

HUMAN RIGHTS IN ILLUMINATIONIST AND EXISTENTIAL ANTHROPOLOGY

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ABSTRACT

The notion of "Human Rights" entails the relationship between the two notions of "man" and "rights". This relationship, however, pertains to many theoretical as well as philosophical elaborations. Looking critically at the prevailing conception of this relationship, namely that of possessive individualism, this paper points to a different conception for such relationship and suggests a maximal notion of human rights by invoking the insights of illuminationist/existential philosophy of S. Suhrawardi and Martin Heidegger.

Keywords: Individualism, Possessive Rights, Red Reason, Existence, Green Rights, Suhrawardi, Heidegger, Illumination, Existential Philosophy

INTRODUCTION

J. C. Montero considers "human rights" as "one of the most extraordinary moral devices of all times." According to him, "no other notion has an even comparable potential to bring about changes in political life." Human rights, however, in Montero's words, "are also one of the most opaque notions of our moral repertoire."ⁱ Mary Robinson too has argued that although human being can be described as a moral or ethical being, the collapsing of ethics into morality is also a source of the complaint of cultural imperialism behind some interpretations of international human rights instruments. Hence, Robinson adds, "values, morality, ethics, law and human rights are all linked in a complex normative cluster. We need to do further thinking about that cluster."ⁱⁱ

Along the similar line of thought, in his examination of the link between "man" and "right", J. Donnelly argues that human needs define the human nature that gives rise to human rights. He suggests, however, that the notion of "human needs" is almost as obscure as that of "human nature." Because, in his words, science gives us a very limited set of needs. But we look beyond science, whose concept of "needs" assume a metaphorical or moral meaning, and leads us back to philosophical disputes about human nature. To understand the source of human rights therefore, one must turn to philosophy. Accordingly, Donnelly suggests that human rights are needed "for a life worthy of a human being", and the human nature that grounds such rights is "a moral account of human possibility." Human rights, therefore, represent a social choice of a particular, moral vision of human potentiality.ⁱⁱⁱ

Donnelly's assertion notwithstanding, saying that human rights rest upon an ethical basis deriving from man's essential dignity, itself needs to be defended philosophically. This is

ⁱ Montero, p. 143.

ⁱⁱ Robinson. P.1.

ⁱⁱⁱ Freedman, pp. 501-502.

what Shahaboddin Suhrawardi the 12th century Iranian philosopher, and Martin Heidegger, the 20th century German thinker have undertaken. Such undertaking can, however, be better understood by analyzing the implications of modern-possessive notion of human rights.

Modern Possessive Rights

In the modern era, different from the classic times, when the notion of “right” was concomitant with the “truth”, and the concept of “man” was considered to be related to the “cosmos”,^{iv} “man” was defined as a self - sufficient being created in the image of God and as a repository of Reason.^v Accordingly man was considered as “having rights”. Although such a view did have a practical pretext in the feudal period, but it lacked the theoretical and philosophical underpinnings of the modern period.^{vi} According to Hobbes such underpinnings were provided for the new understanding of the notion of Rights. Hobbes was the first thinker who applied nominalism along with atomism for an individualistic theory of Rights. Accordingly, the societal whole came to be based on the concept of the “individual”. As such, the new interpretation of the natural law, together with the establishments of a social and a political contract was the beginning of a new outlook regarding the notion of “rights”, which then assumed a new connotation, namely a possessive one.^{vii}

A-Right as Might

In the modern perspective, the two notions of “individual” and “right” were bonded through the medium of power, or *potestas*.^{viii} Ever since Pufendorf, Grotius, Hobbes, and Locke, all the way to the times of Kant and Hegel, the idea of “rights” was intertwined with notions of individual power and property. Pufendorf’s emphasis on the theoretical link between the two notions of “rights” and power is a clear indication of this idea:

Right” and “domination” is one and the same thing, with the single exception that the latter is purely sought for conquest, while the former implies legitimacy and has to be achieved through legal means.^{ix}

The link between these two notions was thrown into sharper relief in the works of Spinoza who thought that "right" is nothing but power, and natural right determines the limits of this power:

The foundation of virtue is the struggle for self-preservation. The more earnestly one seeks after what is beneficial to him, i.e. his "self", and the more one is successful in this effort, the more virtuous he is ...One’s right is defined according to his virtue or might.^x

Finally, the bond between the notions of the “primacy of the individual”, “right”, “possession” and “power” was given its ultimate shape by Locke. He joined a long-standing and varied debate about the concept of right that continued to rage among his contemporaries.

^{iv} Aristotle, Politics, 1252a. In the Middle Ages, similar conception was upheld though by a different conceptualization.

^v Dumont, p. 73.

^{vi} This can be clearly seen in Max Weber's Economy and Society. See The Section on Economic Sociology.

^{vii} These were two distinct contracts: one social and the other political. The first was defined through the notion of equality, while the second was based on individuals' adherence to political power.

^{viii} Dumont, p. 61.

^{ix} In Rasekh. P. 128

^x Ibid.

Locke held all men to be equal in nature and capacity, and postulated a particular relationship between God, nature, individual reason, law, and possession:

God having made Man, and planted in him, as in other animals, a strong desire of Self-preservation..... directed him by his Sense and Reason..... to the use of those things, which were serviceable for his Subsistence... . Man had a right to use of Creatures, by the will and Grant of God.. . And thus Man's property in the Creatures, was founded upon the right he had....^{xi}

B– The Critique of Possessive Rights

The modern notions of “Right” and “Man” became intertwined with the primacy of the notion of "individuality" and man came to be defined as an "individual" who possesses rights. This primacy has, however, from the outset been intellectually challenged. All the way from Rousseau’s critique of the “possessive individual”, to Marxist criticism of “bourgeois individualism”, and then Habermasian’ criticism of individual egoism, such primacy and, in consequence, the notion of Human Rights built upon it, have been questioned.

Prior to the rise of possessive individualism, William of Ockham had lashed out against the idea of ownership as the root cause of human ills.^{xii} After Ockham, Rousseau echoed Aristotle’s belief in man’s proclivity for seeking perfection and considered it as ability for perfecting himself, an ability that he none the less deemed as a possible source of decline as well: “this is the same ability that eventually turned him into an oppressor against himself and nature.”^{xiii} In this relation, Rousseau drew a clear distinction between the “right of ownership”, which was a core element of the individualistic theory of right, and the right to life and freedom. According to him:

The first person who, having fenced off a plot of ground, took it into his head to say this is mine and found people simple enough to believe him, was the true founder of civil society. What crimes, wars, murders, what miseries and horrors would the human race have been spared by someone who, uprooting the stakes or filling in the ditch, had shouted to his fellow-men: Beware of listening to this impostor; you are lost if you forget that the fruits belong to all and the earth to no one.^{xiv}

Following Rousseau, Hegel too criticized individualistic-possessive conception of human rights ardently. He argued that:

Particularity [individual] by itself, given rein in every direction to satisfy its needs, accidental caprices, and subjective desires, destroys itself and its substantive concept in this process of gratification. [such] civil society affords a spectacle of extravagance and want as well as of the physical and ethical degeneration common to them both.^{xv}

In recent times the modern understanding of the relationship between man and his rights, as the foundations of human rights, have been criticized also as regards its claim to universality and its anthropological assumptions. For example, the individualistic conception of rights has been criticized from a theoretical point of view by Jurgen Habermas who regards modern egoism as a major theoretical fallacy. He argues that the notion of individuality is

^{xi} Lock, First treaties . Paragraph, 86

^{xii} Dumont, p. 65.

^{xiii} Rousseau, J.J, "Discourse on the Origin and Foundation of Inequality Among Men." Pp. 141-142.

^{xiv} Ibid.

^{xv} See Hegel's Philosophy of Right, number, 185.

paradoxically comprised of an existential as well as a logical dimension. This is clearly manifested in the case of Hobbes' delineation of the process of formation of social contract. According to Habermas, in the formation of social contract, there is an implicit recognition of inter-subjectivity which precedes any individual participation in signing the contract. Kant's central notion of ego also is believed by Habermas to be suffering from the same defect. Kant believed that the right of a single individual should be distinguished within the context of a legal system, so that both the freedom of every member of the society as a human being, and his equal status as an ego, can find their concrete manifestation. In light of the above criticisms it may be concluded that possessive individualism is the upshot of a particular set of Intellectual principles which make up the modern anthropological outlook with the following distinctions: (1) an abandoning of the natural condition, (2) a view of individual ownership as the distinguishing characteristic of human species, (3) a fresh notion of power as a human trait, (4) priority of the particular over the universal.^{xvi}

C- Illuminationism and the Human Rights

Unlike the modern notion of possessive individuality, the philosophical anthropology of S. Suhrawardi and Martin Heidegger provides a basis for a unique notion of Human Rights. In the light of the commonalities between these two anthropological approaches and the sanctions they provide for the notion of rights based upon the two notions of Red Reason and Existence, one may employ the metaphor of “green” in referring to the notion of “maximal rights”.

I – Red Reason

The Illuminationist philosopher, Suhrawardi holds that one has to come to the knowledge of his own “self” before becoming capable of gaining knowledge of other phenomena. Suhrawardi believes that “desire for light” in all beings originates from their innate urge after perfection. However, man, who is the being with the source of lofty aspirations, at the same time is shrouded in the veil of temptations arising from his transitional (*barzakhi*) dimension. This conception of man is portrayed in the symbolic notion of *Red Reason (Aql-e Sorkh)*. Red Reason, according to Suhrawardi's symbolic narrative, is a crimson-faced man who gives an account of man's original creation with a white and luminous countenance, and ascribes his present crimson face to his mingling with the darkness of this world.^{xvii} *Red Reason* is not just a metaphor for a God-endowed capacity, but is an extension of a divine attribute. Man, in spite of his terrestrial nature, can strive to partake of this divine quality in proportion to his capacity. To Suhrawardi a man's degree of humanity is commensurate with his existential relationship with God. Here, the degree of existence of a phenomenon is considered to be proportional to the amount of luminosity it receives from God (*Nur al-Anwar*: the Light of Lights). Thus, the extent of man's proximity to God – i.e. the possibility of his existential realization – is contingent upon his endeavor in his worldly existence, man is in a state of “occidental exile” or “Illuminationist exiguity”^{xviii}. He, however, is potentially capable of breaking away (ecstasy), or in Suhrawardian jargon, “flight” to the existential abode (Mount *Qaf*).

^{xvi}Habermas, *Between Facts and Norms*. PP. 92-93.

^{xvii} Suhrawardi, *Musanafat* (collected works) Vol 3. p. 228.

^{xviii}Parallel notions of this feeling of alienation can be found in all cultures and religions. Only in the period following the Renaissance has man become oblivious to this pain of exile. In modern times, men tend to view this same notion as loneliness.

This search is an existential quest, since Man's being contains an essential quality for transcendence. Suhrawardi employs the metaphor of a bird, for the soul that has become free from the fetters of the body.^{xix} He considers the soul to have the innate ability for embarking on an ascending curve toward perfection, where he would move from sheer potentiality to the level of *Aql Mustafad* and divine soul.

Thus, man, far from being a mere terrestrial being, is an existential continuum, stretching from a pre-eternal past to an eternal future. In his journey from the other world to this earthly sphere, man is accompanied by the Reason. According to Suhrawardi, man loses his wings in the course of descent to the lower world, and is compelled to remain in exile until such time that he has grown fresh ones. The essence of man's soul is immaterial light, a light emanating from the divine light and capable of knowing its true self. A pure light, of the same essence as angels, whose difference from other divine lights derives from its distance to the Light of Lights, or Absolute Light, or God.

2-*Ek-sistenz*

A conception of Man similar to that of Suhrawardi's "red reason" is developed by the Existential philosopher, Martin Heidegger who contends that "man" has not been properly pondered in the history of western thought. To him, the metaphysical outlook has failed to grasp man's proper status. In his view, as a continuation of the metaphysics, modern humanism has also, fallen into the same trap:

Metaphysics thinks about man from his animal side rather than his human side.^{xx} [On the other hand,] [T]he highest humanist definition of human nature has yet to experience man's special value.^{xxi} [It] fails to accord man a lofty enough status.^{xxii}

Based upon the four notions of *Dasein*, *Eksistenz*, *Geviert*, and *Gelassenheit*, Heidegger offers an outlook which entails a different way of thinking about Man. According to the notion of *Dasein*, man is not independent from the world in which s/he lives. Before anything else, man is-in-the-world. It is man's ontological apriori relationship with the world which conditions his being. *Dasein exists* in such a way that by its existence it understands Being. The fundamental way of *Dasein's* being is understanding, which is mostly understanding one's being as possibilities:

Dasein always has understood and will always understand himself according to possibilities. But as being possible, ... it is existentially that which it is not yet in its potentiality of being.^{xxiii}

As such, man is the only being whose characteristic is "being possible". Therefore, man's identity is not in "possession" but in "possibility". It is according to such characteristic that man's possible way of living can be thought of, namely, to be human is to have true relationship with Being. Such relationship, in Heidegger's thought is revealed in the notion of *ek-sistenz*. He derives the notion of *ekistenz* from Greek *ekstasis* meaning rupture. *Ek-sistenz* means to stand outside of oneself in the light of Being. Being is the essence of all beings, without which "to be" is impossible:

^{xix} Ibid., p. 264.

^{xx} Brief über den Humanismus. P. 322.

^{xxi} Ibid., p. 329.

^{xxii} Ibid., p. 330.

^{xxiii} Heidegger, Being and Time, p. 136.

Existence is not merely a ground for the possibility of Reason (ratio), but is the locus where man's essence preserves the origin of his determination. In other words, man is the locus of the illumination (Lichtung) of Being.^{xxiv}

Man is also a "natural light", and things come to light through him. This is due to two factors, first, man is concerned about his own being. Secondly, he projects himself by understanding "possibilities". Individualistic, self-centeredness, and possessiveness are certain possibilities for Dasein's existence, but they are not authentic existence, for they do not come from man himself. It is in Resoluteness (*entschlossenheit*) that man understands being in accordance with the meaning of being. In Resoluteness there is neither external determination, nor will to power, but there is existential hosting (*Gelassenheit*). In *Gelassenheit* the relationship between man and his world is that of reception and not domination. It is the establishment of mutuality instead of an attempt at mastery and desire to exercise power.

Thus, "self" is only authentic when it is with "others", and not when others are its minions. *Gelassenheit* is a dialogical relationship, where one is afforded the opportunity to play host to his interlocutor. In dialogue listening acts as a medium. Audition, unlike vision, takes place ideally when one is closer to the source. *Horen* in German means "listening" and *gehoren* means "belonging".

3- Green Rights

The two notions of Red Reason and Existence can provide the basis for a Maximal notion of human rights which here is symbolically named "Green Rights". "Green" is a metaphor for growth and fulfillment and signifies possibility. As characterized in illuminationist anthropology, man is ontologically concomitant with possibility and self-realization. Just as *Existence* is an extension of *Sein* (Being), the Red Reason is an extension of the Absolute Light of Reason. In neither outlook is "man" viewed as a mere terrestrial creature, neither in terms of his nature, nor in terms of his final destiny. To the extent that man is the bearer of ultimate light, "it" is the media for unfolding the Being. To deny this potential is to deny the right of humanity. Here, the *raison d'être* of right is being a human, or being that which a man is potentially capable of. In fact, right is a dialectical mediation for such ontological imperative. Right (*hagh*) mediates the actualization (*Tahaghogh*) of human being, the meaning of being human. Man's deprivation of such mediation is an ontological distortion of man's being. Therefore, "right" is the manifestation of the authentic being of man. As such, authenticity is both "the right of being" and "being right". To be authentic is to grow out of the estrangement (*ghorbat/verfallen*), while Right mediate man's rupture from its entangled preciseness to its actualization.

"Green Rights" is then an apt metaphor for the maximal interpretation of human rights, since it alludes to the fact that man is yet to attain to his fullest potential. In Illuminationist anthropology, man is the medium of light in this world where phenomena receive their brightness through him. As the topos of light, man is an existential "possibility". Distortion or negation of this "possibility" is the denial of the right to be human. Man's being, therefore implies "right", not necessitating them. Such notion of man, hence, is pregnant with a maximal interpretation of human rights, or what can be called "humane rights". *Green right* is, therefore, the fulfillment of the *maximal right* of being a human. As such, existential realization (*tahaqquq*) is the link between "man" and "right" (*haqq*). *Haqq*, which comes from the semetic word *Hoqq* and means "ruling", is an "existential rule" coming to light through man. As such, unlike the modern – possessive conception of "Right as Might",

^{xxiv} Smith, Transition to Postmodernism, pp. 245-247.

"Right" in illuminationis and existential conception is neither power, nor possession; neither domination, nor obligation.

CONCLUSION

Contrary to a *minimal* conception of *rights* advocated by the possessive theory of human rights, the possibility of a *maximal* conception of human rights as rights which could confer on man the potential for self-realization can be envisioned. Hence, notwithstanding rights such as self-preservation, freedom from domination, security, and welfare, which emanate specifically from the modern theory of "possessive man", human rights can be supplanted with different set of rights.

Whereas the modern interpretation of man has placed emphasis upon that which *belongs* to man. In the Illuminationist understanding, the man/right relationship is inverted, and right is the manifestation of being, i.e. *humanness*. A comparison of the modern and the Illuminationist interpretations of man leads to the conclusion that modern man is an attenuated man. Individuality, willfulness, the lust for domination and possession, and the like have reduced man to a particular aspect of his being, which are not necessarily his preeminent characteristics. Thus, theories of rights deriving from such a view of man are bound to suffer from its inescapable reductionism. As a result, the rights they carve out for modern man, though being among the most essential (natural, rational, and normative), are nonetheless minimal human rights. The right to life, security, social equality, political openness and struggle against oppression, and welfare, should neither be seen as objects to be owned as human property, nor viewed as defining the sum total of what makes a human being. Individuality has a possessive relationship to right, thus it distorts the nature of human rights and dilutes them. Such reduction leads to a reification of human rights and transforms them into commodities. This outlook may be summed up as defining rights for man as that which he is in possession of.

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