking Mother of God Church of All Sorrows, a number of theological circles and commonwealths, the Fotiev Brotherhood and the Institute of St. Dionysius "

<https://cerkov-ru.com/novosti/v-parizhe-sostoyalas-bogoslovskaya-konferentsiya-posvyaschennaya-pamyati-vladimira-losskogo-1903-1958/>

⁸⁶⁶LévyA, Opt. cit

⁸⁶⁷More details: Aidan Nichols, Light from the East: Authors and Themes in Orthodox Theology, Sheed & Ward (1995)

⁸⁶⁸LévyA, Opt. cit

⁸⁶⁹Berdyaev N, Self-Knowledge: An Essay in Autobiography (Inglese) (2009)

⁸⁷⁰Berdyaev N, Self-knowledge (Russian), SPb: Azbuka, 46 (2012)

the future, as if they had already happened. He hard, painful, and dreaming to disappear time division into past, present and the future, still called himself "Man, directed to the future".⁸⁷¹

Berdyayev's sophiology has memories about the past. Berdyayev interprets this memory as a prototype of the future. His sophiology is addressed to the future twice: as the science of divine wisdom and as the science of human transformation. At the same time his sophiology is turned to Eternity. Special perception of time predisposed N. Berdyayev to reasoning about transcendental objects. Also there were his personal physiological prerequisites for the choice of the subject of philosophizing. A number of reasons caused the Berdyayev's desire to the cult of the Beautiful Lady, and then disappointment in it and adherence to the cult of the androgyne.⁸⁷²

N. Berdyayev's teaching about Sophia is based on the philosophy of J. Boehme⁸⁷³ and Kabbalah⁸⁷⁴. Like V. Solovjev's one, Berdyayev's doctrine of the Eternal Femininity has as its goal the transformation of humanity. But here Berdyayev's thought goes against Solovjev's thought: "The person, in his entirety, is bisexual, androgynous". "The mystical life of the androgyne is organized not in one bisexual being but rather in the quadripartite union of two beings".⁸⁷⁵

Berdyayev believed that: "Not a man and not a woman is the image and likeness of God, but only an androgyne, an integral person. The differentiation of male and female is a consequence of the cosmic fall of Adam. Eve's education plunged old Adam into the power of generic sexuality, chained him to the natural "world", to "this world". The "world" caught Adam and owns him through the floor, at the point of sexuality Adam is chained to natural necessity. Eve's dominion over Adam became the dominion of all nature over him. A person who is attached to Eve giving birth has become a slave to nature, a slave to femininity, separated, differentiated from his androgynous image and likeness of God. A man is trying to restore his androgynous image through sexual attraction to the lost female nature."⁸⁷⁶

Berdyayev associates God-manhood with the androgyny, the main thing that he distinguishes in the image of Jesus Christ. The goal of human development is the return of androgynous nature through love, which has freedom of creativity, transcendence.

N. Berdyayev opposes the androgyny to the hermaphroditism, and the harmony achieved through the Eternal Femininity - to the feminism. Eternal Femininity is opposed to the feminine as the transcendental - to natural. N. Berdyayev depicts the feminine and masculine beginnings as equivalent, complementary principles. Holiness is a combination of male and female. N. Berdyayev takes this position from Kabbalah.

According to N. Berdyayev, the doctrine of the androgyne should not be divorced from religion. The doctrine of androgyny is a secret knowledge for which society is not yet ready. It is esoteric and sacred.

⁸⁷¹ Ibid

⁸⁷² See in details: Ivanova Irina Sergeevna, HISTORICAL TIME AND THE PROBLEM OF ANDROGINE'S CULT IN SOPHIOLOGY N. BERDYAEV (Russian), <https://cyberleninka.ru/article/n/vremya-istoricheskoe-i-problema-kulta-androgina-v-sofiologii-n-berdyayeva>

⁸⁷³ See Berdyayev NA, Studies concerning Jacob Boehme, Etude II. The Teaching about Sophia and the Androgyne. J. Boehme and the Russian Sophiological Current, Journal Put', N. 21, 34-62 (apr. 1930), http://www.berdyayev.com/berdyayev/berd_lib/1930_351.html;

<https://www.thecenterforsophiologicalstudies.com/post/jacob-boehme-on-the-virgin-mary-as-the-incarnation-of-sophia>

⁸⁷⁴ See Burmistrov Konstantin, THE INTERPRETATION OF KABBALAH IN EARLY 20TH-CENTURY RUSSIAN PHILOSOPHY. Solovjev, Bulgakov, Florenskii, Losev, East European Jewish Affairs, Volume 37, 157-187 (2007)

⁸⁷⁵ More details: Nicolaus Georg, C.G. Jung and Nikolai Berdyayev: Individuation and the Person: A Critical Comparison (Inglese) (2010)

⁸⁷⁶ Berdyayev N., The meaning of creative Act, Creativity and gender. Male and female (Russian,) ch.8 (1916), http://odinblago.ru/smisl_tvorchestva; Berdyayev N (Author), Lowrie Donald A. (Translator), Jakim Boris (Foreword), The Meaning of the Creative Act (English) (1962)).

The cult of the eternally feminine is necessary not in itself as a cult of the divine and beautiful, but as a catalyst for development of people's transformation into androgynes through love. Further the cult of the eternally feminine should be superseded by the cult of the androgyne.

In the poetry of the *Silver Age*, the cult of the androgyne is embodied in the lyrics⁸⁷⁷ of NS Gumilyov.⁸⁷⁸

Sophiology of N. Berdyaev is interesting, it reflects the words of Giordano Bruno⁸⁷⁹:

“Wisdom therefore has three abodes: the first is unedited, eternal, because it is itself the seat of eternity; the second, his firstborn of him, is this visible world; the third, his second child of him, is the soul of the man”⁸⁸⁰

“Column of fortress, operator of many miracles ..”⁸⁸¹ These words are referred to the third Wisdom, cosmic femininity, Created Wisdom, communicated to intelligent creatures by God and personified in Sophia. The appeal of mindful judges to Sophia could be very alchemical. This is the language of command, of command of certain time and space's parameters. “We are in the right vector, we look in the true direction. We command our system and the entire external system to follow this message. We comprehend that it sets to humanity non-traditional Christian goals of self-improvement and transformation..” but Berdyaev says⁸⁸² that the experience of history has shown precisely the feasibility of utopias.⁸⁸³

These words of Berdyaev were taken by Aldous Huxley for the epigraph to the novel *Brave New World*.⁸⁸⁴ And if you, dear judges, like we, feel the need to be in constant mindful motion,
not stop your instinct,
but be aware that
we are living in continuous movement,
in continuous transformation,
and that the life helps us to evolve,
and that a new 'prayer' inhabits our days,
the prayer to Sophia, to Cosmic Wisdom ..
to eternal, beautiful femininity
as our desire.

⁸⁷⁷ <https://gumilev.ru/verses/416/>; See Safulina Rano Mirzakhonovna, PLATO'S MOTIVES IN N. S. GUMILYOV'S CREATIVE WORK (THE POEM "ANDROGYNE" AS THE EXPERIENCE OF ACMEISTIC READING OF PLATO), *Philology. Theory & Practice*. Tambov: Gramota, № 5, Part 2, 24-28 (2017)

⁸⁷⁸ Nikolay Stepanovich Gumilyov (1886–1921) was an influential Russian poet, literary critic, traveler, and military officer. He was a cofounder of the Acmeist movement. He was husband of Anna Akhmatova and father of Lev Gumilev. Nikolay Gumilyov was arrested and executed by the Cheka in 1921.

⁸⁷⁹ Giordano Bruno (1548–1600) was an Italian Dominican friar, philosopher, mathematician, poet, cosmological theorist, and Hermetic occultist. He is known for his cosmological theories.

⁸⁸⁰ Quoted in Nicoletta Tirinnanzi, Notes to the texts, in Giordano Bruno, *Italian Philosophical Dialogues*, Mondadori, Milan, 1244 (2000)

⁸⁸¹ <https://www.lafedecattolica.com/santa-sofia-pregiatura/>

⁸⁸² “We used to pay too little attention to utopias, or even disregard them altogether, saying with regret they were impossible of realisation. Now indeed they seem to be able to be brought about far more easily than we supposed, and we are actually faced by an agonising problem of quite another kind: how can we prevent their final realisation? ... Utopias are more realisable than those 'realist politics' that are only the carefully calculated policies of office-holders, and towards utopias we are moving..” Nikolai Berdyaev, *The Philosophy of Freedom*.

⁸⁸³ More details: Paramonov Boris M, Tolstoy Ivan N, Bedlam as Bethlehem. *Conversations of lovers of the Russian word* (Russian) (2017)

⁸⁸⁴ *Brave New World* is a dystopian anticipation novel written in 1931 by Aldous Huxley. It appeared in 1932. Huxley wrote it in four months, in Sanary-sur-Mer, in the south of France. Twenty-five years later, Huxley published an essay devoted to this book, *Back to Brave New World*, emphasizing in particular the evolutions of the world which he perceived as going dangerously towards the world described in his work. The novel's original title, *Brave New World*, comes from William Shakespeare's *The Tempest*, act 5 scene 1. John often uses this phrase in the novel.

Giovanni Vannucci⁸⁸⁵ remembers: "Be children of the wind, people of the journey, wary of too well formulated arrangements, institutions and rules".⁸⁸⁶ And Rumi adds: "There are hundreds of ways to kneel and kiss the ground".⁸⁸⁷

Encountering the Sophia in others invites us to deepen our own wisdom, to seek the beauty, the truth, to feel it as ours up to the guts, and to play to find the similarities! There is no greater joy than finding out that you, dear judges, are like we, that you look in Sophia's face as we look, that you thirst only for love.

Only in this way we can feel good.
It's a race to find the best we have,
knowing that you will do the same.

How wonderful to find in the other paths so many similarities, so many equal words!
How nice it will be to meet and hold hands in the rainbow circle of eternal Wisdom!

We can walk together, together we can desire a wise and free world,
where rights of human being are protected.

How many roads will we accomplish?
Which life does the Wisdom mean?

Wisdom came to you
so that you may have wealth life.

You aren't an orphan,
she will be with you every day,

*because your Father knows the things you need before you ask Him.*⁸⁸⁸

Knowing that Higher Consciousness gives you everything you need to live a real life
change the horizon.

In modern times the Sophia is a little widow who doesn't let herself be weakened, but that's enough. If an entire life changes with a new life in her hands, even the meditation-prayer is transformed, guided by the needs and the wonder of the little girl. Mindfulness is the first try of a new wealth that Higher Consciousness generates with us ... When we speak of wealth, we mean the whole spectrum of rights of human being. All areas of life where pain, trauma or deficiency is present can be alchemically transformed into the most productive qualities. When we speak of resources, also we speak of resources of energy and time. And the most important asset in the age of information technology is the ability to control our attention. Attention is the greatest value we have right now. Focusing our attention correctly gives us energy, otherwise it takes it away. Sophia allows us to see the full range of resources available, regardless of the circumstances. we will have the alchemical power to manage resources, and this is a very practical skill for both a parent, partner, business\political leader, a judge.

And you, Sophia,
wherever you are
among the meanders of this universe,
among the thousand truths and the thousand fantasies,
know
that we're waiting for you,
who are for us the eternal wisdom,
"column of fortress, operator of many miracles .."

⁸⁸⁵Giovanni Vannucci (1913-1984) was an Italian presbyter and theologian of the Servite Order.

⁸⁸⁶ "Siate figli del vento, gente del cammino, diffidenti verso le sistemazioni, le istituzioni e le regole formulate troppo bene"

⁸⁸⁷Barks Coleman, Moyne John, The Essential Rumi (1995).

⁸⁸⁸Matthew 6:8

Perhaps for some of you, dear readers, these thoughts seem small to be put into an academic paper. But someone said that *we must find in the midst of the small thoughts that bother us, the path of for the big thoughts that give us strength*. It's right.

Tomorrow we will have to invent a new way of meditating-praying, and today the dawn has already given us another promise: the rainbow. "Whenever the rainbow appears in the clouds, I will see it and I will remember my promise to you and to all other living creatures"-, we read in the Genesis,9. Holy Spirit teaches us His Wisdom, *Sophia, column of fortress, operator of many miracles*.

The arch in the sky is a visible sign of the relationship between a man and the Divine, the Other, something great. It's a sign of a need, desire which is human tension towards what is *Infinite*, which everyone feels inside and which is transformed into a push towards forms of high humanity and satisfies human growth. In the Bible, the great book of man in search of the Divine, God answers and wins human stupidity.⁸⁸⁹ This means the verse of Genesis. It takes a sign from heaven to awaken our memory of wellbeing that calls us. It takes something that binds ground to heaven, needed to remind us that we are not alone in the immense non-being. In Greek culture it was Iris, the personification and goddess of the rainbow and messenger of the gods, who canceled the distance, for Italy, Russia, France etc there is Jesus Christ, this rainbow of love, which shows us the possibility we have of welcoming the Spirit that Christ creates. Unhappy who does not feel it.

"So strong is human selfishness, that wherever there is the smallest personal interest at stake, there men become deaf and blind to the truth, as often consciously as not. . . .

There was a time when the acquirement of Divine Wisdom (Sapientia) required the sacrifice and devotion of a man's whole life. It depended on such things as the purity of the candidate's motives, on his fearlessness and independence of spirit; but now, to receive a patent for wisdom and adeptship requires only unblushing impudence. . . . Now, even as of old, the genuine and sincere observer of life and its underlying phenomena, the intelligent coworker with nature, may, by becoming an expert in her mysteries thereby become a "wise" man, in the terrestrial sense of the word, but . . . never will a materialist wrench from nature any secret on a higher plane. . . . No "wisdom from above" descends on any one save on the sine qua non condition of leaving at the threshold of the Occult every atom of selfishness, or desire for personal ends and benefit. . . . Nature gives up her innermost secrets and imparts true wisdom only to him, who seeks truth for its own sake, and who craves for knowledge in order to confer benefits on others, not on his own unimportant personality. And, as it is precisely to this personal benefit that nearly every candidate for adeptship and magic looks, and that few are they, who consent to learn at such a heavy price and so small a benefit for themselves in prospect—the really wise Occultists become with every century fewer and rarer. How many are there, indeed, who would not prefer the will-o'-the-wisp of even passing fame to the steady and ever-growing light of eternal, divine knowledge, if the latter has to remain, for all but oneself—a light under the bushel?.."890

These are the words of H. Blavatsky.⁸⁹¹ In **Theosophy**, a spiritual movement which Anthroposophy was closely related to, Sophia figures prominently. The word *theos* is of Greek origin and means - God, *sophia* - wisdom. This term can be interpreted as Divine wisdom, or as the wisdom possessed by the gods. Helena Blavatsky described Sophia in her essay *What is Theosophy?* as an esoteric wisdom doctrine, said that the *Wisdom* referred to was *an emanation of the Divine principle" typified by...some goddesses—*

⁸⁸⁹ Dietrich Bonhoeffer said that Stupidity is a far more dangerous enemy of good than evil.

Quoted in http://www.gliscritti.it/preg_lett/antologia/stupidita.htm (Italien)

⁸⁹⁰ Blavatsky Helena Petrovna, Collected Writings vol. XII, Wheaton, IL: Theosophical Publishing House, 314-315 (1980).

⁸⁹¹ See in details <https://www.psychotherapyinsights.ca/self-awareness-blog/notes-from-sophia-the-divine-face-of-inner-wisdom/>

*Metis, Neitha, Athena, the Gnostic Sophia*⁸⁹²The concept Theosophy came to us from the III century from the Alexandrian philosophers, called lovers of truth, whose main goal was to reconcile all sects and religions under one system of ethics based on eternal truths. Their motto was: *There are no religions higher than truth!* The Modern Theosophical Society was founded in New York City in 1875 by H.P. Blavatsky and two Americans, Henry Olcott⁸⁹³ and William Quan Judge⁸⁹⁴ and by Morya⁸⁹⁵ and Koot Hoomi⁸⁹⁶. The Theosophy was widespread in different countries of the world among the intelligentsia - mainly in Asia, as well as in the USA, European countries and in Russia. In the early 1910s, 50 theosophical journals were published worldwide.⁸⁹⁷ The ideas of Theosophy were subject to comprehension by Mahatma Gandhi,⁸⁹⁸ V.V. Kandinsky⁸⁹⁹ and other famous personalities.⁹⁰⁰ Some researchers attribute the teachings of Helena Blavatsky to religious philosophy, others - to mystical philosophy, still others - to esoteric teachings, and still others - to cosmism.⁹⁰¹

Helena Blavatsky insisted that it was not a religion,⁹⁰² although she did refer to it as the modern transmission of the *once universal religion* that she claimed had existed deep into the human past.⁹⁰³

The writer and journalist S. Kaydash gives an interesting example of how in 1881 in France a public debate about Theosophy took place between the famous writers Emile Zola and Alexander Dumas-son. Emile Zola spoke from the standpoint of positivism, Alexander Dumas the son defended the ideas of Theosophy. The dispute became known in Russia as well. *The Severny Vestnik magazine, No. 9, 1893* published a letter from Emile Zola to the students of the Sorbonne, criticism of this position by Alexander Dumas, the son, and defense of the ideas of theosophy by L. N. Tolstoy, who wrote his material at the request of the editors.⁹⁰⁴

The value of H.Blavatsky is that she was the first:

⁸⁹²Kozyrev A. P , Opt.cit

⁸⁹³ Colonel Henry Steel Olcott (1832–1907) was an American military officer, journalist, lawyer and the co-founder and first President of the Theosophical Society.

⁸⁹⁴ William Quan Judge (1851–1896) was an Irish-American mystic, esotericist, and occultist, and one of the founders of the Theosophical Society. When Olcott and Blavatsky left the United States for India, Judge stayed behind to manage the Society's work, all the while working as a lawyer.

⁸⁹⁵ Morya is one of the *Masters of the Ancient Wisdom* within modern Theosophical beliefs. He is one of the Mahatmas who inspired the founding of the Theosophical Society and was engaged in a correspondence with two English Theosophists living in India, A. P. Sinnett and A. O. Hume. The correspondence was published in 1923 by A. Trevor Barker, in the book *The Mahatma Letters to A. P. Sinnett*.

⁸⁹⁶ Koot Hoomi (also spelled Kuthumi or KH) is said to be one of the Mahatmas. He engaged in a correspondence with two English Theosophists living in India, A. P. Sinnett and A. O. Hume, which correspondence was published in the book *The Mahatma Letters to A. P. Sinnett*. Blavatsky said that Morya and Koot Hoomi were her primary guides in establishing the Theosophical Society. Blavatsky also wrote that Masters Morya and Koot Hoomi belonged to a group of highly developed humans known to some as the Great White Brotherhood or the White Lodge (though this is not how they described themselves). Master Morya's personality has been depicted in some detail by various theosophical authors. A man "living on the earth, but possessed of developed senses that laughed at time and space."

[https://en.wikipedia.org/wiki/Morya_\(Theosophy\)#cite_note-1](https://en.wikipedia.org/wiki/Morya_(Theosophy)#cite_note-1)

⁸⁹⁷Bulgakov S. V, Handbook for Church Ministers (Russian) Kiev, 1719 (1913)

⁸⁹⁸<https://philologist.livejournal.com/8609944.html>

⁸⁹⁹<http://www.kandinsky-art.ru/library/mnogogranniy-mir-kandinskogo4.html>

⁹⁰⁰ Lobach V.V. (Director of the publishing house "Stars of the Mountains"; member of the Council of the republican public organization "Belarusian Roerich Foundation"), Theosophy, in the Newest philosophical dictionary, ed. A.A. Gritsanov, 3rd ed., (Russian) Minsk: Knizhny Dom, 1280 (2003)

⁹⁰¹ Glushkina Yu. E, Religious and Philosophical Direction of Cosmism: Russia and America, in Sofia: Manuscript Journal of the Society of Zealots of Russian Philosophy, Faculty of Philosophy, Ural State University, Issue 8 (2005)

⁹⁰² Lachman Gary, Madame Blavatsky: The Mother of Modern Spirituality. New York: Jeremy P. Tarcher/Penguin, 137 (2012)

⁹⁰³ Franklin J. Jeffrey, Spirit Matters: Occult Beliefs, Alternative Religions, and the Crisis of Faith in Victorian Britain. Ithaca and London: Cornell University Press, 193 (2018)

⁹⁰⁴ Kaydash S, Helena Blavatsky in Russia, in Morning Star, illustrated scientific and artistic almanac of the International Center of the Roerichs No. 2-3 (1994-1997).

-to promulgate the hypothetical ancient teachings on which all religions are based;
-to attempt to give a religious-philosophical synthesis of all ages and peoples;
-to cause the awakening of the religious consciousness of the Ancient East;
-to create an international fraternal Union, which is based on respect for human thought, in whatever language it is expressed, wide tolerance for all members of the single human family and the desire to embody not dreamy, but concrete idealism that penetrates into all areas of life.

In the late 19th - early 20th centuries, Theosophy was one of the main channels of mystical knowledge in the West and influenced all subsequent traditions, for example, such as the teachings of the **Roerichs**⁹⁰⁵ or the teachings of **Alice Bailey**.

Though **Bailey's** writings differ in some respects to the Theosophy, they have much in common with Sophia. She wrote on religious themes, including Christianity, though her writings are fundamentally different from many aspects of Christianity or other orthodox religions. Bailey's writings are among the teachings referred to as the *Ageless Wisdom*.⁹⁰⁶ It's the perennial philosophy (Latin: *philosophia perennis*), also referred to as perennialism and perennial wisdom, a perspective in philosophy and spirituality that views all of the world's religious traditions as sharing a single, metaphysical truth or origin from which all esoteric and exoteric knowledge and doctrine has grown. A more popular interpretation argues for universalism, the idea that all religions, underneath seeming differences, point to the same Truth. Bailey's vision of a unified society included a global *spirit of religion* different from traditional religious forms and including the concept of the Age of Aquarius.⁹⁰⁷

In **N. Roerich's** painting *Saint Sophia the Almighty Wisdom* (1932), the Almighty Wisdom, rapidly flying over the earth on a white horse, is manifested in fire. It unites and protects all people of good will and their creative achievements under the Banner of Peace, the Banner of the coming synthesis.⁹⁰⁸ Roerich's *Sophia - Wisdom* traces its origins not from Catholic images, but from Orthodox ones, although here Roerich, instead of a calm and solemn image of icons, creates an unusually dynamic and expressive work. His Sophia flies on a horse, as it's customary for the image of the Archangel Michael. Instead of Sophia's halo, there is a disk of the sun. According to tradition, Sophia keeps a closed list and "there are unknown and hidden secrets of God in it".⁹⁰⁹ Roerich opens the list. Inside it there are the Banner of Peace and the ancient word repeated three times, which means *holy*. In the artist's book *The Realm of Light* it was written: "Let now the woman, the Mother of the World, say: Let there be Light!

-What will be the Light? And what will the fiery feat consist of?

⁹⁰⁵ Nikolai Konstantinovich Roerich (1874-1947) was a Russian artist, costume and set designer for ballets, operas, and dramas, mystic philosopher, writer, traveler, archaeologist, orientalist, public figure, Academician of the Imperial (Russian) Academy of Arts (1909). During his life, he created about 7000 paintings, many of which are in famous galleries in the world, and about 30 volumes of literary works, including two poetry. Author of the idea and initiator of the Roerich Pact, founder of the international cultural movements *Peace through culture* and *Banner of Peace*. He has several Russian and foreign awards.

Helena Ivanovna Roerich (1879-1955) was a Russian religious philosopher (in some sources, a philosopher or an esoteric philosopher), writer, public figure. Author of the book *Fundamentals of Buddhism*.

She claimed that she received messages from Moria by clairaudience. A series of books about the religious and philosophical teaching *Living Ethics (Agni Yoga, the Teaching of Life)* was published on the basis of the diary entries of Helena Roerich. She translated into Russian two volumes of *The Secret Doctrine* of Helena Blavatsky, as well as selected *The Mahatma Letters to A.P. Sinnett*. The ideas set forth by Helena Roerich in Agni Yoga had a strong influence on the formation and development of Russia's New Age.

⁹⁰⁶More details

https://www.researchgate.net/publication/343345148_THE_ESOTERIC_PHILOSOPHY_OF_ALICE_A_BAILEY_AGELESS_WISDOM_FOR_A_NEW_AGE

⁹⁰⁷Bailey Alice A, *The Unfinished Autobiography*, 233-234 (1951)

⁹⁰⁸Source: <https://www.wikiart.org/en/nicholas-roerich/saint-sophia-the-almighty-wisdom-1932>

⁹⁰⁹Florensky PA Pillar and the statement of truth. In 2 volumes V I. M: Pravda (Russian), 386 (1990)

- In raising the banner of the Spirit on which will be inscribed - Love, Knowledge and Beauty.⁹¹⁰ Applying these thoughts to this picture, we can read the scroll as follows: *Holy Love. Holy Knowledge. Holy Beauty.*

We can find the features of Sophia in the *Fourth Way*⁹¹¹ of **Gurdjieff** and **Ouspensky**,⁹¹² also.⁹¹³

Sophia is in the ideas of great **Daniil Andreev**⁹¹⁴. In *The Rose of the World*⁹¹⁵ he writes: "For millennia the masculine element has been dominant in humanity, creating wars, revolutions, rebellions. So far it has been proclaimed that not only man but also woman should be masculine. But now but the only woman not called to be feminine." The inspiring center of the Rose of the World will be the Eternal Feminine, however no longer conceived as an otherworldly ideal, but as a fusion of Matter and Sophia, as the flesh of community sanctification, a charismatic leader will be, at the same time an artistic genius, a moral figure. and a religious prophet and there will be the spiritual hierarchy: the blue female hierarchy of Mother Sophia and the white hierarchy of Rosa. According to Daniil Andreev's vision, we, men of the third millennium, are the bearers of this new great Truth, this free community to the Eternal Feminine, which he, even in the tragedy, knew every Gulag of dreaming as the triumph of the freedom of love, the victory of Rose of the World.

In 2015 contemporary Ukrainian Greek Catholic iconographer **Lyuba Yatskiv** secured a major commission to decorate the interior of the newly built Church of Sophia, Wisdom of God, on the campus of Ukrainian Catholic University in Lviv.⁹¹⁶ Her design for the apse (the semicircular recess behind the church's main altar) shows Wisdom as a winged bishop holding a cross-shaped crozier in her left hand while raising her right hand in a gesture of blessing. At her table are the wine and bread of the Eucharist, which she invites all to come and partake of. The chi-rho monogram above her, with an alpha and omega on either side, is a reference to Christ, while the seven pillars bear symbols of the seven gifts of the Holy Spirit, and the bright star of the Father sheds light from above. Below Wisdom, there blossoms the tree of life in the Garden of Eden, with its four rivers flowing, and flanking her are personifications of the seven virtues...

Apparently, the time has come for people to realize and preserve these *highest spiritual and evolutionary values*. After all, the cornerstone of the future Culture will rest on them, a new world will come through them.

⁹¹⁰Roerich N. K. *Realm of Light*, Riga: Vieda (Russian), 37 (1992).

⁹¹¹ The Fourth Way is an approach to self-development developed by George Gurdjieff over years of travel in the East (c. 1890 – 1912). It combines and harmonizes what he saw as three established traditional *ways* or *schools*: those of the mind, the emotions, and the body, or of monks, fakirs, and yogis, respectively. Students often refer to the Fourth Way as *The Work*, *Work on oneself*, or *The System*. The exact origins of some of Gurdjieff's teachings are unknown, but various sources have been suggested.

⁹¹² Pyotr Demianovich Ouspensky (1878-1947) was Russian esoteric researcher, traveler, journalist and writer, famous in pre-revolutionary Russia and Great Britain, mathematician by education. He showed interest in the metaphysical (Esoteric) ideas of the *Fourth Way* (Gurdjieff), applying a scientific-analytical approach to the study of the ideas of contemporary neo-mysticism.

⁹¹³ More details in writings of Sophia Wellbeloved (1940). Awarded a PhD at King's College, London in 1999. She focused on the life and writings of Gurdjieff. She is the author of research papers and books relating to Gurdjieff, these include *Gurdjieff, Astrology & Beelzebub's Tales* (2002) and *Gurdjieff: The Key Concepts*, Routledge, London and New York (2003). She was the Director of Lighthouse Editions, 2005 – 2012, which published books related to Gurdjieff, and a co-founder in 2006 of the Cambridge Centre for the Study of Esotericism. Wellbeloved was a member of the Gurdjieff Society in London between 1962 and 1975.

⁹¹⁴ Daniil Leonidovich Andreev (1906-1959) was Russian poet, writer, philosopher, whose poetic talent and depth of insight make it possible to attribute his work to the *Silver Age* of Russian culture.

⁹¹⁵ Andreev Daniil, *The Rose of the World* (Inglese) (1997). *The Rose of the World* was published in Russia only in 1991. His legacy is already a major factor in Russian intellectual life.

⁹¹⁶<https://artandtheology.org/tag/lyuba-yatskiv/>

Wisdom is a practice, Rupp⁹¹⁷ says, that requires a desire to be like the Sophia. And part of being like Sophia, Pagels testifies, is realizing that we share the limitations: “You want to know God, but when you really get there you’ll understand that, first, you can’t know God because God is bigger than you are. And second, you understand that you live in it, and you’re dependent on it”.⁹¹⁸

Sophia shouldn't be seen in various figures, symbols just because they are female. Gender has never been an important or profound feature of spiritual images. Androgynous, asexual, and sex reversal are common in the world of fluid forms. Not all that glitters is gold. And not all that unites the mystical and the feminine is Sophia! Kornblatt⁹¹⁹ writes: “The symbolism of icons of the Divine Sophia is far from standardized and is decidedly ambiguous. Images of wisdom remain the most abstract of all holy pictures, for the Divine Sophia never existed as a real being. Even the gender of Sophia in Russian icons is ambiguous, as in different centuries and locations the personified figure is sometimes associated with Christ or Mary or depicted as an androgynous angel with “feminized” features otherwise attributed to Gabriel”.⁹²⁰

The real problem of our time is not whether Sophia is female or androgyne. What science reveals and confirms is that the Higher Consciousness, first of all, is a tendency and an impulse towards relationality and that the higher consciousness's imprint is nowhere else visible than in the same fundamental desire of nature to relate in an interdependent and interconnected way. Quarks show this in a fascinating and strange way: how life in the universe does not develop from isolation, but from the ability to relate.⁹²¹ Danah Zohar⁹²² goes further and suggests that bosons should be described as *related particles*.⁹²³ Similarly, Lynn Margulis⁹²⁴ goes so far as to describe cells as *microbial associations* and *bacterial confederations* forged through billions of years of cooperative effort, demonstrating that everything in the created world flourishes through symbiotic alliances.⁹²⁵ Roszak⁹²⁶ keenly observes that, at some point, the cell membrane was called a *wall* and considered a solid barrier that passively enclosed an undifferentiated drop of cytoplasm. Then the wall was transformed into a system, which today tends to be described as a dynamic and totally porous communication center such as to maintain a constant dialogue with the cell it serves. On another side with respect to the scientific one, there is growing evidence that all things were created starting from the relationship, are sustained by virtue of this relationship and develop through interdependence.⁹²⁷ Bede

⁹¹⁷ Sister Joyce Rupp, O.S.M., is a Roman Catholic author and speaker, living in Des Moines, Iowa. She is the co-director of The Institute of Compassionate Presence, a member of the Servite Order, and a volunteer for Hospice. Joyce has a Bachelor of Arts degree in English, a Master of Arts degree in Transpersonal Psychology, and a Master of Religious Education degree.

⁹¹⁸<https://uscatholic.org/articles/201601/desperately-seeking-sophia/>

⁹¹⁹ KORNBLATT, Judith Deutsch (1955) is American scholar, her interests: Mythology/Folklore, Cultural/Ethnic topics, Literary criticism and history, Philosophy, Intellectual history, Theology/Religion.

⁹²⁰Kornblatt Judith Deutsch, *Divine Wisdom: The Wisdom Writings of Vladimir Solovjev* (2009). Quoted in <https://artandtheology.org/2018/08/14/lady-wisdom-lady-love-artful-devotion/>

⁹²¹ See in details Capra Fritjof, *The Hidden Connections: Integrating the Biological, Cognitive, and Social Dimensions of Life into a Science of Sustainability* (2002)

⁹²² Danah Zohar (1945) is an American-British author and speaker on physics, philosophy, complexity and management.

⁹²³ See Zohar Danah, *The Quantum Self: Human Nature and Consciousness Defined by the New Physics*. New York: William Morrow and Company, Inc (1990); Zohar, Danah; Marshall, Ian, *The Quantum Society: Mind, Physics, and a New Social Vision*. New York: Bloomsbury Publishing (1993)

⁹²⁴ Lynn Margulis (born Lynn Petra Alexander; 1938–2011) was an American evolutionary theorist, biologist, science author, educator, and science popularizer, and was the primary modern proponent for the significance of symbiosis in evolution. Historian Jan Sapp has said that *Lynn Margulis's name is as synonymous with symbiosis as Charles Darwin's is with evolution*.

⁹²⁵Margulis Lynn, *Microcosmos* (1986)

⁹²⁶ Theodore Roszak (1933–2011) was an American academic who ended his career as Professor Emeritus of history at California State University, East Bay. He is best known for his 1969 text *The Making of a Counter Culture*.

⁹²⁷Roszak Theodore, *Ecopsychology: Restoring the Earth/Healing the Mind* (1995)

Griffiths⁹²⁸ confirmed that everything that exists is interdependent and interconnected. An electron, for example, cannot be located exactly because every electron is, in a sense, in every other electron. Ethic, traditions, politics, judiciary are interconnected, everything in the universe is interdependent and interconnected, which means that our idea of the existence of separate entities is actually a product of our minds. It is said with increasing conviction that behind all these separate entities that our minds conceive, there is the interrelation, which ensures that everything is interconnected in a complicated network. This is exactly what mystics experience. What physicists have come to understand as a result of their observations, mystics have discovered in their own experience. Transcending thought, mystics experience the whole in this interrelation.⁹²⁹

Hans Urs von Balthasar wrote significantly: "The whole in the fragment"⁹³⁰.

Sophia comes from the order of Melchizedek. It represents the true Union between Sophia and Christ. It is what the saints have described as marriage in Heaven. Judges too can be part of the order of Melchizedek if their soul, that is the light of their intelligence, the strength of their will, the thrills of their freedom, the fire of their feelings, unites with Christ, Logos in the totalizing and beatifying union. The soul becomes absorbed, purified, transformed, elevated, divinized. Thus the wedding of God with humanity was celebrated, of which the prophets of the Old Testament had spoken.

"You are a priest forever according to the order of Melchizedek", - says the letter to the Hebrews.⁹³¹

Jesus Christ is a Priest in the Order of Melchizedek.⁹³² If men arise into the midst of Christ⁹³³, men dress him, men vesture of light, men too receive the powers of Christ, men become priests⁹³⁴ according to the order of Melchizedek.⁹³⁵ We give the true significance to the word *priest*.⁹³⁶ Love renews everything, life flourishes again: and here is the symbol of the *new wine*, which is poured abundantly, according to biblical symbolism, because the presence of God *makes glad the heart of man, ... make his face to shine, and strengthens man's heart*.⁹³⁷

This *mystery* is not understood by most of our contemporaries and does not even have any real importance for them in daily life. Even the abundant mystical traits doesn't make it a credible or attractive notion for a modern world that aspires to more understandable and visual ways of perception and action. But we are faced with something that isn't unique in Christianity, but that reveals itself as an archetypal phenomenon that transcends all religions, a key ingredient of universal life and culture.

If judges make Sophia their symbol, she will go to them with Prudentia who will be accompanied by Lady Justice. Lady Justice means Justice, *inter alia*. Justice doesn't go alone. Yet, in medieval and Renaissance imagery, Justice was not a solo actor but one of

⁹²⁸ Bede Griffiths (born Alan Richard Griffiths, 1906-1993) was a British Benedictine monk and one of the most famous Christian mystics of the 20th century. He was especially known for his religious dialogue with Hinduism, for which he received much recognition. From 1968 he took over the Pilgerort Sat-Chit-Ananda Ashram (also known as Shantivanam) in southern India.

⁹²⁹ Quoted in <http://www.gianfrancobertagni.it/materiali/filosofiacomparata/griffiths.htm>

⁹³⁰ See in details Avenatti de Palumbo Cecilia Inés, The whole in the fragment: love as methodical core of the theological aesthetics of Hans Urs von Balthasar, *Franciscanum*, 54(157):165-178 (January 2012)

⁹³¹ Hebrews 5:6.

⁹³² Hebrews 5:6.

⁹³³ Jesus says: *Arise into the midst* (Mark 3:1-6)

⁹³⁴ See the essence: Hebrews 10:11-18

⁹³⁵ See in details: Hebrews 7:25-8:6

⁹³⁶ The Latin presbyter ultimately represents Greek πρεσβύτερος presbúteros, the regular Latin word for *priest* being *sacerdos*. It comes from the Latin *sacer*, sacred, combined with the radical dot: *I give*, in the sense of a minister who had the task of offering gifts to the divinity. Then the priest is a person who acts as a mediator between human and divine.

⁹³⁷ Psalm 104:15, <https://biblehub.com/psalms/104-15.htm>

four *Cardinal Virtues: Prudence, Fortitude, Temperance, and Justice*. That foursome was often joined by the three theological Virtues of *Faith, Hope, and Love (Charity)*.

In *The Cardinal Virtues*⁹³⁸ the leading philosophers of our time reflect on the nature of the cardinal virtues, also called *the principal human virtues*. The theme of virtue comes down to us through the history of philosophy and of Christian thought, literature, human sciences. Professor Giorello says: "Now, I don't know if this applies to all the cultures scattered throughout the planet, but it seems to me that these virtues have had an essential function in the Western tradition, both in the Greek component and in the component that we can call Jewish/Christian. The cardinal virtues are pillars that come from the past but are also voices for the present and the future".⁹³⁹

Rupp is sure: "We need to look for Sophia. By her very nature she is relational, present in the world, interacting among people and ordinary human lives. By desiring to know her, by opening our minds and hearts, her radiance will permeate our lives".⁹⁴⁰

Today, as before, Sophia remains an important prototype of our exile and the state of human alienation, the term outsider has taken on a new color in today's culture. *Stranger* is not a threatening guest of a distant star system, and he is not only an emigrant, a refugee. Now, during the period of viruses, lockdowns, lack of human rights protection, the images of outsider and the alien resonate in the minds and hearts of many of us. Not only does the phenomenon of emigration occupy an important place in our present world, but also many of those who have never left their homeland now feel strangers, not only as in a foreign country, but also as in a foreign world. For those unfamiliar with Sophia, alienation can seem like a pathology. For those who know Sophia, the awareness of this fact is a value. As Sophia fell into dark chaos, so our consciousness fell into darkness and desolation, and just as Sophia was saved in her day by the Supreme Messenger, so also we must be saved in the fulness of our time and restored to our native environment, in the eternity of truth and love.

Hannah K. Simpson argues that "the shock may have helped to bring about a permanent increase in the Court's capacity and accessibility. These findings are relevant to studies of the common law and the political economy of legal institutions generally."⁹⁴¹

Here is the quote attributed to Einstein: "The crisis is the greatest blessing for people and nations, because the crisis brings progress. Creativity comes from anxiety as the day comes from the dark night. E 'in the crisis that is inventiveness, discoveries and great strategies. Who overcomes crisis overcomes himself without being 'passed'. Who gives the crisis its failures and difficulties, violent his own talent and gives more value to the solutions to the problems. The real crisis is the crisis of incompetence. 'Inconvenience of people and nations is the laziness in seeking solutions and ways out. Without crisis there are no challenges, without challenges life is a routine, a slow agony. Without crisis there is no merit. In crisis emerges the best of each, because without crisis all winds are only mild breezes. Talk of crisis means increasing it, and be silent in the crisis is to exalt conformism. Instead, we work hard. Let us stop, once and for all with the only dangerous crisis, which is the tragedy of not being willing to overcome."⁹⁴²

⁹³⁸ Bodei Remo, Giorello Giulio, Marzano Michela, Veca Salvatore, *The cardinal virtues. Prudence, Temperance, Fortitude, Justice* (2018)

⁹³⁹<http://www.santalessandro.org/2017/08/26/le-virtu-cardinali-parlano-alluomo-di-oggi-la-temperanza-una-guida-a-rispettare-se-stessi-e-gli-altri/>

⁹⁴⁰<https://uscatholic.org/articles/201601/desperately-seeking-sophia/>

⁹⁴¹ Simpson Hannah K, *Justice for sale: political crises and legal development*, Department of Political Science, Texas A&M University System, College Station, Texas, USA

<https://www.cambridge.org/core/services/aop-cambridge-core/content/view/4E94D452936767AD0885FEFD38E35353/S204984702000031Xa.pdf/div-class-title-justice-for-sale-political-crises-and-legal-development-div.pdf>

⁹⁴²<https://skeptics.stackexchange.com/questions/39791/did-einstein-say-this-about-crisis>

The Sophia takes on a dynamic meaning that intensifies the call to relate with the totality of creation, cosmic and planetary at the same time. This in turn calls into question the tendency of human rights law to defend the freedom of thought, conscience, religion of the individual person as a special obligation.

Following Diarmuid O' Murchu⁹⁴³, we share that the notion of individual unity is relatively recent in human evolution. In fact, it is largely a by-product of industrial society, in which personal competition and skill have become fundamental values. The guiding value is cooperation rather than competition. But something deeper is at stake: the belief, that we are our relationships. It is surfacing in the emerging consciousness of our time. Who we are as individuals, and what we will transform into in the future, is determined by the quality of our interdependence with others, both human and non-human. Our very constitution as human beings is given by our ability to relate. And in our struggle to realize it in an authentic way we reveal to the world that we are made in the image of the Original Mystery, whose essential Trinitarian nature is also that of relationality.⁹⁴⁴ Konrad Lorenz⁹⁴⁵ said: "I have found the missing link between the higher ape and civilized man: It is we".⁹⁴⁶ This sentence is explained by reading the thoughts of Willigis Jäger:⁹⁴⁷"we human beings have passed from a pre-mental phase to the mental one, going through the phase of magical and mythical consciousness. What some saints and mystics are already able to grasp shouldn't happen. That is to say, shouldn't man's transition to his next stage of development, that of trans-mental consciousness, happen? It seems we are going through a particularly dangerous phase. However, we have not yet reached full maturity, that of the mystical dimension of consciousness which, evidently, constitutes the future of man. Before reaching it, we must pass through a rather dramatic phase, as the current situation of the world demonstrates".⁹⁴⁸

Trans-mental consciousness is a higher consciousness, which allows mystics to arrive at intuitions, which go beyond logic, on a metaphysical and transmental level towards the unified awareness of the entire universe. In short, men, judges lack that maturity of conscience - and Lorenz uses his strong expression in this sense - which allows to reach the visions of the mystical dimension. Also Teilhard de Chardin speaks of this further evolution of consciousness, which he identifies in the direction taken by the evolutionary process.⁹⁴⁹ Jager considers this lack of maturation negative because there is always the danger that the evolutionary process may take a different path, again due to man. Giuseppe Fusco⁹⁵⁰ writes about this popular idea of the theory of evolution.⁹⁵¹ He explains what is observed in the modern world with a process of change, generation after generation: the world is dominated by a struggle for survival and individual success. However,- Fusco is sure,- this scenario of extreme competition does not accord with the

⁹⁴³ Diarmuid O'Murchu is Irish priest, a member of the Sacred Heart Missionary Order, social psychologist and renowned author.

⁹⁴⁴More details: O'Murchu Diarmuid, *Doing Theology in an Evolutionary Way* (2021), <http://www.jmm.org.au/articles/19251.htm>

⁹⁴⁵ Konrad Zacharias Lorenz (1903-1989) was an Austrian zoologist, ethologist, and ornithologist. He shared the 1973 Nobel Prize in Physiology or Medicine with Nikolaas Tinbergen and Karl von Frisch. He is often regarded as one of the founders of modern ethology, the study of animal behavior.

⁹⁴⁶<https://www.goodreads.com/quotes/227625-i-have-found-the-missing-link-between-the-higher-ape>

⁹⁴⁷ Willigis Jäger (1925–2020) was a German Catholic priest and Benedictine monk. He was a Zen master. Jäger founded a centre of Zen and contemplation at the Münsterschwarzach Abbey in 1983, and his own Benediktushof, an inter-faith centre of meditation and awareness, in 2003.

⁹⁴⁸ Lorenz K. from Willigis Jager in *Search for the Meaning of Life: Essays and Reflections on the Mystical Experience* (2003)

⁹⁴⁹More details

<https://web.csulb.edu/~plowentr/teilhard3.htm#:~:text=Teilhard%20de%20Chardin%20viewed%20the,points%22%20can%20be%20discerned.>

⁹⁵⁰Associate Professor of Zoology, University of Padova, Department of Biology

⁹⁵¹<https://qui.uniud.it/notizieEventi/cultura/competizione-e-coopera-nella-teoria-dell2019%20Evolution-1>

widespread diffusion in nature of cooperative behaviors, in particular of the so-called altruistic ones, where, at least in appearance, individuals are observed working for the good of the community. In fact, to understand the evolution of cooperation and altruism it is necessary to overcome a simplistic view of natural selection, which identifies it with the individual struggle for survival, and to consider more subtle mechanisms through which it is exercised.⁹⁵²

For the purpose of applying judicial discretion in the cases on the right to freedom of thought, conscience, religion, we introduce the evolutionary mechanism that has particular relevance for the evolution of cooperative relationships. So, Matthew Fox⁹⁵³ proposes a new way of understanding human maturation. In a streamlined, limpid and provocative way Fox presents his vision of a spirituality of creation that recovers tradition of a mystic - with Francis of Assisi, Thomas Aquinas, Hildegard of Bingen and Meister Eckhart - who marvels and enjoys life and, at the same time, struggles for personal and social transformation. "With the measure they use, it will be measured to them—and even more. Whoever has will be given more; whoever does not have, even what they have will be taken from them".⁹⁵⁴ Fox is the rebel mystic. Fox invites men, including judges, to listen to the new creation story, the one offered by science, to marvel and learn to recognize existence as an uninterrupted series of gifts and blessings. Our age is not only a time of decline, but also of great opportunity, explains Fox, because for the first time in history we have a cosmic history that can unite all cultures, the sense of mystical awe in relation to science is awakening and not against it, the religions of the world place themselves fraternally in front of each other, true compassion returns to be at the center of the spiritual life.⁹⁵⁵

"In Lenin I honor a man, who in total sacrifice of his own person has committed his entire energy to realizing social justice. I do not find his methods advisable. One thing is certain, however: men like him are the guardians and renewers [Erneuerer] of mankind's conscience",⁹⁵⁶-Einstein said.

We propose to connect impact with wisdom in our unprecedented times. Mindful judge is sapient judge. Sapient judge knows what is just from the legal point of view. "Sapiens means wise or sapient. Wise means acceptance, not differentiation. Wise means helping, not fighting. Wise means assimilation, not destruction. Wise means harmony and peace, not dissension",⁹⁵⁷ - Abhijit Naskar⁹⁵⁸ says.

It is the invitation to men, to judges to make love with life, with rights of human being. If judges do not change, every right ends, instead it is necessary that every right is blurred and that nothing blocks what can happen ... "It is necessary that there is always change, that modifies what seemed immutable that sweeps away the habit",⁹⁵⁹ - A. Dehò⁹⁶⁰ says. *Making love with rights of human being*, believing in the impossible, in rights that remain available until the end, that nothing is closed and denied, every right exists even if it seems impossible and is not believed. Men, judges, vested of traditions, believe in blocked time,

⁹⁵² More details Fusco Giuseppe, Perspectives on Evolutionary and Developmental Biology (2018), <http://www.padovauniversitypress.it/publications/9788869381409>

⁹⁵³ Matthew Fox (1940) is an American priest and theologian. He is a representative of the so-called *creation spirituality*, a movement that focuses on medieval mystics and theologians such as Hildegard of Bingen, Thomas Aquinas, Eckhart von Hochheim and Nicolaus Cusanus.

⁹⁵⁴ Following Mark 4:21-25

⁹⁵⁵ See Fox Matthew, Creation Spirituality: Liberating Gifts for the Peoples of the Earth (1991)

⁹⁵⁶ From the speech for the fifth anniversary of Lenin's death, Einstein Archive, 413 (January 6, 1929)

⁹⁵⁷ Naskar Abhijit, The Islamophobic Civilization: Voyage of Acceptance (2017),

<https://www.quoteslyfe.com/author/Abhijit-Naskar-The-Islamophobic-Civilization-Voyage-of-Acceptance-quotes>

⁹⁵⁸ Abhijit Naskar (born 1991) is one of the world's celebrated Neuroscientists, an International Bestselling Author of numerous books and a popular advocate of mental health and global harmony, <https://naskarism.wordpress.com/>

⁹⁵⁹ <https://alessandrodeho.com/2020/04/04/non-andra-tutto-bene-uno-scritto-andando-spesso-a-capo-e-una-riflessione-sulle-palme/>

⁹⁶⁰ Alessandro Dehò, priest since 2006, <https://alessandrodeho.com/>

in what just happens, they don't wait for the impossible. Men, judges must be open towards rights of human being, expect that every right happens and unfold, that nothing is decided before, men must wait for the new time, for the idea to change.

St. Thomas Aquinas said it neatly and powerfully centuries ago: "Things known are in the knower according to the mode of the knower".⁹⁶¹

Why Sophia in a globalised world? The Lautsi case took place when modern ideologies were at a dead end. Now Europe questions itself more and more about its vision for "What are thought, conscience, religion?". The question Lautsi posed was if Christianity still has a place in modern civilization, or if it should be erased from this future Western identity. The Court finally reaffirmed the specific social legitimacy of Christianity in Europe, justifying the regulations conferring on the country's majority religion preponderant visibility in the public environment in view of the place occupied by Christianity in the history and tradition. The Court has simultaneously relativized secularism whilst denying it any form of neutrality: it is not a compulsory model that Europe must adhere to in the future. Also, the Grand Chamber ruling clarified the meaning of the concept of neutrality, showing that, first, it apply to the acting of the State and not to its being, and second, that it is an inclusive concept rather than an exclusive one.

From a more general point of view, there are many noticeable religious, geopolitical, legal, and institutional consequences of this case.

This case has strongly contributed to the ongoing reform of the European Court. The intervention of some twenty countries against the judgment of 2009 has allowed the Court to learn how to doubt itself, something which is good and necessary when so much power is involved.

Since then, the Court gave the impression to distance itself from this postmodern liberal ideology. This much is evident in a series of cases relating to abortion, bioethics, and homosexuality. The Court seems to have begun to manifest a certain judicial reserve in morally sensitive issues. While the Court had become one of the favorite playgrounds of ideological activism, especially with regard to bioethics and sexuality, it seems to be re-discovering that the moral and ethical values underlying societies are worthy of respect.⁹⁶² This was the case, for example, in *Schalk and Kopf v. Germany*.⁹⁶³ In that case, the Court ruled there was no right for same-sex couples to marry.⁹⁶⁴ Additionally, in the significant judgment of *A. B. and C. v. Ireland*,⁹⁶⁵ the Grand Chamber expressly stated that there is no right to abortion under the Convention.⁹⁶⁶ Further, in the case of *Hass v. Switzerland*, the Court ruled there was no right to assisted suicide.⁹⁶⁷ The Court increasingly acknowledges the moral sensitivity of the issues and the State's margin of appreciation in this regard. Similarly, in the case of *Wasmuth v. Germany*, which concerned the Church financing mechanism, the Court showed prudence against those who considered this case a new opportunity to reduce the influence of Christian churches.⁹⁶⁸ This trend has been confirmed with the ruling of the Grand Chamber in *S. H. v. Austria*.⁹⁶⁹ In this case

⁹⁶¹Quoted in Knitter Paul F, *Introducing Theologies of Religions* (2002)

⁹⁶² According to Metropolitan Hilarion of Volokolamsk, Chairman of the Department for the External Church Relations, "the Court itself has turned into an instrument of promoting an ultraliberal ideology." Letter to the Vatican State Secretary (Nov. 27, 2009).

⁹⁶³*Schalk v. Germany*, App. 30141/04, 2010 Eur. Ct. H.R.

⁹⁶⁴*Ibid*

⁹⁶⁵*A. B. and C. v. Ireland*, App. 25579/05, 2010 Eur. Ct. H.R.

⁹⁶⁶ This case held that the restrictions to abortion "were based on profound moral values concerning the nature of life" and concluded "that the impugned restriction therefore pursued the legitimate aim of the protection of morals of which the protection in Ireland of the right to life of the unborn was one aspect." *Id.* § 226–27.

⁹⁶⁷*Haas v. Switzerland*, App. 31322/07, 2011 Eur. Ct. H.R.

⁹⁶⁸*Wasmuth v. Germany*, App. 12884/03, 2011 Eur. Ct. H.R.

⁹⁶⁹App. 57813/00, 2011 Eur. Ct. H.R.

concerning the ban of techniques of artificial procreation with sperm or ova donations, the Grand Chamber again reversed a Section ruling, affirming that the reference to “natural procreation” and to the “natural family” (with only one mother and one father) as the model for the regulation of the techniques of artificial procreation, justifies the ban.⁹⁷⁰ It also confirms that the sensitive moral questions raised by in vitro fertilization (IVF) can legitimately be taken into consideration by national legislators. Italy, Germany, as well as the ECLJ also intervened in this case before the Grand Chamber.

The Lautsi case also had important consequences on national debates concerning the presence of religious symbols in schools, hospitals, or parliaments. These debates have existed for years, especially in Austria, Switzerland, Spain,⁹⁷¹ Quebec⁹⁷² and even Peru.⁹⁷³ have ruled that the presence of crucifixes in classrooms and courts was constitutional.

These judgments were pronounced at the same time as the Lautsi judgment. In Switzerland, on June 22, 2011, the Supreme Administrative Court rejected an application aimed at banning the display of the crucifix in the corridors of a Ticino school.⁹⁷⁴

Moreover, the Swiss Parliaments are presently examining a draft initiative that expressly aims at “authorising the symbols of the Christian West” in the public arena.⁹⁷⁵ Since then, other applications have been presented to the Court, one about the presence of icons in Romanian classrooms,⁹⁷⁶ and another about crucifixes in Italian courts.⁹⁷⁷

More fundamentally, the crucifix case has produced a deep unifying effect between the various European peoples. The support manifested by twenty-one countries bears witness that Christianity remains at the heart of European unity. This case was also an opportunity to bring the Catholic and Orthodox Churches nearer to each other and showed that their collaboration helps them influence the orientation of European policy. In the long term, this could be the largest consequence of Lautsi. “Only faith can guarantee the blessing that we hope for, or prove the existence of the realities that at present remain unseen”.⁹⁷⁸

Let's base on Henry Corbin's *"Swedenborg and Esoteric Islam: 4 (Swedenborg Studies)"* (2006), that studies "Mundus Imaginalis," or The Imaginary and the Imaginal," clarifying Corbin's use of the term he coined, "mundus imaginalis," or "the imaginal world." This important concept appears in both Swedenborgian and esoteric Islamic spirituality. In globalisation men are torn between two cultures, native and host, as they try to embrace both cultures and live by them both. A key to such a tension between two cultures is to maintain a bicultural existence by selecting appropriate elements of both cultural worlds. An understanding of Jesus Christ will have to be retrieved from both worlds. We propose that Wisdom is a concept or image which can be derived from both worlds. This Wisdom is Sophia. Wisdom is a profound concept that crosses all boundaries. Jesus Sophia offers

⁹⁷⁰Ibid

⁹⁷¹ The Government of Mr Zapatero has announced that its new law on religious freedom would ban the crucifix from public schools. The Government eventually renounced to affront such a new conflict and to pass this law.

⁹⁷² The Quebec National Assembly has also adopted a motion on May 22, 2008, citing that “The National Assembly reiterates its desire to promote the language, history, culture and values of the Quebec nation, promotes the integration of all our nation in a spirit of openness and reciprocity and demonstrates its attachment to our religious heritage and history represented by the crucifix in our blue Room and our coat of arms adorning our institutions.) and Romania. The constitutional courts of Austria (Verfassungsgerichtshof Österreich [VfGH] [AUSTRIAN CONSTITUTIONAL COURT] March 16, 2011, docket No. G 287/09-25, 9 VfGH 3. 2011, G 287/09 (Austria).

⁹⁷³Tribunal Constitucional, Jorge Manuel, Linares Bustamante, No 06111-2009-AA (March 22, 2011)

⁹⁷⁴ See *La Liberté*, Crucifix admis dans les couloirs, June 25, 2011.

⁹⁷⁵ Authorise the symbols of the Christian West in the public arena, Initiative 10.512n Iv.pa.Glanzmann.

⁹⁷⁶ Application of Emil Moise v. Romania, (not communicated to the government), accessible at the registrar of the ECHR

⁹⁷⁷ Application of Luigi Tosti v. Italy, (not communicated to the government), accessible at the registrar of the ECHR.

⁹⁷⁸ Hebrews 11,1-2.8-19

peace - unconditional love, tolerance, acceptance, self-worth, dignity and respect versus rights of human being.⁹⁷⁹

Our findings reveal that wisdom can be referred to understanding and comprehension of justice, eloquence in speech and constant rightfulness in statement, in decision-making, that leads to a just judicial discretion.

If judges want just decisions regarding the freedom of thought, conscience, religion, they must have conscience, consciousness, they must be mindful. St. Thomas Aquinas said it neatly and powerfully centuries ago: "Things known are in the knower according to the mode of the knower."⁹⁸⁰

⁹⁷⁹ See for ex, Abdullah Abdul Hakim, Halabi Kabara Auwal, The Wisdom: A Concept of Character Building Based on Islamic View, International Journal of Academic Research in Business and Social Sciences, Vol. 7, No. 5 (2017) <http://dx.doi.org/10.6007/IJARBS/v7-i5/2979>

⁹⁸⁰Quoted in Knitter Paul F, *Introducing Theologies of Religions* (2002)