

THE RIGHT TO BE DELUSIONAL: TOWARDS A THEORY OF EMERGENCE

EL DERECHO A LA ILUSIÓN: HACIA UNA TEORÍA DE LA EMERGENCIA

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Resumen: Aunque la Declaración Universal de Derechos Humanos (1948) y otras muchas constituciones, tratados internacionales y declaraciones proclaman y protegen el derecho a la libertad de religión, ningún documento, en la actualidad, parece proclamar o proteger la libertad más amplia a la que pertenece la libertad de religión: el derecho a delirar. No se trata, en modo alguno, de denigrar ninguna religión o creencia religiosa en particular. Se trata más bien de reconocer que una multitud de creencias religiosas persistentes representan una aceptación colectiva, por parte de la especie humana, de prácticas culturales irracionales como parte de nuestro proceso de creación de significados y un aspecto fundamental de nuestra evolución. ¿Por qué, entonces, las prácticas culturales irracionales no se extienden al individuo? ¿Por qué las prácticas irracionales individuales son, en la gran mayoría de los casos, condenadas como formas de enfermedad mental, depresión o locura? ¿Por qué condenamos las prácticas irracionales del individuo, pero honramos y protegemos las prácticas irracionales grupales?

Abstract: While the Universal Declaration of Human Rights (1948) and numerous other constitutions, international treaties and declarations proclaim and protect the right to freedom of religion, no documents, at the current time, appear to either proclaim or protect the broader freedom that the freedom of religion belongs to – the right to be delusional. This is not to, in any way, to denigrate any particular religion or religious belief. Rather, it is to recognize that a multitude of persistent religious beliefs represent a collective acceptance, by the human species, of irrational cultural practices as a part of our meaning making process and a fundamental aspect of our evolution. Why then, do irrational cultural

practices not extend back to the individual? Why is it that individual irrational practices are, in the vast majority of cases, condemned as forms of mental illness or depression or insanity. Why do we condemn the irrational practices of the individual, but honor and protect the irrational practices of groups?

I. Introduction

While the Universal Declaration of Human Rights (1948) and numerous other constitutions, international treaties and declarations proclaim and protect the right to freedom of religion, no documents, at the current time, appear to either proclaim or protect the broader freedom that the freedom of religion belongs to – the right to be delusional. This is not to, in any way, to denigrate any particular religion or religious belief. Rather, it is to recognize that a multitude of persistent religious beliefs represent a collective acceptance, by the human species, of irrational cultural practices as a part of our meaning making process and a fundamental aspect of our evolution. Why then, do irrational cultural practices not extend back to the individual? Why is it that individual irrational practices are, in the vast majority of cases, condemned as forms of mental illness or depression or insanity. Why do we condemn the irrational practices of the individual, but honor and protect the irrational practices of groups?

The reason is simple: the global conversation about the relationship between human rights and delusion falls along a spectrum with two extremes. At the one end, insanity is seen as a defense for certain types of crimes and, at the other the end, if a collective delusion has enough adherents and historical roots it becomes protected under the broad umbrella of freedom of belief or 'freedom of religious

practice'. In both cases, the construct of delusion is almost indistinguishable from that of belief.

However, within that spectrum there is a specific gap in human rights discourse: do we have the absolute right to be delusional and what are the limits of that right? The obvious answer – that individual delusion is permissible as long as it does not harm others is a rhetorical exit strategy in the vein of John Stuart Mills that avoids the much more important distinction: tolerating something does not necessarily make it rise to the status of a right. We tolerate many things in society that are not explicit rights, rather they are privileges that demonstrate, in the public sphere, broad social inequalities. For example, we tolerate large differences in personal wealth, but no one has an explicit right to wealth.

At the same time, while we tolerate individual delusion that does not explicitly harm others, we, as a society, are also socially committed to classification of individuals according to their degree of delusion. We accept as hard science, for example, the classifications of mental illness and we accept the various labels of and classifications mental illness. Both confer on our segregation of individuals, based on their degree of delusion, an official moniker of difference. The problem is simple: that very construction of mental illness as a hard science speaks of a global medical-scientific industry that has large social backing and that is explicitly aimed at separating and treating mental

illness. In other words, restoring the 'sick' human to a 'normal' state.

That implies that delusion is a specific and negative attribute of human consciousness. And that it is somehow easily distinguished from its more benign manifestation – creativity. Delusion is, however, a complex phenomenon. A highly creative individual is not sick and yet the extreme nature of their thoughts might be seen by others as delusional. Delusion's distinction from belief or faith is a point of contention in semiotics, psychology, sociology, theology and numerous other social science fields. Placed under the umbrella of belief, the human right to be delusional appears to be part of the broader set of basic rights of free speech and freedom of religion. "Freedom of belief, conscience, opinion and thought are human rights protected by international human rights covenants, such as the International Covenant on Civil and Political Rights (ICCPR 1966, articles 18-19) of the United Nations and the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR 1950, articles 9-10) of the Council of Europe." (Stenlund, 2013) And yet, there is a fundamental difference between the actual protection and practice of that right once that delusion is acknowledged as being limited to a singular entity within a culture or other structured group.

That difference has largely been studied from a static perspective – being delusional is seen as an attribute of the individual as opposed to be a dynamic event characterized by individual meaning-making and external rebuke or validation. As such, the right to be delusional ought to be investigated as a dynamic right – one most visible through its absence or persistence. This research study examines these

mechanisms of persistence, and the ways in which they may serve to re-orient the current debate about delusion away from a delusion/belief spectrum and towards a creativity/emergence spectrum. In order to understand the significance of the difference in these two spectra, we have to first examine the origins, within a society, of delusion.

2. The Origins of Delusion

A paradox lies at the heart of our construction of delusion – it is based, in all cases, on a dominant ideology of a society that has its roots in a collective and historically persistent delusion – myth. What does this mean practically? It means that delusion is neither universal nor objective. Rather, it is always "local" and "relational". Delusion is not a self-generating category of thought. An individual does not think a thought and then declare that thought to be delusional. The characterization of delusion is, therefore, always externally determined. Someone must declare the expressed thoughts of the other to be delusion. That declaration, however, has a power that only resides in its collective context and collective approval. Let us examine the following hypothetical situation: two twelve-year old children are sitting in a park playground. Child A says to Child B, "Look, I am an eagle, and I can fly." Child B says, "You're delusional, you're not an Eagle. At best, you're a turkey." Although the word 'delusional' appears, we actually wouldn't generally characterize such an expressed utterance or interaction as delusional. Rather, we interpret it in a kind of neutral context as child's play- as the proclamation of one child against another has no significant power behind it.

However, the same situation between two adults competing in an election for a political position suddenly takes on a different dimension. When Adult A says, “Women have the right to an abortion” and Adult B says “You’re delusional” suddenly that utterance has both locally deterministic power and context. It means something and it has the power of judgment behind it. An utterance is declared delusion because it violates the collective delusion of the group.

Surely, any rational apologist would immediately point out that there is a scientific world that is objective and therefore beyond the judgmental purview of any subjective critique of delusion. However, the problem with objective science is that its objectivity does not reside in some non-social abstract place. Rather, its objectivity is constantly grounded and framed within a social reality that is constantly constructed and re-constructed through myth and ideology.

In order to understand this dynamic, we need to step back for a minute from our unavoidable anthropocentrism and examine the structure of human social life as being primarily constructed of irrational beliefs that have risen, over time, to the status of ideology and myth. The religions of the world, the borders of countries, the construction of ethnic identities and even the practice of gender are all socially constructed and, more importantly, based primarily on myths and/or ideologies. According to Chiara Bottici, we can define myth as the “work on a common narrative by which the members of a social group (or society) provide significance to their... experience and deeds (2007, 14).” (de Guevara, 2016, p. 17) That significance is, at the collective

level, more important than any objective truth. The reason is simple: decision-making is not based on what is true, but is based on what matters to us emotionally, psychologically and biologically. We construct societies according to ‘values’, not ‘facts’. Those values then determine which facts to use in what way and not the other way around. “From a theory perspective, Weber (2010) has pointed out the unquestioned, unconscious ideological beliefs that make mainstream theories of [society] appear to be ‘true’.” (de Guevara, 2016, p. 15) There is a clear historical ‘ladder’ of ideas in societies – myths frame the rationalization of the society’s origins and ideologies build on those myths to legitimize decision-making and distribution of power. Instead of seeing myth as simply a basis for religion and certain cultural values, scholars have begun to use a ‘mythographical’ approach to more broadly understand the power of myth in social and political construction of reality. This “mythographical approaches focusing on the ideological [and...] the constitutive, meaning-making, and legitimizing functions of myth offer substantial contributions to our understanding of [power].” (de Guevara, 2016, p. 16) The mythographical method is based on a simple premise – social structures are not, as originally conceived by Levi-Strauss, value neutral. Rather, they are, according to Roland Barthes, the basis for ideology. “Barthes holds that myth is a peculiar system, in that it is constructed from a semiological chain which existed before it: it is a second-order semiological system. That which is a sign (namely the associative total of a concept and an image) in the first system becomes a mere signifier in the second (2013 [1957], 223).” (de Guevara, 2016, p. 24) While the distinc-

tion between sign and signifier is relevant in the context of semiotics and mythographical analysis, Barthes' broader point is more relevant here: myth is a system. And it is a system on which a secondary system, ideology is built. There is nothing that we do that is not ideologically bound and that does not have an ideological dimension to it.

The foundation of any society is its ideology and ideology determining the choices it makes and the perception it has of which choices are correct. An example in American history may illustrate this point best: the history of welfare reform and the political decisions made in the United States about welfare cannot be fully understood without considering these ideological dimensions. On the surface, the history of welfare reform appears to a series of 'peaks and valleys' – where, over-time, efforts have both succeeded and then failed and then succeeded again to advance dimensions of a welfare agenda. However, those 'peaks and valleys' need to be seen, not in isolation, but as part of ideological map – a literal landscape of ideas that has, over the past two centuries, created American society. A combination of factors that are beyond the scope of this work have contributed to a particular view of poverty and wealth that can be best summed as poverty being a 'moral failure' of the individual. This approach to poverty has its roots in many aspects of American life, but three in particular stand out: a Victorian England that criminalized poverty as a way to reinforce aristocratic class structures, a social Darwinism that emerged after the civil war that sought to rationalize the role of government as advancing the 'survival of the fittest' and, finally, what has often been referred to in 19th century American history as the ethic of 'manifest

destiny' that had both geographic and ideological dimensions built into the ethos of a frontier West where hard work was all that was needed to succeed. The history of welfare reform is, therefore, a history of an ideology that reproduces the criminalization of poverty and the denial of rights to the poor and vulnerable – in a vast majority of cases, minorities and women. Ideas that differ radically from this ideology have most often been labeled as delusional or in Robert Merton's parlance 'deviant'.

There is no truth here. There is no objective science. Rather, science (when used at all) serves its ideological master first and foremost. And here is the key connecting point – those ideas that oppose this ideology are also the ones most likely to be judged as delusional. However, imagine a slightly different society, that was built on a slightly different ideology. It had an origin myth of a caregiving mother that was focused on nurturing the family and on guaranteeing the right to be poor with dignity. Imagine, in that society, that individuals seeking to pursue money for its own sake or seeking to pursue some 'great' Western frontier would be seen as delusional. It's certainly possible, since both outcomes are historically contingent and not biologically deterministic. In other words, the values that are based on the myth of America are arbitrary. They are not based on a truth. Rather, they are based on the acceptance of a collective delusion being framed as myth that is then legitimized as ideology.

Ideology is then, nothing more than collective delusion. And delusion is simply a collective rejection of an idea or construct that violates the norms of the dominant ideology. Nowhere is this more problematic than in the question of rights itself.

For, if we are to ask the question whether we have a right to be delusion, we have to also be certain that human rights themselves are not the products of ideology and myth. And here we appear to find ourselves in a double-kind of paradox: if human rights themselves are the product of ideology, then aren't human rights themselves simply a collective delusion?

On this surface this seems absurd. Human rights are neither ideology nor delusion, but rather, they appear to be attempts to construct universal baselines of dignity and social practice that we are each obliged to. However, "The human rights regime has serious and dramatic implications for questions of cultural diversity, the sovereignty of states, and ultimately the "universality" of human rights." (Mutua, 1995) The entire notion of rights is neither universal, nor universally accepted, nor universally practiced.

Human rights are, in fact, a problematic concept. This is not to say that they are neither needed nor useful. Rather, it is to point out that any specific and current dominant human rights ideology is really just a snapshot in a dynamic process of human cultural evolution. There are rights that we might each enjoy in a hundred years that are not considered rights today, and vice-versa. And technology will invariably alter the range of rights and abuses that humans may be subject to. A good example of this is evident in the Western approach to multiculturalism in the Ottoman Empire. "The very feature that the West today celebrates as the sign of its cultural superiority—the spirit and practice of multicultural tolerance—is thus dismissed as an effect of Islamic 'degeneracy'." (Žižek, 2006) When the Ottoman empire practices multiculturalism and in-

vites multi-religious communities it seen as degenerate and backwards. But when Europe espouses those very same values decades later it is seen as liberal and democratic. What we see, in the global discourse of rights, is not so much a consensus of a Universal human rights as an assumption that the protection of human rights is contingent on a Western model of democracy – an ideology that carries with it exactly the same flaws as any other. "For liberal democracy that [function] appears today to be the human rights corpus, the moralized expression of a political ideology." (Mutua, 1995) The problem is simple – no one in the international human rights 'circles' wants to admit that human rights are an ideology. Just as no one wants to admit that today's rights may be seen by future historians as the moral backwardness of the past.

The problem we face is circular – how can we meaningfully discuss the question of whether or not we have a right to be delusional if rights themselves represents a type of collective delusion back by power. "The near-exclusive focus on rights [...] has brought with it certain presuppositions about the nature of the human subject that are, at once, distorted and illusory." (Quinlan, 2010) How can we speak of the human subject if we do not accept the premise that the human subject is infinite in its expressions – and that, therefore, the question of rights must be a never-ending project. According to Lothane, "power and authority are a most palpable and defining reality." (Lothane, 1997) But that reality is elusive. For it presents itself as a type of permanence. The better question we should examine, perhaps, then is not the question of the legitimacy of either ideologies or human rights regimes. Rather, it is the idea of rights as a static construct –

they are. Perhaps the better verbal phrase is 'they become'. In other words, rights, ideologies and delusion exist in a kind of perpetual dance with each other – each exerting pressure on the other in real-time and each slightly pushing and changing the other in real-time. These are not so much static dimensions of human power and social life. Rather, they are dynamic energies that momentarily capture a slice of a local human experience in time. This lens allows us to look more carefully beyond the current rights/ delusion debate and also get beyond the delusion/belief spectrum to ask deeper questions about the emergent nature of human society.

3. The Current Delusion/ Belief Spectrum

The current approach, and limit, to investigating the right to be delusional broadly consists of framing delusion within a delusion/belief spectrum. In other words, if delusion is a form of belief, then it ought to be, by default, protected as a human right. If, however, it is not a form of belief, then its protection becomes limited. Drawing this distinction in a consistent and clear manner is not easy. "The difficulty of distinguishing between delusions and non- pathological beliefs has taxed some of the greatest minds in psychiatry." (Bentall, 2018) At the core of the problem lies a seemingly simple question – what does it mean to hold a belief? And to which field of study or inquiry should the right to make that determination be given. "Within the philosophical literature, there has been a vigorous debate about the doxastic nature of delusions – whether they can be said to be beliefs at all (Bortolotti, 2018). Arguably, these developments reflect lack

of clarity about the concept of belief. [...] Within the social sciences such as sociology, political science, anthropology and history, the concept is so ubiquitous that documenting its usage would be a near-impossible task." (Bentall, 2018) Its ubiquity notwithstanding, a secondary issue remains: that delusion is not a static property of an individual. It is an emergent behavior (emergence is discussed extensively in this study).

As such, it is important to take a step back and ask the question whether or not we understand how a belief emerges. "A modern attempt to define the concept can be found in the Stanford Encyclopedia of Philosophy (Schwitzgebel, 2015): Contemporary analytic philosophers of mind generally use the term 'belief' to refer to the attitude we have, roughly, whenever we take something to be the case or regard it as true. To believe something, in this sense, need not involve actively reflecting on it. Many of the things we believe, in the relevant sense, are quite mundane: that we have heads, that it's the 21st century, that a coffee mug is on the desk. Forming beliefs is thus one of the most basic and important features of the mind." (Bentall, 2018) When this concerns the mundane, it appears to not be relevant whether a person simply has beliefs or is delusional. As a basic example – a person may believe that they are incredibly lucky and therefore frequently go to a casino. Is that self-perception of being incredibly lucky, despite losing multiple times, a belief or a delusion? Or is it a type of internal autobiographical narrative that permits the individual to remain positive in the face of loss? Surely, if they are unlucky and lose every day for years and yet believe they are incredibly lucky then we should consider them delusion. But,

what if their perception of being incredibly lucky has nothing to do with winning at the casino and everything to do with simply being alive each day? Has their apparent delusion risen to a belief?

The United States Supreme Court has actually opined on this matter, as have numerous other courts. “Based on the ideas of the German-American theologian Paul Tillich, the Supreme Court of the United States has recognized that beliefs are those thoughts or ideas that give meaning and orientation to people’s lives. Therefore, for something to qualify as a belief, the person who claims to hold it must be able to show that he or she has a concern or a deep motivation that is ultimate, fundamental and cannot be compromised (Evans 2001, 62-63).” (Stenlund, 2013) This would clearly place religion within the sphere of belief. But where would it place those delusions that do not reflect a concern or deep motivation? Or, alternatively, where does it place those delusions that do reflect a deep concern or motivation but present a frame of reference that is anathema to the general public. For example, someone may believe in their own God and that God requires them to participate in a ritual of publicly screaming racist obscenities at people. Is that a belief or delusion?

Some theorists in philosophy and psychology have attempted to frame the delusion/belief spectrum as being part of the concept of conscience. “Sometimes that [concept] is understood as parallel to the concept of belief especially when it refers to beliefs that are not religious. The concept is understood in this way for example in the Finnish constitution which lists “freedom of religion and conscience” as a fundamental right. [...] Sometimes the

concept of conscience refers instead to the moral attitudes and decisions of the individual. According to Karl Josef Partsch (1981, 214), the concept of conscience refers to all morality on the personal sphere. If understood in this way, some delusions might be defined as matters of conscience. According to DSM-IV (2000, 821) a delusion involves sometimes a value judgment which can be recognized as a delusion because it “is so extreme as to defy credibility”.” (Stenlund, 2013)

Interestingly, in practice, both sides of the debate recognize that the ‘right’ to be delusion is, in fact, limited by the mandate of most countries that allows for the use of involuntary antipsychotic medications. Essentially, a country that legalizes the use of involuntary antipsychotic medication nullifies the fundamental right to be delusion, because it draws a line where an external authority can determine whether or not the contents of one’s own mind should be permitted to remain therein. Unfortunately, “Mental health legislation and the ethical principles which guide psychiatric care do not consider the use of involuntary antipsychotic medication as an act which violates the forum *internum*¹. Instead, involuntary antipsychotic medication is not only used in practice, but the use of it is allowed in the mental health legislation of many (if not all) countries and in international ethical guidelines.” (Stenlund, 2013) This distinction between forum *internum/ex-ternum* broadly refers to the way in which

¹ Forum *internum* refers to those beliefs and/or delusions that are internal to the individual. Forum *externum* refers to those beliefs and/or delusions that manifest as visible speech and/or behavior to others. In practice, the distinction is much more difficult to determine than the binary classification appears to dictate.

delusions manifest (internally or externally) and the obvious implications of that manifestation; if they manifest externally then they rise to the status of 'behaviors' that are subject to censure, control or remediation.

Oddly, the power of the mental health industry in limiting the right to be delusional is almost never debated. The question that is consistently asked is not 'do you have the right to administer antipsychotic medication?' but 'when do you have the right to do so?' The assumption, of course, being that a society has the right to regulate and/or eliminate those types of delusions that it considers reaching a point of public danger. In the case of *Rennie v. Klein*, for example, that danger was actually addressed from both perspectives – that of danger to a public and that of danger to an individual as a recipient of such medication. "In the case of *Rennie v. Klein*, referenced by Winick (1997, 211, note 176), the United States Court of Appeals seems to consider problematic antipsychotic drugs that may have permanently disabling side effects. Moreover, the Court notices that, even though the patient had a right to refuse such medication, the state may, in emergency situations, "override that right when the patient is a danger to himself or others" (see *Rennie v. Klein* 1981, Opinion of the Court, 1). These notions reveal that the tension between the individual's right to the forum internum and the use of involuntary antipsychotic medication is still unresolved. First, speaking about permanent side effects is not the same thing as speaking about influencing opinions or the thought process. Second, if a right may be overridden in cases of emergency the right cannot be called absolute." (Stenlund, 2013) Stenlund essentially calls out the

fundamental problem with any attempt to present the right to be delusion as a right. If the right can be recalled under specific conditions, then it is not an absolute right. It is, at best, a conditional right.

This current delusion/belief spectrum is problematic for a number of reasons, with respect to determination of whether or not we have a right to be delusion. The first problem is that the distinction is too arbitrary to be functional in practice. The boundary between the one and the other is too culturally deterministic and results in a persistent mental tyranny of the majority where certain delusions can rise to the status of beliefs and others cannot. A slightly different model has been proposed by Bayne & Patcherie to resolve this problem (2005): "Beliefs are generated by a person's environment and by other beliefs, whereas imaginings are generated autonomously (beliefs are not actions, imaginings are); beliefs ought to be consistent with other beliefs, whereas imaginings need not be consistent with beliefs; and beliefs are action-guiding in ways in which imaginings are not." This model is highly problematic, however, as it is nearly impossible to determine what an autonomously generated belief is. Doing so would require having the capacity to enter a person's mind and knowing which thoughts are recombinations of prior experiences and which are spontaneously generated. Epistemologists are not the only ones who struggle here. Courts also struggle to consistently identify that boundary and, in so doing, allow for the persistence of a thought police in the form of licensed mental health professionals. This is not to suggest that their work is, in itself, problematic. Rather, it is to point out the broad nature of the problem – it does not matter whether delusions are recog-

nized as beliefs, as long as there are ways for society to indirectly control and limit their expression. If we are to get beyond the fuzziness of the delusion/belief spectrum, I believe that we have to examine delusion from a different, emergent, perspective.

4. An Emergent Approach

The Oxford dictionary defines the adjective delusional as: “characterized by or holding false beliefs or judgments about external reality that are held despite incontrovertible evidence to the contrary, typically as a symptom of a mental condition.” DSM IV defines delusion as: A false belief based on incorrect inference about external reality that is firmly sustained despite what almost everyone else believes and despite what constitutes incontrovertible and obvious proof or evidence to the contrary. (DSM-IV-TR, 2000, p. 821) A closer examination of these definitions reveals their inconsistencies when it comes to the delusion/belief spectrum. The first is the presumption of a mental condition. An individual can hold false beliefs or judgments about external reality that exist despite incontrovertible evidence to the contrary. The more extreme views of any political party fit under this definition. Yet, in a political context, we label those delusions as political preferences.

The DSM IV definition is even more problematic. It uses the phrase ‘despite what almost everyone else believes.’ Who is this almost everyone? Is it the world? Is it the citizens of my country? Is it the neighbors on my street, or the members of my ethnic or social community? By virtue of the DSM IV definition, anyone who appears in a society as a religious minority must also

be delusional. But we make allowance for delusion that is religious in nature, don’t we? We consider the freedom of religion to be part of the fundamental human right to freedom of one’s belief. Both definitions suffer from a specific problem when it comes to rights: they do not provide a reference frame that is absolute. It is impossible to do so without re-framing the idea of delusion as being, not an attribute of a body, but a dynamic emergent behavior.

An emergent behavior is one that displays properties of emergence – or properties that cannot be predicted based on prior states. “Complex systems, and in particular biological systems, often display what has come to be known as emergent behavior. Associated with this phenomenon is a sense of the mysterious: the emergent properties of the collective whole do not in any transparent way derive from the underlying rules governing the interaction of the system’s components. Unfortunately, there is not even a universally acknowledged definition of emergence. Nor do the concept and its explication in the literature constitute an organized, rigorous theory. Instead, it is more of a collection of ideas that have in common the notion that complex behavior can arise from the underlying simple rules of interaction.” (Marsh, 2009) While the concept of emergent behavior may seem out of place in the context of a debate about the nature of delusion, the positive antecedent of delusion, creative thought, may make the role of emergence more apparent. Essentially, emergent behaviors within a society (those behaviors that lead to the evolution of the society) are the result of individual creativity and difference. “Creativity is hard to define in any context. A tentative definition is that offered by Pope (2005, xvi). He proposes that creativity is the ‘capacity

to make, do or become something fresh and valuable with respect to others as well as ourselves'. However, it is possible to take one's pick of hundreds of definitions and it soon becomes clear that creativity can be thought of variously as an act, a process, a concept, a strategy or even an ideological tactic." (Steers, 2009) Creativity is also, most importantly, that expressed cognitive function from which all human technological evolution emerges. It is the source of emergent behavior – the collective point we have reached today as a species is only possible because we have allowed the creativity of individuals to be expressed – at least more often than we have suppressed it. At the same time, the stifling of creativity and the stifling of individual difference goes hand-in-hand with the stifling of delusion and the reinforcement of group tyrannies of belief.

If we re-frame delusion as being part of a creativity/delusion spectrum that is both dynamic and emergent, we arrive at a startling conclusion: since the fundamental function that generates creative thoughts cannot be separated from the function that generates delusions, we have to treat the right to be delusion as the right to be creative or to express one's creativity. This type of right functions just like free speech – it is notable only in its absence and it must be analyzed first by its persistence.

Persistence can be defined as "firm continuance in a course of action in spite of difficulty or opposition." Delusion, in this regard, has a specific trait that it shares with the social tolerance of creativity: it is transient. It is a semiotic construct at the border of individual consciousness and communal judgment. When the expression of individual consciousness freedom

is aligned with community norms and cultural/historical practices, then it appears rational; its exercise comes with social approval. But, when its exercise is even marginally deviant, the fragility of an individual's consciousness is revealed.

Human history is, unfortunately, often a history of its destruction – most evident in structural violence against minority groups, and least evident at the threshold of the home. The most serious and persistent violations of delusional beliefs are not only in the public sphere, but in the lived private life of the vulnerable in the world – more often than not, women and children.

As such, the persistence of delusion (the extent to which a delusion is 'permitted' in the public sphere) is not particularly meaningful when the manifestation of that delusion is aligned with community norms and cultural standards. It is only meaningful to understand differences in the persistence of these constructs when they are challenged. In other words, to understand the differences in the mechanisms of persistence of delusion we cannot rely on differences in definition of the delusion vs. belief.

We must examine differences in practice. We must look at which types of relational framework are used to generate and regulate those mechanisms. When does it matter? In other words, when does a difference in its meaning matter? And that happens when its persistence is challenged. Delusion is a very peculiar semiotic construct then, because it is most significant in its absence; it is only when it is taken from us that the need for it to persist becomes immediately self-evident. And, while it may be hard to define, its significance as part of human life cannot be underestimated. Delusion is not merely a

right we possess – its persistence as creativity is essential to the survival of human civilization. Since it is a fundamental part of our subjective experience of reality, any attempt to take it away, regulate it, limit it or control is, in essence, an attempt by a society to limit the freedom of the individual. To lose one's capacity for delusion then, is as painful an experience as to be physically assaulted. It is a way of taking away something from us that is essential to the value of our life. While this may seem like an endorsement of mental illness, if we consider this from a slightly different light, its meaning becomes immediately clear.

Where is the boundary between delusion and creative genius? "John Nash, a mathematical genius, the inventor of a theory of rational behavior and a visionary of the thinking machine started to believe that extraterrestrials were sending messages to him and that aliens had recruited him to save the world. He seriously believed this was so because, according to Nash himself, "the ideas I had about supernatural beings came to the same way that my mathematical ideas did." Nash was admitted to a psychiatric hospital in 1959 for involuntary treatment and diagnosed with paranoid schizophrenia. According to Nash's own words, there was no difference in the way he came to creative scientific ideas and how he came to delusions. However, he won a Noble prize because of the former and was treated as psychotic because of the latter." (Stenlund, 2014) Indeed the connection between so-called madness and creativity is extensively studied in psycho-analytic literature. "Creativity and madness may be connected in other ways; we find suggestions of schizotypy in the biographies of many artists, and

schizophrenia and related conditions seem to be disproportionately represented in talented and creative families.³ There are attractions, therefore, in the idea that creativity depends on the controlled deployment of capacities that are uncontrolled in psychosis." (Currie & Juraidini, 2003) When presented through the lens of Nash's experience, or that of anyone else considered highly creative, the problem becomes self-evident. It is not the boundary between delusion and belief that requires attention. It is the boundary between delusion and creativity that necessitates attention, for it is there that the fate of humanity rests in the balance. If we limit delusion, we also limit creativity and we limit our own potential for evolution.

Once we understand that delusion and creativity are the same phenomenon, we can correctly situate delusion and belief. Belief, such as that manifest in religious practice, is not contingent upon creativity. Quite the contrary, the social practice of belief is often rooted in the suppression of individual difference. Delusion is not, therefore, a type of belief. "The major difference between delusional perception and creative intuition is found not so much on their initial formal aspects, but rather on the development of their consequences." (Rivera, 1993) The right to be delusional is, therefore, the same right as the right to be creative. And this is where the question of emergence comes back full circle.

5. Conclusion

The traditional debate about delusion as human rights posits that delusion, with the exception of involuntary anti-psychotic

medication, ought to be a protected (but not absolute) right as part of a broader right to freedom of belief. However, difficulties in disambiguating a delusion from a belief make it difficult to operationalize that difference, with respect to the protection of human rights.

The limits of this approach are evident in the simple fact that delusions are not absolutely protected and delusional behaviors are generally classified and controlled through the framework of mental health.

This study proposes an alternate spectrum for analyzing the limits of the right to be delusional. That spectrum frames delusion and creativity as two sides of the same internal process, different only in their applied outcomes.

If the right to be delusional is cast as equivalent to the right to be creative, it changes the structure of the rights debate. Behaviors that are seen as emergent, different from their prior collective patterns, are not only protected, but are essential to the long-term evolution of humanity.

If we do not possess a right to be delusional, then we also lose the right to be creative. And, as a consequence, society loses the capacity for emergence through evolution. What we end up with is not just a need to protect the right to be delusional, but a relational framework for the limits of the right: the right to be delusional must be absolute up to the point where the exercise of that right poses an imminent harm to another individual and passes the same test of restrictiveness as that of free speech.

6. Bibliography

Bayne, T., & Pacherie, E. (2005). In defence of the doxastic conception of delusions. *Mind & Language*, 20(2), 163-188. <https://doi.org/10.1111/j.0268-1064.2005.00281.x>

Bentall, R. P. (2018). Delusions and other beliefs. *Delusions in context*, 67-95. https://doi.org/10.1007/978-3-319-97202-2_3

Currie, G., & Jureidini, J. (2003). Art and delusion. *The Monist*, 86(4), 556-578. <https://doi.org/10.5840/monist200386429>

De Guevara, B. B. (2016). Myth in international politics: Ideological delusion and necessary fiction. *Myth and Narrative in International Politics: Interpretive Approaches to the Study of IR*, 15-46. https://doi.org/10.1057/978-1-137-53752-2_2

Hopper, S., & McSherry, B. (2001). The Insanity Defence and international human rights obligations. *Psychiatry, Psychology and Law*, 8(2), 161-173. <https://doi.org/10.1080/13218710109525016>

Kaliski, S. (2012). Does the insanity defence lead to an abuse of human rights? *African journal of psychiatry*, 15(2), 83-87. <https://doi.org/10.4314/ajpsy.v15i2.11>

Lothane, Z. (1997). Omnipotence, or the delusional aspect of ideology, in relation to love, power, and group dynamics. *American Journal of Psychoanalysis*, 57(1), 25. <https://doi.org/10.1023/A:1024622504975>

Marsh, G. E. (2009). The demystification of emergent behavior. *arXiv preprint arXiv:0907.1117*.

Mutua, M. W. (1995). The ideology of human rights. *Va. J. Int'l L.*, 36, 589.

- Quinlan, P. (2010). The Human Rights Delusion: A Defence of the Narrative Tradition of the Common Law. *U. Notre Dame Austl. L. Rev.*, 12, 69.
- Rivera, J. L. D. (1993). Creativity and psychosis in scientific research. *American Journal of Psychoanalysis*, 53(1), 77-84. <https://doi.org/10.1007/BF01250075>
- Steers, J. (2009). Creativity: Delusions, realities, opportunities and challenges. *International Journal of Art & Design Education*, 28(2), 126-138. <https://doi.org/10.1111/j.1476-8070.2009.01600.x>
- Stenlund, M. (2013). Is there a right to hold a delusion? Delusions as a challenge for human rights discussion. *Ethical theory and moral practice*, 16, 829-843. <https://doi.org/10.1007/s10677-012-9390-3>
- Stenlund, M. (2014). Freedom of delusion: Interdisciplinary views concerning freedom of belief and opinion meet the individual with psychosis. (Doctoral Thesis)
- Zizek, S. (2006). Against an ideology of human rights. *Displacement, asylum, migration*, 56-85.