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# Legitimate Violence in Response to Criticism? Khabib Nurmagomedov vs Connor McGregor. On the Ethical Limits of Normative Conflicts with a Religious Dimension in Pluralistic Societies

*Dr. Arturo Cadenas*

## ABSTRACT

The MMA fight between Khabib Nurmagomedov (Russia) and Connor McGregor (Ireland), organised by UFC 229 and held on 6 October 2018, was one of the most important sporting events of the year and is considered the most important fight in the history of the UFC (Ultimate Fighting Championship)[1].

The fight concluded with a victory for Khabib. After the event, the Russian fighter and one of the Irishman's coaches (Dillon Danis) got into a verbal altercation that escalated into the former jumping out of the octagon and attacking the coach. This sparked a general brawl that involved part of the audience and members of both teams, inside and outside the octagon. In the press conference held immediately afterwards, as well as in subsequent appearances, Khabib justified[2] his behaviour by referring to McGregor's previous actions and criticisms against him, repeatedly stating: "You cannot talk about religion or nations. You cannot talk about this stuff. This, for me, is very important".

I will stress the sentence that Khabib used most often, up to three times: "You cannot talk about religion". His words marked the end of that extraordinary day, reflecting not only the intensity of the confrontation but also the tensions and divisions that currently characterise moral debate and its limits in a pluralistic society, specifically when freedom of speech is exercised to criticise certain aspects of religion, Islamic religion in particular.

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# Legitimate Violence in Response to Criticism? Khabib Nurmagomedov vs Connor McGregor. On the Ethical Limits of Normative Conflicts with a Religious Dimension in Pluralistic Societies

Análisis de caso. ¿Violencia Legítima en Respuesta a la Crítica? Khabib Nurmagomedov vs Connor McGregor. Sobre los Límites Éticos a los Conflictos Normativos de Dimensión Religiosa en las Sociedades Pluralistas

Dr. Arturo Cadenas

## ABSTRACT

*The MMA fight between Khabib Nurmagomedov (Russia) and Connor McGregor (Ireland), organised by UFC 229 and held on 6 October 2018, was one of the most important sporting events of the year and is considered the most important fight in the history of the UFC (Ultimate Fighting Championship)[1].*

*The fight concluded with a victory for Khabib. After the event, the Russian fighter and one of the Irishman's coaches (Dillon Danis) got into a verbal altercation that escalated into the former jumping out of the octagon and attacking the coach. This sparked a general brawl that involved part of the audience and members of both teams, inside and outside the octagon. In the press conference held immediately afterwards, as well as in subsequent appearances, Khabib justified[2] his behaviour by referring to McGregor's previous actions and criticisms against him, repeatedly stating: "You cannot talk about religion or nations. You cannot talk about this stuff. This, for me, is very important".*

*I will stress the sentence that Khabib used most often, up to three times: "You cannot talk about religion". His words marked the end of that extraordinary day, reflecting not only the intensity of the confrontation but also the tensions and divisions that currently characterise moral debate and its limits in a pluralistic society, specifically when freedom of speech is exercised to criticise certain aspects of religion, Islamic religion in particular. This violent episode, along with its subsequent justification*

*(at various levels), highlighted the difficulty of having a constructive public debate in which differences can be discussed without overstepping the boundaries of dialogue.*

## ABSTRACT

*El combate de MMA entre Khabib Nurmagomedov (Rusia) y Connor McGregor (Irlanda), organizado por la UFC 229 y celebrado el 6 octubre de 2018, fue uno de los acontecimientos deportivos más importantes de aquel año y está considerado el combate más importante en la historia de la UFC (Ultimate Fighting Championship)<sup>1</sup>.*

*El combate finalizó con la victoria de Khabib. Tras ello, el luchador ruso y uno de los entrenadores del irlandés (Dillon Danis), iniciaron una disputa verbal que acabó con el primero saltando el octógono y arremetiendo contra dicho entrenador, lo que provocó una pelea generalizada que involucró a parte del público y a miembros de ambos equipos, dentro y fuera del octógono. En la rueda de prensa inmediatamente posterior, así como en sucesivas intervenciones, Khabib justificó<sup>2</sup> su comportamiento haciendo referencia a las acciones y críticas previas de McGregor dirigidas hacia él, sosteniendo repetidamente: "No se puede hablar de religión o de otras naciones, cosas muy importantes para mí".*

<sup>1</sup> McGregor vs Khabib, las cifras del combate récord para la UFC.

<sup>2</sup> Entrevista Khabib Explicando lo sucedido en la Pelea contra Conor Mc Gregor - Interview

*Destacaré la expresión que más veces pronunció Khabib, hasta en tres ocasiones: “no se puede hablar de la religión”. Sus palabras supusieron el final de aquella extraordinaria jornada, reflejando, no solo la intensidad del enfrentamiento, sino también las tensiones y divisiones que actualmente caracterizan el discurso moral y a sus límites en una sociedad pluralista, cuando la libertad de expresión es ejercitada para criticar algún aspecto de la religión, la islámica en concreto. Este episodio violento y su posterior justificación a diversos niveles, dejó al descubierto la dificultad de mantener un debate público constructivo, en el que las diferencias puedan ser discutidas sin traspasar los límites del diálogo.*

## I. INTRODUCCIÓN

El presente trabajo defiende que el procedimiento por el que, tanto en una persona individual como en un sistema demoliberal, se identifican las cuestiones relevantes y se toman decisiones de dimensión moral, requiere de un imprescindible respeto por las bases de un diálogo ideal extendido a todos los niveles. Por ello, debe preocuparnos el estado actual de los procedimientos discursivos sociales, ya que la discusión acerca de las elecciones morales corre el riesgo de perder su racionalidad. En tal sentido, Aarnio<sup>3</sup> propone vincular el “desarrollo de sociedades humanas”, con la fiscalización de los espacios de comunicación en lo relativo a la política, la moral y el derecho (en este trabajo se añadirá la religión). Para ello, propone generar “tubos de racionalidad”, en el planteamiento de cualesquiera problemas, ampliando el diálogo hasta donde sea posible<sup>4</sup>.

A partir de un estudio de caso, se afrontará el peligro de irracionalización de los espacios de comunicación social, derivados de la propia dinámica de una sociedad abierta, en la que coexisten contrapuestos sistemas morales, una irracionalización ligada a la distorsión de las condiciones que hacen posible tal diálogo.

<sup>3</sup> A. Aarnio (1995). *Derecho, racionalidad y comunicación social*. BEFDP. México D.F: BEFDP. Págs. 71 y ss.\*

<sup>4</sup> G. Robles (1992). Op. Cit. Pág. 143.

Se analizará la relevancia ética del incidente, diseñando un “tubo de racionalidad” dialógico, exponiendo la dimensión moral de las posturas en apoyo de las acciones de Khabib.

Palabras clave: Perspectiva ética. Sentido de la justicia/ Responsabilidad moral/ Principios morales y libre decisión/ relativismo cultural/ valor moral de la diversidad cultural.

## II. COMUNICACIÓN SOCIAL Y CONFLICTOS NORMATIVOS

Las conductas (buenas o malas), son comprendidas por las personas como acciones u omisiones cargadas de significado referido a normas de deber y, por ello, están impregnadas de connotaciones morales insertas en esquemas cognitivos previos<sup>5</sup>. Dichas conductas (comportamientos debidos o prohibidos) pueden ser leídas como textos acotados por el marco conceptual y valorativo de las personas.

En tal sentido, Gadamer recuerda que, toda realidad individual es el resultado de la interacción entre el marco previo y la realidad fáctica<sup>6</sup>, lo que indica que la formación de la personalidad está ligada a un proceso de socialización y no a una autosuficiente identidad. Así pues, la razón desvinculada no es *una posibilidad real de la humanidad histórica*, pues toda persona procede de una educación, adquiriendo un marco interpretativo desde el que comprende el significado de la realidad<sup>7</sup>, en el que, por supuesto, incluimos la realidad moral.

Esta sería la raíz de los conflictos normativos: las diferentes interpretaciones de la realidad moral<sup>8</sup>, debidas a que la interacción de diferentes sistemas de valores, convierte en difícil (y, en ocasiones, imposible) la comunicación moral<sup>9</sup>.

<sup>5</sup> G. Robles (1988). *Teoría del Derecho*. Volumen I. Madrid: Civitas, páginas 258-263.

<sup>6</sup> H. G. Gadamer (1984). *Verdad y método*. Salamanca: Ediciones Sígueme. Páginas 343 y 370.

<sup>7</sup> F. J. Torre Díaz (2001). *El modelo de diálogo intercultural de A. Mac Intyre*. Madrid: Dykinson, página 45.

<sup>8</sup> CH. Perelman (1979). *La lógica jurídica y la nueva retórica*. Madrid: Civitas, página 145.

<sup>9</sup> A. Giddens (2000): *En defensa de la sociología*. Madrid: Alianza Editorial, página 80.

Por ello, el debate social enfocado en este problema debiera priorizar la manera de compatibilizar la inevitable heterogeneidad axiológica, con la reflexión acerca de si resulta posible justificar cierto grado de homogeneidad alrededor de un núcleo común de valores para asentar una convivencia, sustentada sobre mínimos éticos garantes de la deseada comunicación moral. Siguiendo a Robles: "Si no existe la creencia colectiva de un mínimo de valores constitutivos del grupo, éste se desintegra"<sup>10</sup>. En consecuencia, como la realidad del "mínimo de valores constitutivo del grupo", pudiera ser plural y contrapuesta, no puede separarse el problema de la coexistencia entre visiones morales contrapuestas, en una sociedad pluralista, de los conflictos normativos<sup>11</sup>.

Los conflictos normativos dificultan la convivencia cuando erosionan las orientaciones morales comunes en una sociedad, lo que N. Luckmann denomina "comunicación en la vida cotidiana"<sup>12</sup>. Son, siguiendo a Berger, los que surgen cuando modelos culturales promueven esquemas normativos que movilizan las conductas de las personas de su grupo, especialmente cuando hunden sus raíces en la conciencia de las personas por su concepción de lo sagrado, implicando a sistemas morales que ofrecen visiones antagónicas del mundo<sup>13</sup>.

Los conflictos morales son inevitables, cuando en el seno de una sociedad democrática se distancian fuertemente las creencias básicas de dos o más sistemas morales, en cuestiones vitales como la autoridad legítima o la consideración de lo que implica la dignidad de la persona. Los conflictos normativos son -recuerda P. Berger- habituales en cualquier civilización, no obstante, en las sociedades tradicionales la expectativa de mantener un sistema de normas unificado contaba con posibilidades razonables, pero en las

democracias modernas los conflictos normativos atañen a los límites extremos del pluralismo<sup>14</sup> y deben ser planteados y atajados, como en el caso que analizo.

### III. CASO NURMAGOMEDOV-MCGREGOR: CONTEXTO Y ANTECEDENTES

- K. Nurmagomedov abofeteó a Artem Lobov, miembro del equipo de McGregor, en el pasillo de un hotel. Con esta primera acción, Khabib vulnera dos bienes Morales (y jurídicos): la integridad física de Lobov (aunque fuera en un sentido débil, sin lesiones) y su integridad moral, porque le hizo sentirse humillado. Lobov no interpuso querrela y no existe constancia de que Khabib pidiera perdón o manifestara públicamente arrepentimiento por su acción.<sup>15</sup>
- La respuesta de McGregor fue atacar el autobús en el que se desplazaba Khabib, arrojando una papelería de grandes dimensiones contra el vehículo, causando con ello la rotura de un parabrisas que provocó cortes a dos peleadores que se vieron obligados a retirarse de sus peleas. McGregor destruyó el bus y puso en riesgo la integridad física de las personas, pudiendo haber provocado una pelea masiva. La vulneración de dichos valores señala su indiscutible responsabilidad jurídica (y moral). Acabó siendo detenido tras el incidente.<sup>16</sup>

Meses después, McGregor manifestó arrepentimiento, reconociendo el mal de acción vengativa y asumiendo su responsabilidad moral, también respondió a las consecuencias jurídicas derivadas de su ataque al autobús: "*Me arrepiento de mis acciones (...) Entiendo la gravedad de este asunto y espero que esto se resolverá*".<sup>17</sup>

<sup>10</sup> G. Robles (1988). *Los derechos fundamentales y la ética en la sociedad actual*. Madrid: Civitas.

<sup>11</sup> Ver nota anterior, página 31.

<sup>12</sup> P. Berger, T. Luckmann (1986). *La construcción social de la realidad*. Capítulo III. Buenos Aires: Amorrortu, página 17.

<sup>13</sup> P. Berger (1999). "Los límites de la cohesión social. Conflicto y mediación en las sociedades pluralistas". En P. Berger (ed.): *Informe de la Fundación Bertelsmann al Club de Roma*. Galaxia Gutenberg. Círculo de Lectores, página 33.

<sup>14</sup> P. Berger (1999). "Observaciones generales sobre conflictos normativos". En P. Berger (ed.): *Informe de la Fundación Bertelsmann al Club de Roma*. Galaxia Gutenberg. Círculo de Lectores, página 518.

<sup>15</sup> ¿Por qué Nurmagomedov reaccionó tan violento contra el equipo de McGregor? | TUDN UFC | TUDN MX | TUDN.

<sup>16</sup> Conor McGregor, bajo custodia policial tras destruir un autobús de la UFC (elconfidencial.com).

<sup>17</sup> UFC. Brooklyn cierra el caso criminal contra Conor McGregor pero se le abre otro | El Imparcial Chiesa y McGregor llegan a acuerdo por demanda | Superluchas.



- En la rueda de prensa previa a la pelea, McGregor realizó críticas hacia Khabib, mencionando, entre otros temas, su país y su religión.<sup>18</sup> Es importante recordar en este punto que, las críticas hacia un país o hacia una religión son, en principio, legítimas desde la perspectiva de un sistema demoliberal.
- Tras la finalización de la pelea, Khabib se enzarzó en un enfrentamiento verbal con el equipo de McGregor, que terminó con la agresión citada al comienzo del trabajo, poniendo en riesgo la integridad física de las personas atacadas al desencadenar una pelea masiva. Posteriormente, en la rueda de prensa justificó su acción y evidenció ausencia de arrepentimiento. Gran parte de los aficionados y miembros de la comunidad deportiva, manifestaron su respaldo hacia Khabib.

#### IV. POSTURAS MORALES EN CONFLICTO

El caso que nos ocupa representa, simplificando, cuatro posturas morales distintas. Más adelante, debemos aclarar las razones que las sostienen, para analizar su aceptabilidad racional.

Por un lado, la posición defendida en este trabajo, esto es, que la acción de Khabib resulta éticamente indefendible. Llamémosla interlocutora 1.

Por otro lado, de entre las personas que reconocen apoyar a Khabib, distinguiría tres grupos:

Aquellas que, compartiendo el sistema de valores morales del propio Khabib, comparten el deber moral de agredir o de castigar a otras en similares circunstancias (o que exculpen dicho comportamiento). Este será el interlocutor 2.

Las que mantienen una posición “emprendedora”, pero parecen no aceptar con claridad las implicaciones de su apoyo moral. Para ellos, podríamos blandir un argumento retorsivo con la pretensión de mostrar que, tal vez, no comprenden bien la dimensión moral del asunto. Aquí encontraríamos a los relativistas “blandos”. De acuerdo con esta idea, estas personas expresarían una idea similar a esta: “no soy quién

para cuestionar las razones Morales de Khabib”, esquivando la cuestión relativa a su responsabilidad. Interlocutor 3.

El cuarto tipo de persona es aquella que considera que la acción de Khabib fue moralmente correcta, pues defienden que únicamente desde los valores morales propios de una cultura, puede fiscalizarse la dimensión moral de sus acciones; estaría asumiendo, en mayor o menor medida, postulados propios del relativismo cultural<sup>19</sup>: “Cuando criticamos otras culturas lo hacemos desde nuestro punto de vista moral “eurocentrista”, lo cual implica tener que aceptar el mismo criterio como crítica”. Interlocutor 4.

#### V. RESPONSABILIDAD MORAL (Y JURÍDICA)

En muchos foros (insisto en mi preocupación cuando incluyo a muchos de mis estudiantes, generación tras generación), la acción de Khabib fue interpretada como un resultado lógico o natural, fruto de los agravios pasados y la excitación del momento de la victoria. Para aclarar si Khabib fue responsable de sus acciones, apelamos a los conceptos de responsabilidad moral y jurídica.

En línea con Robles<sup>20</sup>, se entenderá responsabilidad jurídica como el deber jurídico de una persona de hacerse cargo de las consecuencias de un acto ilícito, previstas por el ordenamiento: “Que el ordenamiento jurídico impute a un sujeto la responsabilidad de una acción u omisión quiere decir que establece para ese sujeto el deber jurídico de soportar las consecuencias de dicho acto u omisión”.

Al decidir llevar a cabo la acción de saltar e iniciar la agresión, Khabib transgredió la norma jurídica alusiva a dicha acción prohibida (condición inexcusable para calcular el grado de responsabilidad criminal) por lo que se hizo merecedor de la sanción prevista. Simplificando,

<sup>19</sup> MacIntyre, *Justicia y racionalidad* (EIUNSA, Barcelona, 1994), MacIntyre, *Justicia y Racionalidad* (1994) | PDF | Teoría de la justificación | Era de iluminacion

<sup>20</sup> G. Robles (2015) *Teoría del derecho. Fundamentos de teoría comunicacional del derecho*. Volumen I. Civitas. Quinta ed. Thompson Reuters. P’g. 477.

<sup>18</sup> UFC 229 Khabib vs McGregor Conferencia de Prensa.

los deberes jurídicos de Khabib, consistieron en: 1- soportar el embargo de sus ganancias (o de parte de ellas), y 2- enfrentarse a una posible sanción penal por haber iniciado una pelea para tratar de agredir al equipo de Connor. Ambas, serían la manifestación de su responsabilidad jurídica: afrontar las consecuencias jurídicas de no haber cumplido los deberes jurídicos antedichos, consistentes en omitir las conductas prohibidas. No se interpuso querrela alguna contra Khabib.

Analizar su responsabilidad moral resulta más complicado<sup>21</sup>, ya que el mal moral es más difuso y menos específico que el jurídico institucionalizado. Las normas morales<sup>22</sup> son “normas autónomas” que no guardan una relación de identidad con el Estado, sino que su existencia depende de la voluntad de cada individuo, por ello son, en su validez última y más profunda, esencialmente subjetivas.

Aunque se disculpó con la Comisión de Nevada y con la ciudad de Las Vegas, Nurmagomedov no manifestó arrepentimiento alguno por su agresión directa a personas concretas, lo que reflejó un nulo sentimiento de culpa expresado por él mismo, que parecía manifestar un rechazo por la responsabilidad moral de su acción: “*¿No comprendo por qué habláis de que he saltado del octógono, por qué no habláis de que él habló sobre mi país, mi religión?*”.

Recordemos que, una persona es moralmente responsable de lo que deja de hacer voluntariamente cuando debiera haberlo hecho (porque incumple una obligación moral autoimpuesta), o de lo que hace voluntariamente cuando debiera no haberlo hecho (porque realiza algo prohibido para sí mismo). La responsabilidad moral supone, siguiendo a V. Camps, aceptar las consecuencias de un modo de proceder que transgrede una norma moral preexistente, lo que

suele traducirse en sentimiento de culpa<sup>23</sup>, en remordimiento. Pero lo exigido por esta norma moral podría no existir como norma jurídica, y viceversa. Es por esta razón que, quien transgrede una norma jurídica, podría no sentirse moralmente responsable de su acción ni tener sentimiento de culpa alguno, y viceversa.

Es decir, la transgresión de la obligatoriedad moral<sup>24</sup>, sería un hecho psíquico que las personas traducimos en la forma de sentimiento de culpa, haciéndolo depender de la internalización de normas morales con las que el grupo modela las conciencias individuales durante el proceso educativo<sup>25</sup>. En esta línea, Savater<sup>26</sup> nos recuerda: “al actuar mal y darnos cuenta de ello, comprendemos que ya estamos siendo castigados, que nos hemos estropeado a nosotros mismos –poco o mucho- voluntariamente”.

Sería moralmente responsable quien decidiera (en un contexto que debe ser considerado) libremente, esto es, quien escogiere deliberadamente la transgresión de una norma moral autoimpuesta, teniendo otras alternativas (y no existiendo excusa ni justificación, como pasará a explicar a continuación).

¿Acaso Khabib no decidió? Las decisiones son el resultado de la voluntad que escoge entre alternativas<sup>27</sup>, es decir, de los motivos que podemos encontrar para actuar, elegimos y actuamos. La educación en unos valores determinados condiciona la acción dentro de un contexto, la convertirán en más o menos previsible, pero es la voluntad la que escoge. Ninguna motivación desencadena necesariamente la decisión. Así pues, el estado de cosas no empuja irremisiblemente a Khabib. En tal sentido, afirma

<sup>21</sup> V. Camps (1990). *Virtudes públicas*. Madrid: Austral. Espasa Calpe. Pág. 65.

<sup>22</sup> Schmill, U. (1997). “Derecho y moral, una relación externa” En *Derecho y moral. Ensayos sobre un debate contemporáneo*. Gedisa Ed. 1997. Pág. 284.

<sup>23</sup> V. Camps (1990). *Virtudes públicas*. Madrid: Austral. Espasa Calpe. Pág. 60-61.

<sup>24</sup> G. Robles (1992). *Los derechos fundamentales y la ética en la sociedad actual*. Madrid: Civitas. Pág. 72.

<sup>25</sup> V. Camps (1990). *Virtudes públicas*. Madrid: Austral. Espasa Calpe. Pág. 60-61.

<sup>26</sup> F. Savater (1989). *Ética como amor propio*. Madrid: Mondadori. Pág. 111.

<sup>27</sup> Robles Morchón, G. *Fundamentos de teoría comunicacional del derecho*. Volumen I. Editorial Civitas. 5ª edición, pág. 289 y ss.

Muguerza<sup>28</sup>: “(...) tales contenidos morales son, en un obvio sentido, heterónomos, esto es, advienen a la conciencia moral desde una instancia ajena a ella, el sujeto moral siempre podrá asumirlos autónomamente si esa es su voluntad, con lo que el nomos en cuestión dejaría de ser heterónimo para pasar a convertirse en ley moral autónoma”. Así las cosas, cabe preguntarse si Khabib fue autónomo o si su voluntad estaba viciada en algún sentido. Aclaremos el diferente protagonismo de la libre voluntad de Khabib en sus dos cruciales decisiones:

- Saltar la jaula e iniciar una pelea de consecuencias potencialmente graves para la integridad física de las personas directa o indirectamente involucradas.
- Justificar su acción y no manifestar arrepentimiento en la rueda de prensa.

a) Al no expresar una necesidad causal propiamente dicha<sup>29</sup> (como lo son las referidas a los fenómenos físicos) y tampoco actuar determinado por la previa provocación de Connor, la agresión contra Dillon Danis, permite apreciar que Khabib decidió obrar así impulsado por la rabia (motivación similar a la de Gregor, cuando atacó el autobús). Ahora bien, ¿la acción podría excusarse en alguna medida por estar su libertad viciada debido a la presión psicológica? ¿Tal vez podría argumentar alguna justificación?

La pregunta acerca de si su acción resulta excusable<sup>30</sup>, se centraría en la necesidad de verificar, no el hecho mismo de la decisión, sino su aspecto interno, cuya falta contaminaría la libertad psíquica del individuo, estrechando drásticamente sus facultades intelectivas y volitivas, incapacitando para impulsar su acción

mediante sus mandatos; pudiendo llegar, al menos en parte, a excusarle. Consideraríamos aquellas pulsiones internas como las que, sobrepasando al individuo, podrían alterar su libre elección; así, la persona sometida por un poderoso trastorno mental (o por un miedo insuperable, por ejemplo), se limitaría a cumplir las exigencias imperiosas de una necesidad psíquica.

¿Sería este el caso de Khabib? No. Sin embargo, podríamos llegar a pensar que un leve trastorno de ansiedad pudiera haber provocado una aceptación libre, pero algo mermada en su origen psíquico.

Para la segunda pregunta; esto es, sobre si resulta posible justificar su acción agresiva en alguna medida, solo cabe una respuesta negativa. La justificación de los juicios morales implica la necesidad de aportar razones en respaldo del sentido moral de la acción, remitiéndose a los valores prioritarios de una forma de vida<sup>31</sup>. La dimensión jurídica del asunto no admite duda: no existe justificación posible, ya que, una justificación supondría una causa de exclusión de la antijuricidad, convirtiendo el hecho en lícito. Tomando como modelo las causas eximentes de responsabilidad criminal del Código Penal español, Khabib no defendía un valor equivalente al que pretendía quebrantar, no protegió su integridad física o la de un tercero; ni, por supuesto, tenía legítimo derecho a actuar como lo hizo.

¿Qué ocurre entonces con la dimensión moral de su acción?

El problema es que, la segunda decisión involucra la reflexión moral del propio Khabib acerca de su acción, lo que imposibilita excusar su acción por un posible vicio en su libertad. Khabib, siguiendo a Kant<sup>32</sup>, convertido en juez de sus propios actos y en autolegisador, juzga y respalda su propia acción desde su propio sentido de la justicia.

<sup>28</sup> Muguerza, J. (2003). El tribunal de la conciencia y la conciencia del tribunal. En: Vázquez, R. (2003). *Derecho y Moral. Ensayos sobre un debate contemporáneo*. Barcelona: Gedisa, 183-211. p. 186).

<sup>29</sup> G. Robles (2015) *Teoría del derecho. Fundamentos de teoría comunicacional del derecho*. Volumen I. Civitas. Quinta ed. Thompson Reuters. Pág??.

<sup>30</sup> Robles Morchón, G. *La justicia en los juegos. Dos ensayos de teoría comunicacional del derecho*. Trotta, 2009, pág. 27-28. -Muñoz Conde F. y García Arán, M. *Derecho Penal. Parte general*. Ed. Tirant lo Blanc. Valencia. 2007. Pags. 362 y ss.

<sup>31</sup> J. A. Marina (1995). *Ética para náufragos*. Barcelona: Anagrama. Pág. 95. Muñoz Conde F. y García Arán, M. *Derecho Penal. Parte general*. Ed. Tirant lo Blanc. Valencia. 2007. Pags. 309 y ss.

<sup>32</sup> Kant, E. (1785/1973). *Fundamentación de la Metafísica de las costumbres*. Madrid: Espasa-Calpe.

Recordemos que, en la rueda de prensa posterior a la pelea, Khabib rehusó pedir perdón a las personas agredidas por él y justificó su primera acción, responsabilizando a Connor por “hablar de su país y de su religión”; es decir, fue el propio Nurmagomedov el que no buscó una excusa, ni parcial ni total, es más, defendió la justificación de su acción, lo que implica defender la agresión como solución justa al conflicto moral. En esta segunda decisión<sup>33</sup>, Khabib tuvo tiempo de explorar plenamente su acción, apreciar el estado de cosas<sup>34</sup>, lo que incluye el conocimiento y aceptación de las posibles consecuencias resultantes de una pelea masiva.

En conclusión, Khabib decidió libremente, acreditando su *libre albedrío*<sup>35</sup>, dispuso de posibilidades de elección (ya estaba liberado de la rabia inicial), pero manifestó una ausencia absoluta de arrepentimiento por su acción agresora, dirigiendo su pesar hacia la organización y la ciudad (“*Sorry Nevada, sorry Las Vegas*”). Respaldó su primera decisión como justa, confirmando que no había sufrido suspensión alguna de sus facultades volitivas y cognitivas. Para Khabib, Connor, en el ejercicio de su derecho a la libertad de expresión, mencionó temas de los que “no se puede hablar”. Ello explicaría su nulo sentimiento de culpa, ya que, aunque se sabía jurídicamente responsable de la acción agresora, dicha acción estaría justificada por la transgresión anterior de una norma moral superior: “no se debe criticar la religión”.

Su -en palabras de López Aranguren<sup>36</sup>- “tribunal de conciencia moral”, respalda su decisión de saltar de la jaula con intención de agredir, evidenciando su compromiso moral con la norma: “en el caso de que alguien hable de mis creencias religiosas, la agresión se entenderá como moralmente justificada”.

## VI. COMUNICACIÓN, COMPRENSIÓN Y DIÁLOGO. ACEPTABILIDAD RACIONAL DE LAS RAZONES DE LOS DIFERENTES INTERLOCUTORES

Una perspectiva pragmática, puede atribuir algún sentido general a la reflexión acerca de los conflictos normativos, si planteamos los sistemas morales como sistemas de comunicación. Podemos referirnos a un sistema moral como un sistema lingüístico con el que los seres humanos interpretan la realidad<sup>37</sup>, organizándola con mayor o menor eficiencia en relaciones conceptuales, para lograr una adaptación a la misma y obtener el mayor control posible sobre ella. Desde dicho planteamiento, puede sostenerse que ciertos principios de justicia contribuyen mejor (y otros peor) a tal función. En otras palabras, resulta innegable la existencia de muchas y contrapuestas verdades morales, pero ello no implica que no podamos hablar de niveles de aceptabilidad racional, en función de que permitan en mayor o menor medida, comprender y manejar la realidad. Pondré un ejemplo, desarrollado en un trabajo anterior<sup>38</sup>. Si nos referimos a muchos de los “juegos” habidos en la historia, podríamos constatar cómo las creencias vigentes de su forma de vida afectaron decisivamente a la libertad plena de los jugadores, por su bajo nivel de acceso a la comprensión de la realidad. El libro “Colapso”, de Jared Diamond, narra la implosión de formas de vida de la mano de crisis sociales provocadas por creencias irracionales que ocasionaron, finalmente, un desastre medioambiental.<sup>39</sup> La competencia deportiva envuelta en trascendencia religiosa, acabó convirtiéndose en la forma de vida: los jugadores competían sacrificando sus vidas para agradar a unos dioses insatisfechos, y el pueblo celebraba ávido la competición permanente entre rituales mientras esquilma los recursos

<sup>33</sup> Marina, J.A. *Crónicas de la ultramodernidad*. Anagrama. Barcelona, 1999, pág. 148.

<sup>34</sup> Aristóteles. *Ética a Nicómaco*. Introducción, traducción y notas de José Luis Calvo Martínez, Alianza Editorial, Madrid 2001.

<sup>35</sup> Savater, F (2003). *El valor de elegir*. Ariel. Pág. 67.

<sup>36</sup> J.L. Aranguren (1968). *Ética y política*. Madrid: Ed. Guadarrama. Pág. 17.

<sup>37</sup> J. A. Marina (1995). *Ética para náufragos*. Barcelona: Anagrama. Pág. 47 y ss.

<sup>38</sup> Cadenas, A. *Consideraciones sobre la justicia y los juegos en la teoría comunicacional del Derecho*, en Teoría Comunicacional do Direito: diálogo entre Brasil e Espanha. Volumen II. Editorial Noeses, 2017. Págs. 59-99.

<sup>39</sup> Diamond, J. *Colapso ¿Por qué unas sociedades perduran y otras desaparecen?* Barcelona: Debate 2006, pág. 70 y ss.



naturales en beneficio de las construcciones de piedra.

Algo perfectamente equiparable a otros escenarios de jugadores carentes de libertad plena, como en el caso de culturas precolombinas, juegos sangrientos envueltos en creencias arcaicas que eran aceptados “libremente” por los jugadores. Formas de vida configuradas por sistemas morales basadas en la superstición y alejados de la comprensión de la realidad.

Así pues, propongo un criterio metasistemático de valoración y elección justificada de ciertos contenidos morales<sup>40</sup>, en tanto que optimizadores de dichos sistemas de comunicación. Aceptado este argumento, si bien es cierto que cada modelo incorpora criterios para corroborar las visiones de los contenidos generadas desde el interior de cada modelo, no hay razón para pensar que no puedan ser a su vez consideradas críticamente desde una determinada concepción de su función como sistemas de comunicación. Doy por sentado que (aunque no profundizaré en este punto), sería posible encontrar concepciones metasistemáticas dispares acerca de la función o el sentido de los sistemas de comunicación y acepto que la interpretación pragmatista de los sistemas conceptuales es un recurso intelectual y no una verdad científica. Adopto un criterio pragmatista, siguiendo a J.M. Faerna, como una opción sobre el uso de nuestra inteligencia y de nuestras herramientas simbólicas, no identificando conocimiento exclusivamente con ciencia, sino ampliando dicho conocimiento a la profundidad con la que pueda interpretarse nuestra relación con la realidad.<sup>41</sup>

Esta perspectiva permite considerar los sistemas morales como sistemas de comunicación que pretenden configurar la realidad a partir de axiomas indemostrables contruidos por la mente humana. La moral es, coincidiendo con Sánchez Vázquez<sup>42</sup>, un sistema de normas, principios y

valores, de acuerdo con el cual se regulan las relaciones mutuas entre los individuos o entre ellos y la comunidad, de tal manera que dichas normas, que tienen un carácter histórico y social, se acaten, libre y conscientemente por una convicción íntima<sup>43</sup> y no de un modo mecánico, exterior o impersonal.

Resulta conveniente conectar este planteamiento con el vínculo inescindible entre comprensión y comunicación, en el sentido que propone H.G. Gadamer<sup>44</sup>, quien pretende acceder a toda experiencia humana desde el esquema de la comprensión (y demostrar que todo conocimiento subyace a ella), por ello defiende toda una hermenéutica filosófica de la existencia humana: *"Comprender no es un ideal resignado de la experiencia vital humana (...) por el contrario es la forma originaria de realización del estar ahí, del ser-en-el-mundo (...). Comprender es el carácter óntico original de la vida humana misma.*

Comprender es, por tanto, una manifestación óntica del intérprete que acota textos, previamente condicionados por su bagaje conceptual-valorativo. G. ROBLES<sup>45</sup> defiende, como punto de partida para la comprensión de toda realidad: *"toda realidad social, es un texto en tanto que se nos muestra como algo que tenemos que leer e interpretar para poder llegar así a comprender"*.

La existencia humana impone una adecuación a la realidad<sup>46</sup>, que pasa por reflexionar acerca de las mejores posibilidades de comunicación interior y con otros seres humanos. La comunicación misma nos indica que la instalación de los individuos de una sociedad puede realizarse en espacios cerrados o abiertos e interpersonales; en otras palabras, existen espacios (condiciones comunicacionales) que dificultan y otros que favorecen la búsqueda de evidencias

<sup>40</sup> Faerna A, J. M. *Introducción a la teoría pragmatista del conocimiento*, Siglo XXI, Madrid, 1996, pp. 1-20.

<sup>41</sup> Faerna, J. M., “Racionalidad científica y diversidad cultural”, *Claves de razón práctica* (1997), nº 78, pp. 61-69.

<sup>42</sup> Sánchez Vázquez, A., *Ética*, Grijalbo, Barcelona, 1984, pp. 61.

<sup>43</sup> J. A. Marina (1995). *Ética para náufragos*. Barcelona: Anagrama. Pág. 49.

<sup>44</sup> Gadamer, H.G., *Verdad y método*, Ediciones Sígueme, Barcelona, 1984, pp. 23 y 325.

<sup>45</sup> Robles Morchón, G., *Introducción a la teoría del Derecho*, Debate, Barcelona, 2003, pp.191 y ss.

<sup>46</sup> J. A. Marina (1995). *Ética para náufragos*. Barcelona: Anagrama. Pág. 131 y ss.



intersubjetivas que trascienden el espacio privado de cada individuo y traten de contrastar las verdades colectivas.

Así pues, puede justificarse una propuesta de “tubo de racionalidad” (un contexto ideal de comunicación), constitutivamente orientado hacia el mejor manejo y comprensión de la realidad, inevitablemente ligado a la internalización en su seno de ciertos valores morales. Se trataría, desde dicho recurso, de calibrar la aceptabilidad racional de las razones en respaldo de las posturas en conflicto (especificadas en el punto 3 del presente trabajo, POSTURAS MORALES EN CONFLICTO), haciéndolas depender de su grado de verificación.

Por ello, vamos a simular un diálogo ideal con las personas 3 y 4, como proceso de comunicación comprometido con la comprensión de la realidad y vinculado a la toma de acuerdos). En dicho contexto, no existe relación de jerarquía y deben cumplirse -siguiendo a Aarnio<sup>47</sup>- al menos, dos exigencias: los integrantes deben ser capaces de distinguir entre malas y buenas razones y, además, tienen que comprometerse a seguir ciertas reglas. La capacidad de distinguir entre buenas y malas razones que justifiquen las acciones resulta esencial para garantizar el entendimiento, lo que nos conduce hacia la aceptación de algún tipo de situación dialógica ideal, como punto de partida para la discusión, lo que exigiría el compromiso con ciertas reglas optimizadoras de la comunicación ligadas a la comprensión. Siguiendo a Urbina <sup>48</sup> (que toma como referencia a R. Alexy o J. Habermas, entre otros) algunas de esas reglas de racionalidad serían: que cualquiera pueda participar con plena libertad, sin comprometer su vida o integridad física (lo que exigiría del respeto por las libertades “comunicacionales” del sujeto, tanto las internas; esto es, libertad de conciencia y religiosa, como las exteriores, es decir, expresión e información), que todos acepten la obligación de justificar lo que se defiende, verificando hasta donde fuere posible,

que ningún participante pueda invocar una justificación que sepa que es inválida (mentir) o encastillarse en una peor confirmada o verificada que otra; es decir, los interlocutores no pueden apelar a la esencialidad de sus razones y mucho menos postularse en favor de su imposición violenta. Por supuesto, deben estar dispuestos a cambiar su posición con cualquier otro participante ante mejores razones.

Podríamos identificar esta situación como el previamente citado “tubo de racionalidad comunicacional”.

En definitiva, si el grado de verificación de una razón en respaldo de una postura, es el fundamento de su aceptabilidad racional, lo primero será aclarar el porqué de las razones, lo que exige de un verdadero compromiso con la búsqueda de la comprensión de la realidad a través de la comunicación. En otras palabras, debemos comprobar los “porqués” y verificar hasta qué punto, algunos responden mejor que otros a la comprensión de la realidad.

Aceptado el “tubo de racionalidad”, debemos señalar a nuestros interlocutores que, en la sociedad en la que se ha educado Khabib (Dagestán), dicho escenario dialógico resultaría impracticable<sup>49</sup>, ya que, favorece un modelo de persona no proclive a aceptar las exigencias que plantea el “tubo”, pues se configura de acuerdo con una cerrazón rigorista que impone obligatoriamente la fe y que convierte en heroico todo intento de distanciamiento crítico que trate de reflexionar acerca de la aceptabilidad racional del sistema. Consecuentemente, resulta improbable que los interlocutores tipo 2, tal vez el propio Khabib, aceptaran incondicionalmente las exigencias para incorporarse al debate.

### 6.1 Relativismo Cultural “Blando”, Disonancia Cognitiva y Argumento Retorsivo

Llegados a este punto, debemos enfocarnos en el interlocutor 3, para llevar a la práctica la

<sup>47</sup> A.Aarnio (1995). *Derecho, racionalidad y comunicación social*. BEFDP. México D.F: BEFDP. Págs. 72 y ss.\*

<sup>48</sup> S Urbina (2004): *Tentación de la ignorancia: una reflexión filosófica-jurídica*. Palma de Mallorca. Assaigs Jurídics: Universitat de les Illes Balears, página 104.

<sup>49</sup> El resurgir del yihadismo en el Daguestán: ¿una nueva amenaza en el Cáucaso para Rusia? - Descifrando la Guerra La pugna interna que desató la guerra del Daguestán: Gobierno islámico o lealtad a Moscú (eldebate.com)

estrategia que J. Finnis<sup>50</sup> denomina *argumento retorsivo*, aprovechando que tenemos garantizado cierto nivel de deliberación racional. Este argumento se utiliza para identificar la autocontradicción de una proposición con el contenido de lo afirmado, lo que produce una inconsistencia pragmática que puede ponerse en evidencia.

Supongamos, por resumir, que el interlocutor 3 rechaza, “a priori”, la limitación del derecho a la libertad de expresión por cuestiones moralmente irrelevantes, y que, por ello, se opone a la amenaza de violencia física en respuesta a la valoración crítica de los postulados de una religión.

Nuestro interlocutor 3 no puede mentir, debe reconocer su “fricción moral” interna, ya que se afirma incapaz de criticar la acción de Khabib (“no soy quién para criticar”), al mismo tiempo que defiende el principio moral general ‘no se debe limitar el derecho a la libertad de expresión por razones moralmente irrelevantes’, lo que incluiría el rechazo de su limitación por miedo a la amenaza de violencia resultante de una crítica. Por ello, no puede evitar constatar que estaría proclamando su ausencia de crítica hacia las razones morales desde las cuales resulta exigible limitar la libertad de expresión, cuando esta se enfoque críticamente contra la religión. Nuestro interlocutor 3, debe asumir que dice defender su indiferencia moral hacia una acción que se fundamenta en una norma moral inaceptable para él: resulta justificada la respuesta violenta ante las críticas a la religión.

Él sabe muy bien que, el principio moral ‘no se debe limitar el derecho a la libertad de expresión por motivos moralmente irrelevantes’, no era solo un principio relativo que expresa su gusto pasajero, pero ahora está defendiendo que su transgresión violenta deja de ser moralmente inaceptable cuando se ejercite para criticar una religión, lo cual desestabilizó gravemente su coherencia como agente moral.

Veamos cómo lo desestabiliza. Siguiendo a Rawls, el sentido de la justicia es, en su funcionamiento,

<sup>50</sup> C. Nino (1989). *El constructivismo ético*. Madrid: Centro de Estudios Constitucionales. Pág. 85.

constitutivamente racional; es decir, produce juicios con cierta permanencia y orden, debido a que responde a los citados principios estables que actúan como generadores de nuestros juicios morales<sup>51</sup>. Estos principios constituyen el “núcleo duro”<sup>52</sup> de nuestro sentido de la justicia. Podemos constatar que dicha estabilidad se traslada a la realidad de nuestros juicios ante situaciones similares; en ellas, emitimos un similar juicio de condena e indignación. La razón de esta exigencia de generalización es sencilla: se han visto afectados de parecida forma los mismos principios morales y ello provoca la emisión de un similar o idéntico juicio. El problema del interlocutor 3, es que contradice su pretensión de universalidad y su estabilidad, cuando dice defender una suerte de inhibición moral frente a las razones que defienden la reacción agresiva de la religión ante la crítica.

La disonancia que sufre nuestro interlocutor 3, supone todo un “cortocircuito” psicológico que le mueve a darse razones<sup>53 54</sup>, y, desde nuestro tubo de racionalidad, tenemos derecho a exigirlos. Está operando en él una disonancia moral que debe ser

<sup>51</sup> J.L. Martínez García (1985). *La teoría de la justicia en J. Rawls*. Madrid: CEC. Páginas 30 y ss.

<sup>52</sup> Ver nota anterior.

<sup>53</sup> Ellis, R. y McClintock, A. (1993). *Teoría y práctica de la comunicación humana*. Barcelona: Paidós, págs. 47 y ss. La disonancia es, siguiendo a Ellis y McClintock, ese shock psíquico que sufre una persona cuando la expectativa que tiene sobre la realidad se quiebra y tiende a verse obligada, por la fuerza impositiva de la evidencia, a reformularse. La disonancia sería, a los efectos que aquí interesa, un fenómeno psíquico referido a la tensión interior que se genera en un individuo cuyas ideas, sistema de valores, etc., se encuentran en conflicto al recibir una evidencia lo bastante poderosa como para hacer tambalear sus expectativas referidas a algún aspecto de la realidad. Aun así, la disonancia se puede presentar ante decisiones difíciles o cuando se descubre en la realidad que esta no es como se esperaba. En todas estas situaciones, la incomodidad psicológica se hace presente, se rehúya o no el impacto.

<sup>54</sup> Ovejero, A. (1993). «La teoría de la disonancia cognoscitiva», en *Psicothema*, vol. 5, nº 1, págs. 202. “[...] la disonancia actúa del mismo modo que un impulso, necesidad o estado de tensión. La presencia de la disonancia lleva a una acción para reducirla de forma análoga a la que, por ejemplo, el hambre lleva a una acción para evitarla. De manera análoga a un impulso, cuanto mayor es la disonancia mayor será la intensidad de la acción para reducirla y más se hará por evitar situaciones que acrecienten la disonancia”.

atendida<sup>55</sup> <sup>56</sup>, por lo que la persona tiende a reducirla al objeto de lograr la consonancia.

Tomado como un problema de comunicación interna en nuestro interlocutor 3, que pretende comprender la realidad moral que se le plantea, el fenómeno de la disonancia se plantearía respecto de la forzada relativización en sí mismo del principio ‘no se debe limitar el derecho a la libertad de expresión por razones moralmente irrelevantes’, cuestionando su valor indiscutible como razón moral.

La evidencia de la autocontradicción es, en este caso, inequívoca, dada la existencia de un grado de desacuerdo interno, o de paradoja al menos, que “remueve” a nuestro interlocutor 3, que pretende comprender la realidad dándose razones justificatorias.<sup>57</sup> Se ha visto alterada la vocación universalista de su sentido de la justicia, algo que trastorna su estabilidad como agente moral.

Así pues, debe enfrentar su autocontradicción: si dice defender su inhibición moral hacia los puntos

de vista distintos al suyo, entonces la acción de Khabib le resulta indiferente e inmoral al mismo tiempo, ¿cómo es eso posible? La imprescindible generalización conlleva una norma de difícil aceptabilidad racional: debo suspender mi defensa del valor moral de la libertad de expresión cuando su ejercicio colisione con sensibilidades morales-religiosas, legitimadoras de la violencia en respuesta a la crítica, en cuyo caso inhibo mi juicio.

Es decir, su juicio moral habría de ser suspendido (toda una contradicción práctica) ante las reacciones protagonizadas por partidarios de sensibilidades religiosas que justificaran la protección violenta de sus creencias frente a las críticas. Obviamente, el interlocutor 3 habría de hacer frente a las implicaciones de su postura, es decir, defendería la indiferencia moral hacia la autolimitación por miedo de los creadores de opinión, informadores o artistas (arrastrando consigo a la sociedad misma), que deberían plantearse abstenerse de dibujar, escribir, criticar o realizar un reportaje sobre todo aquello que resulte ofensivo para colectivo religioso. En otras palabras, 3 defendería una (imposible) inhibición moral ante el derecho unilateral que exige el rigorismo religioso musulmán a la censura, algo incompatible con las condiciones dialógicas exigibles en el “tubo de racionalidad”, pues boicotearía de raíz la posibilidad de analizar el grado de verificación de la creencia moral, para considerar ordenar la sociedad de acuerdo con ella.

Hemos constatado evidencias contradictorias e implicaciones difícilmente aceptables en el interlocutor 3. Esto debería bastar para que reconsiderara su punto de vista; sin embargo, podría tratar de escapar de todo ello, extremando su postura y posicionándose junto al interlocutor 4, en cuyo caso, lo que estaría defendiendo es que respaldaría la reacción violenta de Khabib, como razón moralmente relevante para excepcionar el ejercicio del derecho a la libertad de expresión.

<sup>55</sup> Ellis, R. y McClintock, A. (1993). *Teoría y práctica de la comunicación humana*. Barcelona: Paidós, págs. 47 y ss. La disonancia es, siguiendo a Ellis y McClintock, ese shock psíquico que sufre una persona cuando la expectativa que tiene sobre la realidad se quiebra y tiende a verse obligada, por la fuerza impositiva de la evidencia, a reformularse. La disonancia sería, a los efectos que aquí interesa, un fenómeno psíquico referido a la tensión interior que se genera en un individuo cuyas ideas, sistema de valores, etc., se encuentran en conflicto al recibir una evidencia lo bastante poderosa como para hacer tambalear sus expectativas referidas a algún aspecto de la realidad. Aun así, la disonancia se puede presentar ante decisiones difíciles o cuando se descubre en la realidad que esta no es como se esperaba. En todas estas situaciones, la incomodidad psicológica se hace presente, se rehúya o no el impacto.

<sup>56</sup> Ovejero, A. (1993). «La teoría de la disonancia cognoscitiva», en *Psicothema*, vol. 5, nº 1, págs. 202. “[...] la disonancia actúa del mismo modo que un impulso, necesidad o estado de tensión. La presencia de la disonancia lleva a una acción para reducirla de forma análoga a la que, por ejemplo, el hambre lleva a una acción para evitarla. De manera análoga a un impulso, cuanto mayor es la disonancia mayor será la intensidad de la acción para reducirla y más se hará por evitar situaciones que acrecienten la disonancia”.

<sup>57</sup> Marina, J. A. (1995). *Ética para náufragos*. Barcelona: Anagrama, págs. 75... “Husserl habla de “juicio subjetivo de evidencia” en el siguiente sentido: “todo lo que se presenta como evidente a un sujeto exige ser admitido como verdadero por el sujeto.”

## 6.2 La Aceptabilidad Racional del Respeto Incondicional Por el Valor Moral de Las Creencias Religiosas

En primer lugar, tenemos derecho a exigir al interlocutor 4 (y tal vez al 3, empecinado) que justifique con coherencia dónde radica la “riqueza” moral de considerar la libertad religiosa del individuo o la libertad de criticar la religión, como una perversión merecedora de sanción. La respuesta solo puede ser una: en la defensa de la riqueza moral de toda cultura (*ideología social dominante*<sup>58</sup>, lo denomina Robles); por ello, estaría justificando la limitación violenta de la libertad de expresión por motivos religiosos. ¿Cuál sería la aceptabilidad racional de esta razón en función de su grado de verificación? ¿Y sus implicaciones?

El interlocutor 4 defiende que, la acción de Khabib resulta injustificable “desde nuestra perspectiva”, pues no resulta posible enjuiciar la corrección moral de un punto de vista diferente al nuestro, ya que el sesgo valorativo depende del punto de vista del observador.<sup>59</sup> Su razón es, pues, un dogma: “todas las culturas tienen igual valor y, por ello, igual derecho a existir”<sup>60</sup>.

Nuestro interlocutor 4 debe enfrentar la aceptabilidad racional de su razón y aclarar las implicaciones de lo que estaría defendiendo. Su postura estaría justificando que, en nombre de sus creencias religiosas, cada grupo se presentará como una suerte de *Deus ex machina*<sup>61</sup>, abogando por un *conservadurismo cerrado intrasocietario*. Su respeto por el valor moral de la diversidad cultural implicaría el respeto por los sistemas que imposibilitarían la generación de moralidades críticas en su seno<sup>62</sup>, haciendo inviable el “tubo de racionalidad”, comprometido con la búsqueda de

la comprensión de la realidad a través de la comunicación, en el que nos situamos.

El respeto incondicional que muestra nuestro interlocutor 4 por la diversidad cultural, expresa una equivalencia moral<sup>63</sup> de las diferentes visiones morales, sosteniendo que la diversidad cultural no es solo un hecho sino un valor. Debiéramos preguntarle: ¿los valores morales que impulsan la acción de Khabib, merecen respeto por el solo hecho de existir?

El interlocutor 4 debe reconocer que está aceptando como meta razón, un dogma falaz que le sume en la tolerancia incondicional: cualesquiera sistemas culturales que se arroguen verdades absolutas deben ser respetados. Esta creencia dogmática se complementa con esta otra: toda pluralidad cultural implica enriquecimiento.

La exigencia de aceptabilidad racional señalaría su falsedad, pues implicaría aceptar la idea de pluralidad como valor, lo que supone una clásica falacia naturalista, ya que del hecho cultural de que exista una forma de vida no deriva la consideración de su valor moral. Por tanto, nuestro interlocutor 4 debe enfrentar la falacia que implica su postura.

En otras palabras, para respaldar moralmente la acción de Khabib, el interlocutor 4 acepta primero un dogma: toda suerte de “homogeneidad cultural”<sup>64</sup> es valiosa”, lo que explica la creencia de que si pretendemos influir en una forma de vida nos empobrecemos globalmente.

La tendencia de su sentido de la justicia hacia la generalización normativa, le conduciría a conclusiones difícilmente aceptables, tales como: “en las situaciones en las que se ejercite la libertad de expresión críticamente contra una religión, debemos aceptar como moralmente aceptable la reacción violenta contra el crítico”. La implicación consiguiente, si dice respetar la acción de Khabib porque “respeto todos los puntos de vista por

<sup>58</sup> G. Robles, G. (1988): *Los derechos fundamentales y la ética en la sociedad actual*. Madrid: Civitas. Pág. 100.

<sup>59</sup> A. Cadenas (2017). *Contra el relativismo: Cuatro ensayos sobre racionalidad y comunicación social*. Editorial Académica Española.

<sup>60</sup> E. Garzón Valdés (1997): “Cinco confusiones. Acerca de la relevancia moral de la diversidad cultural”, en *REVISTA Claves de razón práctica*, número 74, julio-agosto de 1997.

<sup>61</sup> J. Rubio Carracedo (1987). *El hombre y la ética*. Barcelona: Anthropos. Pág. 247.

<sup>62</sup> J. F. Revel. *El conocimiento inútil*. Austral. Espasa-Calpe. Pág. 33 y ss.

<sup>63</sup> G. Sartori (2001). *La sociedad multiétnica. Pluralismo, multiculturalismo y extranjeros*. Madrid: Taurus. Pág. 79 y 80.

<sup>64</sup> S. Urbina (2004). *La tentación de la ignorancia: una reflexión filosófica-jurídica*. Palma de Mallorca. Assaigs Jurídics: Universitat de les Illes Balears. Pág. 174.



igual", tampoco parece racionalmente aceptable, pues habría de reconocer como moralmente respetable que esencialistas religiosos (o de cualquier otro tipo) quisieran dañarle a él, precisamente por "respetar todo".

Consecuentemente, para considerar como moralmente aceptable la violencia justificada por Khabib, nuestro interlocutor 4 pasa por aceptar primero un dogma que carece de aceptabilidad racional, por inverificable: la verdad moral radica en las creencias compartidas por cualquier grupo. Lo que implica la aceptación dogmática de que las convicciones colectivas son, en sí mismas, criterios blindados de corrección moral. Incluyendo aquellos que, bloqueando de origen cualquier proceso de verificación, respaldaran creencias totalitarias de base tradicionalista religiosa, impenetrables al diálogo racional.

Nuestro interlocutor 4 estaría defendiendo que la creencia esencialista invocada por un grupo sería verdadera por autoafirmación, cerrándose a la verificación y legitimando, como implicación necesaria, la violencia contra la crítica.

En este sentido, deberíamos recordarle que, la Teoría del Derecho Natural<sup>65</sup>, disciplina que estudia los rasgos epistemológicos comunes de todo iusnaturalismo, identifica como uno de ellos la unión entre el ser y del deber ser, entre la naturaleza y el valor. Dicha "conexión metafísica", resulta siempre reconducible a un planteamiento contrapuesto a toda convención o creación humana. Por tanto, la organización social a partir de valores de base epistemológica metafísica religiosa, tendería a esencializar su criterio de legitimación desde una pretendida fuente trascendental. Frente a ello, puede defenderse la imposibilidad de acceso racional a dicha fuente y la certeza de que todos los sistemas anclan su origen en una genealogía y que son el resultado de decisiones cuyas claves pueden haber sido olvidadas.

En nuestro "tubo de racionalidad", podemos orientar la reflexión acerca de los límites en torno a los conflictos normativos, hacia una perspectiva

que no sea meramente interna al sistema, centrados en la aceptabilidad racional del conocimiento humano alcanzado para evaluar los sistemas morales. Por ello, en la cuestión de los valores últimos, podemos defender un criterio racional, altamente verificado: las últimas creencias que sostienen nuestra forma de vida son el resultado de decisiones humanas que apuntalan convenciones<sup>66</sup>.

Así pues, podemos descartar la pretendida validez con alcance universal de los sistemas de reglas morales sustentados desde creencias que apelan a una fuente metafísica y asimilarnos a la perspectiva pragmática que, como se ha sostenido, puede atribuir un sentido a los sistemas morales como sistemas de comunicación, erigiéndose como criterio para valorar y elegir justificadamente la configuración social a partir de los contenidos morales<sup>67</sup> vinculados al mejor manejo de la realidad.

De esta manera, habiendo verificado que ningún sistema moral "autoproduce" certeza, dicha atribución de verdad, sustraída a la duda y al debate crítico, implicaría un bajo grado de aceptabilidad racional para quien, como el interlocutor 4, respaldara incondicionalmente a quienes la esgrimieran. Efectivamente, la naturaleza convencional de los sistemas de normas, siempre resultado de procesos de decisión, constituye una verificación que conduciría hacia el reconocimiento del valor moral del derecho de los individuos al distanciamiento y revisión crítica de los valores y creencias desde los que fueron educados.

Por ello, carece de aceptabilidad racional el respaldo moral del interlocutor 4, pues implicaría configurar nuestro mundo social desde la cesión a los dictados de una fe religiosa en sí, autoafirmada como impenetrable a la crítica y, por ello, incompatible con el respeto por los valores que hacen posible la comunicación social. El

<sup>66</sup> Robles Morchón, G., *Teoría del derecho. Fundamentos de teoría comunicacional del derecho*, I, Civitas-Thomson Reuters, Navarra, pp. 105 y ss. Habermas, J., *Conciencia moral y acción comunicativa*, Península. Barcelona, 1996, pp. 110 y ss.

<sup>67</sup> Faerna, J. M. *Introducción a la teoría pragmatista del conocimiento*, Siglo XXI, Madrid, 1996, pp. 1-20.

<sup>65</sup> Robles Morchón, G., *Introducción a la Teoría del Derecho*, Debate, Barcelona, 2003, pp. 68 y ss.



interlocutor 4 estaría obviando el ínfimo grado de verificación de la postura que respalda, anclado en la fe grupal; primero, porque, aunque se pueda constatar la fe de Khabib, o de quien crea en los dictados de una religión, la existencia de dicha fe no implica que aquello en lo que se cree sea verdadero; y segundo, por las implicaciones derivadas de su incompatibilidad normativa con los derechos humanos.

De acuerdo con la anterior certeza verificada, la racionalidad indica el camino: resultaría, a priori, irracional apoyar moralmente una forma de vida de acuerdo con las normas de comportamiento ligadas la imposición obligatoria de la fe, porque ello implicaría aceptar la fe, cualquier fe, que es algo incomunicable, como criterio de verdad moral. La exigencia de aceptabilidad racional, dado que no podemos demostrar que aquello en lo que creemos sea verdadero ni falso, respalda el reconocimiento de una vía espiritual (comunicacional hacia el interior, lo que incluye la libertad ideológica) cuyo ejercicio dependa de las personas, es decir, un derecho a la libertad religiosa, nunca un deber. Por ello, el apoyo incondicional del interlocutor 4 a la postura de Khabib, resultaría racionalmente inaceptable.

Abogar en casos como el aquí analizado, en el contexto de los conflictos normativos en una sociedad pluralista, por la reconsideración de los límites del derecho a la libertad de expresión en su ejercicio crítico hacia la religión, primando el “respeto por la diversidad cultural”, es racionalmente inaceptable. La defensa moral de la acción de Khabib, es la de quién respalda la limitación de dicha crítica mediante amenazas.

De esta manera, nuestro interlocutor 4, defendería una posición racionalmente inaceptable, resultaría ser un dogmático auto contradictorio, ya que legitimaría los contextos cerrados a la comunicación, legitimaría los sistemas morales que contemplan la libertad religiosa, de expresión y muchas otras, como una perversión y/o un peligro<sup>68</sup> y contemplaría la

aceptabilidad moral de sufrir su propia agresión a manos de quienes dice apoyar moralmente.

## VII. ALGUNAS REFLEXIONES SOBRE LOS LÍMITES DEL CONFLICTO NORMATIVO DE DIMENSIÓN RELIGIOSA EN UNA SOCIEDAD PLURALISTA

- El planteamiento de los conflictos normativos como el aquí analizado, en el seno de una sociedad pluralista, puede encontrar una perspectiva no polémica: concebir los sistemas morales (religiosos) como sistemas de comunicación, esto es, como sistemas lingüísticos con los que organizar la realidad en relaciones conceptuales para lograr una adaptación a la misma y obtener el mayor control posible sobre ella. Desde dicho planteamiento, puede sostenerse que ciertos valores morales contribuyen mejor a tal función, en la medida en que optimizan las condiciones de comunicación, lo que exigiría el compromiso con ciertas reglas optimizadoras de la comunicación ligadas a la comprensión (ser óntico de los seres humanos): que cualquiera pueda participar con plena libertad, sin comprometer su vida o integridad física (lo que exigiría del respeto por las libertades “comunicacionales” del sujeto, tanto las internas; esto es, libertad de conciencia y religiosa, como las exteriores, es decir, expresión e información). Podemos tratar los conflictos normativos desde los niveles de aceptabilidad racional de las razones morales en apoyo de las diferentes posturas normativas, una aceptabilidad ligada a su grado de verificación, con lo que ello supone de comprensión y manejo de la realidad a través de la comunicación.
- Desde la exigencia de verificación que orienta la necesidad de aceptabilidad racional de las razones por las que deberíamos plantear los conflictos normativos en un hipotético diálogo social (que hemos denominado “tubo de racionalidad”), los interlocutores no deberían poder arrogarse el descubrimiento de verdades morales trascendentales, ya que, los sistemas morales anclan su origen en una genealogía, son el resultado de decisiones

<sup>68</sup> A. Cadenas (2017). *Contra el relativismo: Cuatro ensayos sobre racionalidad y comunicación social*. Editorial Académica Española. Pag 91.

humanas que apuntalan convenciones, y su pretendido acceso a fuentes esenciales de verdad moral auto atribuida, dependería exclusivamente de la fe, un fenómeno incommunicable. De esta manera, podemos reflexionar sobre dichos conflictos a partir de un filtro ético comunicacional que no dependería del valor moral que las creencias religiosas se autoatribuyen.

- De esta manera, los interlocutores en el contexto deliberativo de un tubo de racionalidad que plantea los conflictos normativos de naturaleza religiosa, no podrían defender la aceptabilidad racional de su apoyo hacia razones morales que partiesen de una autoatribución de certeza moral, puesto que ello supondría una falacia inverificable. Dichos interlocutores, tampoco podrían defender, por racionalmente inaceptable, la idea de pluralidad cultural como valor moral *en sí, al ser* una tesis dogmática y autocontradictoria, ya que aceptaría el dogma que identifica la existencia de creencias con su respetabilidad moral.
- Existen sistemas de normas morales-religiosas que rechazan la idea de niveles de aceptabilidad racional y de grados de verificación, que se muestran refractarios al favorecimiento de contextos de comunicación ideal y, por ello, en mayor o menor medida, son contrarios a la idea de auto referencia moral crítica, individual o grupal. Dichos sistemas morales, propiciarán un bloqueo en los procesos de comunicación social, un enclaustramiento en las creencias colectivas, entorpeciendo la propia justificación de las razones e impermeabilizándose frente a las razones del otro. Hablamos de creencias religiosas que se protegerían con mecanismos de inmunización, es decir, con defensas dogmáticas intolerantes contra las críticas, que podrían llegar a legitimar la violencia en respuesta a la crítica (como en el caso tratado), lo que introduciría un bloqueo comunicativo en la propia estructura. Consiguientemente, los procesos de comunicación individual, grupal y colectivo se obturarían, negando las evidencias contrarias y sacrificando la comprensión de la realidad

sostenida sobre mejores razones frente a las verdades del colectivo<sup>69</sup>.

- La aceptabilidad racional de las razones en virtud de las cuales puede afrontarse un conflicto normativo de dimensión religiosa, verifica que el derecho a la diversidad no implica intangibilidad, consiguientemente, por el hecho de existir, una religión no puede postularse por encima del valor moral superior a la dignidad de la persona y sus derechos, lo que incluye la prevalencia del derecho a ejercitar la libertad de expresión. Por ello, frente a conflictos normativos como el aquí tratado, lejos de favorecer posicionamientos condescendientes o relativistas, de acuerdo con J. Habermas cuando defiende la justificación moral de “obligar a una actitud crítica frente a las propias tradiciones” que reconozca y garantice una visión autorreferencial crítica de la propia cultura<sup>70</sup>.

<sup>69</sup> Marina, J.A (2010). *Las culturas fracasadas. El talento y la estupidez de las sociedades*. Anagrama. Barcelona. Pág. 118.

<sup>70</sup> Habermas, J., *Identidades nacionales y postnacionales*, Tecnos, Madrid, 1989, pp.120.

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# Contemporary Migration Policies in Chile: The Voices of Public Officials, International Agents and Migrant Collective Representatives

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## ABSTRACT

In recent decades, South American migration within and towards Latin America has grown substantially. In Chile, per official data over 1,6 million foreign nationals were residing in the country in 2023, almost equally divided between genders and mainly located in the Metropolitan Region of Santiago de Chile, with Venezuelans predominating. The present study consists of a qualitative analysis of policy narratives based on interviews to migration-related policymakers, representatives of international organizations and migrant collectivity spokesmen in Chile. It aims at analysing their convergent or divergent understandings of the progress of present migration policies and associated state capacities. Three main framings are identified. The first could be defined as technocratic, centered on producing evidence and implementing the objectives of general or specific policies. The second takes into account migrants' subjective experience and shows the concrete problems they face daily. The last emphasises the contemporary humanitarian crisis migrants are experiencing and the discriminatory reactions of the host country. It entails a radical change in national security. These visions do not necessarily exclude each other; they are sometimes interconnected and complementary.

**Keywords:** migration policies; framings; social discrimination; social integration; human rights; state capacities; frames; policymaking; migrant resilience; humanitarian crisis; intercultural adaptation.

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*In recent decades, South American migration within and towards Latin America has grown substantially. In Chile, per official data over 1,6 million foreign nationals were residing in the country in 2023, almost equally divided between genders and mainly located in the Metropolitan Region of Santiago de Chile, with Venezuelans predominating. The present study consists of a qualitative analysis of policy narratives based on interviews to migration-related policymakers, representatives of international organizations and migrant collectivity spokesmen in Chile. It aims at analysing their convergent or divergent understandings of the progress of present migration policies and associated state capacities. Three main framings are identified. The first could be defined as technocratic, centered on producing evidence and implementing the objectives of general or specific policies. The second takes into account migrants' subjective experience and shows the concrete problems they face daily. The last emphasises the contemporary humanitarian crisis migrants are experiencing and the discriminatory reactions of the host country. It entails a radical change in national security. These visions do not necessarily exclude each other; they are sometimes interconnected and complementary. However, the predominance of one or other framing shows the extent of migrants' social integration in any society. Maybe, some of these patterns are useful to analyse migration policy in other Latinamerican countries.*

**Keywords:** migration policies; framings; social discrimination; social integration; human rights; state capacities; frames; policymaking; migrant

resilience; humanitarian crisis; intercultural adaptation.

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## I. INTRODUCTION

In the contemporary world, increases in inequalities and poverty between and within countries, climate change and globalisation processes have resulted in the growth of international migration flows and in recent decades, migration within and towards Latin America has also grown (Dides, 2024). In the case of Chile, according to the National Institute of Statistics, as of December of 2023 the number of foreign-national residents was 1,625,074. In terms of demographic characteristics, men slightly outnumbered women and the majority (57.8%) were residing in the Metropolitan Region of Santiago de Chile (INE, 2023). This reflects an abrupt growth of international migration to Chile, mainly during the last five years, with Venezuelans making up the majority of the arrivals.

This new reality presents a big challenge for the host country and requires the transformation of state structures, infrastructures and public services for the integration of migrants who belong to different cultures, religions, races and genders. State capacity to design and implement public policies associated to the socioeconomic

situation, inclusion and promotion of the well-being of migrants is a key factor in the integration during resettlement, as well as the accommodation of intercultural values and behaviour among their hosts (Navarrete, 2017; Stefoni, 2011).

However, the state and the other institutions studied are far from being monolithic in cultural terms, with members holding different type of beliefs, perceptions and understandings of migration processes and of migrants as persons. It is important to understand how they formulate their visions and behave meshing or not officially approved protocols with their own views. The main objective of the study is to analyse the relationship between state capacities, the behaviour of bureaucracies and of civic epistemologies underlying both aspects.

## II. ANALYTICAL PERSPECTIVE

The conceptual construction of interpretative framings follows an already widely accepted definition developed by Entman (1993, p.52): 'To frame is to select some aspects of perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described'. Framings emphasise certain aspects of reality while others remain relegated or hidden; attributes, judgements and decisions are selected and suggested within a story to promote a specific interpretation. Speaking theoretically, a framing can be understood as an interrelation between four elements that can be operationalised: a specific definition of a topic, a causal interpretation, a moral evaluation (the type of judgements, risks and benefits involved) and a way to remedy a situation. Separate qualitative elements of frames can be analysed in terms of persistent patterns: 'When some elements group together systematically in a specific way, they form a pattern that can be identified across several texts in a sample. We call these patterns frames' (Matthes & Kohrin, 2008, p.263).

Framings are built upon and manifest latent 'civic epistemologies' defined as underlying 'tacit forms of civic knowledge, that reflect culturally specific

meanings put into practice within the public arena' (Jasanoff, 2004, p.4). The dynamic coproduction between knowledge and power negotiations—politics and/or public policies – through agenda setting and the dissemination and application of results contributes to the shaping of these epistemologies. In this study, knowledge manifested within the making of discourse/narratives and social representations (Jasanoff, 2006) will be referred to solely as a background for the analysis of the meanings, representations and actions that reflect different social agents' interpretative framings of understanding.

The present study focuses on the following interconnected questions:

- In which ways are understandings of migration policies, designed according to the state's capacities, expressed in the narratives of socially influential leaders?
- Which are the main convergences, divergences and variations in leaders' interpretative framings of specific topics?
- How do these framings affect the conditions of migrants' resettlement?

The exploration of these questions has the aims of: (a) defining the understandings of migration in the prevailing social discourses of leading social actors, (b) reflecting upon the benefits and opportunities that migration brings to the country, (c) showing patterns of social discrimination towards migrants, and (d) illustrating some of the measures officially designed to promote migrant integration, including the relationships fostered by different institutions with migrant collectives and vice versa.

## III. METHOD

The present research forms part of a wider international project, 'Human Mobility, Global Challenges and Resilience in an Age of Social Stress' (PHOENIX), coordinated by Professor Susan Rottmann. In Chile, the team's work is directed by the hypothesis that: the patterns and levels of resilience and mental health of migrant populations depend upon the social support

received and the state response to their demands. This process, in turn, is affected by different aspects of the socioeconomic and cultural conditions of migrants' settlement. In this study we only present an analysis of national leaders' thinking on migration and the associated public policies, a topic relevant to one of the variables of the general research hypothesis: 'state response to migrants' demands'. The indicators of this variable include: main policies, specific actions and migrants collective participation in relation mainly to health, mental health, employment, civic rights and so on.

The present research took the form of a case study that involved a qualitative analysis of ten in-depth interviews with a limited number of subjects who were considered to hold representative views of the policies of the present government. Between 2023 and 2024, six semi-structured online interviews one to two hours in length were carried out with leading public policy makers, two with members of international organisations and two with migrant associations' representatives working on migration (Appendix 1). The interviewees all responded to a series of common questions and additional questions related to their areas of expertise. The study does not pretend to draw general conclusions, but to show trends in policy visions.

State officials interviewed were selected in each Ministry because they were the only coordinators of migration policy related to different areas (see Appendix I). The representatives of international organizations were in charge of key migration areas (IOM, UNHCR-Chile) and the spoke people from collective organizations represented either the main association of the Venezuelan population or the main coordination of migrants collectives. In this sense, their views were key in migration policy design.

To maintain confidentiality, the extracts of the narratives were anonymised, because many of the interviewees occupied high-level positions. The majority of interviewees were professionals trained in the social sciences, including political science, and had completed post-graduate work. They were equally divided by gender and their

average age was 47 years old. Except in the case of one person who self-declared as white and another who self-declared as mixed race (both were not of Chilean origin) – the interviewees did not identify with any race. Eight reported being atheists and two stated they were practising Catholics.

The main interpretative frameworks present in the interviewees' narratives were identified based on the qualitative analysis of their visions. The narratives were analysed for content, meaning and emotional connotation. Emotional responses can be viewed 'as a form of social action that creates effects in the world and can be read in a culturally informed way' (Abu-Lughod & Lutz, 1990, p. 12). In the interview extracts, segments that were delivered with higher-positive or negative-emotional charge, as reflected by speaking volume and gestures, appear in a bold font. The narratives were also analysed in order to detect the underlying social values and ideological assumptions, what Mulkay (1993, p. 723-724) calls the 'discourse regularities that are constructed according to pre-existing sociocultural beliefs, and reveal an interrelated set of background premises'. Finally, convergences, divergences and variations between different actors' visions were identified.

The first step in this type of discourse analysis is to transcribe the interviewees' answers, classify them in relation to each topic studied, and quantify them for prevalence. Then, the narratives are contrasted with keywords that appear recurrently and were emphasised as current concerns by the interviewees. Keywords included the following: discrimination, human rights, focalised policies, faults within policies, adequacy of actions implemented, as well as state capacities. The presence or absence and level of use of these keywords were tracked in order to group together similar types of narratives for each topic, following an inductive analysis (Goia *et al.*, 2013). The main framing patterns were thus established. In the following sections, the highlights of the interviewees' visions are presented.

## IV. ANALYSIS

### 4.1 Definition of the Migrant Person

In general, interviewees agreed that an international migrant is a person who settles in a country different to that in which they were born with the intention of becoming a permanent resident: "In the case of a migrant it involves a decision of personal mobility" (PM1M), revealing a framing that understands migrants from a formal and abstract definition. It considers them as subjects who decide to migrate voluntarily. It does not take into account the socioeconomic conditions and violence that hinder their survival or diminish substantively their quality of life in their country of origin and thus, drives them to migrate or 'flee'. In the technocratic framing there are remnants of the authoritative period and a tendency towards quantification. In the most recent wave of migration, the presence of children and adolescents has great importance and the dominant story emphasised the infringement on a basic right, that of having a specific nationality:

There are special situations. They are called 'separated children'; there are also unaccompanied children who arrive alone, alone, alone. The 'separated children' arrive in Chile being in charge of an adult, but that adult is not the person who has parental authority. We also find cases of 'stateless children'. They are born while parents are constantly migrating between countries; for example, they are born to Venezuelan parents but in Colombia and Colombia does not regard them as nationals. The children enter Chile through unauthorized corridors, and they are stateless, they do not have a nationality. So these are very complex situations to handle (PM1M).

It is to be observed that stateless children were only recognized in Chile during the government of President Michelle Bachelet (2014-2018).

It seems that the technocratic framing, which defines the migrant person as a subject who of their own volition 'decides' to migrate, is not useful for understanding the migrant situation of children who appear as people whose rights have

been infringed upon. This is similar to the argument presented by Volkan (2019), for whom the experience of such children can be read as a form of exile.

Also, differences were established between a migrant and a refugee, with the following characteristics being attributed to the latter:

A refugee is a person that is obliged to flee his/her country of origin and has crossed an international frontier looking for international protection in a host country, because in the country where he lived, of which he was a citizen, he could not have access to the most basic human rights and, for this reason, was obliged to flee (as established in the International Convention of 1951: The Statute of Refugee Persons) (PM3W).

The other main difference articulated between refugees and migrants is that the former have a right to demand not to be sent back to their country of origin. The convention mentioned above establishes five situations that justify applying for refugee status: a person's rights are infringed upon due to race, nationality, religion, political opinions or belonging to a specific social group. In the Cartagena Declaration for Latin America the right to apply for refugee status are also extended to 'people that escape a severe situation of infringement to their human rights, generalized violence, external or internal armed conflict and severe disturbances to the public order' (PM3W). Both definitions have been incorporated into Chilean legal norms (Law 20.430) and apply to both irregular and regular migrants.

Compared to other Latin American countries, in Chile asylum requests are rarely approved. For example, in September 2023, of the 8,333 requests for refugee status made by Venezuelan nationals, only 33 were approved;<sup>1</sup> this represents a dire situation because 'those not approved are

<sup>1</sup> Few Haitians have requested refugee status (144) and none have been approved (Servicio Jesuita a Migrantes (SJM), 2023). Perhaps the lack of requests is due to Haitians' being unaware of this possibility.



subjected to registration according to the current Migration Law, but they can also be expelled from the country if their entrance has been illegal' (PM3W). This critical narrative reflects a real concern for the discrimination refugees suffer. But distinctions between the conditions of exit from the country of origin that merit the request of either migrant or refugee status are clearer by law than in the everyday experience of people who 'choose' to migrate, as Espinar (2010) argues.

#### 4.2 *Benefits and Opportunities of Migration*

The benefits and opportunities for the Chilean society and for migrants are also matters of high concern among the interviewees. Several of them reported on the beneficial impact of migration upon local demographic indicators and on the urgency to reverse the ongoing aging process of the Chilean population: 'There is firstly a demographic benefit, as we know societies are aging. Chile is one of the countries that has higher rates of population aging, together with others, but it is among the top five' (PM4M).

A second benefit interviewees mentioned is the contribution migrants could make to gross domestic product (GDP), if existing internal barriers for their regularisation were relaxed. Upon becoming regular, migrants can pay internal taxes and access public services more systematically. This description blend together technical and social aspects, stemming from an underlying economic and marketing assumption within the civic epistemologies held. This narrative gives the impression that an emphasis on the economic argument may be useful to promote more favourable visions about migration within Chilean society.

Interviewees estimated that there were between approximately 200,000 and 350,000 migrants in an irregular situation in the country (an estimated 85% of whom were Venezuelans), who had no access to the formal labour market (PM4M). However, this is not based necessarily upon accurate evidence, as this type of data is still incomplete in Chile.

Interviewees discussed migrants' contribution to their families in their countries of origin through

periodic financial remittances, especially those of women, 'often at the cost of their own bodies' (PM2W). For the female interviewee quoted here, remittances tended to negatively impact the health and subjectivity of female migrants, because the money 'surplus' often meant extra work and hence an increase in exhaustion or else a reduction in their own quality of life.

The creation of new markets, based upon migrants' specialised skills, was frequently discussed as another benefit migrants bring to Chile. For example, the local gastronomic, beauty and personal care markets have expanded. However, interviewees pointed out that there are important delays regarding the validation of foreign university degrees, held by an estimated 400,000 professionals, 'who could obtain perhaps better jobs in their professions' (PM1M), an unjust situation. However, they did not discuss in depth the implications that being forbidden to work in their professions may have emotionally and materially upon migrants and how it often leads migrants to accept low-qualified jobs and poor working conditions in order to survive.

Some of the interviewees argued that migration could bring productive cultural changes to Chilean society: 'It depends upon ourselves. Chileans have accepted a greater social diversity; this is a positive phenomenon. If we do not see this, we are also not looking at the whole picture. If we see it, let us reinforce and validate it. Kids are very open to sexual diversity, as well as very open to have a Colombian friend' (PM5M).

This argument criticises the social denial of migration and highlights the advantages of diversity and multiculturalism from a vision that supports the human rights of migrant persons. It points out that cultural integration emerges more easily within 'everyday spaces of encounter'. One question that follows is then: How can these spaces of encounter be publicly promoted beyond those already existing at schools? In this sense, it becomes most relevant to root policies spaces of everyday life.



#### 4.3 On Migrants' Discrimination

The majority of interviewees were very worried about and criticised the extreme discrimination migrants suffered from the host society. According to the Jesuit Service for Migrants (SJM, 2024), in recent years increasing conflicts have been observed between Chilean nationals and international migrants. Ceballos (2024), based on data from the 2024 survey by Amnesty International, reports that 74% of survey participants reported having a bad image of the foreigners who had arrived in the last five years, a considerable increase compared to the results of previous studies (SJM, 2021).

The Chilean media has had a negative influence on the management of foreigners as it has insistently focused upon associating migration to criminality. The integration of migrants often faces obstacles related to the social hatred and rejection promoted intentionally by the media within public opinion. This perspective has led to the establishment of more-restrictive measures governing the entry of migrants into Chile, the regularisation of migrants within the country and the protection of the rights of previously settled foreigners (Caro & Quitral, 2023; Dammert & Erlandse, 2020). An abstract image of 'the migrant' (associated to delinquency) has been constructed that does not correspond to the reality of everyday relationships.

One of the causes of this recent massive rejection of migrants is attributed by some interviewees to the rapid expansion of international migration, unthinkable in previous years in Chile: 'An estimated one million new people arriving in five years, led to the collapse of the service systems' (PM1M). Interviewees blamed for this either the state's planning incapacity or simply the laissez-faire attitude held by the previous government. This has contributed to the negative response to migrants by Chilean nationals, who have found themselves in the following situation:

The arrival of migrants threatens the small improvement in the socioeconomic conditions that some families had had in recent years. One should not consider Chileans solely as racists, but also have in mind the complexity

involved in the arrival of a million new persons in five years in a country in which unemployment rates had been stably maintained at around 7.5%, but where infrastructure capacity is deficient relating housing facilities, as well as educational and health services. This situation has generated high social tension (PM1M).

Though this narrative extract is quite realistic, one can also observe glimpses of an underlying justification of the social rejection of migrants based upon a technocratic frame and an ideological civic epistemology. Instead, one could ask: Why did governments not prepare adequately for letting migrants into Chile or set feasible quotas for their numbers? The 'explosion' of migration seems to have been unexpected.

Another interviewee referred to the socioeconomic changes that the country has undergone since the period of the highest migration flows until the present, factors that have influenced negatively the social image of migrants:

In the Chilean case, we should incorporate into this analysis the fact that we nowadays face a lot of social instability, because there is an incapacity in the political system to process what is happening. We are far from that. We are not economically stable to follow a path towards growth. And in terms of the environment, not even worth mentioning! (PM5M).

The gap between the stability migrants thought Chile would offer them and the actual present characteristics of the country was emphasised. This perspective involves an important political critique that shows that institutions are not capable of reading and understanding the present socio-political dynamics in Chile, including the social cohesion negatively affected by migration waves.

A more critical and humanitarian-oriented definition of the current moment in Chile can be observed in the following extract: 'Whoever does not understand that international migrations form a key part our new reality, and that one has

to understand the need for developing the capacity to continuously process this flow, has not understood anything' (PM5M). This interviewee added, as a potential partial solution to migrants' exclusion, the possibility of passing an antidiscrimination law, which is already under discussion in Congress, and is of a wider scope than the Zamudio Law from June 2012.<sup>2</sup> Then, migratory flows in Chile are an undeniable part of Chilean reality. However, local institutions seem somewhat unaware of this phenomenon which tends to overwhelm their capacities of integrating migrants.

Discrimination against international migrants is a constant topic that cuts across general social views at different historical periods focusing on different aspects. But its main cause derives from the state's difficulties in designing and implementing policies to manage migration flows, whether the wider public is aware of this aspect or not.

This has changed at different periods. At first, they used to say 'migrants leave us without work'. Afterwards, the population claimed, 'they leave us without quotas in consulting rooms', as well as within schools and kindergartens. Then, the critique of migrants involved the housing deficit and lately, security. We do not know what [basis for discrimination] will follow (PM1M).

In relation to the present moment, an interviewee commented, 'Migrant rejection is now "super strong" due to the association that has been socially established between migration and crime. We know that this rejection harms mental health. All the previous anxieties that migrants bring are activated and mental health issues are magnified and grow in complexity' (PM6W).

This was almost the only narrative in which a direct relationship was established between social myths on migration and their negative repercussions on migrants' mental health. It

<sup>2</sup> Its main aim is to establish a legal mechanism to reestablish people's rights in cases of discrimination (Law 20.609 from 2012).

shows how the hostility experienced in the host country makes the sociocultural integration and maintenance of psychophysical balance of those who migrate more difficult, as discussed by Volkan (2019).

Unfortunately, some of the infringement upon migrants' rights, especially within the health system and towards black women, has been provoked by public officials' discriminatory behaviour: for example,

Nurses in many public services had many difficulties in giving vaccines to black/brown female migrants. They simply did not know how to find their veins, because they could not see them. The nurse starts to challenge the Haitian lady she is trying to treat, who in turn does not understand that she is being told off. The nurse maltreats her, pulls her around, shouts at her and it all ends very badly. Then, what should have been in principle a dignified health treatment, officially approved, turns into a severe infringement upon rights (PM7M).

This is a clear example of the gap existing between the guidelines proposed and the way in which the health treatment of migrant people takes place. Often health-related tasks are performed by public employees who act out during treatment their own civic epistemologies based upon discriminatory representations of migrant people. These employees are far from understanding migrants as subjects of rights.

The interviewee quoted above explained that they felt this type of situation reflected the failures of MINSAL. The ministry has not trained nurses in the techniques required to perform their jobs properly. There is the need for institutional changes at the national level, for example, in the curricula of university courses. This statement, though having an internal coherence, is based on the assumption that training can deeply transform behaviour and in fact, this discriminatory attitude also forms part of a certain robustly held interpretative framing. The vision being expressed deals with maltreatment as an act of 'supposed ignorance', rather than of one embedded in the coproduction between neocolonialism and power

abuse, widely discussed by many academic authors (e.g. Agambem, 2010; Crenshaw, 2006). The underlying assumption in this last view reflects 'a supposed superiority of the White hosts over the Black migrants' (Tijoux, 2016).

Often interviewees are aware that in some institutions there is triple and quadruple infringement upon rights, exacerbated by all type of stereotypes about migrants, most especially of black/brown women: 'If one wants to find a place where human rights are infringed in Chile one goes to police stations, patrols and prisons. In police stations, guys pick the women who are involved in sexual commerce and they take them away, and if they are afro descendants they treat them even with more cruelty' (MP5M). This is the most radical critique presented in the interviewees' narratives on the power abuse by key public authorities.

#### 4.4 Public Integration Actions for Migrants

There was a certain polarisation between two types of the visions expressed by the interviewees. Some emphasised the development of universal policies and norms for the population, as disseminated by the United Nations. Others, without denying the international reach of this positioning, described the importance of implementing policies focused specifically on migrants.

Those who favoured the first position argued that focalised policies induced a greater fragmentation and asymmetry between those benefitted and other citizens. An interviewee comments on the lack of policies addressing the mental health of migrants as follows: 'There are none [mental health policies oriented to migrants] and this is an explicit decision, because it is something we know that eventually backfires for the specific populations; it is something counter-intuitive. People tend to think that if there is something for a specific group, it is as if one favoured only that group designing a hyper specialized service' (PM6W).

There are contradictions between technocratic visions that express the sole need to work following universal criteria on policy-making and

those with a greater social awareness of multiculturalism and diversity. This polarisation may reveal that sometimes interviewees were dealing with a false dichotomy. The debate here is similar to that on other forms of affirmative action often implemented in many countries, such as on the validity of assigning specific quotas to university-level students by race, differential capacities or gender (Htun, 2003; Crenshaw, 2006) or on efforts in France to implement intercultural devices related to the mental health of migrants (Moro, 2004).

Those interviewees who held the second position repeatedly detailed their ongoing initiatives to collect national level information on migration with the aim of developing the better focalisation of public actions. One interviewee stated, 'We are beginning to design labour profiles with a focus on women to be able then to do what is most adequate with respect to their employment and educational trajectories, so that we can use this perspective to match supply and demand within the labour market' (PA8W).

Even then, race was not mentioned as a relevant variable to design those profiles. However, an interviewee added that it was 'institutional work that has to behave as non-racist, non-classist and consider the gender dimension' (PM2W). This proposition intends the transversalisation of an intersectional perspective within state agencies and with that, recognises the subjectivity of 'situated knowledges' (Haraway, 1998), also among different types of migrants (Lara & Stang, 2021).

There exists one interesting policy initiative that is aimed at speeding up the entry of migrants into the labour market. The Programme 'Chile Values' at the Ministry of Labour and Social Security recently decided to create what has been called 'the project for the certification of competences'. It entails the verification, through direct observation and testing, the pre-existing knowledge of migrants, even if it has been informally acquired. One interviewee described the rationale for the programme: 'Your father knew how to weld, but you never attended a technical school that could teach you the

technique, but you learnt- it- by- doing' and so "you show me that you know how to do that" (PM8W).

The programme is directed at the testing and acknowledgment of the real knowledge of a certain technique that the migrant has previously acquired on his own or with the informal help of others rather than at the certification of formal training – or an apprenticeship. This innovative measure still has a certain techno-deterministic character. It does not explicitly explain how participants will be recruited nor indicate whether migrant collectives were involved in the design and/or implementation.

One interviewee shared the wish that the present government will have mapped thoroughly the extent of migrations and their characteristics at the national level (PM5M) by the end of its term. The urgent need to have this updated and full evidence on migration patterns available was mentioned widely in order design or adjust policies to real needs.

Interviewees were in agreement on the importance of the work carried out at the municipal level, to put into practice specific migration policies at the local level. One local-level initiative that was frequently mentioned as very successful and that been recognised internationally was the training of 'pairs of cultural and psychosocial facilitators'. This policy was designed with the purpose of mediating, not only linguistically (as in the case of Haitians), but also culturally, between migrants and public service officials. This was a public activity guided by a socially aware framework and informed by an underlying civic epistemology that placed migrants' health needs at the forefront. Launched in 2021, the strategy employs sanitary and psychosocial monitors in the Northern and Centre Regions of the country—from Arica to Valparaíso—and recently the Metropolitan Region as well. The pairs function in seven regions; until 15 June 2023 they were funded by the Pan-American Health Organization (PAHO) and since then by MINSAL:

Then, these psychosocial pairs evaluated psychosocial needs and made referrals. They carried with them pamphlets and said to migrant people, 'You have the right to health treatment' ... (PM7M).

This was considered by many interviewees to be the best nationally implemented public activity, being practical and aligned with migrants' needs. It requires dedicated and systematic work in the territories that entails having face-to-face relationships with migrants. It also contributes to removing some of the barriers migrants face in accessing public services.

Other face-to-face activities mentioned in the interviews involved the presence of ministerial representatives at the territorial level, for example, at the transition shelters in the frontier zones, within primary health treatment facilities and in the 44 foster homes established for females around the country (PM2W). The IV National Plan on Gender Equity has already been designed and it includes statistical indicators on gender developed in close communication with female migrants. This information is to be included into the gender violence programmes and accordingly represents a vision with high social awareness.

The majority of the interviewees emphasised the state's inescapable obligation to offer quality training to service officials and to personnel at police stations. For example, one of the participants noted that 'Unfortunately, there is a form of communicating about migration that scares a lot of the irregular migrants. It makes people desist from accessing all the programmes the Chilean state offers' (PM2W).

Public officials' ignorance of the conditions under which migrants live was emphasised and an example of this was provided. There was a medical doctor who demanded that a female migrant patient come clean and neat to his office for consultation. However, this woman lived in a camp without water. One of the interviewees explained that there should be within each of the state agencies a gender specialist, just as there were currently indigenous population specialists. In other words, this interviewee was advocating



that an effort be made to include a sort of transversalisation of a gender perspective into state management, in order to develop policies on topics that otherwise would be invisible.

#### 4.5 Relationships with Migrant Collectives

In general, the institutions to which these interviewees are affiliated did not interact directly with migrant collectives, instead going through NGOs selected through public tenders. Moreover, for migrant collective representatives it is very hard to communicate on a regular basis with officials in state agencies. There are some exceptions of representatives who are in frequent contact with migrant collectives, usually public officials who made a point of developing direct relationships over time. Only one representative interviewed at one ministry described the face-to-face relationship they had established with the coordinators of migrant collectives. This person emphasised the importance of being touch with the collectives as frequently as possible to develop and implement a range of programmes, policies and actions, most especially regarding employment and gender violence (PM2W).

The organisations that group together migrant collectives and are primarily dedicated to struggle in favour of migrant regularisation explained that nowadays it has become extremely necessary to ‘de-construct the myths on criminalization that has progressively developed in relation to migration, and that has oriented the political behaviour of right wing followers and lately – in the last 4 to 5 months–also often of those belonging to the left wing, i.e. stigmatization’ (RC1H). A major reason for the social dissemination of this mythical vision of migrants is possibly the growth in foreign drug trafficking gangs operating in Chile, mostly associated to Venezuelan and Colombian organised crime. This criminal conduct, restricted to a few, has eventually become extended into a wider interpretative framing that judges all migrants in negative terms (Cociña, 2022).

Migrant collectives tend to advocate for migrants’ rights at state agencies and disseminate information in the media to counteract those

negative narratives on migrants (MCR2W and MCR1M): ‘At this moment, we are dealing with cases of women and especially those with children, that are in a precarious economic situation, and we take these cases and put them in contact with different state institutions or with international organizations that can provide financial assistance for mental health and for child care’ (MCR2W).

Many collectives undertake concrete actions, such as periodic public conversations, mainly directed to transmitting information on legal regularisations and often work jointly with private entities that support migrants, like the Jesuit Service for Migrants (SJM). They also sometimes establish formal agreements with international organisations for the creation of decent jobs. Those type of actions are all carried out on a voluntary basis. They would probably have a greater impact if they received consistent technical and financial support from public and private institutions, as is the case in other countries (Van Ewijk & Nijenhuis, 2016; Però, 2008).

#### 4.6 Main Challenges at Present

There was a consensus among the interviewees about the need to solve the deficiencies in and excessive times for migrant regularisation. In other countries, such as Peru and Ecuador, these issues are already being tackled (Aron, 2019; Arroyo et al, 2022). The interviewees felt that the main barrier to making the regularisation process more efficient was a lack of political will: ‘Regularization times have been going down, but, for example, for Venezuelans it takes on average one year and two months to get a definite residence permit’ (MCR2W).

Another interviewee explained,

Without regularization, migrants become second class citizens, i.e. they are excluded from the formal labour market and society as a whole. They can become victims of even more abuses – such as those of money lenders – face extra gender violence and also stop accessing public services for fear of



deportation. New vulnerabilities are generated and old ones increase (PM4M).

It is from this perspective that the even-more-precarious situation of irregular migrants is addressed. The approach integrates two important arguments, one that is humanitarian oriented with one that is socially conscious. It also seems to indirectly refer to the possibility of facilitating cohesion within Chilean society between hosts and foreigners.

Some socially aware interviewees suggested, for example, that the present process of migrants' enrolment (biometric typing of irregular migrants as established by the new migration law of 2021), could have been designed together with an actual regularisation process that would lead to obtaining permanent residency. Instead, it has followed a path where national security is the overriding concern.

A theme that permeated all interviews was that of ensuring migrants could exercise their rights in practice, especially those that have already been approved within official protocols. The main concern interviewees expressed was about the problems that hindered efficient coordination between the agencies in charge of different sectors. One interviewee stated,

If there is already a catalogue for the access to services, to benefits that exist by law for a group of the population, I have to guarantee that this reaches the people addressed within this policy . . . [and] provide officials with the tools to manage this to deal with a population that arrives with creole as their only language. Thus, there is a lack of mechanisms that allow this type of access. Secondly, there are flaws in how to make that information reach the migrant population in ways that they can understand it (PM7M).

This narrative extract refers to the design and implementation of measures that guarantee migrants' practical possibilities of exercising their rights. For example, at MINSAL a health policy for international migrants has been in place since 2017; however, 'that policy was created but never implemented through concrete actions; a plan of

action was designed but never concretized' (PM7M).

Another example is that of the RUN – unique national roll – a number stipulated by law to be handed out to each migrant so that they have access to all the public services to which they are entitled, even before they have become regular:

What happens is that if I go to Fonasa (National Health Fund) or to a health consulting room, I have one number. If I go to another institution, I have another number and so on. At least, if I had a RUN, I would have only one number and it would be useful forever. But the challenge is there. Not all ministries are distributing this number, even when it has been established by law. Thus, a migrant person can have up to four numbers that different state agencies provide them (PM7M).

The above extract reveals important problems within horizontal inter-sectoral coordination for the implementation of policy. Contradictions and even oppositions between intentions, laws and policies versus everyday practice are thus manifested in the majority of the humanitarian-oriented interventions.

## V. CONCLUSIONS

The present study found three main framings of migration policy among the interviewees that are based on their underlying civic epistemologies—tacit forms of knowing—and orient agents' actions in the social realm. The first is a techno-deterministic or technocratic vision concerned with analysing empirical evidence and the implementation of the objectives of general and specific policies. The second is more linked to a social awareness of the concrete everyday problems of migrants—it is a socially conscious framing. Finally, there is a humanitarian-oriented framing that emphasises the crisis that the Venezuelan migrants, are experiencing and the discriminatory reactions of some sectors of the population towards them. The last proposes solutions oriented to substantive reforms of the state and demands a move away from the current approach oriented mainly towards national

security that informs many of the present public actions.

These three visions, though distinct, are not mutually exclusive, given the predominance of unresolved power conflicts. Power dynamics refer to two type of issues: (a) the affiliation of interviewees to different parties, mainly the right wing- in favour of national security and securitisation- and the present social democratic government tending to consider, though in a restrictive manner, migrants' needs and rights, especially relating to health, family reunification and education. Although the first are not represented in the sample, some interviewees share aspects of the view on national security of the right political wing and tend to have a technocratic vision; while the second can either be socially-conscious or humanitarian oriented though the weight of the latter perspective has been gradually diminishing during the last two years; (b) there is quite a difference in the interests defended by interviewees in different positions. While some technocrats are found among public bureaucracies; international organizations' representatives are socially-conscious and, especially the IOM- following international standards- and the migrant collectives defend a humanitarian vision that emphasizes strongly migrants' rights. Unfortunately, lately the far right's political interests are prevailing and the new government of a social democratic character – which also includes some sectors of the left wing- has had to introduce mechanisms on securitisation, like deportations- which are a central part of the right wing parties' political agendas. These negotiations between positions shape the ambiguities and arbitrariness – already pointed out- of some aspects of the new migration policy. The formal media –in the hands of the right wing parties- has contributed substantively to these changes in agenda setting with its discriminatory influence on the subject of migration and the migrants as persons.

Sometimes these visions intersect, with a higher priority assigned, according to the moment, to one or other aspect the topic, power relations and the institution that puts them into practice, e.g. central

Ministries versus municipalities. The intersections between the three framings tend to converge in some aspects regarding social policy, but the humanitarian oriented view highly diverges from the other two positions in relation to national security, migrants' discrimination and dealing with migrants as potential criminals and delinquents. The further away the municipality level administrative apparatus is geographically located from the Capital, the less the nationally approved protocols for migrant integration are well known and put into practice by local officials. All kinds of hybrid approaches' intersection of framings tend to disorient migrants regarding, for example, information on their rights during the regularization processes and their access to public services. As a whole, this lack of a clear direction is extremely harmful for migrant social integration, as the three framings influence decision-making on migration and migration policy and present contradictions and conflicts between them.

The operationalisation of framings proposed by Entman (1993) was applied to gain a deeper understanding. These frames include the following elements: a specific definition of a topic, a causal interpretation, a moral evaluation and a proposal of solutions.

The techno-deterministic frame is characterised by the definition of a topic based upon certain 'objective' data. It attributes causality to migrant subjects capable of managing their own migration process. This reading implies that migration is considered as based almost exclusively upon rationality and will and, in terms of values, does not fully acknowledge the conditions that force people to migrate. This type of policy probably does not take into account important subjective and cultural elements. It is based on an 'abstract' vision of migrant people and seems to consider the resettlement process as a series of stages, procedures and obstacles that migrants go through so as to achieve integration.

The second or socially conscious frame is more open to the recognition of the subjective and cultural dimension of migrants and of the hosts' internalised cultural aspects. A more complex

migrant subject is considered, one who carries a specific biography and culture and is adapting to a new sociocultural context. This subject shows mobility. Migrants are both open to new possibilities and being forced to leave behind material and symbolic belongings. What seems to be valued morally here is human existence and the potential suffering associated to the migratory experience. Consequently, emerging policy solutions should involve more-specific practices that require the understanding of migration experiences fully in the context of a humanitarian crisis. The migrant is conceived as an 'embodied subject' and the framing recognises the psychological, social and cultural implications of resettlement processes that need different follow-up strategies.

At the centre of the third framing is the concept of human rights considered as the main lens through which to understand the migration processes. The judgements on the social, economic and political conditions that hinder the exercise of rights and the possibility of people's experiencing themselves as subjects of rights are at stake. Causality refers not precisely to a person's will to migrate. Instead, migration is seen as 'the last alternative'; the underlying assumption involves an unrestricted respect for the rights of any person. Consequently, policy solutions are to be oriented first towards restoring rights and second towards designing and applying logics in public policies that allow for the exercise of these rights.

This framing integrates both images that are attributed to migrants: an abstract and universal perspective together with that of an embodied subject of rights exposed to the multiple difficulties of the migratory process. Resettlement processes should aim at developing the state's capacities to restore migrants' infringed rights and promote their full integration into the host society.

The three framings arise from, as well as shape policies. The challenge is that once one frame predominates the rest can be made invisible or totally neglected. For example, the technocratic frame has as its main advantage the collection of evidence on migration trends, though this data

can appear as neutral and hence, clash with the socially-conscious position which would imply gathering more inclusive data, for example, relating the racial composition of migrant nationalities. Effective actions in this last sense could target more directly the specific cultural and labour needs of populations such as Haitian migrants, versus other. Regarding this aspect, the humanitarian –based policies go far beyond the protection of migrants that appear in the other two frame-related policies. They would mainly promote regular and active participation of civic organizations and migrant collectives at the institutional level, plan policies designed and based upon migrants' collective association at the national and international levels and generate equity treatment between migrants and hosts at every socioeconomic and political level.

The Chilean population experienced an enormous social trauma during the long years of the authoritarian civic-military dictatorship. Subsequent democratic governments have made scarce interventions towards the national repair of the negative social effects of authoritarian rule and have left that form of government's influence upon 'the construction of democratic civic ways of knowing or civic epistemologies' largely unchallenged. Migrants, who tend to bring their own traumatic stories, are thus having to integrate socially and culturally into a country that has had a traumatic history of its own.

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#### Appendix 1: Characterization of interviewees by gender, position and institution

Policy makers/ Migrant collective representatives*	Position	Institution
PM1M	Adviser on Migration	Ministry of Social Development and Family
PM2W	Coordinator of Gender Transversality	Ministry of Women and Gender Equality
PM3W	Protection Official – Coordinator of Protection and Solutions within National Units	The United Nations Refugee Agency (UNHCR)



PM4M	Adviser; Ex member of IOM Staff – Articulator of South American responses to the Venezuelan crisis	International Organization for Migration (IOM)
PM5M	Sub-secretary of Human Rights	Undersecretary of Human Rights, Ministry of Justice
PM6W	Head of the Department of Mental Health – System’s Regulator	Undersecretary of Public Health, Ministry of Health (MINSAL)
PM7M	Adviser to the Department of Indigenous Populations’ Health and Interculturality: Technical line on migration	Undersecretary of Public Health, Ministry of Health (MINSAL)
PM8W	Head of the Department of Fundamental Rights on decent work and labour migrations	Ministry of Labour and Social Security (MINTRAB)
MCR1M	Vice-President/Spokesman	National Coordinator of Migrants in Chile
MCR2W	President of the Directing Board and Legal Representative of the Organization	Venezuelan Association in Chile (ASOVEN)

Source: The research

Note: Abbreviations used during the narrative extracts correspond to: Policy Maker Man: PMM; Policy Maker Woman: PMW; Migrant Collective Representative Man: MCRM; Migrant Collective Representative Woman: MCRW.



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# Croatian History of the Second Half of the 20th Century in the European Context

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## ABSTRACT

This article, based on published sources, tries to present the Croatian history of the second half of the 20th century in a European context. It should be pointed out that the communist regime of the Socialist Federal Republic of Yugoslavia (SFRJ), and thus the Socialist Republic of Croatia (SRH) in the period 1945-1990 causes various controversies, therefore also about whether it is a totalitarian or authoritarian regime. As part of these considerations, published sources such as: books, anthologies, scientific articles, testimonies of participants of the time and events, periodicals and films were primarily used. Equally, for the purposes of the article, unpublished archive material of the Yugoslav communist regime, State Security Service (SDS) for the observed period was also consulted.

*Keywords:* croatia, yugoslavia, croatian spring, *praxis*, pluralism, repression, totalitarianism.

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**Keywords:** croatia, yugoslavia, croatian spring, praxis, pluralism, repression, totalitarianism.

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## I. INSTEAD OF AN INTRODUCTION-THE BETRAYED IDEALS OF THE NEW MAN

The intention of the article is to present the Croatian history of the second half of the 20th century in the European context through a comparative analysis of published and partly unpublished sources. As part of further considerations, it should be pointed out that the communist regime of the Socialist Federal Republic of Yugoslavia (SFRJ) in the period 1945-1990 caused various controversies, therefore also about whether it was a totalitarian or authoritarian regime. Thus, for the period up to 1953, there is mostly a consensus that this is a totalitarian phase of the regime that later acquires the characteristics of authoritarianism whose

tendencies began in the mid 1960s, although not everyone agrees with this either. For example, some authors have argued that the Yugoslav regime was never totalitarian.<sup>1</sup>

As far as the formal Croatian position is concerned, the Yugoslav regime was totalitarian, and in 2006 the Parliament of the Republic of Croatia (RH) legislated *The Declaration on the Condemnation of Crimes Committed During the Totalitarian Communist Regime in Croatia 1945-1990*.<sup>2</sup>

The article tries to present the real picture of the political situation in the second half of the 20th century, i.e. in the period of communism in the Socialist Republic of Croatia (SRH), which is particularly important in the context of state repression, which in that period was the *modus operandi* in dealing with political opponents at home and abroad.

For example, at the end of 1970. Television Zagreb (TVZ) premiered Ivan Hetrich's film, *The Sign of Cain*, a crime drama in which the author openly draws a critical analysis of the socio-political situation in the country at the time, even though the film is set in the capital of the Socialist Republic of Croatia, Zagreb. The main character is a respectable high-ranking politician, seriously ill, with a rare blood type and his life depends on donations from a young and promising "head of propaganda" in a respectable Zagreb company. However, it turns out that the "promising boss" is

<sup>1</sup> Merkel 2011, 1. *Tito's Yugoslavia was never a totalitarian regime but, without a doubt, an authoritarian personalist regime in which the Party had an additional governmental function.* Cf. for more on this, see: *Croatia Encyclopedia, online edition.* Institute of Lexicography Miroslav Krleža (2021) 2013-2024, (hereinafter: HE MI), KPJ, acronym for Communist Party of Yugoslavia. (→ League of Communists)

<sup>2</sup> Narodne novine, (hereinafter: ), number (hereinafter: no.) 76/06.

prone to crime, so he organized the emptying of the full treasury of his company. However, the action goes awry and he accidentally kills a policeman during a robbery. When the police quickly track him down, he begins to blackmail the politician by demanding an alibi that will save him from criminal prosecution and long-term imprisonment (at that time certainly the death penalty). The politician realizes that the departure of the head of propaganda would mean death for him because he runs out of the necessary doses of blood. The protagonist experiences an intimate drama, but still refuses to give him an alibi. He chose death, renouncing his family and everything he had achieved, not wanting to continue his life thanks to a cowardly and immoral decision.

Hetrich's film is interesting on several levels in the context of the time of its creation, but from today's point of view, it is intriguing how openly and without artistic concealment a critical picture of Croatian reality is presented, understandably without pretensions to go deeper into questioning the political and constitutional basis of the Yugoslav political system. The main character, whose participation in the National Liberation Front (NOB) is of crucial importance for the story, is highly moral, honest and intellectually superior, openly criticizes the dependence of the judiciary on political decisions, and accuses the party leadership of bureaucratization and corruption. The main emphasis is on disappointment due to the daily neglect of the ideals of the anti-fascist struggle, conducted with the aim of establishing a just society and the emancipation of all people (national emancipation has also been declaratively proclaimed). However, the director did not engage in a comprehensive pessimistic discourse and a kind of hope is shown through the flawless functioning of the police, who in a very short time track down the robber and murderer.

Three years before the television premiere of *The Sign of Cain*, the *Declaration on the Position and Name of the Croatian Language* was drafted, which demanded an equal position of the Croatian language in the Yugoslav Federation.<sup>3</sup> The declaration was accepted by the majority of

Croatian cultural and public workers, and it was also signed by Miroslav Krleža,<sup>4</sup> who would shortly after resign from the Central Committee of the League of Communists of Croatia (CK SKH).<sup>5</sup> A month after the publication of *the Declaration* in the *Telegram* magazine, elections for the Parliament and the Federal Assembly were held with the possibility of running more candidates. Voting freedom was limited in many ways, but the elections represented an unprecedented progress towards the electoral democracy of the SFRJ, which, after its establishment, existed as a dictatorship of the Communist Party (KP) under the leadership of the undisputed authority of Josip Broz Tito.<sup>6</sup> Everything points to the conclusion that the critical discourse of *The sign of Cain* is self-evident and in fact a logical reflection of cultural and artistic circles on the first signs of the weakening of the dictatorship.

Less than a year after the television premiere of the film, the political scene began to be dominated by a rebellion articulated by politicians of the younger generation gathered in the movement for national emancipation Croatian Spring, intellectuals and cultural workers of Matrix Croatica, and students of the University of Zagreb, whose leaders Josip Broz Tito would deal with.<sup>7</sup>

Dismissals, political trials and prison sentences followed, but in 1974 a new Constitution was adopted, which allowed a partial degree of independence of Yugoslav federal units. Such a sequence of events was the reason for numerous assessments that the participants of that movement succeeded to some extent, because the totalitarian political system was finally abolished and an authoritarian political system was established, under the leadership of one party and one leader. Very limited political and artistic freedoms were allowed, which legitimized the Yugoslavia at that time in the world of Western democracies as a state with its own authentic construction of socialism, distanced from the rigid

<sup>3</sup> See more: Bukvić 2022.

<sup>4</sup> Cf. HE MI 2013–2024, "Krleža Miroslav."

<sup>5</sup> Cf. Đodan 1998, 620, Gotovac 1989, 147–152, 160, Tuđman 2011–2, 200.

<sup>6</sup> Cf. HE MI 2013–2024, "Broz Josip - Tito."

<sup>7</sup> Cf. Krašić 2018, Vlasnović and Begonja 2023, 263–265.



Eastern bloc under the patronage of the Union of Soviet Socialist Republics (SSSR).

What influences the softening of the character of the political order, especially in the second half of the 60s and the beginning of the 1970s, is the fact that certain freedoms really seem to occur. The regime is somewhat loosening and becoming more permeable to dissonant tones towards social reality. In the assessments of that period, it is almost customary to point out certain stereotypes about the beginning of the 1960s as a period of freer exchange of thoughts, ideas, freer movement of people, and the new political atmosphere foreshadows the demise of Aleksandar Rankovic.<sup>8</sup> Reforms are initiated in many areas of social life. In the discussions on the amendments to the Constitution of 1963, i.e. about the constitutional amendments that were passed until 1971, the problems of the economy, society and national antagonisms in Yugoslavia were increasingly critically discussed, and which were becoming more and more visible to ordinary people. The fact that Josip Broz Tito expressed himself about these problems, i.e., his increasingly frequent appearances in the 60s when he put these issues on the agenda, considering them crucial for the survival of Yugoslavia, should testify to the "democratic" nature of the order at that time. From today's perspective, many associate Rankovic's fall with the loosening of party discipline, which gave impetus to the expansion of freedom. The method of governance in the federation began to change, which was accompanied by criticism of centralism, bureaucratism, arbitrariness and authoritarianism. An image is being created that the power of the State Security Service (SDS) has weakened, which has created a sense of democratization of society in the public. Compared to other communist countries, the political situation in Yugoslavia was generally considered less restrictive. The centralized state apparatus was reduced, but the republican and local bureaucracy grew. The role of the secret police in the execution of "public policy" has been reduced, especially after Rankovic left the political scene, but it has not been eliminated. The Security Directorate

(Counterintelligence Service – KOS), which operated in the Yugoslav People's Army (JNA), to a certain extent replaced the secret police, but ostensibly did not control society in the totalitarian sense as OZNA (Department for the Protection of the People) or UDBA (Directorate of State Security) had previously done.<sup>9</sup> In the 1960s, there was a partial shift in economic policy towards the acceptance of market laws. This is a period of industrialization in which the growth rate of GDP for the entire decade was 6.3 percent. The economic reform that began in 1965 sought to develop a "self-managed market economy" with a special emphasis on increasing openness to the world, and to a certain extent small private entrepreneurship was allowed, and such a development of market relations as well as the strengthening of decentralization in decision-making suggested the "pluralization" and "democratization" of relations in Yugoslavia.

However, in this context, it seems extremely important to question the relationship between the scientific and political actors of the time, respected far beyond the Yugoslav borders. Is it possible from today's perspective, based on more objective and precise interpretations based on historical and scientific facts, to find something like the awareness of the then established Croatian philosophical elite about the need and manner of democratic transformation of the political and social system? That is, whether the communist so-called loosening of discipline was preceded by structural theorizing, a kind of "socialist response" as the only competition to the liberal political theories of the time that dealt with issues of freedom and justice. How relevant was this opinion and how it developed after the end of World War II, when it comes to influencing the "democratization of society"? And whether political changes were actually predominantly conditioned by international political and economic movements, and were carried out by one leader and a very narrow circle of his associates.?

<sup>8</sup> Cf. HE MI 2021, "Ranković Aleksandar."

<sup>9</sup> Croatia, Croatian State Archives, OZNA for Croatia, Fund 1491, HR-HDA-1491-OZN, (*Officially 13 May 1944*), Cf. Jurčević 2005, 241-275, Radelić 2019, 11, 321.

## II. TOTALITARIANISM OF POLITICS, PLURALITY OF POLITICAL PHILOSOPHY?

There is no doubt about how successful the Yugoslav project of building a political community was for Mirjana Kasapovic. She points out that it is actually "the most unsuccessful European state because it has failed twice in a period of 70 years".<sup>10</sup> Arguing with the thesis of abandoning totalitarianism and establishing an authoritarian political order as a milder type of autocracy, Kasapovic adhered to the theory of Juan J. Linz, an eminent American sociologist and political scientist,<sup>11</sup> who defined the difference between totalitarian and authoritarian orders according to constitutional characteristics. Kasapovic concludes that after World War II, a totalitarian political regime was established in Yugoslavia:

The League of Communists of Yugoslavia was the only political party, Marxism was the official party state ideology that was studied in schools, and the regime often mobilized the masses massively and in an organized way to express support for it and thus legitimize it.

In addition, the systematic cultivation of the cult of personality continued, so Josip Broz Tito was elected president of the Yugoslav federation for life, whose birthday was publicly celebrated with monumental stadium performances of North Korean choreography and aesthetics, and each republic had at least one city named after "the dearest son of all nations and nationalities", as it was publicly called.<sup>12</sup> The repressive apparatus, the political secret police and the army have always been under the control of one party, they could act and develop without any democratic control, deal with dissenters in the cruelest way without any legal and moral consequences, historical facts about the Partisan crimes immediately after the World War II were concealed and falsified, complete control over the economy and the media. Thus, speaking about the essence and character of the Yugoslav state, Kasapovic concludes that it is understandable that

"liberal enclaves" were created within the social order – in theater, music, literature, film, since they are "characteristic of many autocracies, but they do not change their essence".

There are, of course, opposing views that speak with more favor and less severity about the time of the emergence of the Yugoslav state until its disintegration. Moreover, they see in the very "manner of disintegration and revival of nationalist ideologies" one of the fundamental reasons why Yugoslav democratic achievements are not valorized in a methodologically correct and neutral way.

Thus, Sergej Flere from the University of Maribor disputes the claims that the political order in Yugoslavia after the mid 1960s was totalitarian, relying on the theories of Friedrich and Brzezinski from 1956.<sup>13</sup> He argues: in the 1960s, several million copies of religious newspapers were published annually in Yugoslavia, and the companies did not fully function according to the principles of the "planned economy". The political system was one-party, however, the republics (and since 1971 also the provinces) acted as autonomous political systems, caring about their interests, even clashing over them. Although Josip Broz Tito was elected as a lifelong president whose cult was carefully nurtured, power was limited by the federal character of the state. It is interesting that Flere also refers to Linz and his considerations of social transitions towards democracy and draws a completely opposite conclusion from Kasapovic. On the other hand, quoting Linz (and Stepan) he said:

Democracy theorists place Tito's Yugoslavia in a category different from other communist systems because they believed that workers' self-management was a form of democracy and that it could develop positively.<sup>14</sup>

A little later, sociologists from the University of Maribor published a paper in the international journal *Communist and Post-Communist Studies*, published by the well-known publisher *Elsevier*, supporting all the main emphases that Flere

<sup>10</sup> Kasapović 2023.

<sup>11</sup> See more: Linz 2000, 245.

<sup>12</sup> Cf. Banac 1995, Vlasnović 2024, 268.

<sup>13</sup> Cf. Flere 2012.

<sup>14</sup> See more: Linz in Stepan 1996.

presented in his work. The Croatia professional public reacted dividedly, from completely denying the relevance of the claims of Slovenian sociologists, partially agreeing and trying to further specify the basic concepts, to accepting most of the arguments presented. The work of Slovenian authors is a typical example of manipulation in science with the clear goal of revitalizing and trivializing the basic objective fact that the regime of the second, communist Yugoslavia was totalitarian and criminal (Jurcevic, 2014).<sup>15</sup> Yugoslavia was not a totalitarian regime as a whole, it was totalitarian in the political sphere, especially in the periods of purges from undesirable left and right turns and its arguments were based on physical repression, it was quite democratic, although completely unfinished in the industrial sphere, and broad-minded in the sphere of economic distribution (Katunaric, 2014).<sup>16</sup> Yugoslavia was a totalitarian dictatorship until the end of the 1960s, and since then an authoritarian dictatorship. The difference is this: a totalitarian regime demands that we believe in it to the end, and an authoritarian regime is enough to obey. The legitimation of the system in Yugoslavia did not come from Marxism and Leninism, as in most Eastern European countries, but from the success of the anti-fascist struggle led by Josip Broz Tito, who then "achieved brotherhood and unity of 'our' peoples and nationalities". The Yugoslav regime, according to the cult of the undisputed leader, had the characteristics of an authoritarian dictatorship, which lasted until Tito's death (Cipek, 2014).<sup>17</sup> The theses in the article are relatively balanced, although they are still "hard" and require greater nuance. Croats never lived under non-totalitarian regimes until the 1990s, so Yugoslavia is no exception. A number of other countries had totalitarian rule, although never of left-wing provenance, such as Italy, Greece, Spain and others. The Yugoslav social reality was much more layered than what a large number of critics see (Jakovina, 2014).<sup>18</sup>

<sup>15</sup> Lučić 2014.

<sup>16</sup> Lučić 2014.

<sup>17</sup> Lučić 2014.

<sup>18</sup> Lučić 2014.

In an effort to define the political order of the Yugoslav socialist federation, of which Croatia was a part in the second half of the 20th century, there is therefore no unified opinion of the professional and academic community. Moreover, in most cases the views are completely opposite even when they are based on the same theoretical sources. This is neither good nor bad, and by all accounts, it will remain so. Perhaps it is more correct to think that the interpretations of Yugoslav social reality are actually much more layered than its everyday reality.

"Freedoms" show themselves to be very limited tolerance towards public opinion and are always subordinated to the party's view of reality. Critical discourse (as in *The sign of Cain*) is allowed to a certain extent, but it is still an unquestionable (and institutionally prescribed) ideological basis that feeds on the source of Marxist ideology - historical development should end with the realization of the collective goal of complete justice, and the introduction to a classless society must take place under the leadership of the working class represented and wholly managed by the Communist Party. This means that the lack of enthusiasm of the individual on this path is interpreted as bourgeois despondency, and often as betrayal. The Party fully implements the dogmas of the new secular religion and in fact the only freedom that appears on the horizon can only be critically related to "heretical" phenomena, the "infidels" did not enjoy any space of freedom.

If we try to understand the Yugoslav project of "self-governing democracy" from the perspective of utopia, we again come to the conclusion that its realization requires a monopoly on truth, morality and salvation. Every utopian project requires that the construction of a new world be realized on the assumption of the complete destruction of the old. In order for a utopia to be perfect, not a single remnant of the old must survive, because it is "like a rotten apple that destroys all the healthy fruit in the basket". As L. Svendsen points out, political utopias in modernity are in many ways secular variants of the Christian notion of paradise, and this is especially true of ideologies that strongly

insisted on their scientific foundation, such as Marxism and Nazism.<sup>19</sup>

### III. THE BEGINNING OF TITO'S PERIOD AND THE FOUNDING POLICY OF THE SFRJ

Analyzing the activities of the Communist Party of Yugoslavia (KPJ) and Croatian communists in the period before World War II, Croatian historian Jere Jareb points out the changes in the attitude towards the national question. In 1924, he went from being a party defending integral Yugoslavism to a "party that was breaking up Yugoslavia". He believes that one of the conclusions of the resolution voted at the Fifth Congress of the Comintern in July 1924, which states that there is resistance to national oppression in Yugoslavia, which directly refers to the working masses, therefore the right of the peoples to self-determination should be taken as a starting point for the separation of Croatia, Slovenia and Macedonia from the composition of Yugoslavia and the creation of independent republics.<sup>20</sup> Furthermore, he believes that the Croatian communists, by formulating their views in such a way, were certainly under the strong influence of the Croatian Republican Peasant Party (HRSS), a party that enjoyed exceptional popularity among the masses, programmatically oriented towards the republican state system in the independent Croatian state. The conclusions of the Fourth Congress of the Communist Party of Yugoslavia, held in Dresden in October 1928, after the Croatian deputies were killed in the National Assembly in Belgrade,<sup>21</sup> warned that the aspiration of the people for independence was obvious, which should not be ignored and that "concretizing the position on the right of the people to self-determination would mean supporting the creation of an independent Croatia".<sup>22</sup>

However, independence in this context was interpreted by the paradigm of class. The party opposes the "bourgeois leadership" of the

Croatian Peasant Party (HSS), which, in their opinion, creates the illusion of the possibility of independence within the state of Serbs, Croats and Slovenes (SHS), when in fact "the ground is being prepared for a new agreement".<sup>23</sup> Therefore, it can be accepted that the communists advocated the disintegration of Yugoslavia from 1928 to 1935. After giving up the anti-Yugoslav policy, they remained inclined to the principle – the right of the people to self-determination. Jareb assesses this period as a time of a kind of fracture within the corps of Croatian communists who are "torn between the alternative Croatia and Yugoslavia".<sup>24</sup>

This attitude of the Croatian communists in the Communist Party of Yugoslavia was maintained until 1935, when the transformation occurred, that is, the struggle for the creation of a Yugoslav federation modeled on the Soviet communist model began. Thus, in the interwar period, the communists radically changed their policy towards other parties and classes several times, and in the 1930s they led the policy of the Popular Front, softening dogmatism towards other opposition parties, without rejecting democracy and avoiding rhetoric dominated by the notion of class struggle. Fearing Nazi and fascist threats, "they began to distinguish fascism from parliamentary democracy."<sup>25</sup> Thus, after softening its stance towards Western democracies, the party accepts the federalist order for the national question, however, "with considerable meandering even after its victory in World War II."<sup>26</sup>

The implementation of this model began with Tito's arrival as secretary of the Communist Party of Yugoslavia in 1937, when the Communist Party of Croatia, the Communist Party of Serbia, the Communist Party of Slovenia,<sup>27</sup> the Provincial Committees for Bosnia and Herzegovina and Macedonia, were founded, as part of the Communist Party of Yugoslavia. And as Banac points out, the Communists, unlike other opposition parties, did not rely on any single

<sup>19</sup> Svendsen 2023, 204.

<sup>20</sup> See more: Jareb 1960, 119.

<sup>21</sup> Cf. Vlasnović 2021, 295-297.

<sup>22</sup> Jareb 1960, 119.

<sup>23</sup> Jareb 1960, 120.

<sup>24</sup> Jareb 1960, 120.

<sup>25</sup> Radelić 2006, 26.

<sup>26</sup> Banac, 1995, 277.

<sup>27</sup> Cf. Mišković and Bader 2021, 176-178.



national group, which gave them "a kind of flexibility and the possibility of building success on the assumption that only they could solve the national question in Yugoslavia".<sup>28</sup>

The events of the war and the situation in the country forced the Communist Party of Yugoslavia to allow a very high degree of independence.<sup>29</sup> The Partisan leadership brought solutions according to which Croatia, as well as Slovenia, could define themselves as sovereign states. Since 1943, Croatia has shaped its state bodies and created a legislative system. At the Second Session of the National Anti-Fascist Council of the People's Liberation of Croatia (ZAVNOH) in October 1943 in Plasko, Andrija Hebrang spoke about future federal republics, the resolution of the minority issue, against the king and the government, and the ZAVNOH made a decision on the annexation of Istria and the Croatian Littoral. Thus, issues from the "competence of the state as a whole" were resolved.<sup>30</sup> In addition, a kind of sovereignty was reflected in the fact that the Croatian Partisans, as well as the Partisans of other future federal units, had their main headquarters. However, this form of "sovereignty" that relied on commanding military autonomy had no chance of surviving, was considered extremely dangerous for party state control, and very soon this model was suspended. On the day of the renaming of the People's Liberation Army (NOV) and the Partisan Detachments of Yugoslavia (POJ) into the Yugoslav Army (JA) on March 1, 1945 and the abolition of the main headquarters of the federal units, the federal armies, which had been an important element of statehood until then, were also abolished.<sup>31</sup>

The General Staff of the Yugoslav People's Army for Croatia was abolished on 18 May 1945. On 10 August 1945, the Central Committee of the Communist Party of Yugoslavia took over the direct leadership of party organizations in the Yugoslav People's Army through the Political Department (Directorate) of the Ministry of National Defence. With these solutions, the

wartime independence of the federal units was completely abolished. The growing area under communist control, the Communist Party of Yugoslavia, the Anti-Fascist Council of the People's Liberation of Yugoslavia (AVNOJ) and the Ministerial Council, marked the abandonment of the practice of wartime independence and orientation towards solving their peculiarities. The republican authorities became the executors of the policy determined by the federal leadership, Yugoslavia became a highly centralized country. Given the one-party dictatorship of the centralized Communist Party of Yugoslavia, the federation was reduced to a mere slogan with no real content. It should be recalled that *the General Regulation on the Appointment of Governments* in Belgrade was drawn up by the Presidency of the AVNOJ on March 31, 1945. From that moment on, there is a general form for the appointment of all governments, their name, number of departments and competencies, and the method of taking the oath. Regulations were allowed to be published solely on the basis of laws of the Federal Assembly and instructions of the government. "The only concession to federalism was that AVNOJ did not publish these recommendations in the form of a law, but in the form of a recommendation."<sup>32</sup>

*The Law on the Government of the Federal Republic of Croatia* was a reflection of this recommendation. The telegraphic connection with Belgrade was maintained by the federal units exclusively through the Politburo of the Communist Party of Yugoslavia. The presidents of the federal governments became the secretaries of the politburo (in Croatia it was Vladimir Bakarić).<sup>33</sup> The federal government could repeal all provisions of the republican if they were not in accordance with federal laws, and those concerning the federal unit were under the supervision of the federal public prosecutor who could issue a complaint, which was dealt with by the Presidency of the ZAVNOH.<sup>34</sup>

<sup>32</sup> Radelić 2006, 243.

<sup>33</sup> Cf. HE MI 2021, "Bakarić Vladimir."

<sup>34</sup> Radelić 2006, 243. *It is known that in the autumn of 1945 there were objections from Slovenia that federal laws and proposals should be accepted after prior agreement in the federal units, and that the right term for the legal and political creation of the people was the state, and not that*

<sup>28</sup> Banac 1995, 277.

<sup>29</sup> Cf. Vukelić and Šumanović, 2021.

<sup>30</sup> Radelić 2006, 242.

<sup>31</sup> Cf. Begonja 2021.

Nevertheless, Vladimir Bakarić, the Prime Minister of the People's Republic of Croatia, assessed the new Yugoslavia and its first Constitution (January 31, 1946) as "the complete opposite of the Kingdom of Yugoslavia".<sup>35</sup> The right to self-determination, which included the right to secession, gave the illusion of freedom and national emancipation and would prove to be the most common delusions. However, the Communist Party of Yugoslavia and Yugoslav state institutions, despite leaning on Soviet-style constitutionalism, have indicated interesting differences in *the Constitution of the Federal People's Republic of Yugoslavia (FNRJ)* and *the Statute of the Communist Party of Yugoslavia*. Namely, Soviet constitutional solutions provided for the right of each Soviet republic to secede from Moscow, as well as allowing them to maintain relations with foreign states, conclude treaties, establish diplomatic relations, and form their own military formations. Such a broad republic was not envisaged by the Yugoslav Constitution. Real political life did not establish federalism and everything took place according to the strategy and political visions of the Communist Party. Moreover, not only actions, but also ideas and opinions aimed at the separation of the republics were persecuted. The persecutions were systematic and organized on the basis of the provision that "preaching hatred and discord is contrary to *the Constitution*" which emphasized national equality, but very selectively (only the Yugoslav nations were taken into account), the Germans, for example, were omitted and mostly expelled in a rather cruel way. In this sense, the

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*the names contained words such as federal unit or terrestrial. Jovan Đorđević, a member of the Constitutional Commission at the Ministry of Constituent Affairs, responded to the remarks with the thesis that the participation of the federal units is ensured through participation in the Federal Assembly, i.e. the Ministerial Council, and that it would not be correct for draft laws to be submitted to the presidencies of the provincial governments for approval before they are adopted in the Federal Assembly.*

<sup>35</sup> Radelić 2006, 244. "(...) the adoption of the Constitution finally liquidated Yugoslavia as a country of national oppression, it finally liquidated those old reactionary Greater Serbian elements, which had been oppressing us Croats for so many years, it opened the way for us peaceful and free construction in a new fraternal union."

provisions of *the Law on the Prohibition of Incitement to National, Racial and Religious Hatred and Discord* of 1945, as well as *the Criminal Code* of 1951, were also in this sense.<sup>36</sup> The federal Yugoslav state was established as a federation of republics, not as a "federation of nations" because it was considered, on the basis of the Lenin-Stalin solution of the national question, that the sovereignty of the nation was realized by the sovereignty of the nation state. Nations are not reduced to republics, but include all members of the nation outside the parent republics, and at the same time republics are identified with nation states. Although republics were defined as sovereign homelands of sovereign nations, the idea of republican sovereignty was contradicted by Article 9 of the Federal Constitution, which stipulated that certain rights belonged only to the Federal People's Republic of Yugoslavia, as well as Article 11, which required that republican constitutions be in accordance with the constitution of the Federal Republic of Yugoslavia. In the event of a discrepancy between federal and republican law, federal law was above republican law.

The sovereignty of the republic was also limited in other ways. Thus, the minority had the same rights as the majority, and at the same time it was part of the majority nation in another republic. All citizens had the same rights throughout the territory, and they could move quite freely, so this meant that everyone could participate in political participation, i.e. in sovereignty in each of the republics. For example, Serbs in Croatia had the same rights as the majority, i.e. Croats, and at the same time they were part of the majority nation in Serbia. As citizens, if we stick to the example of Serbs and Croats, they had the same rights throughout the territory of Yugoslavia. This meant that every Croat and every Serb, as well as

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<sup>36</sup> Cf. Criminal Code of the Federal People's Republic of Yugoslavia, Official Gazette of the Federal People's Republic of Yugoslavia, no. 13/1951., *Criminal Code - 14th edition*, Newspaper Institution Official Gazette of the SFRJ, (1974). Criminal Code of the Socialist Federal Republic of Yugoslavia, Official Gazette of the SFRJ, no. 44/1976. The new law also contained provisions concerning political crime, which were described in Chapter XV. HR-HDA-1561-SRH-RSUP-SDS, code 31, ordinal 266, Criminal Code of the SFRJ (Copy of Chapters XV and XVI) NN 1978.

members of other nations, could participate in political participation, in fact in sovereignty in each of the republics. Thus, no nation was truly sovereign in its republic, just as no republic was. *The Constitution* of January 31, 1946 formally establishes federalization, but in fact provides for firm centralization. It emphasizes the sovereignty of the people, and the entire order rests on the supervision of the political leadership. Republicans have only negligible rights. Federalism was intended to serve as a lightning rod for national sentiments, without limiting the authority and jurisdiction of a centralized administration.<sup>37</sup>

#### IV. A NEW MAN AFTER THE "RESOLVED" NATIONAL QUESTION

After the end of World War II, the Communist Party of Yugoslavia, led by Josip Broz Tito, transformed the post-war policy into a proclamation that the national question had been solved by the revolution as an earlier assumption that the communists could solve the national question. There should have been no controversy, especially in the political sphere. The regime was to concentrate on consolidating power, one aspect of which was the creation of a "new man", a guarantor of the socialist economic, cultural, political and educational take-off. At the same time, the model is, as has been said, the Soviet model (the Society for Cultural Cooperation of Croatia and the Soviet Union was founded in Zagreb on the model of similar ones at the federal level) and any different opinion is denounced as backward and counter-revolutionary.

In this enthusiasm, the role of the Enlightenment was important, the significance of which the communists understood well, which, as Radelic points out, is characteristic of all modernization movements, regardless of ideology.<sup>38</sup> Literacy and the increase of educational institutions were directed towards the consolidation of common memory and a unique interpretation of the past. Self-identification was based on the National Liberation Front, and later self-management was

designed as a scientific confirmation of the right path. The communist propaganda of that time mercilessly dealt with other ideologies, especially religion, presenting them as primitivism.

By imposing their values, the communists are trying to annul the traditional heritage. National is meant as ethnic, the revolution solved the national question, but, as it was pointed out, "the masses are not yet mature". The possibility of national affirmation is allowed only through the work of cultural and artistic societies and their care for some traditional values, but not as a value system of everyday life. The tradition was reshaped according to the doctrine of the Communist Party of Yugoslavia, to which other civilizational achievements were adapted. On a superficial level, the communists respected differences to some extent, but in every possible way they expelled them from public life in order to push them into oblivion. In the new socialist community, there was a tendency to respect national forms through a federal system. However, traditional content with a clearly expressed difference in national and religious components was tried to be concealed.<sup>39</sup>

Communist propaganda and ideological shaping of all social spheres had their own specific structure built on argumentative single-mindedness, society was permeated with it in its entirety. However, this is still a less traumatic sequence of contemporary Croatian history than the post-war merciless confrontations with the unsuitable. Imprisonment, confiscation of property, politically staged trials with a special emphasis on war crimes committed immediately after the end of war operations mark an extremely traumatic social and political context, which was not at all a stimulating atmosphere for any theoretical reflections on democratization or national equality. Quite predictably, the regime sought both philosophical and scientific support during this period, and it would not be long before it received it in a rather authoritative way.

<sup>37</sup> Radelic 2006, 245.

<sup>38</sup> Radelic 2006, 164.

<sup>39</sup> Radelic 2006, 167.



## V. PRAXIS, CROATIAN SPRING – THE WEAKNESS OF THE REGIME WITHOUT A HINT OF AN INDEPENDENT CROATIA

The movement under the name Croatian spring is often recorded in the collective memory as a time of some kind of national euphoria encouraged by the then republican party leadership, which was joined by students and intellectuals, thus creating a movement that opposed centralization and party dictatorship. In the collective memory, and mostly thanks to the optimism of remembrance, this period of contemporary Croatian history is perceived as a time in which freedom was almost within reach.<sup>40</sup> But what was the Croatian Spring in its essence and what kind of freedom did its leaders imagine?

The dismissal of Aleksandar Rankovic, the grey eminence of the police state, at the Brijuni Plenum in 1966 was perceived by the Croatian public as a confirmation of the victory of the "democratic" forces within the League of Communists of Yugoslavia (SKJ), which for a moment might have looked like a path to democratization. The younger guard of the Croatian party leadership, Savka Dabčević-Kucar, Ante Miko Tripalo, Pero Pirker and others,<sup>41</sup> stood at the head of this movement, demanding economic, national, democratic and labor rights, which was the platform that ensured the homogeneity of the movement. In such an atmosphere, however, questions of different political possibilities arise, different positions that were not close to the party structures are politicized, which in turn leads to the encouragement of new issues, which nevertheless happens on the margins of the mainstream political stream.

Everything that the Croatian communists demanded-national equality within the federation, clean accounts, more autonomy in political decision-making within each federal unit, did not pose any particular danger to the ruling regime. As one of the leading figures of the Republican Party, Savka Dabčević-Kucar, pointed out – "yes,

an independent Croatia, but only in socialist Yugoslavia", was the legitimization of the movement. Therefore, even today, all polemics take place on the basis of whether the Croatian Spring is a movement that implied the abolition of the political order of the time (which would have happened if it had not been forcibly silenced) or whether it was an intra-party reform aspiration, albeit with somewhat more freely expressed demands than it has ever been since the establishment of the Yugoslav federation.

The movement stood for more democracy, civil and national freedoms and rights, clean accounts, full equality of peoples and republics *within the framework of the socialist system and the Yugoslav state union* with the necessary transformations of *socialism into socialism with a human face, and Yugoslavia into a state community of truly equal peoples and republics*. There were no significant differences within the movement on these issues. In Karadjordjevo, quite expectedly, the reformists within the SKH were completely neutralized,<sup>42</sup> and it would be difficult to conclude that the key people had a clear vision of Croatian independence, that is, leaving the common state and under what conditions.<sup>43</sup> Therefore, the conclusion is imposed: the Croatian Spring in its essence, according to the intentions of its protagonists, was not a subversive but a reform movement, however, the initial reforms within the SK opened up space for action for other segments of the movement as well.<sup>44</sup> A true reform that would lead to the establishment of a democratic order and consequently Croatian independence could not be carried out in a social system that, among other things, was based on the monopoly position of one party – the Communist Party of Yugoslavia.

In addition to demands such as the reform of the foreign exchange regime "for the benefit of those who exercise them", the return of funds "to those who produce them", and the "alienated centers of power" are criticized, the Croatian Spring was basically a socialist heterodoxy that did not intend to abandon the values of socialism. These values

<sup>40</sup> Cf. Krašić 2018, Vlasnović and Begonja 2023.

<sup>41</sup> Cf. HE MI 2021, "Dabčević-Kučar Savka, Tripalo Ante Miko, Pirker Pero."

<sup>42</sup> Cf. Mišković and Bader 2021, 179-183.

<sup>43</sup> Cf. Mesić 2012, XXIX-XXXI.

<sup>44</sup> Kriste 2012, 43-44.



themselves, endangered by the anachronistic orthodoxy of the Party, tried to be realized in a democratic way, still within the borders of the socialist political system and Yugoslavia as a state.<sup>45</sup> The Croatian Spring came as the climax of the struggle for economic and social democratization. It was a struggle for self-management, economic and social reform, equality of peoples and nationalities, a struggle for the values of the so-called socialist democracy as a higher form of democracy than the "mere" civil and parliamentary one – for the so-called social or socialist democracy, based on the Marxist ideas of "liberation of man and society".

However, despite the fact that the demands of the Croatian party leadership were presented in a way that conceptually did not differ significantly from the *critique of dogmatic Marxism* by prominent representatives of Croatian philosophy and political theory gathered around the editorial boards of the journal *Praxis*, Gajo Petrovic, Milan Kangrga and Branko Bosnjak saw nothing but nationalism and old civil-bourgeois critical forms in it.<sup>46</sup> They believed that in this way, primarily because internationalism as the ideological flywheel of social transformation had been betrayed, it was not possible to return to the original meaning of the socialist revolution, in which they saw the realization of freedom and equality that the bureaucratized party leadership hinders and abuses.<sup>47</sup> Nevertheless, even today, in a part of the professional public, *Praxis* figures as an intellectual opposition (or, as Kasapovic puts it, a liberal oasis) to the then, indisputably

dictatorial government, which is supported, among other things, by the fact that the journal was shut down by the deprivation of state funds after decades of continuous publication. But what did freedom and equality mean to *the Praxisians*, how did they think and define these terms, and could they have had an impact on the political situation? The answer to the first question is unambiguous and it is quite clear that they did not derive their theories according to the model of the libertarian authorities of their time, nor could they do so given their formative socio-historical context.<sup>48</sup> As for the second question, things are not entirely unambiguous.

The leading people of the magazine's editorial board were communists declared by the list, and most of them were participants in the National Liberation Front i.e. completely attached to the doctrine of the Comintern), and they gained full active maturity many years after Yugoslavia rejected the Soviet model of socialism, and Tito opposed Stalin. As they insist on Marxism (as well as the critique of Stalinism) as the fundamental position from which they articulate their critique of society, one could conclude that the reach of *praxis*-philosophy does not go beyond support for a regime that points out only some "deviations" that can be corrected. In order to do this, it is necessary to reach for Marx again, more precisely his philosophical opus, the essence of which is reflected in practical action. In the editorial of the first issue of the journal in 1964, it was said that socialism was the only human way out of the

<sup>45</sup> Vujić 2012, 33-41.

<sup>46</sup> Cf. HE MI 2021, "Petrović Gajo, Kangrga Milan, Bošnjak Branko."

<sup>47</sup> Cf. Croatian State Archives, Fund 1561, State Security/ Security Service, HR-HDA-1561-SDB, code 4.0, ordinal 14/1971, 8/10. A group of intellectuals from the University of Zagreb who advocated a neo-Marxist approach to philosophy and social sciences known as *praxis*-philosophy in the journal *Praxis*. The authorities of the time saw their actions as an opposition and a "coup from the left". HR-HDA-1561, code 10.1, ordinal 58/1976., 7/55-13/58. Such cases are also known in Yugoslav practice, as the case of the "new left", which before the 21st session of the Presidency of the Communist Party of Yugoslavia almost dictated public opinion in Yugoslav university centers through a number of newspapers and magazines (*Praxis*, *Student*, *Philosophy*, *Our Days*, *Index*, *Katedra*, etc.).

<sup>48</sup> Mikulić and Žitko, 2015. Nevertheless, dialogue with philosophers and theoreticians of the non-Marxist thought tradition was not a priori rejected, which is why the editorial of the first issue of the journal from 1964, among other things, said: *Without understanding the essence of Marx's thought, there is no humanist socialism. But our program is not to interpret Marx's thought to arrive at an "exact" understanding of it and to only "defend" it in this "pure" form. We do not care about preserving Marx, but about developing living revolutionary thought inspired by Marx. The development of such a thought requires a broad and open discussion, in which non-Marxists will also participate. That is why our journal will publish not only the works of Marxists, but also the works of those who deal with the theoretical problems that bother us. We believe that the understanding of the essence of Marx's thought can be contributed by its intelligent critics, rather than by limited and dogmatic adherents.*

difficulties in which humanity was entangled, and Marx's thought was the most adequate theoretical basis and inspiration for revolutionary action. One of the basic sources of failures and deformations of socialist theory and practice in the course of recent decades should be sought precisely in the overlooking of the "philosophical dimension" of Marx's thought in the open or covert denial of its humanistic essence. The development of authentic, humanist socialism is impossible without the renewal and development of Marx's philosophical thought, without a more in-depth study of the works of all important Marxists, and without a truly Marxist, non-dogmatic and revolutionary approach to the open questions of our time.

Although *Praxis* broadly covered the problems of social and political phenomena of the time, the critique of the methods of achieving socialism in Yugoslavia represented the backbone of their philosophical creativity on the basis of *Anti-Dogmatic Humanist Marxism*. They chose the name *Praxis* because they believed that it was the key concept of Marx's thought, a term that best reflects the humanistic vision of the really human world. A prerequisite for the emergence of *Anti-Dogmatic Marxism* in Yugoslavia was the break with the Soviet Union in 1948, i.e., the so-called historical Tito's "No" to Stalin. This opened up space for new interpretations of Marx's thought as well as the need for further reflection on the socio-political reality in Yugoslavia. "Thus, *Praxis* soon became the most influential voice of leftist criticism, and criticism from the left, of failures in the process of building socialism."<sup>49</sup>

"Praxis" means not only what the term names in the narrow sense of the word – a philosophical group of so-called anti-dogmatic Marxists that operated in the period 1964-1974 with the associated journal under the same name *Praxis* and a regular annual conference called "Korcula Summer School" – but also the specific historical, political and cultural context of their activities, or in one word: the epoch of the 1960s in Yugoslavia. The *Praxis* group itself referred to such a dual status of the avant-garde and the critique of

socialism most often in cases of conflict with the party nomenclature, expressing directly the (theoretical) attitude of philosophical criticism. Indirectly, as an effect on the part of the political recipient of its theoretical message, it in any case also transmitted a (practical) attitude of political competition with the ruling apparatus, although the goal of the theoretical critique of the government – regardless of the possible personal ambitions of the theoretician – is to improve the government, not to take power.<sup>50</sup>

In a collection of essays and articles from 1965 Gajo Petrovic problematizes these issues. In the text "Marx as a Philosopher" he criticizes those who claim that Marx is not a philosopher, that is, the transition of Marx's research interest from the field of philosophy to political economy or social sciences. In the text "Marx's Philosophy", G. Petrovic continues his reflection on the essence of Marx's philosophy and introduces the definition of Marx's philosophy as a philosophy of act or practice:

If we characterize a philosophy as a philosophy of act (work, practice), it must mean that the act (work, practice) derives from the essence of its theoretical content, that the transition from theory to practice is its essential 'thesis'. Therefore, if we characterize Marx's philosophy as a philosophy of action, we must explain what are its essential theses, which are why it cannot remain a pure theory, but must grow into a work of revolutionary change of the world. (Petrovic, 1965: 73).<sup>51</sup>

So, there is a pronounced ambition to influence political processes, so Mikulic says:

With philosophy understood in the sense of critiquing the alienation processes within a socialist society and the transformation of socialism from a project of liberated social life into a system of human management, *praxis*-philosophy pretends to directly influence its object, the social condition, from a theoretical metaposition.

<sup>49</sup> Bogdanić 2015, 26.

<sup>50</sup> Mikulić 2009.

<sup>51</sup> Žitko 2015, 148.

And what kind of situation is it that wants to change and where did it go wrong with Yugoslav authentic socialism? Mikulic sees the key problem with *Praxis* in the fact that with his intellectual authority and international reputation within the order of power, he (it) became a direct competitor to Tito for redefining the project of self-management as a true democratic order, which did not need any political theory since from the position of the supreme political authority he believed that he was the one who had to dictate social changes and the way they would be carried out. *The Praxisians*, he says, nevertheless managed to create a theory that overcomes the state of an inauthentic, alienated socialist project, based on the principles of revolutionary theoretical practice or thought of the revolution, a critique of the party bureaucracy and democratic centralism as alienated forms of socialist rule, through which the party nomenclature ruled the state and society.

Petrovic says that man realizes his essence, that is, he avoids alienated existence if *he acts revolutionarily, and acts revolutionary if he realizes his essence*, that is, realizes *historically created possibilities*. The normative concept of alienation is conditioned by the criticism of Stalinism, but in a negative sense – Stalinism represents a deviation of socialism that tells us that it should not be.<sup>52</sup>

However, *the Praxisians* were not able to make the necessary theoretical maneuvers to neutralize their own weak points until the end of their group existence. Apart from the critique of nationalism, other aspects of Yugoslav socialism have hardly been seriously touched. Like their counterparts in Western Marxism, *the Praxisians* suffered from inhibition in dealing with fundamental economic and political issues – and when such questions did come on the agenda, they had to be translated into the language of academic philosophy, with an important part of the issue "especially when it comes to Yugoslav self-management, remaining lost in translation".<sup>53</sup>

In this sense, an appendix to the proceedings of the conference on *Praxis* and the "Korcula Summer School" held in 2011 in Korcula is indicative, in which Alen Suceska states that "the Praxisians critique is not a structural analysis of the existing social reality, but a value judgment".<sup>54</sup>

Neven Sesardic makes a very harsh criticism of the philosophy of *Praxis*, pointing out that it was not until 1960 at the Bled philosophical conference that the editorial board of this renowned journal abandoned Stalinist positions with the publication of Gajo Petrovic on the triumph of creative Marxism over dogmatic Marxism, which was quite a delay in relation to the political separation of Yugoslavia and the Soviet Union. He believes that the basic problem with *Praxisian* Marxism was that its progenitors did not adopt it on the basis of considering its advantages over other opinions, but uncritically accepted it as scoundrels, completely carried away and without the desire to question possible alternatives.<sup>55</sup>

Sesardic considers the departure that took place in Bled to be an extremely small step compared to the official party positions, since a slightly larger one was not even possible due to the likely rejection. Therefore, he sees nothing in *Praxis* but "family quarrels" and the creation of some illusion of alleged dissidence and readiness for merciless criticism of everything that exists. The monopoly of the Communist Party was never questioned, but on the other hand, they never attacked those who acted from such positions (Milovan Djilas, Mihajlo Mihajlov),<sup>56</sup> in order to avoid accusations of flattery to the regime. The *Praxis members* were silent about the true critics of Titoism who paid for their statements with prison sentences.<sup>57</sup>

<sup>54</sup> Veljak 2015 55.

<sup>55</sup> Sesardic 2022, 369.

<sup>56</sup> Cf. HE MI 2021, "Đilas Milovan, Mihajlov Mihajlo."

<sup>57</sup> Cf. Đodan 1998, Veselica 2003, Tuđman 2011, HR-HDA-1561-SRH-RSUP-SDS, dossier Tuđman Franjo no. 229562, HR-HDA-1561-SRH-RSUP-SDS, dossier Veselica Marko no. 205673, HR-HDA-1561-SRH-RSUP-SDS, dossier Đodan Šime no. 238694, HR-HDA-1561-SRH-RSUP-SDS, dossier Gotovac Vlado no. 204605. See more: Gotovac 1989, 145-146, 156-157, 162-163. Letter from Vlado Gotovac to the Board of Directors of the Croatian Philosophical Society dated February 24, 1981 Gotovac also reproaches some public

<sup>52</sup> Žitko 2015, 152-156.

<sup>53</sup> Žitko 2015, 157.

Sesardic notes that this strategy could not be overlooked even by proven *Praxis* sympathizers, so he gives an example when in 1975 eight Belgrade *Praxisians* supporters were expelled from college, Gerson Sher, who was finishing his praiseworthy book on *Praxis*, published an article in a well-known left-wing magazine entitled "Tito Silenced the Loyal Opposition".

## VI. INSTEAD OF A CONCLUSION

If one could briefly summarize the attempt at a more extensive historiographical coverage of half a century of contemporary Croatian political history, it seems acceptable to concentrate on those important episodes that particularly influenced the development of society. Therefore, it should be emphasized that the struggle for freedom and democracy from 1945 until the fall of communism and Croatian independence in 1990, on the theoretical and political level, marked the fate of the entire population, but certainly not all sections were equally relevant. Regardless of which definition of the Yugoslav order we adhere to, whether we understand it as totalitarianism or authoritarianism, or whether we try to recognize the gradual transition from one form of government to another, it is justified to concentrate on those attempts at criticism that tried to impose themselves as an alternative to the official one-party communist government. Thus, a critical discourse on possible alternatives could not arise *ab ovo*, but simply had to be part of the social, political, cultural atmosphere.

In such circumstances, it was not realistic to expect that a school of thought would emerge that could, for example, think about justice in a free society like the Austrian political theorist Friedrich Hayek. It was not realistic to expect that one of our intellectual authorities would deprive the question of the common good of a free and spontaneous order of some generally accepted purpose. Civilization and modernity in the free world of liberal democracies simply do not know such purposes, about which there is universal

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officials and the editorial board of the magazine *Praxis* for giving arguments to the prosecutors' indictments and court verdicts with their criticism of the Croatian national movement.

agreement. So, as Hayek puts it, "in a free society, the common good basically consists in facilitating the pursuit of unknown individual purposes."

The common good is recognized in governance. The American philosopher John Rawls could not have been close to them with his theory of justice, who believes that even in a radically pluralistic society it is possible to find a common purpose because it is a consequence of the requirements of rational people who know what they would like to be, what they want to achieve, have an idea of their own nature, personality and purposes, and all this is different. But Rawls says, that doesn't mean an agreement on the interpretation of the commons isn't possible.

At the time when liberal theories of a just and functional society were emerging in socialist Yugoslavia and Croatia, Marxism had state protection as an official ideology, which means that *the common good and the common purpose* were prescribed by the law passed by the Communist Party. The law clearly stipulated that secondary education had a compulsory subject in the curriculum – *Marxism*. There is no significant rebellion against the system that lasted until the end of 1989 and, as Sesardic well notes, the philosophers of practice of the time did not show any intention to express their disagreement with the system that had outlawed the views of non-Marxists for years, and in which the state ensured the status of a *protected philosophy* for Marxism.

From all of the above, it follows that any more relevant criticism of Yugoslav communism that would have at least a slight ambition to go beyond the prescribed ideological framework, had to at least indirectly call into question the one-party system. Neither the Croatian reformist communists nor *praxis*-philosophy were ready to do this. Moreover, Gajo Petrovic, the central figure of *Praxis*, in an interview for the German *Spiegel* in 1970, when asked whether it was necessary to think about introducing a multi-party system in democratic socialism in the future, replied that its goal was the withering away of the state and the withering away of parliamentary democracy, that is, the withering away of parties,



and advocated socialism without parties. As Sesardić well concludes, instead of multi-party system, Petrović advocates the withering away of parties, "obviously a very long process whose final result has remained completely unspecified, so it is unclear why such an outcome would be desirable at all."<sup>58</sup>

It should be added to this that after Tito's death in 1980, Croatia faced a decade for which it is widely believed that pluralism of opinion is gaining more and more space, which is mostly incorrect because these are indeed "liberal oases" that did not significantly change the character of the regime.<sup>59</sup> Since the crime of opinion was legally sanctioned throughout this period, and the State Security Service carried out several cruel executions of political dissidents abroad, there was no question of any kind of tolerance or transformation of political power. All those tendencies that we label as progressive and free-thinking penetrated art and culture, inspired by the models of liberal democratic countries, however, they took place under the watchful eye of the security and intelligence apparatus, always ready for sanctions or intimidation. Thus, it was possible to think about the issues of freedom, justice, liberal democracy, throughout the described period in a consistent and argumentative way from non-Marxist positions, but, paraphrasing a joke from the time of socialism - you can have your own opinion, but you must not agree with it - it best reflects the scope of true dissident activity.

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# Space Out

*Dr. Joseph Wiliam Fisher*

## ABSTRACT

The real Universe can only have eternally one visible component. Unfortunately, the language used by any physicist attempting to accurately describe the real visible Universe has numerous components and is therefore uselessly unrealistic.

*Keywords:* visible; component; universe; unrealistic: language.

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*The real Universe can only have eternally one visible component. Unfortunately, the language used by any physicist attempting to accurately describe the real visible Universe has numerous components and is therefore uselessly unrealistic.*

**Keywords:** visible; component; universe; unrealistic; language.

## I. INTRODUCTION

On January 1, 2025, at 10:51 AM US EST, I entered the phrase History of space matter duality, into the Google Scholar online Articles Search Engine. I was hoping that some individual could be identified as the originator of the fundamental idea of the duality of space and matter the Universe was supposed to consist of, like Copernicus was first to state that the earth orbited the sun. Instead, the articles Search produced “About 353,000 results (0.10 sec).

The first page contained:

[PDF] Introduction to special issue on dualities.

E Castellani, D Rickles -... in History and Philosophy of ..., 2017 - philsci-archive.pitt.edu.

... dualities as acting on a space of theories – more precisely, a ‘moduli space’ – rather than on the space ... to be undertaken, but it surely is only a matter of time. Up to now, the attention of ...

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[PDF] pitt.edu.

Duality and 'particle'democracy.

E Castellani - ... of Science Part B: Studies in History and Philosophy of ..., 2017 - Elsevier.

... understanding of the ultimate constituents of matter “by bringing in a ... space–time dimensional analogue of the duality between

Noether and topological charges found in the two space...

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[PDF] csus.edu.

Duality without dualism.

TE Eastman - Physics and Whitehead: Quantum, process, and ..., 2004 - degruyter.com.

... distinction between mind and matter which, with Descartes, ... a container view of space and time, within which space is a ... of an actual occasion’s total history. Because of the particularism ...

Save Cite Cited by 23 Related articles All 5 versions.

[PDF] arxiv.org.

Duality, fundamentality, and emergence.

E Castellani, S De Haro - ... of reality: Fundamentality, space and ..., 2020 - books.Google.com.

... also explained, by duality—we will take emergence to be a matter of irreducibility, as above; ... Thus, we now turn to this decisive step in the history of EM duality, with a particular focus on ...

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Bafflingly, after I had entered the phrase “History of space matter duality” into the Google Scholar Articles Search Engine on January 2, 2025, at 1:15 PM US EST, I was presented with the notification “Your articles Search - “History of space matter duality” - did not match any articles.

Suggestions:

Make sure all words are spelled correctly.

Try different keywords.

Try more general keywords.

Try fewer keywords.

Try your query on the entire web”.

On January 2, 2025, at 1:43 US EST, I entered the question: What was the first written mention of space matter duality? into the Google Scholar Articles Search Engine and it provided:

About 318,000 results (0.16 sec) The first entries on the first page were:

Duality as a category-theoretic concept.

D Corfield - ... of Science Part B: Studies in History and Philosophy of ..., 2017 - Elsevier.

... the Anglophone world, I should mention a French attempt to deal with duality, namely, in the.

... equivalences between discrete spaces and sets and between codiscrete spaces and sets. ...

Save Cite Cited by 18 Related articles All 5 versions.

[PDF] rearticles Searchgate.net.

[PDF] The duality of space and time and the theory of relativity.

B Guy - Journal of New Energy, 2002 - rearticles Searchgate.net.

... Actually, iv) is another manifestation of the circular selfreference nature of i): time and space, mobility and immobility, are both defined separately and together ... The separation ...

Save Cite Cited by 4 Related articles All 3 versions.

[PDF] d-nb.info.

[PDF] The duality of space and function, and category-theoretic dualities.

R Krömer, D Corfield - Siegener Beiträge zur Geschichte und Philosophie ..., 2013 - d-nb.info.

... 's result constitutes a first stage of our history of how duality of space and function allowed for ... As we mentioned, this paper marks only the first steps towards a treatment of the internal...

Save Cite Cited by 5 Related articles All 5 versions.

The ontological duality of space—Time variables.

R Harré - International Studies in the Philosophy of Science, 1997 - Taylor & Francis.

... It is this ontological duality that I propose to extend to the underpin the semantics of spatial... their solutions refer to Leibnizian relations among observables. We have exactly the duality of...

Save Cite Cited by 1 Related articles All 2 versions.

[PDF] arxiv.org.

Now somebody had to be the first person to jot down this bit of vital information that the universe could be reduced to only having two physical conditions: space and matter. Unfortunately, the hundreds of thousands of listed articles were not arranged chronologically.

On January 4, 2025, at 3:54 US EST, I entered the phrase: History of the toilet bowl into the Google Scholar online Articles Search Engine. The Google Scholar found: About 96,600 results (0.08 sec) The first few items oh the first page were:

Bowl Games: Satire in the Toilet.

JR Clark - Modern Language Studies, 1974 - JSTOR.

... Then came adolescence-half my waking life spent locked behind the bathroom door, firing my wad down the toilet bowl, or into the soiled clothes in the laundry hamper, or splat, up...

Save Cite Cited by 5 Related articles All 2 versions.

The toilet bowl and the tea bowl.

AS Weiss - ArtUS, 2009 - go.gale.com.

... made of pulverized white ceramic toilet bowls, upon each of ... bowl (chawan) at the summit of the arts, no greater audacity could be imagined than creating a work made of toilet bowls...

Save Cite Cited by 3 Related articles.

[BOOK] Remaking the John: The Invention and Reinvention of the Toilet.

FD DiPiazza - 2014 - books.google.com.

... toilet history includes everything from the hunt for the causes ... invented—and reinvented—the



toilet. you will learn about ... of water to flush out the toilet bowl. The contents emptied into a ...

Save Cite Cited by 2 Related articles All 2 versions.

[PDF] mdpi.com.

Evolution of toilets worldwide through the millennia.

GP Antoniou, G De Feo, F Fardin, A Tamburrino... - Sustainability, 2016 - mdpi.com.

... not afford to have individual toilets. The public toilets have a long history in a number of ... the elevated water tank into the modern toilet with a closed tank and bowl. In Figure 58 is shown ...

Save Cite Cited by 43 Related articles All 17 versions.

Related articles Searches:

- toilet bowl history
- toilet bowl design
- the toilet bowl anthropology
- toilet bowl material
- victorian toilet bowl
- the toilet bowl symbolism
- the toilet bowl feminism
- the toilet bowl archaeology

## II. THE PROBLEM

The problem is that information about visible toilet bowls is accurate and can be verified independently. All the information about imaginary space matter duality is inaccurate.

There has never been any space in the real visible Universe. There has only ever been, and there will only ever continue to be one singular infinite visible seamless contrasting surface eternally occurring in one infinite dimension while always being illuminated by one infinite form of finite non-surface light. What I mean by that is that there is an infinite number of visible stars, each one of which can produce a finite amount of non-surface light for a finite duration. The night sky surface is visibly black. The day sky surface is visibly light blue. Every star, planet, asteroid, comet, meteor and meteorite have a visible

surface. Every ocean, sea, lake, river, and pond have a visible surface. Every mountain, hill, and bump in the road has a visible surface. Every animal, vegetation mineral and vapor have a visible surface. Every jungle, desert and arctic region has a visible surface. Every rain, sleet and snowfall have a visible surface. Every pebble, rock and stone have a visible surface. Every machine, building and vacant lot has a visible surface. Every cemetery, park and dump have a visible surface. Every path, street and highway have a visible surface. Every village, town and city has a visible surface. All are seamlessly integrated into one infinite visible contrasting surface.

There is no solution to this problem. Visible folk will only ever believe in what they think, not in what their eyes actually see. Like Renè Descartes, they believe they exist because they can think. They do not realize that all supposed thinking is merely guesswork.

On January 6, 2025, at 0:01 AM US EST, I entered the phrase History of the expansion of the universe into. the Google Scholar Articles online Search Engine. It produced About 2,020,000 results (0.08 sec) The opening articles on page 1 were:

Exploring the expansion history of the universe.

EV Linder – Physical review letters, 2003 – APS.

... governing the expansion of the universe. By precision mapping of the recent expansion history we can ... Just as the thermal history of the early universe taught us much about cosmology, ...

Save Cite Cited by 2711 Related articles All 13 versions.

[PDF] arxiv.org.

A general reconstruction of the recent expansion history of the universe.

SDP Vitenti, M Penna-Lima – Journal of Cosmology and ..., 2015 – iopscience.iop.org.

... to study the expansion history of the universe without specifying its matter content nor any theory of gravitation. Assuming only an isotropic, homogeneous and flat universe, in this work ...

Save Cite Cited by 38 Related articles All 9 versions.

History of the Universe History.

AM Cherepashchuk – Physics-Uspekhi, 2013 – iopscience.iop.org.

... Universe is expanding and described this expansion in quantitative terms: the velocity of expansion ... –in 1998, the accelerating expansion of the Universe was discovered, which again...

Save Cite Cited by 16 Related articles All 9 versions.

[PDF] mdpi.com.

The Discovery of the Expansion of the Universe.

Ø Grøn – Galaxies, 2018 – mdpi.com.

... The history of the discovery of the expansion of the universe is fascinating, and it has been thoroughly studied by several historians of science. (See, among others, the contributions to...

Save Cite Cited by 12 Related articles All 6 versions.

[PDF] harvard.edu.

The expansion of the universe.

JS Plaskett – Journal of the Royal Astronomical Society of ..., 1933 – adsabs.harvard.edu.

... This present day conception of the expansion of the Universe is then, when the latter is only in very small part observable, ... cause an expansion or a contradiction of the Universe, while...

Save Cite Cited by 16 Related articles All 2 versions.

[PDF] harvard.edu.

The expansion of the universe.

GFR Ellis, R Maartens, SD Nel – Monthly Notices of the Royal ..., 1978 – academic.oup.com.

We show that, in principle, the observed galactic redshifts and microwave background radiation in the Universe can be explained by a static spherically symmetric (or SSS) universe ...

Save Cite Cited by 123 Related articles All 6 versions.

Local Dynamics and the Expansion of the Universe.

WB Bonnor.

General Relativity and Gravitation – 2000.

link.springer.com.

Fundamental aspects of the expansion of the universe and cosmic horizons.

TM Davis.

University of New South Wales (Australia) – 2005.

search.proquest.com.

[PDF] arxiv.org.

[PDF] arxiv.org.

Cosmic growth history and expansion history.

EV Linder – Physical Review D—Particles, Fields, Gravitation, and ..., 2005 – APS.

... universe, yet key for the understanding of the recent and present history and the fate of the universe. ... We can say that searching for the nature of the accelerating expansion is seeking to ...

Unlike finding out the name of the chap who first wrote about his belief of the Universe containing simultaneous co-existing amounts of space and matter, we do know that Edwin Hubble<sup>1</sup> was one of the first to write down his guess that the universe was expanding through curved space/time at a pretty good clip. Using the Hooker telescope at the Mount Wilson Observatory, Hubble claimed to have found out that stars seemed to assemble into easily identifiable clumps, and he was able to spot a Cepheid variable star glowing in each clump of stars, even though each clump of stars contained about a trillion members., This was both a fortunate and unfortunate happenstance. By noting down a Cepheid variable star's luminosity, an astronomer can determine whether it is approaching the earth or departing from it. Hubble started taking

<sup>1</sup> Edwin Hubble. (2024, December 18). In *Wikipedia*. [https://en.wikipedia.org/wiki/Edwin\\_Hubble](https://en.wikipedia.org/wiki/Edwin_Hubble)

photographs of the clumps of stars each year. The first year everything looked fine, but the following year, several of the clumps of stars were missing from the photograph. Horrors!

An infinite contrasting visible surface cannot expand.

An infinite number of manufactured finite visible telescopes exist. Each visible user of a manufactured finite visible telescope can make finite observations with it for a finite duration. No observation of the whole of the visible Universe could ever be made because the real visible Universe is not whole, it is infinite.

No two observations could ever be identical, just as no two visible human fingerprints have ever been found to be identical. No two visible photographs of the night sky could ever be identical, especially if they were taken in different years.

### III. CONCLUSION

All visible women on Earth have always taught their visible babies how to speak the same language their own visible mothers taught them to speak. All visible female teachers have always taught their young visible pupils how to read and write and perform arithmetic functions the same way their own visible female teachers taught them how to do when they were girls. All visible male teachers have always taught their visible students the same theoretical mysticism they were taught by their male teachers when they were boys.

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author's profile

# Lived Experiences of the Public-School Teachers in the Implementation of Matatag Curriculum

*Rechie C. Bejasa*

## ABSTRACT

The MATATAG Curriculum represents a significant reform in the Philippine education system, aiming to enhance the K to 12 Basic Education Program by addressing persistent challenges. This study aims to explore lived experiences of the nine (9) public-school teachers in the implementation of MATATAG curriculum in the Department of Education Cebu Province for the academic year 2024-2025. The focused of this study centered on the qualitative study with which methodology was associated with Husserl's philosophy of descriptive phenomenological research on the lived experiences of the public-school teachers representing three teachers per grade level in DepEd Cebu Province. The use of thematic analysis was utilized based on the experiences of the participants to generate emergent themes. The Positive Experiences are as follows: Relevant and well-aligned to expected outcomes, Student-centered approach, Striving to stay motivated despite resource constraints, Training is helpful for implementation and Adapting teaching strategies to suit changing needs while for the Negative Experiences are Limited materials and resources hindering effective teaching, Slow internet connectivity and struggles with accessing materials, Limited 10-day training perceived as inadequate for practical application, Decreased motivation due to lack of readiness and resource constraints, and Content not suitable for learners in upland.

**Keywords:** matatag curriculum, lived experiences, upland areas, implementation, public-school teachers.

**Classification:** LCC Code: LB2806.15

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## ABSTRACT

*The MATATAG Curriculum represents a significant reform in the Philippine education system, aiming to enhance the K to 12 Basic Education Program by addressing persistent challenges. This study aims to explore lived experiences of the nine (9) public-school teachers in the implementation of MATATAG curriculum in the Department of Education Cebu Province for the academic year 2024-2025. The focused of this study centered on the qualitative study with which methodology was associated with Husserl's philosophy of descriptive phenomenological research on the lived experiences of the public-school teachers representing three teachers per grade level in DepEd Cebu Province. The use of thematic analysis was utilized based on the experiences of the participants to generate emergent themes. The Positive Experiences are as follows: Relevant and well-aligned to expected outcomes, Student-centered approach, Striving to stay motivated despite resource constraints, Training is helpful for implementation and Adapting teaching strategies to suit changing needs while for the Negative Experiences are Limited materials and resources hindering effective teaching, Slow internet connectivity and struggles with accessing materials, Limited 10-day training perceived as inadequate for practical application, Decreased motivation due to lack of readiness and resource constraints, and Content not suitable for learners in upland. The implementation of the MATATAG Curriculum in upland schools has faced positive and challenging experience for educators and requires more training, planning on preparation and resource allocation. The school may have a more training period to provide educators with a deeper understanding of the curriculum and practical strategies for implementation, allocate*

*additional resources and teaching materials tailored to the unique needs of upland learners and lastly, a comparison on experiences of teachers towards the MATATAG curriculum in upland and in road schools.*

**Keywords:** matatag curriculum, lived experiences, upland areas, implementation, public-school teachers.

## I. RATIONALE

The MATATAG Curriculum was launched on August 10, 2023 and On October 2023, the Department of Education (DepEd) indicated plan to evaluate the implementation of the DM 54, s. 2023 which is "The Pilot Implementation of MATATAG Curriculum. This is being done before 2024-2025, which is when the phased roll out starts of the curriculum. This MATATAG explains the development in the education of Philippines and aims for better comprehensions. It starts from kindergarten and goes up to tenth grade while essentially paying attention towards reading, math and life skills.

The MATATAG focus is on core competencies that students ought to be able to master such as reading, numeracy, and life and work skills. The new curriculum is the very first step for resolving the issues that were there in the Philippine educational institutes (Singh, 2024). Moreover, this change in the MATATAG curriculum implementation has changed the educational scene of the Philippines which caused educational change in the approach of teaching and the curriculum structure. The students for the Education program had to undergo deep transformation, therefore teachers as the implementers encountered challenges in such problem students.

Several studies conducted on MATATAG Curriculum. Saro et al. (2024) revealed that participants perceived the MATATAG Curriculum as having the potential to significantly enhance students' critical thinking and problem-solving skills. Bentayao et al. (2024)' results showed similar claims to Lewin's change management theory, which involves unfreezing, changing, and freezing as one example of school management practices in implementing new policies such as the MATATAG curriculum. Olipas (2024) highlight substantial positive changes attributed to the MATATAG curriculum compared to its predecessor, as outlined in the curriculum guides issued by the Department of Education. Noteworthy is the curriculum's provision of opportunities for the localization and contextualization of history and geography lessons.

From the abovementioned and other studies, it is reflected that there are no studies revealed locally relative to everyday experience of the teachers in the implementation of MATATAG curriculum. As such it is important to understand and describe the experiences of Grades 1, 4, and 7 teachers regarding the implementation of this curriculum as these teachers are actively involved in teaching such students who have undergone this tremendously structural educational change. Their experiences might inform and ensure real understanding of the changes brought about by the new approaches to curriculum and change both what worked well and issues that remained un resolved.

## II. RESEARCH OBJECTIVES

This study aims to explore lived experiences of the public-school teachers in the implementation of MATATAG curriculum in the Department of Education Cebu Province for the academic year 2024-2025.

- What are the experiences of public-school teachers regarding the goals and objectives of the MATATAG Curriculum?
- What challenges do public school teachers face in the implementation of the MATATAG Curriculum, and how do these challenges

affect their teaching practices and student engagement?

- How do public school teachers adapt their teaching strategies and methodologies in response to the requirements of the MATATAG Curriculum?

## III. REVIEW OF RELATED LITERATURE

Recent studies indicate that the success of the MATATAG curriculum pivots on several factors, including teachers' readiness and the support systems in place to assist them. Challenges such as heavy workloads and insufficient preparation time have also been noted, which can hinder effective implementation.

Olipas (2024) presents a qualitative examination of the influence of the MATATAG curriculum on history and geography education for the academic year 2024-2025. Through the utilization of Focused Group Discussions (FGD) and interviews involving stakeholders in social studies education, a systematic collection, analysis, and interpretation of participant responses were conducted. FGD outcomes uncovered diverse themes regarding the perceived impact of the MATATAG curriculum on the teaching of history and geography. These themes encompass heightened awareness of contemporary and critical issues, deepened understanding with expanded perspectives, varied outcomes based on implementation, early exposure to history and geography, addressing knowledge gaps and fostering patriotism, impact on discipline and awareness, intensified focus on geography and history, and the teacher's perspective and meaningful learning. The results highlight substantial positive changes attributed to the MATATAG curriculum compared to its predecessor, as outlined in the curriculum guides issued by the Department of Education.

Moreover, a qualitative study examined teachers' preparedness for implementing the MATATAG Curriculum, highlighting the complexity of their roles and the various challenges they encountered in adapting to new teaching methods. The findings indicate that many teachers felt underprepared and expressed concerns about the



adequacy of their training. This study illustrates the need for structured professional development to support educators in effectively delivering the new curriculum (Department of Education, 2023). Another phenomenological study focused on the coping strategies employed by teachers during blended learning amid the MATATAG Curriculum implementation. The research revealed that teachers adapted by leveraging digital tools and collaborative methods, but also faced significant challenges, such as managing increased workloads and addressing diverse student needs. This study highlights the resilience of teachers but emphasizes the necessity of providing better support systems for their professional growth (Paz, 2024).

A case study published recently emphasized the importance of administrative support in the successful implementation of the MATATAG Curriculum. It found that teachers who received sufficient guidance and resources from school administration reported more positive experiences and better student engagement. The study calls for enhanced communication between decision-makers and educators to assess challenges and provide timely interventions (Magsambol, 2024). Interestingly, research has shown that students' perceptions of the MATATAG Curriculum also significantly impact teachers' experiences. Teachers noted that when students embraced the new curriculum, it motivated them to adapt and innovate their teaching practices. This mutual influence highlights the interconnectedness of teacher and student experiences in educational reforms. Lastly, a comprehensive assessment of teachers' perceptions regarding resource availability underscored the critical factor of adequate instructional materials. Teachers reported varied experiences based on their access to teaching aids and resources, which ultimately affected their ability to implement the curriculum effectively. This study advocates for more focused efforts to ensure that all teachers have the necessary tools for successful implementation (Research on MATATAG CURRICULUM, 2024).

Utilizing a phenomenological design allows for an in-depth exploration of these lived experiences,

providing insights into how Grade 7 teachers perceive and adapt to the complexities of this curriculum shift. This approach facilitates a more nuanced understanding of the emotional and psychological impact of educational reforms on teaching professionals, thereby informing future policy decisions.

#### IV. RESEARCH METHODOLOGY

**Design.** The focus of this study centered on the qualitative study with which methodology was associated with Husserl's philosophy of descriptive phenomenological research on the lived experiences of the public-school teachers in DepEd Cebu Province. This holistic view strengthens the understanding of how teachers perceive and respond to the MATATAG Curriculum.

**Participants.** Prior to the phased implementation of the MATATAG Curriculum starting SY 2024-2025, the Department of Education (DepEd) is conducting the pilot implementation in the MATATAG Curriculum Guides (CGs) for Grades 1, 4, and 7. Choosing three participants per grade level stems from the need for a balance between practical sample sizes and the depth of information collected. By limiting the sample to two participants, researchers can focus on obtaining detailed accounts from individuals while ensuring representation from various grade levels. This can provide a mix of perspectives that are crucial for thematic analysis in educational settings.

**Environment.** The environment is located in DepEd Cebu Province, serves as a vital context for conducting a study on the lived experiences of public school teachers regarding the implementation of the MATATAG Curriculum. This locale provides a unique backdrop that influences educational practices, resource availability, and teacher-student dynamics, ultimately shaping the overall responses of educators to the curriculum changes.

**Instrument.** This study used a researcher-made interview guide having three parts. Part 1 composed of the perceptions of public-school

teachers regarding the goals and objectives of the MATATAG Curriculum, and how do these perceptions shape their approach to teaching. Part 2 comprised of the challenges do public school teachers face in the implementation of the MATATAG Curriculum, and how do these challenges affect their teaching practices and student engagement. Part 3 consisted of do public school teachers adapt their teaching strategies and methodologies in response to the requirements of the MATATAG Curriculum, and what support systems do they perceive as essential for this adaptation.

Data gathering procedure. The main instrument utilized in data collection will be a researcher-made interview guide. Prior to the conduct of interview to the key informants with direct experience the MATATAG Curriculum, the researcher explores and reflect personal and collective experiences to understand the informant's perceptions and viewpoints. To gather more data on the interview, the researcher employed probing where the researcher is asking follow up questions when the researcher need more clarifications on a response, informants answers are vague or ambiguous or the proponent wanted a more specific or in dept information.

Other instruments will be utilized are the informants recorded interview classified as an internal data source of this study through the use of semi-structured questions. Semi-structured question will be focused on the participants experiences and literature reviews as sources of data collection.

For data gathering procedures, the researcher followed research phases for data gathering in this study. Each phase consists of steps that ensure the realization of the whole data gathering procedure. The research phases are as follows:

Pre-Gathering Phase. The researcher is required to submit the research manuscript containing content, methodology, ethical and technical dimensions of research to the adviser for a thorough review, evaluation, and proper endorsement by the panel of experts. The title and pre-oral defense will be made up of four panel

experts including the research adviser. The panel of experts will be tasked to evaluate the research agenda, research framework, extent of feasibility and sufficiency inform and substance of the manuscript. In the event of revision required by the committee, the researcher will undergo again a pre-oral dissertation hearing prior the dean issued an endorsement letter for Research Ethics review and evaluate the proposed study.

Upon receiving the endorsement letter from the Dean of the Graduate School, the RE undertakes the preliminary evaluation of the proposed study. The RERB designated full responsibility for deciding whether the proposed study will be exempted, expedited, or subjected to a full board review. Prior the researcher will proceed with the collection of data; the researcher will be required to satisfactorily complied the recommendations by the RE before the issuance Notice to Proceed to the researcher.

Gathering Phase. The researcher will secure permission to conduct this study that will be sought from the school head of the Tuburan National High School in the Municipality of Tuburan. After granting the approval to conduct data collection, the researcher will forward an invitation letter to the identified teachers accompanied with the Informed Consent document confirming the informant participation in the study. The researcher will schedule a meeting to the informants to explain the nature and purpose of the research study as well as the privacy act, terms and conditions of the Informed Consent document. After collecting the Informed Consent document from the informants, the researcher and participants will agree on the schedule of the recorded interview which will take 2 hours, after which the interview takes place.

Post Gathering Phase. It will take place after the needed data were obtained, the next step will be to analyze the gathered data, the analysis will be based on the thematic arrangement where meanings follow based on experiences. The participants' names will be hidden but will assigned to code names such as Participant 1 (P1) to Participant 9 (P9).

Data analysis. In qualitative method, the use of thematic analysis will be utilized based on the experiences of the participants explain in the quantitative findings. Thematic analysis also involves (usually inductive) coding of qualitative data into clusters of similar entities, or conceptual categories and the identification of consistent patterns and relationships between themes, so as to come up with a theoretical explanation of the phenomenon under study (Figgou and Pavlopoulos, 2015).

Ethical considerations. Trustworthiness of Research focuses on confirmability, dependability and transferability.

#### 4.1 Confirmability

A fourth perspective on trustworthiness is confirmability, or getting as close to objective reality as qualitative research can get. Only some forms of qualitative research go there (e.g., emergent design positivism as described by Bogdan and Biklen [2003]). In order to subject one's research to auditing, there must be some objective reality present. Rather than constructing a reality in findings, qualitative researchers who believe and pursue objectivity, rely on constructs like precision and accuracy in their research practice and the involvement of other researchers. In these qualitative circumstances it makes sense to aim for non-involvement, least researchers contaminate pristine, natural environments. As such, the use of confirmability is a small, circumscribed intent within qualitative research, especially concerning emergent design positivism (Stahl & Kin, 2020).

#### 4.2 Dependability

A third perspective on trustworthiness offered by Lincoln and Guba (1985) is dependability, or the trust in trustworthy. In qualitative research in which researchers, both producers and consumers, actively build their trust in the events as they unfold, there are a few concrete research practices that not only produce trust but also feel trustworthy when they are executed. Peer debriefing or peer scrutiny are solid communication habits that create trust. Using another researcher to read and react to field

notes, with their embedded researcher interpretations, is a confirmation that creates a tacit reality for the researcher (Stahl & Kin, 2020).

#### 4.3 Transferability

A second factor for trustworthiness offered by Lincoln and Guba (1985) is transferability. This proposition is somewhat tricky, given that by design qualitative research does not (cannot) aim for replicability. Yet, qualitative researchers maintain that patterns and descriptions from one context may be applicable to another. After all, if one cannot learn from study extensions that might fit with a subsequent set of circumstances, the impact from the original study is limited. Just as it is valid and important to create new knowledge from emergent discovery oriented qualitative research, it is also productive to seek understanding from others' systematic qualitative inquiry. It is with such intentions that an analogy to both external validity and generalizability in quantitative research might be productive.

#### 4.4 Rigor of the Study

Rigor in qualitative research refers to the strength of the research design and its appropriateness in answering the established research questions. It is critical for qualitative studies to be conducted with extreme rigor due to the subjectivity that is inherently involved in these inquiries. The assessment of rigor is not merely a post-completion evaluation but should be integrated throughout the research process. Criteria for rigor often encompass credibility, transferability, dependability, and confirmability, which together ensure the trustworthiness of the findings. Employing these criteria allows researchers to navigate the complexities and nuances of qualitative inquiry, ensuring that the results are both meaningful and reliable (Cypress, 2017).

## V. RESULTS AND DISCUSSIONS

The identified public-school teachers in an upland school imparted their positive and negative experiences in the implementation towards MATATAG Curriculum. The emergent themes after the focus group discussion and the subsequent tables and discussions are presented below.

*Table 1:* Summary of the Educators' Experiences towards MATATAG Curriculum

Positive Experiences	Challenging Experiences
Relevant and well-aligned to expected outcomes	Limited materials and resources hindering effective teaching
Student-centered approach	Slow internet connectivity and struggles with accessing materials
Striving to stay motivated despite resource constraints	Limited 10-day training perceived as inadequate for practical application
Training is helpful for implementation	Decreased motivation due to lack of readiness and resource constraints
Adapting teaching strategies to suit changing needs	Content not suitable for learners in upland

The above table is the summary of the Educators' Experiences towards MATATAG Curriculum categorized into two. Positive Experiences and Challenging Experiences.

Since the introduction of MATATAG Curriculum, for its angle, it has made education a positive experience to both teachers and students as its praises have been its importance. Furthermore, they do appreciate the relevance of the curriculum in practice, stating that the curriculum enables them to modify the lessons for their specific and

varied classrooms. The emphasis on different key areas such as literacy, numeracy and life skills has really changed the way students view education since they are more interested in lessons.

Based on the responses, themes were generated under Positive Experiences such as *Relevant and well-aligned to expected outcomes*, *Student-centered approach*, *Striving to stay motivated despite resource constraints*, *Training is helpful for implementation* and *Adapting teaching strategies to suit changing needs*.

*Table 2:* Positive Experiences towards MATATAG Curriculum

Themes
Relevant and well-aligned to expected outcomes
Student-centered approach
Striving to stay motivated despite resource constraints
Training is helpful for implementation
Adapting teaching strategies to suit changing needs

Table 2 above presents the themes on the Positive Experiences towards MATATAG Curriculum and the generated themes and its evidences are clearly presented below:

*Theme 1.* Relevant and well-aligned to expected outcomes

As to the participants' narratives, the evidence on ensuring that curriculum and teaching methods are closely aligned with educational goals is crucial for achieving desired student outcomes are narrated below:

*"P1...It's nice sir, it's relevant for the learners but there are things to prepare..."*

*"P2... it is relevant chie but not flexible in upland schools..."*

*"P3 ... the curriculum is relevant and is align to the expected outcomes..."*

*"P6...for me sir, it is very relevant actually and I can see that the content is localized and learner centered..."*

The above responses by the participants imply that while the curriculum is seen as relevant,



localized, and learner-centered, its implementation needs careful preparation and adjustments to address challenges faced, particularly in upland schools. Lalor (2022) mentions that most educators and stakeholders think that the curriculum is typically relevant to students' needs and in line with current learning outcomes and educational goals. This view is crucial as meaningful learning experiences and student engagement are greatly influenced by relevance.

#### Theme 2. Student-centered approach

The responses below are demonstrated on the student-centered approach which prioritizes individual learning needs and interests, fostering a more engaging and effective educational experience:

*"P2...helpful I think chie as long as it will be properly implemented then very student centered..."*

*"P3... chay, the main goal for MATATAG is very nice actually as it is student focus but needs to be properly executed..."*

*"P6 ...for me sir, it is very relevant actually and I can see that the content is localized and learner centered..."*

According to the responses as reflected above, the MATATAG Curriculum is seen as relevant and student-centered, but its full potential depends on how well it is implemented. With an emphasis on the needs of the students, the MATATAG Curriculum promotes critical thinking, active learning, and student participation (Saro et al., 2024). By moving away from conventional rote learning techniques, this paradigm gives students the chance to interact meaningfully with the content. According to instructor feedback, the student-centered approach encourages students to take charge of their education and fosters greater comprehension (Uy et al., 2024). But in order for this strategy to work, teachers need to have sufficient training in student-centered teaching techniques that encourage involvement and engagement.

#### Theme 3. Striving to stay motivated despite resource constraints

The participants speak on maintaining motivation in the face of limited resources requires creativity, resilience, and a strong commitment to educational success as told below:

*"P3 ... it has an influenced in terms of my motivation but not really fully and for the students, they will be engaged because I tried my best for them to understand"*

*"P5 ... trying to be motivated to engage the children in my class..."*

*"P6 ... at some point, the motivation decreased knowing it was lacking and not ready yet but trying to make it more engage to the children..."*

The responses infer that while it may be difficult to stay motivated when faced with few resources, instructors who are resilient, creative, and committed to encouraging student engagement can succeed. Lack of funding, subpar supplies, and a lack of professional assistance are just a few of the issues that educational institutions frequently deal with (National University, 2023). Students may get demotivated as a result of these restrictions if they think there aren't enough chances for involvement and education.

#### Theme 4. Training is helpful for implementation

As to the stories of the participants, effective training equips educators with the necessary skills and knowledge to successfully implement new instructional strategies and curricula:

*"P2...in my case chie since I am assigned in the upland area, the MATATAG goals are okay...helpful I think chie as long as it will be properly implemented..."*

*"P3... it is helpful in the future chai as long as it is properly implemented then the training for implementation was helpful but not totally..."*

*"P6 ...at some point, there is a positive influence especially in planning and lesson delivery since it can trigger the mind positively and you are more guided in what you're going to do and so good that there is a training even though it was just in few days..."*

The responses suggest that while training plays a positive role in guiding educators for effective implementation of the MATATAG Curriculum, its impact is limited by the depth and duration of the training provided. Gutierrez (2024) assessed teacher preparedness and training for the MATATAG Curriculum at Calubcob I National High School (CNHS) which reveals both strengths and areas for improvement. While teachers generally feel confident in their ability to deliver the new curriculum, with average confidence ratings between 7 and 9 out of 10, significant challenges remain. These include the broad scope of the curriculum, insufficient time for topic coverage, and ambiguities in scheduling MELC in Filipino.

Theme 5. Adapting teaching strategies to suit changing needs

The participants' responses on adapting teaching methods are evidenced below as to them it requires to meet the evolving needs of students as it is essential for maintaining a relevant and impactful learning environment:

*"P4 ... different sir rech, but mostly on differentiated instruction and depends on the topic..."*

*"P7... discovering still sir but more on different strategies..."*

*"P8 ... the teaching strategy I used now depends on the content and the learners' needs..."*

*"P9 ... it depends sir but mostly differentiated instruction like meaning it varies depending on the students' needs..."*

The responses infer that while it may be difficult to stay motivated when faced with few resources, instructors who are resilient, creative, and committed to encouraging student engagement can succeed. Lack of funding, subpar supplies, and a lack of professional assistance are just a few of the issues that educational institutions frequently deal with (National University, 2023). Students may get demotivated as a result of these restrictions if they think there aren't enough chances for involvement and education. According to research, students' general interest in studying is impacted by the chance of immersive and engaging learning experiences being diminished by a lack of resources. In order to keep students motivated in the classroom, teachers must adjust to these difficulties.

Table 3: Challenging experiences towards MATATAG Curriculum

Themes
Limited materials and resources hindering effective teaching
Slow internet connectivity and struggles with accessing materials
Limited 10-day training perceived as inadequate for practical application
Decreased motivation due to lack of readiness and resource constraints
Content not suitable for learners in upland

Table 3 above presents the themes and essences on the Challenging Experiences towards MATATAG Curriculum and the generated themes and its evidences are clearly presented below:

Theme 1. Limited materials and resources hindering effective teaching

Insufficient materials and resources can significantly impede the effectiveness of teaching and the learning experience of students as shared by the participants:

*"P7 ... my daily routine sir rech of course to wake up early to arrive in school earlier. Since the things to do is already plotted but needs to be revised since the content is not fit for our learners. One of the challenges sir rech is the lack of materials since there are materials indicated in the exemplar but it does not suit..."*

*"P8 ... it's a small school, sir, materials and resources are lacking..."*

*"P9... in terms of class size it's okay, learning resources are still lacking and it hinders..."*

The responses speak of a major obstacle to successful teaching and the provision of a high-quality learning environment that is suited to the needs of the students is the absence of sufficient materials and resources. Ogott et al. (2020) revealed in the results of studies show a relationship between teacher effectiveness and the accessibility of educational resources. It was determined that there is a moderately positive association, indicating that teachers can provide higher-quality instruction more successfully if they have access to more resources. According to this study, having enough teaching resources directly improves the quality of instruction; conversely, not having them can make education less successful.

#### *Theme 2. Slow internet connectivity and struggles with accessing materials*

The concern on slow internet connectivity poses a major challenge in accessing digital resources, hampering the teaching and learning process as shared by the participants:

*“P1 ... that's technology integration but the internet is very slow.”*

*“P5 ... sir there is a link provided in the exemplar but slow internet. Then I integrate it but I don't have enough materials...”*

*“P8 ... sometimes I am stressed sir since slow internet and lacks good materials...”*

As to participants' responses, it can be implied teachers' capacity to successfully integrate technology and access digital materials is severely limited by poor internet connectivity, which impedes the teaching and learning processes. According to research, teachers' capacity to successfully integrate digital technologies into their lessons is severely hampered by sluggish internet connections. Teachers' capacity to deliver an interesting and dynamic learning environment was impeded by their inability to access essential online resources and finish digital tasks (Sapin, 2024).

#### *Theme 3. Limited 10-day training perceived as inadequate for practical application*

The participants highlighted that A brief 10-day training period is often viewed as insufficient for teachers to effectively apply new strategies and curricula in the classroom.

*“P3 ... training but it's good to have peers to help us but it's crucial is training actually to achieve what you want...”*

*“P4 ...10 days training is not enough man sir but I find ways to be ready in class...”*

*“P5... the training is very needed sir especially in implementation...”*

*“P7... training, preparation sir, that's crucial...” ... The training and professional development provided for implementing the MATATAG Curriculum is not enough since it is only 10 days only sir Rech so for me, it is not enough...”*

*“P8 ... Need preparation and more training to be readier to face...”*

*“P9...mostly on training and preparation is crucial to implementation as teachers as we are, it's nicer if we're prepared...”*

The responses said that a 10-day training program is generally considered inadequate, underscoring the necessity of longer and more thorough professional development to sufficiently equip teachers for the successful implementation of the MATATAG Curriculum. One-time professional development for teachers is unsuccessful when it comes to using educational digital tools, according to Langreo (2023). The majority of instructors claim that their training on new ed-tech tools has been mostly one-time experiences with little to no follow-up assistance, notwithstanding this research-supported result. According to experts, the best way to assist instructors in incorporating technology into their lesson plans would be to offer more individualized, adaptable, and continuous professional development.

#### *Theme 4. Decreased motivation due to lack of readiness and resource constraints*

As mentioned by the participants, a lack of readiness and resource constraints can lead to decreased motivation of the teachers, affecting overall educational outcomes. It is evident below:

*“P5 ... lack of materials is affecting sir because you are not confident when delivering...”*

*“P8 ... sometimes I am stressed sir since slow internet and lacks good materials...”*

*“P9 ... sometimes you feel demotivated, especially if there is a lack of resources...”*

It can be implied that lack of preparation and inadequate resources can seriously impair instructors' motivation, which will have a detrimental effect on the standard of instruction and learning results. The global trend of decreasing teacher motivation, which can result in teacher shortages and have a detrimental effect on student learning outcomes, is highlighted by the IIEP Learning Portal (2024). The article examines the many elements that affect teacher motivation, such as pay, benefits, possibilities for professional growth, and working environment. It also looks at how difficult it is for governments to deal with these problems, especially in low-income nations with little financial means.

*Theme 5. Content not suitable for learners in upland*

The participants believe that the Curriculum content that does not resonate with the unique context of learners in upland areas can lead to disengagement and hinder their educational progress as apparent below:

*“P1 ... regarding on the planning and lesson delivery sir is that there are things to have modifications to fit for students' learning outcomes...”*

*“P2... we have to change the lesson plans to make it fit for the learners but there are parts that are okay...”*

*“P3...the planning and lesson delivery have changes to make especially in lesson plan and then needs to be restructured to be delivered appropriately...”*

*“P4.....there are modifications to do in terms of planning and lesson delivery to be aligned to the learners' needs in upland and I noticed that it is more on the homogenous learners in terms of content...”*

*“P5 ...the MATATAG Curriculum is very nice especially the goals however, it is not adaptable and flexible for the learners in the upland area...”*

*“P7 ...after reading the lesson exemplar sir, I need to have modifications to be more fit for the learners...”*

The responses indicate that curriculum content that is not tailored to the unique requirements and circumstances of upland learners may cause disengagement and reduce the process' efficacy. Curriculum adaptation for upland communities requires the use of culturally responsive pedagogy. According to research, students are more likely to appreciate the value of their education and connect with the subject more deeply when teachers use culturally appropriate resources and instructional strategies. This improves educational results by giving students a feeling of community and motivating them to actively engage in their studies (NYU Steinhardt, 2020).

## VI. CONCLUSION AND RECOMMENDATIONS

The implementation of the MATATAG Curriculum in upland schools has faced positive and challenging experience for educators and requires more training, planning on preparation and resource allocation. The school may have a more training period to provide educators with a deeper understanding of the curriculum and practical strategies for implementation, allocate additional resources and teaching materials tailored to the unique needs of upland learners and lastly, a comparison on experiences of teachers towards the MATATAG curriculum in upland and in road schools.

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