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Liberalism of Skepticism and Fear, and Islam

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Abstract

Skepticism and fear caused serious flaws in liberalism. Skepticism made liberalism resort to reason as an Archimedean point for resolving disagreements. But reason like opinions and affections is subject to social contingencies. Liberal fear of human nature has led it to a negative notion of rights that is harmful to social solidarity. Islam can help liberalism resolve these problems.

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Introduction

Some scholars such as Ernest Cassier (1946), Oestreich (1982), Tuck (1993:1999) and Brooke (2012) have emphasized on decisive role of neostoics, particularly Lipsius, in formation of modern state. As Oestreich states, Lipsuis's book entitled Deconstantia libri duo qui alloquium praecipue continent in publicis malis, found a wide and surprisingly rapid response among contemporary readers and proved to be an international best-seller. It was printed forty-four times in the original Latin, fifteen times in French translation, and it was also translated into Dutch, English, German, Spanish, Italian and Polish. (Oestreich, 1982, 13)

like his ancestor, Machiavelli, and his descendant, Thomas Hobbes, Lipsius was child of fear; he witnessed European civil war, and his primary problem was "conflict" and "disagreement". However, his particular place in political thought is due to his neo-stoic temperament, which, like his contemporary thinker, Montaigne, was accompanied by skepticism. As Tuck points outs, scepticism in both Montaigne and Lipsius was not merely an epistemological conceit; it was part of a moral package. Ataraxia, the life of detachment from passion and from the beliefs which cause emotion, was the central aim of both of them. (Tuck, 1993, 51)

Similarly, Charles Taylor believes that Lipsius invented a sort of Christianized Stoicism which leans to the Stoic side. As Taylor states, there are two striking differences between Christianity and Stoicism in ethical realm: 'a) Christianity sees us as in need of God's grace. As needing God help to liberate the good will which is potentially ours; where Stoicism appeals purely on our powers of reason and self-control; b) Christianity sees the fullest realization of the good will in us in agape, our love for our neighbor. Stoicism sees the wise person as having attain apatheia, a condition beyond passion.' (Taylor, 2007, 115)

Innovation of neostoics, such as Lipsius, was that they define God's grace in terms of reason. As Cassirer stated, the stoic conception that

all men are free because they are all endowed with the same reason found its theological interpretation and justification in the added dictum that this very reason is the image of God. (Cassirer, 1946, 104) As an example, Seneca extolled reason as a part of the divine spirit implanted in man: Reason comes from heaven, from God himself. (Taylor, 2007, 115) but "opinion" which comes from the earth and the body, misleads us; foreign calamities, loss of fortune, health, even life, only affect changeable things, which have of necessity to pass anyway. Therefore as Lipsius said, you should 'Transfer your love to something permanent, something celestial', and there is the central view of Lipsius: 'Constancy denotes the proper and immovable strength of the mind that is neither elated nor downcast by outward or fortuitous circumstances. Strength is a firmness implanted in the mind, not by opinion, but by judgment and right reason.' (Taylor, 2007, 116)

Considering liberal tradition of social contract, e.g. Rawls's original position and the veil of ignorance, we can see the influence of stoicism and neostoicism, particularly Lipsius's thoughts. As Cassirer pointed out, Stoics never denied that, in a physical sense, there are innumerable differences between men; differences of birth, rank, temperament, intellectual talents. But from an ethical point of view all these differences are declared to be of no account. What matters alone, what determines a man's personality is his judgment about things. These judgments depend upon a free act which creates a world of its own. The Stoics draw a sharp line between what is necessary and what is accidental in human nature. Only those things are necessary that regard the "essence," that is to say, the moral value of man. Whatever depends on foreign circumstances, on conditions that are not in our own power, is to be left out; it does not count. (Cassirer, 1946, 101)

Getting rid of social contingencies, arbitrary distribution of natural endowments, and nature's lottery, Rawls has resorted to reason. Like Lipsius, Rawls directed skepticism solely towards opinions, affections, and contingencies of the foreign world, and reason is immune to it.

Morality is also minimized and made thinner to secure unity in the condition of plurality and disagreement. However, Rawlsian project is doomed to failure; how disagreements can be resolved by human beings who are themselves the cause of disagreements? Rawls is going the wrong way and Islam can help Liberalism; Islam teaches us that "how many reasons which are slaves to desires!" there are master reason and slave reason as well as right opinions and affections and wrong ones. Rawls's Archimedean point can not be rationality or reasonableness. The story of "An elephant in the dark room« is a helpful example; divine light is the only way to resolve the disagreement. There is an instructive parable in Quran: "The lightning almost takes away their vision. When the lightning brightens their surroundings, they walk and when it is dark, they stand still. Had God wanted, He could have taken away their hearing and their vision. God has power over all things."(2:20) This verse allegorically shows the condition of human beings separated from God. Any light, except for divine light, is a flash of lightening, though it can lighten for a fleeting moment, suffers from two serious problems: first, like reason and senses separated from divine revelation, it can cause blindness; and second, this light is unable to guide people and can not help them reach their destinations. On the contrary, divine light is described as follows:

> Allah is the Light of the heavens and the earth. The Parable of His Light is as if there were a Niche and within it a Lamp: the Lamp enclosed in Glass: the glass as it were a brilliant star: Lit from a blessed Tree, an Olive, neither of the east nor of the west, whose oil is well-nigh luminous, though fire scarce touched it: Light upon Light! Allah doth guide whom He will to His Light: Allah doth set forth Parables for men: and Allah doth know all things. (24:35)

Based on this verse, divine light has two characteristics: being guiding and free from social contingencies. Unlike a flash of lightening which lighten a small area for a fleeting moment, Divine light, like a

star, shows the way to the people who went astray. And it is neither of the east nor the west, i.e. a vantage point which is free from social contingencies, the one which Rawls was desperately looking for in the original position. Quran says: "And he [Abraham] said: have taken (for worship) idols besides Allah, out of mutual love and regard between yourselves in this life; but on the Day of Judgment you shall disown each other and curse each other, and your abode will be the Fire, and you shall have none to help." (29:25) According to this verse, it is possible to create idols for securing unity in this world, but its inner reality, as it will be revealed on the Day of Judgment, is nothing more than enmity. Awthan (idols) as Tabatabaie states, is nothing but human's constructions: "its divinity is a mere claim, beyond which lacks any truth." (Al-Mizan, vol. 16, 115)

Fear, or in Quranic terms hazar al'mawt (fear of death), is another main feature of liberalism. Hobbes did, more than any other thinker, to focus attention on it. It is also a key feature of liberalism of other liberal thinkers, such as Kant, Mill, and Rawls. Hobbes is not alone in his well-known allegory that likened man to wolf, Mill has also likened man to vulture. (Mill, 1978, 2)

Self-preservation as a thin and minimized morality, is an important consequence of this liberalism. Self-preservation as a right of man leads to self-preservation as a right of government or sovereign. Self-preservation for government was translated to the autonomy of an absolutist state, and then, give it back to the man. In other words, state took the right of self-preservation and transformed it into the autonomy and gave it back to the man. As Mill stated, to prevent the weaker numbers of the community from being preyed upon by innumerable vultures, it was needful that there should be an animal of prey stronger than the rest, commissioned to keep them down. (Mill, 1978, 2)

To put it differently, when Renaissance humanists had resorted to Leviathan to resolve conflicts of wolves, in the second phase, they gradually decreased the power of Leviathan to protect the subject.

Liberal strategy in this regard employed Ideas of autonomy and liberty as basic human rights. Hana Arendt, for instance, believes that freedom is actually the reason why men live together in political organization at all, and without it, political life as such would be meaningless. In Arendt's view, the raison d'etre of politics is freedom. (Arendt, 1991, 58) In the same way, Rawls mentioned liberty as his first principle of justice.

This fear has led liberalism astray into giving priority to negative liberty. Liberal freedom in this sense, i.e. determining a private sphere for individuals, within which no one can interfere with, is a modern one. As Coleman stated, Greek freedom (eleutheria) meant (1) not to be slaved, not to serve another man; (2) that the community was not to be dominated by another, a freedom of polis, whatever its constitution (be it democracy or oligarchy); a distinctive democratic understanding of freedom which as a constitutional concept, was associated not only with freedom factionalism but also with freedom of political participation in the public sphere where the law, rather than an individual or factional group, were sovereign. (Coleman, 2000, 34-35)

Coleman believes that what was not emphasized in any of these ideas of freedom is the modern liberal democratic notion that the individual lives of citizen, determined by uniquely personal preferences, however acquired, were to be protected or enhanced by setting limits to collective, community control. (Coleman, 2000, 36)

The same is true for Roman idea of freedom. As Richard Tuck stressed, for neither the Romans nor the early medieval lawyers, could not liberty be ius, a right. And even they contrasted libertas with ius; as Florentinus said in a famous remark, later incorporated in the Institution, liberty is the facultas to do what one wants, unless prevented by force or ius. (Tuck, 1979, 26)

Islamic teachings prefer to consider rights more in its responsibility than claim aspect, i.e. rights as responsibility of people towards each other rather than their claims against one another. Considering rights in

this view, Islam has encouraged social bonds and solidarity. Imam Ali, for example, says: "O people! I have rights over you, and you have rights over me… ."[1] The terms "my rights over you" and "your rights over me" are used to emphasize "your responsibility towards me" and "my responsibility towards you." There are numerous hadiths that speak about rights in this way. Consider following example:

Fear Allah! And give his rights which is in your hands[2]

One of guest's rights is to provide him/her toothpick[3]

One of rights of who have knowledge, is not to ask him/her questions repeatedly[4]

What is rights of Allah over his creation? [Imam] said: rights of Allah over his creation [human bring] is to say what they know, and avoid saying what they do not know[5]

If these kinds of hadiths be studied carefully, two of their characteristics would be revealed: firstly, positive aspect of rights, which is strongly emphasized, whereas rights in liberalism strongly imply non- interference; in other words, its implied responsibility is rather negative than positive; secondly, rights are attributed to human beings, not only by considering them as merely human beings, but also by observing their existential grades.

Islam has a broader notion of rights which are assigned according to grades of existence. Therefore, all creatures have rights. However, as creatures have different grades of existence, they enjoy different rights as well. Should we extend the idea of existential grade, and employ it in social relations, we would get closer to the Islamic notion of rights. For example, Islam, as a whole, do not speak of rights of human beings as human beings, but rights of human beings, based on their existential grade, including their social place, such as God's rights, parent's rights, child's rights, neighbor's rights, guest's rights, muslim's right, rights the of People of the book, rights of the poor, rights of the captive, rights of human's body, and so on.

Obviously, this notion of rights is employed to clarify human responsibilities (in relation to God, to himself, to other people, and to nature), and to promote social bonds, aiming at human growth and perfection.

Even in occasions that rights means a legitimate claim, Quran prefers to use notions other than rights. For example, in Qisas (retaliation-in-kind) that Vali (heir) has to claim, Quran employed the notion of Sultan (authority): "Nor take life - which Allah has made sacred - except for just cause. And if anyone is slain wrongfully, we have given his heir authority" (17:33)

Difference between giving priority to the positive aspect of rights in Islam and to the negative aspect in liberalism is apparent in the rights of human body; for example, rights of body organs such as rights of eyes, ears, tongue, hands, and legs are among rights which Imam Sajjad (the fourth shiite Imam) enumerated in his Treaties on Rights (Resalat al-Huquq). It is obvious that what was intended here by notion of rights is not their claims, but the responsibilities of human beings towards them, since body organs (at least in this world) are unable to claim their rights.

One of the effects of prioritizing the negative aspect of rights in liberalism can be seen in the doctrine of double effect, according to which actions that causes a serious harm, such as the death of a human being, are permissible as a side effect of promoting some good end. Rawls, though he is a philosopher of justice, had committed to a variation of this doctrine, when he talked about rules of wars; he believes:

> Even in a just war certain forms of violence are strictly inadmissible; and where a country's right to war is questionable and uncertain, the constraints on the means it can use are all the more severe. Acts permissible in a war of legitimate self-defense, when these are necessary, may be

> flatly excluded in a more doubtful situation. (Rawls, 1991, 379)

As Michael Walzer pointed out, Rawls's suggestion implied that 'The greater the justice of my cause, the more rules I can violate for the sake of the cause -though some rules are always inviolable.' (Walzer, 2006, 229) Double effect doctrine leads Rawls to the idea of Supreme Emergency Exemption, according to which it is permitted to kill civilians in certain circumstances. He justifies Britain's bombing of Germany upon Supreme Emergency Exemption:

> Britain's bombing of Germany until the end of 1941 or 1942 could be justified because Germany could not be allowed to win the war, and this for two basic reasons. First, Nazism portended incalculable moral and political evil for civilized life everywhere. Second, the nature and history of constitutional democracy and its place in European history were at stake. (Rawls, 1999, 98)

One of important bases of double effect doctrine is a distinction between act and omission (for example, killing a person is different from letting him die). Obviously these two are different, but from legal not moral point of view. The main point is that negative view of rights, which emphasizes on non-interference, weakens moral responsibility as well. To give an example, consider a dying accident victim and the crowd around him that do nothing to save his life (omission). Legally, they are not responsible, but morally, they are. It is evident that in this situation, the Ideal condition is that people save victim's life by acting. But, the question arise here is that which notion of rights can help realization of the ideal condition? The negative notion emphasizing non-interference or the positive notion emphasizing doing responsibility? The answer is clear, and liberalism needs to revise its conception of rights in the light of Islamic teachings.

To sum up, liberalism has greatly suffered consequences of skepticism and fear. It arbitrarily attributes skepticism to opinions and

affections, and excludes reason. But, reason like opinions is not free from social contingencies, and can not provide an Archimedean point to resolve disagreements. Fear has led liberalism to a negative notion of right which undermine social solidarity and put walls between people, whereas Islamic notion of rights, employs it to promote social unity, and human perfection and decency.

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