

CSD Interview

The Beauty of Justice

Abdolkarim Soroush is Iran's most prominent and controversial philosopher and public intellectual. In November 2006 he was the subject of the annual CSD Encounter (see 'CSD Events', p. 20).

*Shortly after the Encounter **John Keane** interviewed him.*

John Keane: You said recently that the topic of justice (*adalat*) is back on the political agenda in your country. You contrasted the 'era of the slogan of freedom' under President Khatami with the emergent 'era of the slogan of justice' championed by Mr Ahmadinejad. What did you mean?

Abdolkarim Soroush: The discourse of justice wasn't prominent in Iran during the two presidencies of Mr Khatami. He came to power through elections, and that was significant. Elections not only reinforced his personal interest in liberty; they also reinforced the felt need of Iranian society for liberty. Later, people seemed to grow tired of Khatami's slogans about freedom. That paved the way for the new president, Mr Ahmadinejad. He isn't a profound thinker, but he is supposed to be firmly religious. Since the

concept of justice is deeply rooted in the teachings of Islam, it is what he prefers to talk about. His election promises included the commitment to provide 'full justice' to the poor and the deprived. Of course, everyone knows that liberty and justice are twins. There can be no justice without liberty. When I spoke about the different slogans of the two presidencies, I wanted to challenge Mr Ahmadinejad: since you are for justice, you should be for liberty as well.

Among the many strange things about the word justice, you've pointed out, is that in Persian, as in English, there is no cognate verb for 'justice'. We have laughing, kissing, arresting or murdering, but we do not have 'justice-ing'. The verb to justify, as when we give reasons for doing something, or when we line up a text in an orderly

way, is not the same. It is as if justice is condemned to being an abstract noun. That enables all kinds of people to speak of justice in various and conflicting ways. It even allows rogues to take refuge in talk of justice. Think of US vice-president Dick Cheney's declaration that 'water boarding', the torture under water and forced confession of prisoners, is an act of 'justice'. Or President Bush: 'I want justice', he said shortly after the 11 September 2001 attacks, 'and there's an old poster out West I recall that said "Wanted, Dead or Alive".' Aren't these examples of the way the notion of justice is demeaned by its abstractness?

Justice is a complicated subject. There is of course no 'justice-ing' in English, though with a bit of linguistic manoeuvring one can create the verb 'to do justice' to somebody or something. The same is true in Persian and Arabic. But the most important thing is this: both linguistic strategy and conceptual analysis make it abundantly clear that while justice is not a verb or an action, it is often used as an adjective. The field of ethics tells you when and in which context actions are just, that is, justified. Here justice works as an adjective: justified lying, justified killing, or justified stealing. Justice implies the justification of action. This is how John Rawls's *A Theory of Justice* proceeds. It tries to say that certain inequalities are justified inequalities. Justice is also a political concept. It is the link between politics and ethics: politics becomes ethical through justice. Justice is a concept that governs both politics and ethics.

So could we say that justice is about the right ordering of contexts – that 'justice is a relationship of suitability which actually exists between two things', as Montesquieu famously put it in his *Persian Letters*? Or is it perhaps better to say that justice is a matter of rights, that it entails the entitlements of people, and their obligations to one another in any given context?

The definition of justice as the fulfilment of rights or, as in Plato and Aristotle, the paying of debts, is much clearer, if only because it confines

itself to human beings. But I like Montesquieu's old definition of justice as putting things in their right place. Even though it doesn't tell us much about what to do or what to avoid, it assumes that things in the universe have potentially a right order that can be discovered, and then can be used to guide action. According to Rumi, the Persian mystic, watering flowers is a just action, whereas watering thorns is unjust because it is a misuse of water. In Arabic, justice – *adalat* – means balance in this sense. For instance, if the whole universe has a balanced architecture, if it is not distorted, then it is said to be just. This idea of justice as balance overlaps with a rights-based conception of justice. To speak of rights is to speak of obligations. A just person, we could say, is someone who strikes a balance between rights and obligations by fulfilling both in a justified way.

The principle that all matters should be decided justly lies at the spiritual and political heart of Islam. There are many well-known passages in the Qur'an, but this one puzzles me: 'Let not the enmity of others make you sway from justice; be just, that is only nearer to *taqwa*' (5:42). What does this mean?

This verse is among the most important in the Qur'an. Wisely, you didn't translate *taqwa*. It isn't fully translatable. It means something like virtue, piety, fearfulness of God, abstention from committing sins. . .

Justice seems to be subordinate to *taqwa*?

Yes. This verse says that justice should be done in order to get closer to *taqwa*, which is seen as the highest virtue one can reach. Justice is a kind of ladder to *taqwa*.

Elsewhere you've spoken, rather paradoxically, about the redundancy of justice...

I had something else in mind. What I

wanted to say is that, since justice is an adjective, it can be used to cover and justify any natural action. Justice is not a virtue over and above other virtues in any given system of morality. When you are a moral person then you are a just person. It resembles the way Frank P. Ramsey speaks about the redundancy of truth. He doesn't mean that there is no truth in the world. He rather means that when you say 'p' is true, then the words 'is true' are redundant because 'p' states what is the case. Here there is an analogy with justice, for when we speak of moral virtues or actions, by definition we are speaking of justified states of affairs.

This has important practical implications, for any particular moral value cannot be sacrificed for the sake of justice, simply because justice is not a separate value. You cannot say, for example, that you performed an unjustified action in order to attain justice. This would be a fallacy. If you do think that justice is a different entity, then you can of course sacrifice a whole ethical system for the sake of this supposed justice. When studying Marxist ethics, I was struck by the way its pro-

'A just person, we could say, is someone who strikes a balance between rights and obligations by fulfilling both in a justified way.'

ponents talked all the time about justice. They were ready to sacrifice everything moral for the sake of justice. But justice is not an independent virtue: it is a myth to think that it is, and that is why I said that justice is redundant. Justice is the sum of all moral virtues.



But here we come to the issue of whether or not there are universal standards of justice. Montesquieu is again interesting. 'Justice is eternal', he wrote, 'and doesn't depend on human conventions; even if it were to depend on them this truth would be a terrible one, and we should have to conceal it from ourselves.' How do you react to that way of thinking about justice?

This is a wonderfully clever and poetic statement. But although people constantly strive both for justice and sometimes even a universal definition of justice, I doubt that they can or will ever get there. For the most we can achieve is an interpretation of justice – a definition of what counts as justice. Such interpretations are of course conventional and provisional, and they differ from each other.

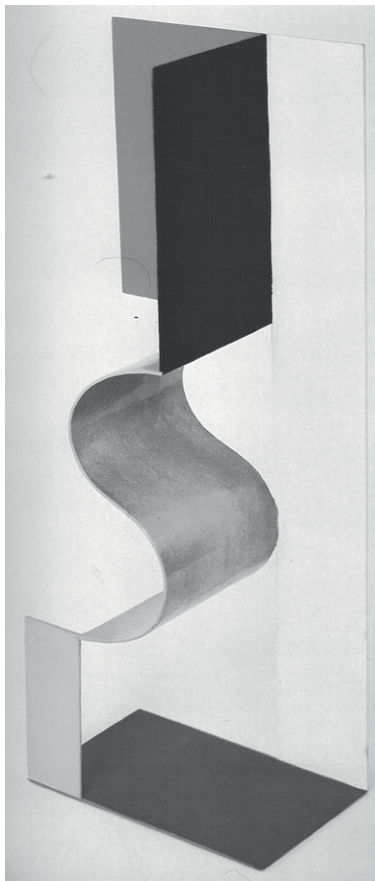
Within contemporary discussions of justice, scholars like to emphasize its different grammars, the different kinds of equalities these grammars imply, and to stress that the language of justice and equality are often riddled with paradoxes. The most obvious example is the tension between justice understood as equality of results and justice defined as equality of opportunity, a form of equality that

typically results in unequal outcomes, in 'winners' and 'losers'. Doesn't your point about the interpreted quality of justice lead in the same direction, so that the politics of justice has to grapple with questions of pluralism, complexity and contradictoriness?

Absolutely. I endorse fully Isaiah Berlin's point that there are necessarily contradictory positions in ethics. I always compare the science of ethics with the science of logic. The science of logic is consistent; different methods of deducing results from certain premises are consistent with one another. But no such consistency proof exists for any given system of morality. Nobody has ever proved that virtue/value A is necessarily consistent with virtue/value B, virtue/value C, and so on. In matters of ethics, we are confronted by potentially inconsistent virtues. That is why we have no alternative but to choose from among different virtues and values and, on that basis, to select our priorities.

If different values and virtues are potentially incommensurable then doesn't this imply the need for something more basic than justice – if you like, an earthly complement to *taqwa* in the shape of institutions that enable the peaceful flourishing of different lived understandings of justice? Doesn't the human capacity for concocting different and conflicting notions of justice – values and virtues – make democracy both possible and necessary?

Yes. In my book *Reason, Freedom and Democracy*, I have similarly argued that liberty is a value, and that even



the opponents of this virtue need it in order to express their opposition to liberty. Liberty is a necessary condition of itself. This is another way of making your point, and it is a very curious feature of justice: in order to air our differences about justice, we need a just, that is, democratic system of institutions within which we can handle our differences.

This, of course, raises a tricky question: who should be the justice makers? Given that we are always immersed in an ocean of

interpretations, and since therefore justice is also a matter of interpretation – of *ijtihad* – who should properly decide which people get what, when and how?

It's not for me to say who should decide. If I tried, nobody would be required to listen to me, or to any other authority. Some people say that religion or God must decide what is just. Others say reason, or the collec-

'Shi'ites say that future justice will be global, that it will be for everyone, not just for a particular community, be it Shi'ites or Sunnis, or for that matter Christians.'

tive reason of the masses should decide, but disagreements persist. In order to resolve these disputes, I think we need free institutions that enable dialogue about how to reach better, more justifiable outcomes. The right

to democratic freedoms is a subset of justice.

Are there standards of justice that cut across borders and that should apply to people whom we may never meet, whose language we don't speak, or whose beliefs we don't share?

I wish that we could have cross-border discussions about justice. The reality is that nation states look out only for their own interests. The time when we shall decide matters of global justice is far off. Globalization nevertheless makes global justice, backed up by global institutions of power, necessary and desirable. The trouble is that political power is currently distributed unevenly, so that issues of global justice are distorted, for instance by interventions of the American superpower.

Do you see any prospects for counterbalancing this power through the language of human rights as a major cross-border medium of justice?

I do. While the Universal Declaration of Human Rights was mainly drafted by Europeans, and although other nations would need to be involved in any new human rights declaration, the present charter talks about concrete cases, rather than about abstract ideas of justice, and that is why it has deservedly won widespread acceptance. Most of the Declaration is compatible with Islamic values. Other parts have an uneasy relationship with Islam. But let us remember:

a declaration of rights will never be sufficient unless it is complemented by a declaration of responsibilities, of the kind proposed by the InterAction Council [of Former Heads of State and Government] in 1997.

We need such documents, and great pains should be taken to draft new versions. Mind you,

whereas duties constitute sufficient explanation for actions, rights do not. When, for instance, I am telling the truth it suffices to say, by way of explanation, that it is my duty to do so. But I cannot say that I am telling

the truth because it is my right, since you may retort that you equally have the right not to do so. The point is that the language of rights is not spacious enough to accommodate justifications or explanations of all our potential actions. We need something more. We need not only a concept of rights but also a concept of justice in order to justify or explain actions.

You said that Islamic values are in tension with parts of the Declaration of Human Rights. Which articles do you have in mind?

The principle of freedom of religion is something about which Muslim scholars and clerics are not altogether happy. The same applies to the principle that men and women are equal in every respect. But these same scholars and clerics still support many other points made by the Declaration, which is an excellent means of bringing nations together and building a consensus on what counts as global rights and duties.

Do you think global justice might have religious sources?

There is one principle that has definite religious roots: the principle that we should treat others as we would like them to treat us. While I'm aware of its limitations, this principle is appealing because it draws upon our selfishness. It makes our self a criterion for deciding what should be done to others, for example in the conduct of friendship and the keeping of promises. It specifies as well what we should not do to others, for instance torturing or murdering them. The principle is highly fertile, and most clauses of the Declaration of Human Rights are derived from it. It is a norm that sets minimum standards of justice

Doesn't the appeal to our selfishness downplay vital questions about unborn generations? And doesn't Islam have a rather limited understanding of justice for future generations? Think of the early Shi'ites. Like the first Christians, weren't they ham-

pered from thinking about just government simply because they saw themselves as merely biding their time on earth, as waiting for their true saviour?

When the hidden Imam didn't appear, the early Shi'ites indeed were forced to think anew about politics, ethics and justice. Some of them continued to believe that the hidden Imam would reappear only when the world became corrupt. So they felt they had no duty not to allow the world to degenerate, in order to hasten the reappearance of

'Rumi emphasized that ugliness comes forth from us, so that when we change ourselves the whole world looks more beautiful.'

the Imam. Shi'ites no longer think this. Instead they say that future justice will be global, that it will be for everyone, not just for a particular community, be it Shi'ites or Sunnis, or for that matter Christians. This is a most welcome development, as is the shattering and collapse of the Marxist paradigm of justice throughout the Muslim world. The upshot is that all Muslims are today striving for justice, for a better future for all.

Don't you ever worry that such developments as the rapid disappearance of species from our biosphere and the dangers of nuclear war threaten to rob us of a future, so that Hans Jonas and others are right when they say that our understanding of justice for future generations must from hereon be fuelled by expectations of doom, not bliss?

This is an anti-religious way of thinking. Hans Jonas was flung into deep pessimism by the Holocaust. It convinced him that God had expended all his energy in the Creation, and was therefore too tired to prevent such disasters. I reject this. All religions are optimistic about the future, even when confronted with the signs of doom that you mention. From a religious viewpoint, there is always somebody who

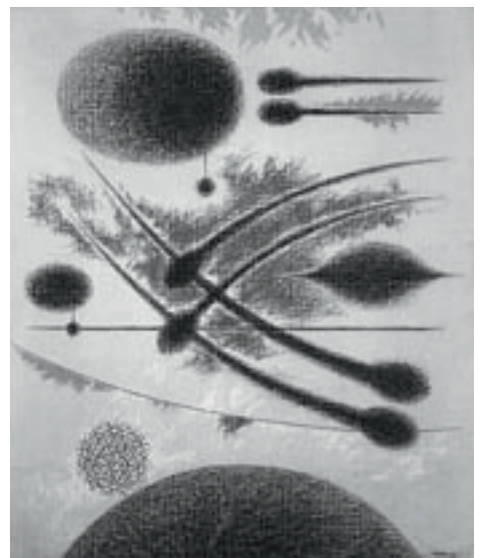
overlooks the whole, and who cares about people. Abrahamic religions embrace an energetic God. They suppose that history has a teleological quality, that humans are guided by an invisible hand.

This non-secular way of thinking about the world is at odds with doom-laden suppositions about a tired and overburdened God. There is an important verse in the Qur'an directed against those who think that God's energy has been dissipated by the Creation, and by intervention in our affairs. It says that God never grows tired, that He is always diligent and active – and will remain so in the future. It follows from this that the future is open. Preconceived judgments about the future should be rejected because, as Popper said, they are not falsifiable. Since we do not

know what awaits us, let us not lose our optimism about the possibility of creating a better balance within our own actions.

Some find puzzling that your optimism is sustained by looking back over your shoulder, towards the past world of mystical thinking and Persian mystics like Rumi.

It is quite the opposite of a backward way of thinking. I always remember that in his *Mysticism and Logic*, Bertrand Russell remarks that even if mysticism were wrong it rightly emphasizes the beauties of the world. I have learned from Rumi and other



mystics to respect these beauties. Justice and freedom are among them. Rumi emphasized that ugliness comes forth from us, so that when we change ourselves the whole world looks more beautiful.

But aren't you also impressed by the mystics' profound suspicion of power and wealth?

Yes. The mystics were not against power and wealth *per se*, but they disliked the way hunger for their accumulation results in the victimization of others. There is much that is positive to be learned from the mystics. Their teachings can be translated into a modern idiom, in effect to say that power and wealth need to be distributed justly so that we are not seduced, deceived and ultimately misled by their false charms.

Seen in this way, there is a noticeable mystical dimension in the modern traditions of socialism and democracy. Whereas the former strives for the just distribution of wealth, the latter envisages the just distribution of power. Both in fact share a disdain for the unequal accumulation of wealth and power – a distaste for inequality that is not at all alien to the core values of the mystics.

John Keane interviewed Abdolkarim Soroush in November 2006.



Language-Games of the Nation

We can use Wittgenstein's ideas to develop a new approach to national identification, argues Amanda Machin

For centuries, the fortress of nation has loomed on the social horizon, casting its shadow over the hamlets and habits of humankind. Many suggest, however, that the battering rams of globalization are knocking at the fortress walls, ready to alter the social landscape irrevocably. The world foreseen is truly global, one in which territorial borders have dissolved and identities are trans-national, sub-national, post-national, anything-but-national.

Why then, is the nation still hanging on by its ageing fingertips? Why, moreover, is national identity actually championed by governments and analysts today? Is this merely a cynical appeal to the parochial views of narrow-minded voters? Or is something else going on?

The question of national identity has been further highlighted in Britain recently by terrorist actions and plots perpetrated not by foreign extremists but by British citizens. Some sort of strong common identity, it is hinted, might assuage the apparent cleavages between sections of the population (what are often – problematically – seen as the homogenous categories 'Muslim' and 'non-Muslim'). The same question was asked in France after the riots of 2005. But how is an inclusive and overarching national identity established?

The problem with *both* these phenomena – the attempt to reject national identity and the growing obsession

with instituting it – is that they have already made a mistake: they presuppose that national identity is a matter of rational choice. Belonging to a nation, however, is more often an obligatory identification, instituted by the language and concepts of a society we are born into – and which pervade our everyday lives. These sorts of non-rational identifications are ignored in political theory today, so that mainstream politics is dominated by a rationalism that calculates only in terms of the self-interested subject.

A different approach to national identification is desperately needed. Although Wittgenstein does not himself explicate a political theory, his ideas can open up the new approach required. From a Wittgensteinian perspective we can see that the nation becomes an object of identification because it is used in everyday life. It is not so much in formal politics and academic theory, but in a whole variety of contexts – history books and atlases, newspapers and tourist brochures, football matches and music awards – that the nation finds its existence.

PRIMORDIALIST THINGS, RATIONALIST HATS

It was German romanticism, perhaps, that most ardently proclaimed the 'primordialist' account of the nation. Divine and eternal, the nation was held to be part of the fabric of the world. Today, this idea is considered deeply