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The role of the hyperintellectual in civil society building and democratization in the Balkans

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Abstract Although intellectuals have been a part of the cultural landscape, it is in post-conflict societies, such as those found in Kosovo and Bosnia, that there has arisen a need for an intellectual who is more than simply a social critic, an educator, a man of action, and a compassionate individual. Enter the hyperintellectual. As this essay will make clear, it is the hyperintellectual, who through a reciprocating critique and defense of both the nationalist enterprise and strong interventionism of the International Community, as well as being a man of action and compassionate and empathic insider, strives to create a climate of understanding and to enlarge the moral space so as to reduce the divisiveness between opposing parties. In this way the hyperintellectual becomes a catalyst for the creation of a democratic culture within the civil societies of Kosovo and Bosnia.

Keywords Bosnia and Herzegovina · Civil society · Democratization · Empathy · Hospitality · Hyperintellectual · Intellectuals · Kosovo · Moral performance · Public sphere

> "I am not mandated by anyone...I do not belong to any political party. I only represent myself: an intellectual and a citizen."
>
> —Jean Amrouche, an Algerian poet and intellectual

Introduction: the horizon of the hyperintellectual

The word 'intellectual' is of late-19th century French origin. Coined during the Dreyfus affair, it came to refer to those thinkers who were willing to intervene in a

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public forum even if it meant risk to themselves (Le Sueur 2001: 2). Theorists like Edward Said, Paul Ricoeur, Jean-Paul Sartre, and Michael Walzer have since contributed to the ongoing discussion about intellectuals: the intellectual is viewed as a critical outsider by Said, as a political educator by Ricoeur, as a man of action by Sartre, and as a caring insider by Walzer.

Describing the intellectual as such, however, makes no mention of the space within which the intellectual operates, i.e., civil society. It is within this space of human association and relational networks that a culture of dialogue, tolerance, moderation, and the mutually beneficial resolution of conflicts can be promoted, the sort of culture that embodies the attitudes and values of democratization. Although the intellectual as described above plays an important role in sustaining well-developed democratic civil societies, it is within post-conflict societies, such as those found in Kosovo and Bosnia, that there arises a need for an intellectual who is more than simply a social critic, an educator, a man of action, and a compassionate individual. Enter the hyperintellectual. What is perhaps most distinctive about the hyperintellectual is the degree to which this intellectual conducts social criticism, political education, action, and "insiderism" not as an ideologue, but as a non-partisan. The social criticism and political education of the hyperintellectual are manifested in a non-partisan way such that what is objectionable and defensible within each opposing camp is given voice. This is especially important for the building of post-conflict civil societies in Kosovo and Bosnia because the hyperintellectual is portrayed as "having no dog in the fight," thus as someone who is sincere about reducing the divisiveness created by ethnic nationalism and the strong interventionism employed by the International Community (IC).

It is worth remarking, in this connection, that to appreciate the pervasity and malevolence of the divisiveness caused by ethnic nationalism is to recognize how personal and group identities are intimately bound to the Other and Otherness. Consequently, nationalist elites of one ethnicity have "othered" Kosovars and Bosnians of another. This, in turn, is a reflection of a "hierarchical" ontology (i.e., the set of things and relationships that are said to exist in the universe), which casts the categories of ethnicity and religion as dominant over those of citizenship and humanity. Juxtaposing one of these categories against another for the sake of group cohesiveness eventually creates disdain for the ethnicity and religion of the Other, and this contempt is reflected in the corresponding xenophobic psychology (fear of the Other) and chauvinistic morality (the moral superiority of one's own ethno-religious group) (Conces 2005).

However, the situation has become increasingly more difficult because the xenophobia and chauvinism that were partly responsible for the civicide of the 1990s and that continue to polarize Kosovar and Bosnian societies is now colliding with the IC's strong interventionist efforts in democracy building.[1] Those with nationalist leanings see these efforts as incursions that weaken their self-determination and undermine their ethnic identity, a portrayal of democracy building not fully appreciated by the IC. On the other hand, the IC views the meddling of nationalists as an attempt to undermine the Dayton Peace Agreement

[1] See Arjun Appadurai (2006:117–118).

(DPA) and democracy building, criticism not taken seriously by nationalists. Regardless of whether both parties accept responsibility for these incursions and meddlings, continuous tension between ethnic nationalists and cosmopolitanism interventionists has created an opening for the hyperintellectual as a transformative agent between these apparent rivals. As this essay will make clear, it is the hyperintellectual, who through a reciprocating critique and defense of both the nationalist enterprise and strong interventionism, as well as being a man of action and a compassionate and empathic insider, strives to create a climate of understanding and to enlarge the moral space so as reduce the divisiveness between opposing parties. The latter is achieved in ways that reflect an inflationary model of morality, one that finds empathy (and hospitality) to be more important than tolerance. In this way the hyperintellectual becomes a catalyst for the creation of a democratic culture within the civil societies of Kosovo and Bosnia.

I begin with a description of the hyperintellectual. I then offer a definition of civil society and show that the hyperintellectual can serve as a catalyst for democratization within civil society by creating a climate of understanding that reduces the divisiveness between opposing parties. This is followed by a discussion of the inflationary model of morality, a model that exposes another way in which the hyperintellectual can be a transformative agent for democratization, this time by enlarging the moral space of rivals. I do not presume to argue how the hyperintellectual can be the cure of all the political and social ills in the Balkans. But I do hope to show how the hyperintellectual can serve democratization even if estrangement is the price paid by the hyperintellectual.

Who is the hyperintellectual?

Although the previously mentioned theorists did not specifically define and categorize the hyperintellectual, their work does offer the characteristics of which the hyperintellectual is a composite.

So far the hyperintellectual has been described as a social critic and an educator. This first characteristic is alluded to by Edward Said in his *Representations of the Intellectual* (1996). "The public role of the intellectual," declares Said, is "as outsider, 'amateur,' and disturber of the status quo" (1996: x). For Said, being an "insider" and a "professional" leads one to become more concerned with promoting special interests and his or her career, rather than with speaking the truth, for speaking the truth requires a readiness to disturb the status quo. In effect, the intellectual is an oppositional figure, one whose consciousness is guided by dissent rather than accommodation. However, it is important to keep in mind that the disturbance created by the intellectual is not a matter of opposing one dogma with another. On the contrary, it reflects the intellectual's "oppositionality" or homelessness.[2]

[2] Posner (2003: 31) introduces this distinction between oppositionality and opposition. An important element of the former is a sense of moral "homelessness," something that Theodor Adorno refers to when he writes: "It is a part of morality not to be at home in one's home" (1974: 39). I take oppositionality to be indicative of a willingness or an urge to search for that which is morally reasonable.

By disturbing the status quo, the intellectual breaks down inherited ways of viewing the world, those stereotypes and categories that often hamper our dealings with others. The intellectual strives to move beyond the easy or the familiar, to the point of "defamiliarizing" the obvious.[3] It is the responsibility of the intellectual, declares Said, to "question patriotic nationalism, corporate thinking, and a sense of class, racial or gender privilege" (1996: xiii). The intellectual thus offers the public a message that confronts orthodoxy and represents those segments of the population that are often forgotten by those who dominate society. Michel Foucault iterates this characteristic when he writes that the role of the intellectual is "to question over and over again what is postulated as self-evident, to disturb people's mental habits, the way they do and think things, to dissipate what is familiar and accepted, to reexamine rules and institutions" (1988: 265).

The second characteristic of the hyperintellectual is that he or she is someone who, following Paul Ricoeur's examination of the political educator, is committed to motivating people through "good counsel" in order that they become responsible citizens who can work and live together within a framework of a democratic economy (1974, 1986, 1992). Although this counsel may appear to be contrary to the role of the social critic, since it may involve a defense of institutional policy, the defense may well illustrate the non-partisanship that *challenges* what the dominated group finds as a self-evident wrong perpetrated by a powerful institution. In this account, the intellectual does not become a part of the "dialogue of the deaf," subservient to either side's "vision of history" and claims of being misunderstood, manipulated, or exploited.[4]

The third characteristic dominates Jean-Paul Sartre's thinking on the intellectual. The intellectual is someone who investigates the personal and social in order to bring about change. But if there is to be change, such as the elimination of discrimination, the intellectual must not only modify his or her thinking and the thinking of others by offering convincing arguments, but must also modify his or her sensibility, for discrimination is also an attitude (1974: 249). However, these modifications alone are not sufficient to eradicate this problem, for the intellectual's most valuable work in challenging a problem such as discrimination occurs on a far different, though not wholly unrelated, level. Since discrimination is not simply an idea, but an idea that is actualized in events that are dated and localized, the intellectual must produce concrete events that serve to reject discrimination on the level of events (1974: 251). The intellectual needs "to *join* [an action]..., to...participate in it physically..." (1974: 261). In other words, the intellectual must be engaged; the intellectual is a "man of action."

The final characteristic is that the intellectual is an insider. Although being an insider may seem contrary to the social critic as an outsider, Michael Walzer, best known for his *Spheres of Justice*, makes it clear that this need not be so. In his more recent book *The Company of Critics: Social Criticism and Political Commitment in the Twentieth Century*, Walzer refers to the critic as an insider insofar as the person exhibits a certain mindfulness and commitment to the society in question. The critic

[3] Amsterdam and Bruner (2000: 23).

[4] See Dragović-Soso (2002: 130–131).

is one "who cares about what happens to it [the society]" (2002: xi). To take a critical stand and a caring attitude toward a society, however, does not mean that the critic must meet the demand for objectivity through a "radical detachment, absolute impartiality, or a God's eye view of the world..." (2002: xii). On the contrary, the critic must be "engaged" in the society, and this engagement comes only from one's own subjective situation. As Franz Rosenzweig makes us clearly aware,

> the single condition imposed upon us by objectivity is that we survey the entire horizon; but we are not obliged to make this survey from any position other than the one in which we are, nor are we obliged to make it from no position at all. Our eyes are, indeed, only our own eyes; yet it would be folly to imagine that we must pluck them out in order to see straight. (1961: 179)

Although this engagement does not require the critic to reside within the society in question (one can be a critic in exile or an expatriate critic), it does expect a certain degree of knowledge about that society. There are many different perspectives and sets of experiences from which intellectuals voice their criticism. But the "good" social critic (though not necessarily the successful one) is not just someone who is empirically informed, although being informed is extremely important. The intellectual is someone, declares Walzer, to whom we need to listen, who "touch [es] our moral nerves...and force[s] us to look at what we would rather avoid, the wrongness in our own society, in our own lives" (2002: xiii). The intellectual is someone who is in possession of the moral virtues of courage, compassion, and a good eye (2002: xiv–xvii). Moral courage is important because it involves the ability to continue criticism when one's fellow citizens are silent or complicit. Compassion also has its place because knowledge of human suffering is crucial for appropriate criticism.[5] And a good eye is valuable because the critic must be open to the world in order to be honest about the presence of oppression, exploitation, and injustice.

But we have to wonder whether this description of the hyperintellectual as a composite is one that is instantiated by an actual person. There are those who may accept the archetype but demand the names of actual hyperintellectuals. The careers of the aforementioned theorists exemplify the role that each ascribed to the intellectual. Yet it may be that none of these theorists matches the archetype, that they fall well short of the mark demanded of them. How should we respond to this? One response is to admit that the archetype is an idealized model of a person, in which case intellectuals can only attempt to adopt each of the characteristics as best they can. It is all a matter of closing in on the archetype, such that the intellectual can better contribute to democratization efforts. Another response, more interesting to me because it requires the work of historians, is to put forth the name of an individual for consideration. Since this paper focuses on democratization in the Balkans, perhaps an example of someone from this region whose work is directed to this end would be appropriate. One name that comes to mind is that of the prominent

[5] Compassion [is] ...a state of mind that is nonviolent, nonharming, and nonaggressive. It is a mental attitude based on the wish for others to be free of their suffering and is associated with a sense of commitment, responsibility, and respect towards the other" (The Dalai Lama and Cutler 1998: 114).

Bosniac intellectual Adil Zulfikarpašić, a leading supporter of Bosniac nationhood. One can hardly read about Zulfikarpašić and his work and doubt that his career reflects the defining characteristics of the hyperintellectual.[6] Zulfikarpašić was the consummate embodiment of the oppositional figure. His dedication to promoting liberal democratic thinking in Bosnia and the open Bosniac identity has made him the subject of attack and ridicule,[7] whether from within the ranks of the party that he helped to found, the Party of Democratic Action (SDA), or from some segments of the expatriate community in Europe. To be sure, not everyone has been so accepting of his open Bosniac identity, a notion that disturbed the status quo by breaking down stereotypes. Zulfikarpašić's emphasis of that which is Bosniac also shows how he is a political educator who strives for the democratic unity of Bosnia and Herzegovina, for he believes such unity is possible because Bosniac nationhood is instrumental in solving the ongoing problem of Bosnia and the Bosnian Muslim. His work in founding the SDA and the Muslim Bosniac Organization (MBO), as well as his being the driving force behind *Bosanski pogledi*, a bi-monthly periodical launched in 1955, reflect him as a man of action. And his insiderism and virtuous being are shown in his concern for the future of the people of Bosnia whether Muslim or not. This is no better expressed than in the following passage: "The times and our situation require us to forgive one another, to rise above the level of insults and offence, if offence there has been, and to transcend all the regrettable things that have happened to us, for it is only in this way that we shall succeed" (Zulfikarpašić 1953). In short, fraternalism, reconciliation, and cooperation are a part of his caring attitude toward Bosnia and its people. Having said this, however, a worthwhile analysis of Zulfikarpašic as a hyperintellectual would have to involve a thorough examination of his life. Such an inquiry, however, would go well beyond the scope of this essay, and so is best left for others.

Further, it is not clear whether this description is adoptable. There are those who would say that not every intellectual reflects each of the aforementioned characteristics; that someone can be an intellectual without being a social critic, an educator, a man of action, an insider, or any combination thereof. It is important to realize that we cannot avoid the issue of which characteristics makeup the intellectual. No doubt, we could define "intellectual" in such a way that most ethnic nationalists, who carry xenophobia and chauvinism to new heights, are people who have just those attributes of an intellectual. But we are not interested in any intellectual, but in the sort of intellectual that is needed to promote a culture of dialogue, tolerance, moderation, and the mutually beneficial resolution of conflicts—which is to say, the hyperintellectual. Accordingly, someone is a hyperintellectual to the extent to which he or she reflects those characteristics that promote such a culture in a non-partisan manner, and the aforementioned characteristics tend to do just that.

[6] I am grateful to Šaćir Filandra and Enes Karić (2004) for their excellent biography of Adil Zulfikarpašić.

[7] Zulfikarpašić contends that a Bosniac might very well be someone other than a Muslim, a clear reference to his political and ideological notion of an "open Bosniac identity." He offered a clear expression of this notion in a 1962 article: "But everything suggests that the Bosniacs of all three faiths have become aware that a united Bosnia is the best solution, in the interests of the Muslims, but also of the Serbs and Croats living there" (Zulfikarpašić 1962: 15).

It is also important to keep in mind that hyperintellectuals, like other intellectuals, operate within the space of civil society, a space that is crucial for geographical territories that are in need of democratization (Bremer & McConnell 2006; Chandler 2000; Diamond 1994, 2005; Fine 1996; Held 1995; Seligman 1992). Two post-conflict territories that fit this description are Bosnia and Kosovo, places in which the International Community's (IC) reconstruction efforts continue to include the creation of civil societies and the democracies that such societies help to sustain.

Although these efforts look upon political institutions like "free, fair, and frequent elections" and "freedom of expression" as crucial for democracy (Dahl 2005), these institutions are only as effective as the culture that "holds" them together (Gibson 2004) or the web that suspends them (Geertz 1973). Integral to this support is civil society, for it is within this space that culture shapes how people behave politically. As Bruce Parrott has reminded us, "It stands to reason that political culture affects whether citizens choose to support moderate or extreme political movements and parties, and whether they choose to engage in democratic or anti-democratic forms of political participation" (1997: 21–22). This is no less true for places like Bosnia and Kosovo, where the formation of a culture of dialogue, tolerance, moderation, and the mutually beneficial resolution of conflicts are crucial for democracy building. It is to a consideration of civil society and how the hyperintellectual can act to enhance understanding and reduce divisiveness between rivals that I now turn.

The hyperintellectual's task: (i) building a climate of understanding

The public sphere and civil society

In order to lay out the relationship between the hyperintellectual and civil society, it is important to first understand the idea of public sphere as explored by Jürgen Habermas in his essay "Offentlichkeit" (1989) and the idea of civil society as formulated by Michael Walzer in his essay "The Idea of Civil Society" (1991).

According to Habermas, the public sphere is

> a domain of our social life in which such a thing as public opinion can be formed. Access to the public sphere is open in principle to all citizens. A portion of the public sphere is constituted in every conversation in which private persons come together to form a public....Citizens act as a public when they deal with matters of general interest without being subject to coercion....We speak of a political public sphere....when the public discussions concern objects connected with the practice of the state. (1989: 231)

The public sphere comes into being when people come together to discuss public concerns, with the "political" variant being created when those individuals discuss matters of politics. In other words, the political sphere is created with the "dialogical publicity" of one's politics. It is never a matter of remaining "private," but always a matter of *being* within a discursive space.

But as Noëlle McAfee rightly notes in *Habermas, Kristeva and Citizenship*, the public sphere is neither the lived, communicative space of the home or work place, nor is it a part of the official structure and mechanism of governance (2000: 81–101). Instead, the public sphere is a social space in which people can freely come together to engage in meaningful dialogue about issues that concern them (Habermas 1996: 360–361). It is that part of the spatial network which exists between the private sphere and the state.

What then of the relationship between the public sphere and civil society? As Walzer points out, "'civil society'" name[s] the space of uncoerced human association and also the set of relational networks—formed for the sake of family, faith, interest, and ideology—that fill this space" (1991: 293). Civil society is a more encompassing space because it includes the entire array of public spheres. Although civil society involves a communicative encounter, the emphasis here is on civil society being an "associational life."[8] But what exactly are the networks composed of? For Walzer, they include the "unions, churches, political parties and movements, cooperatives, neighborhoods, schools of thought, societies for promoting or preventing this and that" (293). Unions, churches, and the like, however, do not fully describe civil society's networks, for theses networks also include associations such as garden and bowling clubs, interest groups, and coffee klatches (McAfee 2000: 83). There are also the press, professional organizations, and non-governmental organizations (NGOs). These associations and networks of common interest or concern (which in many cases have little, if any, regard for politics) occasionally allow people to leave the confines of their homes and workplaces to enter into a more expansive common life, whereby civility can be furthered and the good life made pronounced.

Although civil society is often referred to as being compatible with or promotional of democracy, it "can be racist, exclusionary, backward and recalcitrant" (McAfee 2000: 84). Bosnia and Kosovo, being settings of deeply-entrenched conflicts, are still dealing with the divisiveness of xenophobia and chauvinism related to various ethnic nationalisms. So associational life may have little to do with civility, at least civility as it pertains to interethnic group interaction. Here, Harold Saunder's distinction between "civil society" and "democratic civil society" is illuminating and gives us an ideal to work towards. Whereas the former is simply that complex network of associations and relationships that citizens generate to deal with the problems they face throughout life, the latter reflects a "qualitative" change in the sort of network that the person is a part of, i.e., "the ways citizens relate within ...[groups] and how these groups relate to others—[through] deliberation, dialogue, collaboration rather than authoritarian or adversarial interactions" (2005: 58). Here, then, the difference is about the propagation of

[8] Here I draw upon Kwame Anthony Appiah's account of cosmopolitanism as communicative and associative (2006). Cosmopolitanism, for Appiah, "shouldn't be seen as some exalted attainment: It begins with the simple idea that in the human community,...we need to develop habits of coexistence: Conversation in its old meaning of living together, association. And conversation in its modern sense [actual discourse], too" (xix).

a democratic culture that can help to ward off an overpowering state and constrain the more authoritarian elements within society.[9]

But to acknowledge that civil society is Janus-faced is to recognize its fragility. Thinkers and doers of all kinds, including the ethnic nationalist variety, often become self-proclaimed intellectuals who proudly show their xenophobia and chauvinism in the hope of increasing their ranks and power within an increasingly fragmented society. Thus, they operate within civil society in ways that are antithetical to democratic culture. But no matter how precarious the situation, the goal is for civil society to incorporate an increasingly democratic culture of dialogue, tolerance, moderation, and mutually beneficial resolution of conflicts. Clearly, the political public sphere can play a dominant role in promoting a democratic culture; moreover, I submit that the hyperintellectual can play a dominant role within this sphere.

A case of hyperintellectualism in Bosnian democratization

How does the hyperintellectual express his or her presence in developing a democratic culture within the political sphere of civil society? It should be remembered first that the hyperintellectual is a social critic, a political educator, and a man of action bundled in a way that is indicative of non-partisanship. It is by being a social critic as expressed in an oppositionality to any single ideology, a political educator as shown by a commitment to motivate people through good counsel to become responsible citizens who can live and work together, and a man of action expressed in an engagement that brings about concrete change in society that the hyperintellectual can help to promote and sustain dialogue, tolerance, moderation, and mutually beneficial resolution of conflicts as the core elements of a democratic culture. More specifically, one could say the hyperintellectual might be useful in enhancing an understanding between rivals which could lead to a reduction in the divisiveness between them.

What this might mean in practice is an attempt to improve the efficacy of the International Community's peace-building efforts in Bosnia by arguing for the moral legitimacy of these efforts, even though those often arouse the suspicion and anger of many nationalists because the measures used are sometimes felt to be imposed on them. In a word, the IC's administration of Bosnia is seen as contrary to the interests of the minority communities, with the potential of producing more and more divisiveness. But if the hyperintellectual can successfully argue for the moral legitimacy of these efforts, these efforts may be one less source of divisiveness.

At the center of this debate over the moral legitimacy of peace-building in Bosnia are the crucial but rarely posed questions of whether such efforts are instances of self-protection and paternalism, or whether they contribute to greater degrees of autonomy. If those entrusted with rebuilding Bosnia are to address the question of how people ought to live in that country, they must do more than give their policies and decrees a purely legalistic justification vis-á-vis the DPA. They must examine

[9] Bremer refers to trade unions, political parties, and professional organizations as the "social 'shock absorbers'" that "help cushion the individual from an overpowering government" (2006: 12).

the moral justification of their work and ask whether their work is autonomy-enhancing.[10] A sketch of what the hyperintellectual might say would be useful.

The obstructionism inherent in ethnic nationalist politics was an impetus for drafting the DPA in a way that mandated the IC taking on the role of manager of the Bosnian state. That is also why the IC, in the guise of the UN High Representative, continues to follow a heavy-handed approach in countering the negative effects that this ideology has on the civil implementation of the DPA. The January 2005 decree made by the High Representative, Paddy Ashdown, is a case in point. After years of eroding the civic and multi-ethnic character of the city of Mostar, evidenced by the existence of parallel municipal structures and services, and the unwillingness of some city politicians to engage earnestly in the municipal reorganization process, Ashdown, in the exercise of the powers vested in the position of High Representative, presented the people of Mostar with the statute by which their city would be governed.[11] This unyielding and uncompromising measure and those that preceded it are understood by many in the IC as justified because they are in keeping with the wide mandate of the DPA and its numerous annexes and extensions. But others, including many nationalists, find such practices offensive and, perhaps, morally objectionable.

Therefore, the hyperintellectual must first define 'self-protectionism' and 'paternalism,' and then decide which of the IC's measures fall under each. In searching for a starting point, Gerald Dworkin's "Paternalism" is an excellent choice. We get a sense of what self-protection means in the following passage by Mill that is much quoted by Dworkin:

> the sole end for which mankind are warranted, individuals or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.... (135)

The sort of conduct that Mill has in mind is not purely self-regarding or personal; it is other-regarding. And given that it is important to protect the integrity of the individual so that he or she can enjoy being an autonomous agent, self-protection is sufficient to warrant intervention in the lives of others.

How does this conduct relate to Bosnia? If, for example, nationalist elites were causing harm by paralyzing municipal institutions of the city of Mostar through political feuding and genuine incompetence, thereby hampering the distribution of the much needed services of water, electricity, law enforcement, and trash collection to the city's residents, and if Ashdown's 2005 decree were intended to prevent Bosnian nationalist elites from causing further harm, then there would be at least a *prima facie* warrant for such a decree. And if being harmed by going without goods and services diminishes one's autonomy, then the cessation of harm can only be autonomy-enhancing. It is a *prima facie* warrant, however, because a clear burden

[10] Autonomy is the capacity to be a self-legislating agent who takes responsibility for his or her actions.

[11] See Paddy Ashdown's 28 January 2005 Speech and his 28 January 2005 "Decision Enacting the Statute of the City of Mostar." Both available from World Wide Web (http://www.ohr.int).

of proof must be placed on the authorities to demonstrate the exact nature of the harm being done to the residents of Mostar and how the High Representative's measures will prevent further harm and enhance autonomy. The burden of proof is needed not only because any interference with people's liberty of action in such dramatic ways needs to be justified, but also because it can reasonably be assumed that each measure taken by the IC is likely to be viewed as an attempt to undermine nationalist interests, in which case providing a justification would preempt nationalist rhetoric. What makes the hyperintellectual's argument for the warrant, as well as its being a *prima facie* warrant, especially important is, in part, that it is non-partisan: it gives voice to both sides and presents the hyperintellectual as "having no dog in the fight." And without a dog in the fight, the hyperintellectual acquires a certain degree of acceptance by both the nationalist and the representative of the International Community.

But might some of these same measures have a paternalistic dimension as well? Perhaps, but only after confusing paternalism for something else. Suppose we follow Dworkin's definition of paternalism, which is "the interference with a person's liberty of action justified by reasons referring exclusively to the welfare, good, happiness, needs, interests, or values of the person being coerced" (1983: 20). If we focus on the rationale for implementing more coercive peace-building measures like restricting nationalist elites from political participation and eliminating parallel institutions, we can acknowledge that the reasons originally adduced to support these measures do in fact reflect "the welfare, good, happiness, needs, interests, or values" of Bosnians. But these measures, as in the case of Mostar, are a tough response to actions that are harming residents of that city. So to say that the IC's efforts are paternalistic suggests paternalism to be something it is not, i.e., wholly concerned with other-regarding conduct. As I read Dworkin, however, paternalism is concerned with self-regarding conduct or matters that are "exclusive" to the person. But the feuding and incompetence in Mostar is none other than other-regarding conduct. Consequently, the discussion need go no further: the sort of peace-building measures that we have in mind are all other-regarding and so fall outside paternalism. The most that can be given is a protectionist justification. Yet ending this discussion may be premature.

Although the IC may construe these more coercive peace-building measures as imposing restrictions on other-regarding conduct, thereby allowing the IC to *protect* people from certain kinds of harm, nationalists may still disagree with this view. In fact, nationalists of whatever ethnic group may not only claim that no harm is being done to members of other groups, but may also claim that the conduct in which they are engaged is self-regarding insofar as it allows members of their own ethnic group to behave in ways that they deem important and that reflect their conception of who they are as individuals possessing a certain ethnic identity. Thus, some of those peace-building measures that are said to be protectionist are now construed by the nationalist as paternalistic and unjustified.

Here, too, the hyperintellectual must place a heavy and clear burden of proof on nationalists and members of the IC to demonstrate the presence, absence, or risk of harm, because the argument for paternalism turns on there being neither harm nor the likelihood of harm to others. If no harm is being done to others, then the conduct

that is being addressed by interventionism must be other-regarding, thereby making the claim of paternalism groundless and eliminating any need for the IC to argue for justifiable paternalism.

It may seem that proving or disproving harm or the risk of harm is a relatively simple task. However, harm is understood in different ways. A young man, for example, who is a Bosnian Croat nationalist living in Mostar, may look at the parallel institutions and, although he acknowledges that the feuding and incompetence have led to some "inconvenience" to the residents of West Mostar, still believe this a better arrangement and a step toward acquiring more autonomy and eventual sovereignty for Bosnian Croats. Is this inconvenience the sort of harm that other-regarding conduct and protectionism require? Or is this arrangement a matter of self-regarding conduct that is for the person's "own good" (or, now it seems, group-regarding conduct), and thus off limits to intervention? On the other hand, the High Representative may claim that this is exactly what is meant by harm and may further claim that there is much more to come, e.g., the possibility of renewed violence because of the divisiveness caused by ethnic nationalism.

The situation is obviously more complicated than this. Take, for example, that same Bosnian Croat nationalist living in Mostar. Suppose he possesses a strong sense of oneness with his ethnic community and believes that what is good for the Croats of Mostar is also good for him. He has been told about the evils of ethnic nationalism but continues to remain true to his beliefs by repeatedly voting for and giving consent to his nationalist leaders. Is this a case of not sufficiently understanding or correctly appreciating the dangers that may await the nationalist? And if the High Representative responds by saying that most reasonable people do not wish disruptions in their utilities and being victimized by violent assault, thus presuming that this individual did not wish to run those risks either, then what do the nationalist and High Representative have to talk about?[12] Not much, though the hyperintellectual can do much to further this conversation.

However, the hyperintellectual is also characterized as someone who is an insider insofar as he or she cares about the society in question, a caring that is predicated on the possession of the moral virtues of courage, compassion, and a good eye. Of these, compassion is particularly interesting given that its importance is explained by the inflationary model of morality, a view that can support democracy building by enlarging moral space through the utilization of empathy (and hospitality) rather than tolerance. Even though people tend to pride themselves in being tolerant of others, democratization may be better served in the long run through empathy and hospitality.[13] In what follows, I shall discuss this model of morality so that the last connection can be made between the hyperintellectual and democratization.

[12] Feinberg (1983). Legal paternalism. (In R. Sartorius (Ed.), *Paternalism*, (pp. 3–18). Minneapolis: University of Minnesota Press.)

[13] Martin Marty points out that "one of the problems with tolerance within pluralism is that those who tolerate often have the power or the will to remake the Other into some manageable image. Hospitality permits—indeed, it insists on—regarding the Other as being really different" (2005: 124). In other words, tolerance allows the dominant to "put up" with the Other.

The hyperintellectual's task: (ii) enlarging moral space

The inflationary model of morality

Since the beginning of Western moral philosophy some twenty-five hundred years ago in Greece, there has been a debate concerning the relation between reason and emotion. If we accept the portrayal of moral philosophy as a reasoned analysis of the nature of morality and all that it requires of us, then we find in Plato's *Republic* what amounts to the beginning of this very long debate, a discussion of "how we ought to live." It is reason rather than emotion that prevails in our deliberations. When it comes to searching for a "universal and objective" foundation of morality, it is again reason that is found to be the worthy candidate. Kant is the epitome of this reason-bound view of morality. He argued that it is not because we possess the capacity for feeling that we are moral agents, but because we have the capacity for reason. At the heart of morality is respect for others, which unfolds from the supreme moral principle: The Categorical Imperative. If we are to respect other persons, as stated in The Formula of the End of Itself, it is because we ought to "act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end" (Kant 1967: 91).

But should respect for others be our sole interest? What about concern for others, i.e., *care* shown towards the Other's autonomy? As Arne Johan Vetelesen points out in his *Perception, Empathy, and Judgment*, Vetelesen has no place for concern within morality because concern turns on our capacity for feeling (1994: 1). But perhaps Vetelesen is correct to question the opposition between respect and concern. Could someone have respect for others, i.e., take into account the integrity of those other persons—their inviolable right to decide what is in their best interests—and not "show any concern for the weal and woe of those others" (1994, 2). Similarly, does it even make sense to talk of showing concern for someone while not also having respect for that person? No, for autonomy and integrity seem to work together. Clearly, there is a place for concern in moral performance.

This is not to say that reason is not important in morality. It is important, particularly when the very possibility of rational discourse concerning moral judgments is cast aside by those who have adopted a faith-driven morality. I believe Daniel C. Dennett is correct when he writes that

> anyone who professes that a particular point of moral conviction is not discussable, not debatable, not negotiable, simply because it is the word of God, or because the Bible says so, or because "that is what all Muslims...believe, and I am a Muslim ..." should be seen to be making it impossible for the rest of us to take their views seriously, excusing themselves from the moral conversation, inadvertently acknowledging that their own views are not conscientiously maintained and deserve no further hearing. (2006: B8)

He goes on to explain:

> Suppose you believe that stem-cell research is wrong because God has told you so. Even if you are right—that is, even if God does exist and has, personally, told you that stem-cell research is wrong—you cannot reasonably expect others who do not share your faith or experience to accept that as a reason. The fact that your faith is so strong that you cannot do otherwise just shows...that you are disabled for moral persuasion....And if you reply that you can, but you won't consider reasons for and against your conviction,...you avow your willful refusal to abide by the minimal conditions of rational discussion. (2006: B8)

Therefore, there is something to the primacy traditionally given to reason. And it is understandable why many have taken the standard model to be an acceptable alternative to faith-driven morality, for we are not talking about matters of taste but moral concerns that require rational justification.

Even so, perhaps we need a more "holistic" account of morality—i.e., an inflationary model—that includes, but is not limited to, reason's role in making moral judgments through the use of principles and norms, in order to more adequately capture the moral predicament of persons who are endowed with emotional faculties, as well as intellectual ones. Indeed, we must explain how we become "attentive" to such a predicament. *Perception, Empathy, and Judgment* is very helpful in this regard. Vetelesen "retrieves" the notion of moral perception and the importance of emotion, particularly empathy, for this perception which he cites as the first stage of moral performance.

Exploring moral performance in this way offers a more adequate account of morality, for we realize that the emotional faculty of empathy is our principal mode of access to the moral domain, which is showing concern and having respect for others. Moreover, in recognizing the importance of empathy for moral perception and thus for moral performance, Vetelesen's inflationary model provides us with the theoretical basis needed to understand how the hyperintellectual can promote the formation of a democratic culture by even expanding the moral space of ethnic nationalists.

The inflationary model, the hyperintellectual, and democratization in the Balkans

What, then, are the relevant aspects of the inflationary model for demonstrating the relevance of the hyperintellectual in democratization? Moral performance is a view of moral agency. Such agency is often depicted as beginning with a moral predicament followed by judgment and action. This depiction suggests that any two well-informed, rational individuals who use the same moral theory when stumbling into a predicament would become attentive to the same particular moral circumstance(s) of that situation, even though their subsequent judgments and actions might differ. However, this view does not explain how we "attend" to the objects of moral judgments in the first place. How do we come in contact with the "stuff" of moral judgments? Vetelesen's answer is that

> moral perception provides and shapes the setting for moral judgment and moral action. Moral judgment is concerned with the cognitive grasp, assessment, and weighing of the weal and woe, of the well-being, interests, and rights of all the parties affected by a situation,... In passing judgment on how best to act considering the viewpoints of all concerned..., I will need norms and principles to guide me in my deliberations. But my cognitive-intellectual knowledge in this field...comes to naught and remains impotent if I am not sensitive to, if I do not "see"..., the situation at hand as a *morally* relevant one,...The sequence of moral performance is set in motion by an act of moral perception. Moral perception takes place prior to moral judgment and provides the basis for its exercise. (4–5)

What allows us to "see" the situation as a morally relevant one? Vetelesen writes:

> We experience the objects of moral judgments through emotion....Emotions anchor us to the *particular* moral circumstance, to the aspect of a situation that addresses us immediately, to the *here and now*. To "see" the circumstance and to see oneself as addressed by it, and thus to be susceptible to the way a situation affects the weal and woe of others, in short, to identify a situation as carrying *moral significance* in the first place—all of this is required in order to enter the domain of the moral, and none of it would come about without the basic emotional faculty of empathy. (4)

Empathy is further characterized by Vetelesen in the following way:

> It is by virtue of this faculty that I can put myself in the place of the other by way of a feeling-into and feeling-with. Empathy allows me to develop an appreciation of how the other experiences his or her situation; empathy facilitates the first reaching out toward and gaining access to the other's experience, but empathy does not... mean that I myself come to feel what the other feels. I do not have to feel the other's feeling in order to grasp, and thereupon be able to judge in light of, how the other experiences the situation he or she is in. (8)

Given that moral perception is what "initiates" moral performance, a person's inattentiveness or indifference—lack of empathy—to the moral circumstances of a situation, will have devastating results for passing judgments. Perhaps this is less of a problem for those who reside in situations of relative tranquility, for there will be frequent personal interactions that are "felt" to be positive. At some point the basic emotional faculty of empathy is triggered. But consider those situations that are less than tranquil. Given the hatred and anger that often overwhelm the empathic response of those who espouse ethnic nationalism, nationalists may become "combative" and stricken with a "malevolent" form of inattentiveness. It is not simply a "lack" of empathy, but rather a set of contrary emotions that inhibit empathy. In the case of "benign" inattentiveness or indifference, the Other has little, if any, moral significance. In the case of combativeness, however, the situation is much worse, for it is likely that some harm will be done to the

Other.[14] The quantity and quality of felt interactions will be different. The possibility of respect and concern toward the Other at this point ceases; increasing the weal is not an option, but increasing the woe is, and this situation is contrary to empathy. In such a hostile situation, moral perception must be "jump-started" by the reinvigoration of attentiveness (or empathy), thereby allowing one to once again recognize the Other's moral significance and well-being.

How is this to occur? Vetelesen contends that attentiveness can be learned. We can learn to see that a situation addresses me in a certain way, and that positions me to take notice of the Other's moral circumstance, to feel empathy, and to have concern for the Other. This takes place in everyday life, in what Tom Kitwood calls

> our countless small and unreflective actions towards each other, and the patterns of living and relating which every human being gradually creates. It is here that we are systematically rejected or discounted, accepted or rejected, enhanced or diminished in our personal being. (1990: 149)

It is in everyday life that we create moral space, space within which we are a part of a web of "person-enhancing" relationships. However, there seems to be a hollowness to this proposal. Given that everyday life is full of both acceptance and rejection, enhancement and diminishment, how is empathy to be learned? And how is it to be learned in the more stressful conditions of combativeness? If people are continually rejected and have their personal being diminished, it is not likely that they will learn the attentiveness needed to feel empathy. Combativeness may prevail, thereby preventing a "healthy" emotional response and, thus, the *debacle* of moral performance.

This is especially true of societies in which ethnic nationalism has become a principal component of peoples' identity and a cause of much conflict. In fact, the moral space in these situations could, at best, be "compressed," and, at worst, "closed."[15] So the question remains how to expand or open moral space that will eventually allow for moral perception or for seeing the morally relevant circumstances of peoples' situations. In an earlier work, I emphasized that practical measures such as intercultural education, storytelling, and moral imagination could be used to expand the moral circle (or moral space), thereby "allowing them [people of different cultures] to experience empathy with the other, and to act in a more compassionate and civically responsible way toward them" (Conces 2005: 166). Although these practical measures remain useful as devices to rekindle attentiveness or empathy, it now seems clear that their viability is predicated on the willingness to interact in close proximity, whether this be completely self-induced or partly brought about—through incentives and/or coercion—by the International

[14] Granted, the harm created by indifference is potentially greater than that caused by hatred, primarily because of its indiscriminateness (Veteslesen 1994: 252–253); but hatred has a certain directness to its harm that indifference does not possess.

[15] Vetelesen notes that Nazi ideology encouraged the closing of not only the public space within Germany, but also the moral space, which "assumed the form of a suppression of the emotional capacities in each of them" (1994: 9).

Community or a NGO. And it is not enough to say, as Vetelesen does, that we must make the link between the human and the moral come to life through a change in attitude:

> The link is such that the perceived human reality of a situation involving the weal and woe of others *addresses* me, calls upon me, lays a moral obligation on me because I am, see myself as, and wish to be able to continue to see myself as a human being. But it must be emphasized that this link is recognized by the subject only if he or she adopts a participatory, rather than an objectifying and detached, attitude towards others. (10)

The question remains, how is this attentiveness (or participatory attitude) to be "triggered" so that intercultural education, storytelling, and moral imagination can stir up empathic responses? Perhaps the theologian Martin Marty, in reference to "collisions of faiths," provides us with a clue when he writes that the first address to collisions between "strangers" should be "a call that at least one party begin to effect change by *risking* [my italics] hospitality toward the other" (2005: 1). It amounts to receiving a stranger, who may be disliked and even hated. But it is a "risk," which means that the "initial" risk taker, as well as the "invited" one who must decide whether to take a risk him- or herself by accepting the offer of hospitality, could incur some costs if the interaction does not enhance or open the moral space between the two.

Is this the work of an insider, a hyperintellectual? Only, it might be said, if we take the virtue of courage to be a form of risk taking, and a risk taking that is prior to the ability to continue criticism when one's fellow citizens are silent or complicit. It is a risk of extending an invitation to the Other to engage in the cooperative venture of hospitality. Perhaps hospitality rather than oppositionality is what the hyperintellectual strives for on the road to democratization. The outcome is uncertain, but if successful, showing hospitality

> inevitably involves us in a sympathetic passing over into the other's life and stories and a coming back into our own life and stories enriched with new insight. To see life through a story which requires us to welcome the stranger is to be forced to recognize the dignity of the stranger who does not share our story" (Fasching 1994: 9).

Clearly, taking such a risk means that we are forced to attend to the Other and to be addressed by the moral circumstance, thereby provoking concern and respect for the Other. Unfortunately, there is no easy solution to preventing ethnic nationalism from constraining moral space through demonizing the Other and leading people to be inordinately combative. As I previously suggested, however, empathy appears to be sometimes overwhelmed by combativeness in members of different ethno-religious groups, such that the resulting animosities are to a degree taken to be a part of their psyches. But empathy need not be lost, misplaced, or overwhelmed for long; it can be rekindled, though it may take great effort on the part of many. It is at this juncture that hospitality becomes important, for one must decide to take a "risk" and extend hospitality to the Other. The absence of such a gesture may well result in the moral space remaining stagnant. In a word, hospitality is a portal through which

we all can enter shared moral space, though there is no guarantee that we will all make the trip. But it is when hospitality takes the form of intercultural education, storytelling, and moral imagination that real progress is likely; and there is no reason why the hyperintellectual cannot become a participant in this process. This is especially true of the hyperintellectual who is perhaps more like a moral theorist, someone who projects new conceptions of moral life through acts of moral imagination.[16]

While I agree that the hyperintellectual can in a very practical sense help others engage, it is expected that some individuals may still not be inclined to be hospitable, in which case they must be "prompted" to do so. This is where the IC must be willing to accept the paradox of democracy formation as a condition of its work in religiously and ethnically fragmented societies. If ethno-religious communities are unwilling to engage with one another, then the IC must *dictate* institutions and policies that require members of these communities to work and live together, allowing them greater opportunities to engage in hospitality so as to move closer to creating their own democracy. Ultimately, "risk taking" is what will bring about a democratic culture in the Balkans. "Playing it safe" will only perpetuate the undemocratic status quo. Change will come about when enough people recognize, both theoretically and practically, that hospitality is essential for moral agency, and that concern and respect for one's fellow human beings, as well as for the creation of a democratic culture are required. Once again, the hyperintellectual can be useful, though in this case it would be in terms of offering theoretical support for the moral legitimacy of the IC's peace-building efforts. By clarifying these efforts as instances of self-protectionism and autonomy-enhancing, the hyperintellectual can make strides in reducing the divisiveness between parties who are at odds with one another.

I have sketched what I take to be a theoretically compelling framework for situating the hyperintellectual in modern-day civil society building and democratization, as well as a practical scheme that recognizes this intellectual as a catalyst for the creation of democratic culture. I am well aware that I have not made a detailed, and therefore perhaps failed to make a convincing, argument that has tied the hyperintellectual to democratization. It nonetheless strikes me as encouraging that the inflationary model of morality has brought us to a plausible framework for the best that the hyperintellectual has to offer. It is my hope that this effort to offer a practically oriented theoretical framework in this way can not only limit the slandering of the intellectual in the public domain, but also may open up new possibilities for the creation of democratic culture in places like the Balkans.

Conclusion: estrangement as the curse of the hyperintellectual

In a sense, the hyperintellectual informs us all, including the nationalist and the interventionist, that our predicament is like staring at bits of shattered mirror. As we poke at the shards, declares Kwame Anthony Appiah, we see that

> each shard reflects one part of a complex truth from its own particular angle.... [However] you will find parts of the truth (along with much error) everywhere and the whole truth nowhere. The deepest mistake,...is to think that your little shard of mirror can reflect the whole. (2006: 8)

Understanding can only be achieved within a group. Perhaps this is the best that the hyperintellectual can hope to attain. The hyperintellectual has contemplated, intervened, and taken a risk. The risk, of course, becomes real when estrangement sets in, when people do not respond to emails, return phone calls, or editors ignore submissions. Although reason continues to rule, visceral feelings of inadequacy, resentment, and rage may remain real. This is the existential fury that must be restrained. Yet it is only by living against the grain and enduring the estrangement and fury that the hyperintellectual holds to his or her vocation, readying a new set of projects for the following day. The hyperintellectual is bent on transgressing boundaries and combating dialogical dogmatism. There is never any guarantee of success; yet the fact that there is estrangement to be endured is already a kind of success—for it means that courage, compassion, and hospitality are still alive. If enough of the right people in places like Kosovo and Bosnia become convinced by the hyperintellectal that the world is not black and white, these troublesome places may become more democratic and humane.

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[16] See Louden 1992: 152–153.

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