
Note: This collection of papers was compiled in December 2011. Some authors have not send their full paper.

Table of Contents

**Editorial Preface**
Darryl Macer, Regional Adviser for Social and Human Sciences in Asia and the Pacific, UNESCO Bangkok
Souria Saad-Zoy, Programme Specialist, UNESCO Rabat

**Welcome Words**
Ms. Cynthia Rose Banzon Bautista, Chair, Social and Human Sciences Committee, Philippine National Commission for UNESCO

**The Effects of Globalization on Industry and Female Employment**
Ould Abdel Malik El Bekkaye, Mauritania
Commentator: Isaac Donoso

**Revisiting Gandhi: His dialogue in the context of mutual understanding, culture of peace and Gender Equality in Asia**
Prof. S. Panneerselvam, INDIA

**Need for Gender Equality**
Dr. Prof. Mrs. V. Balambal, M.A.B.T. Ph.D FRAS (London), Professor (Retd) of History, University of Madras, Chennai

**The Concept of Gender and its Applications**
Touria Bourkane, Morocco

**Medieval Islamic Philosophy: Lessons for the Philippines**
Roy Allan Tolentino, the Philippines
Commentator: Naima Hadj Abderrahmane

**Approaching the Resemblance of God**
Naima Hadj Abderrahmane, Algeria
Commentator: Roy Allan Tolentino

**From Development to Persecution: Assessing the Fairness of China’s Social Policies**
Laura Vittet-Adamson, Oxford University

**The Destiny of the Rural World: Between Adventure, Biotechnology, and the "Hunger of the World"**

Nadir Marouf, Algeria
Commentator: Abhik Gupta

Towards a Transcultural Ethics: A Note on Integration Policy
In-Suk Cha, Republic of Korea
Commentator: Michael C. Vasco

Chanroeun Pa, Cambodia
Commentator: Jasdev Rai

Justice, Contempt, and the Search for Recognition
Kamel Boumenir, MC à l’Université Alger 2 – Bouzareah, Algeria

Unfolding Conceptualization of Justice in India
Parag Kadam, India

Fairness and Justice
Issa Abyad, Jordan
Commentator: Philip Cam

Justice in the Philosophy of Mencius
Manual Dy, The Philippines
Commentator: Mohammed Doukkali

From Suffering to Injustice
Syrine Snoussi, Tunisia
Commentator: Sawa Kato

Islamic Concept of Human Dignity and Justice: An Analysis in Asia-Arab Perspective
Dr. Md. Sirajul Islam

Wittgenstein, Social Courage, and Justice
Lumberto Mendoza, the Philippines
Commentator: Mohammed Ech-Cheikh

Reflections on the Notion of Dignity
Yasmina Kefi-Ghodbane, Tunisia
Commentator: Manuel Dy

Universalism, Democracy and Justice
Jasdev Rai, Sikh Human Rights Group, UK
Commentator: Souria Saad-Zoy

Fair Opportunity and Justice in Surrogacy
Sawa Kato, Japan
Commentator: Yasmina Kefi-Ghodbane

**Human Dignity and Justice are Promoted through Making the Failure of a State to Provide Humanitarian Assistance During Times of Natural Disasters an International Crime**
Thomas Gionis and April Smith, USA
Commentator: Nadir Marouf

**Justice and Fairness: What Dialogue?**
Mohammed Doukkali, Morocco
Commentator: Lumberto Mendoza

**Ethical Issues of Food Rationing: Typhoon Pedring and Quiel Experience**
Lea Ivy Manzanero, the Philippines
Commentator: Thomas Gionis

**Applications of John Rawls' Theory of Justice as Fairness in Philippine Society**
Michael Anthony C. Vasco, the Philippines
Commentator: Touria Bourkane

**Notes on the Theme of Child Dignity Teaching**
Lotfi Hajlaoui, Tunisia
Commentator: Suwanna Satha-Anand

**Evaluation Model of Democratic Citizenship Education**
Jinwhan Park, Korea
Commentator: Lotfi Hajlaoui

**Philosophy for Youth: In Search of Kinship between Cultures**
Ayoub Abu-Dayyeh, Jordan
Commentator: Lotfi Mathlouthi

**Youth and contemporary Identity: Art and Street Performance, Batik as Indonesia youth' contemporary Art**
Hastangka, Center for Pancasila Studies, Gadjah Mada University, Yogyakarta, Indonesia

**Matching Aims to Methods in Philosophy with Youth**
Philip Cam, Australia
Commentator: Jinwhan Park

**Just War in the Arab Philosophical Tradition**
Mohammed Ech-Cheikh, Morocco
Commentator: Laura Vittet-Adamson

**Al-Andalus as a Bridge of Knowledge from Europe to Asia**
Isaac Donoso, the Philippines
Commentator: Syrine Snoussi
Is Environmental Justice Possible?
Ayoub Abu-Dayyeh, Jordan
Commentator: Rainier Ibana

Linear and Cyclical Models of Energy Production and the Problem of Distributive Justice
Rainier A. Ibana, Ateneo de Manila University, Philippines
Commentator: Ayoub Abu-Dayyeh

Environmental Justice: Importance of Integration and Assimilation
Abhik Gupta, India
Commentator: Lea Ivy Manzanero

Environmental Justice: Socio-economic Inequalities and Injustices Create an Unsustainable World
Sara Messaoudi, Ministère de l'Aménagement du Territoire et de l'Environnement, Algeria

Between Freedom and Tradition: Inter-Generational Conflict in Buddhist Ethics
Suwanna Satha-Anand, Thailand
Commentator: Ould Abdel Malik El Bekkaye

Bioethics is Love of Life
Darryl Macer, UNESCO Bangkok

Dialogues to Shape our Present and Future: Recommendations of the Asian-Arab Philosophical Dialogues
Editorial Preface

- Darryl Macer, Souria Saad-Zoy

The UNESCO Asia-Arab Interregional Philosophical Dialogues: Human Dignity, Justice, Fairness, Youth, Democracy and Public Policy, was held 15-17 November 2011 in Manila Hotel, Manila, Philippines. It was organised by the Regional Unit for Social and Human Sciences in Asia and Pacific, UNESCO Bangkok, UNESCO Rabat, in cooperation with APPEND, Ateneo Human Rights Center, Ateneo de Manila University, Eubios Ethics Institute.

Dr. Darryl Macer, Regional Adviser for UNESCO Bangkok and Ms. Souria Saad-Zoy, Programme Specialist, UNESCO Rabat gave Welcome Words. The conference brought together Arab and Asian philosophers, and other philosophers from the Pacific, Europe and other regions of the world. Welcome Words were given by Prof. Darryl Macer, Regional Adviser for Social and Human Sciences in Asia and the Pacific, UNESCO Bangkok. Interregional philosophical dialogues among Asian and Arab philosophers have been held over the previous six years in Seoul, Rabat, Hiroshima, Paris, Bangkok and Malacca in Malaysia. The conference for the year 2011, originally scheduled to be held in Morocco, had to be postponed with further decision to change the venue to Metro-Manila. This is due to the series of demonstrations, protests and civil resistances that have been taking place across the Middle East and North Africa. It is therefore, the theme of the conference – Human Dignity, Justice, Fairness, Youth, Democracy and Public Policy – devoted to the aspirations of people especially the youth in their pursuits for justice, freedom and equality; it also reflects moral and intellectual solidarity of Asia region as a part of international community.

Furthermore, the theme of the Conference offers more profound, philosophical reflections on different conceptions of justice, fairness and participatory democracy. Under the overall aim of UNESCO programme on Interregional Philosophical Dialogues, this Conference, by bringing together philosophers from Asian and Arab regions, is intended to enrich existing debates on global justice and other central ideas of political and moral philosophy through giving an opportunity for the diverse philosophical schools and thoughts are being voiced and considered. Therefore, Interregional Conference on Asia-Arab Philosophical Dialogues also serves as a forum to broaden intercultural communication and strengthen the role of philosophy in public policy and to promote indigenous philosophical thoughts around the world.

The objectives include

• To provide a forum for philosophical analysis of contemporary issues on global justice, freedom, equality and social justice;
• To assist the establishment of network and academic interactions among philosophers;
• To support philosophy as an academic discipline, for this purpose, encourage participants to produce papers for written proceedings after the conference.

Further Welcome Words were given by Ms. Cynthia Rose Banzon Bautista, Chair, Social and Human Sciences Committee, Philippine Nation Commission for UNESCO. Prof. Rainier Ibana, President of APPEND, was also thanked for his efforts to arrange the conference. The second Session, after the Opening, was on “Applying Concepts of Gender Equality and Democracy to Public Policy” The Concept of Gender and its Applications was included in the of paper Touria Bourkane. The concept of gender is a dynamic concept that adapts to change and to development from one community to another and from one culture to another. Social gender is determined by
a series of historical, cultural and social and psychological factors, through which masculine and feminine roles are defined, shedding light also on the relationship between the sexes as well as on the status of men and women within society.

Ould Abdel Malik El Bekkaye from Mauritania detailed the “Effects of Globalization on Industry and Female Employment”. The thesis of his research is articulated around two contradictory perspectives. The first perspective believes that policies of construction and cultural reform, which the countries of the South were competing to apply due to external factors – in most cases – had a negative effect on the women working in the South. Alternately, the second perspective sees that generalising the model of economic liberalism and freedom of exchanges across the globe has contributed to an increase in the possibilities for female employment, to an improvement of their situation thanks to what is known in development literature as “the exportation of experience,” and to a repossessing of the experience accumulated by the North in the domains of industry, technology and organisation of human rights dedicated to women in the countries of the South. This is said to be “the saving grace of globalization.”

Roy Allan Tolentino from Ateneo de Manila University, the Philippines talked on “Medieval Islamic Philosophy: Lessons from the Philippines”. The relationship between Islam and Christianity in the Philippines has always been complex, and made even more complicated by the strife in Mindanao. He examined lessons for students at a Catholic university from the wisdom of the Islamic intellectual tradition.

The Third Session was on “Applying Concepts of Human Dignity to Public Policy”. Naima Hadj Abderrahmane from Algeria talked on “Approaching the Resemblance of God”. Although humans are imperfect and justice is a divine attribute, some Muslim philosophers have arrived at the thesis which says that humans can do the good and can become just through the flight of the soul and by its elevation renders itself like God. To what extent can this theological-metaphysical conception of justice be inscribed in the physical and practical life of the individual? Can it take part in the bringing forth citizens aspiring for perfection in the goal of establishing justice?

The paper from Laura Vittet-Adamson, Oxford University, is on "From Development to Persecution: Assessing the Fairness of China’s Social Policies". The social policies adopted by the Chinese state towards the Muslim Uyghur minority of China’s Xinjiang province constitute an interesting case-study for a discussion of the expression of justice and fairness in applied state policy.

Chanroeun Pa of Cambodia discussed “Why Ancient Wisdom Matters in Social and Economic Development in the Modern World”. This paper examines the important roles of ancient wisdom and how it could contribute to the social and economic development of a nation in the modern day. Over the past decades, social and economic development in many developing countries including Cambodia have placed an emphasis on capitalism, industrialization and technology which relied too much on the Western knowledge and know-how. There are some successful stories and problems in following this paradigm of development; for instance, Cambodia has experienced the fast economic growth in the last two decades. However, the country is also facing some serious problems such as the development imbalance, cultural and environmental destruction, urbanization etc. that are the results of the misguided development and they extremely affect the quality of life of the people.

The fourth and fifth Sessions were on Concepts of Justice and Fairness. Issa Abyad from Jordan introduced “Fairness and Justice”. Justice and fairness are often used interchangeably, with fairness being the narrow sense of justice, it is the way two (or more) people treat each other
socially or conduct business together. While justice has the broader sense, it is when actions are done in accordance with some laws (divine or man-made), because some believe that justice stems from God (his will or command), while others believe that justice comes from rules written by others for the good of all.

Mohammed Doukkali from Morocco further examined these ideas with “Justice and Fairness: What Dialogue?” The choice between treating justice and equity together or in isolation increases the number of questions and distills the problems. Can justice have a meaning which would neither be confused nor ambiguous without the support of equity?

Manuel Dy from the Philippines explored Chinese philosophy in “Justice in the Philosophy of Mencius”. With the Arab spring in mind, this paper explicates the concept of justice in the philosophy of Mencius. I or Yi, often translated as righteousness or duty, is aptly equivalent to justice. Ren (Humanity) and I are discussed by Mencius together, just as love and justice are inseparable. Love pertains to being and justice to doing. Justice for Mencius is doing what is right according to the rights of others. It is other oriented and emphasizes duty rather than rights.

Syrine Snoussi from Université de Nice explored “From Suffering to Injustice”. The notion of justice has two meanings: a moral sense of what is just, and a legal comprehension of what is right. The first one is Islamic political experience. I would also try to show the interest of such an approach for modern political thought in order to reconcile Arab world with a past that was more universal and cosmopolitan than commonly admitted, and where a non-religious understanding of the power was effective, which is, in my opinion, a duty, in these hours of constitutional rewriting in Tunisia.

Yasmina Kefi-Ghodbane from Tunisia gave “Reflections on the Notion of Dignity”, considering is it possible to rethink the notion of human dignity in light of the changes the Arab world has known without taking account its rootedness in lived experienced? Dignity has well been defined as an absolute and intrinsic human value, which must be considered - following Kant’s expression - as an end in itself and never as a means. But the notion of dignity is no less ambiguous. To deal with this concept from a dynamic point of view and to approach it on the basis of its real manifestations such as the demands of justice, equity, and civil rights would allow us, perhaps, to define what human dignity is.

Jasdev Rai, the founder of the Sikh Human Right Group discussed “Universalism, Democracy and Justice”. There is an increasing trend to see justice in a monologic perspective. The individual is at the centre of concepts of justice. While principles such as punishment, redress, rehabilitation and safety of society are some of the key factors that determine a justice system, cultural norms rarely if ever figure in the system of justice. Where it is, the system of justice remains a regional variation in need of standardisation rather than an acknowledged system suited to the culture of the region.

Sawa Kato from Japan discussed “Fair Opportunity and Justice in Surrogacy” explored issues of surrogacy tourism by Japanese families to India and Thailand. In both countries some troubles have occurred, and draft laws are being prepared for the practical problems of surrogacy. The usage of surrogacy by foreigners in these countries makes us reflect on fair opportunities to surrogacy. Who may access the surrogacy: women with medical indications or every couple without it, including same-sex couples? When some couples try to access surrogacy in Thailand or India because it is illegal in their home country, should their decisions be respected in order to secure a fair opportunity? These problems are related to substantive justice, that is, it is to ask what practice serves justice. On the other hand, Thailand and India are going to legalize
surrogacy and make clear regulations and those approaches can be seen to secure the fairness in the surrogacy process, that is, it is related to procedural justice in surrogacy. Thomas Gionis and April Lee Smith from Aristotle University, USA explored “Human Dignity and Justice are Promoted through Making the Failure of a State to Provide Humanitarian Assistance During Times of Natural Disasters an International Crime”. When a State intentionally withholds humanitarian assistance from its people, or any people afflicted during times of a natural disaster, not only is there a degradation of human life and dignity, but also such intentional acts should be recognized as both a failure of a State’s responsibility to protect its people and a crime against humanity. They discussed Cyclone Nargis which struck Myanmar in May 2008, and devastated the Irrawaddy Delta. They addressed the status of humanitarian intervention and the basis of the ‘responsibility to protect’ in customary international law.

Lotfi Mathlouthi from Tunisia considered “Communication and Human Dignity”. He gave reflection on two opposing perspectives which currently give rise to the problematic of communication: the first perspective has a negative bearing, and aims to be a transmission of violence, of exploitation, and of practices of subjugating individuals. The second perspective, which has a positive bearing, presupposes the universality of the being human as an ethico-philosophical value acting and orienting the exchange of ideas and cultural practices (in the most general sense of culture).

Lea Ivy Manzanero from University of the Philippines talked on “Ethical Issues of Food Rationing: Typhoon Pedring and Quiel Experience”. This paper looked at the actions done by local government units and agencies, international institutions, non-governmental organizations (NGO) and private institutions regarding food rations and examine these actions based on the following lenses: a) Sphere Minimum Standards in disaster response relating to Food Security, Nutrition and Food Aid; b) Rights-based approach; c) Ethics approach; and d) perspectives of the affected people by conducting key informant interview together with preliminary survey on food security, access to food and adequacy of food rations that were given as food aid.

Michael Anthony C. Vasco from University of Santo Tomas, talked on “Applications of John Rawls' Theory of Justice as Fairness in Philippine Society”. He examined possible practical applications of John Rawls' Theory of Justice in the macro- and microcosm of Philippine Society. Applications include the problems of inequality, distribution of public goods, protection of basic liberties and rights, the role of the state in a welfare state system/society and the appropriations of justice as realized in the whole society in general and by the individual in particular.

Session Six was on Dialogue, Mutual Understanding, and Culture of Peace: Philosophy among Youth. Jinwhan Park from Republic of Korea presented an “Evaluation Model of Democratic Citizenship Education”. During 65 years democracy has been taught in Korea which was a non democratic society. Now we have achieved economic and political development within relatively short time. If we say it is case of succeed, what is the reason? Can we make evaluation model? what are the evaluation criteria? This question can go to two different dimension one is to policy level the other is curriculum level. For the first 25 years DCE was contents centered one, second 30years it was focused on virtues diligence, self help and cooperation. In the recent 10 years it was focused on skills.

Ayoub Abu-Dayyeh from Jordan discussed “Philosophy for Youth: In Search of Kinship between Cultures”. This paper compared teaching philosophy for students at the International Baccalaureate level in comparison to teaching philosophy for the under-graduate university level. The curriculum of the core subject: Theory of knowledge was discussed.
Philip Cam of Australia talked on “Matching Aims to Methods in Philosophy with Youth”. The value of engaging young people in philosophy depends upon how we teach it. If our aim is to encourage dialogue, mutual understanding and a culture of peace, then we need to employ dialogue and other teaching strategies that develop mutual understanding and peaceful ways of dealing with differences and disagreements. This presentation shows how collaborative and inquiry-based teaching and learning can harness the spirit of philosophy to achieve these ends. He illustrated by examples from the classroom.

Lotfi Hajlaoui from Tunisia discussed the Theme of Child Dignity. We can sum up all the human rights in a crucial one, which is the right for dignity. We can also notice that the word dignity was mentioned 8 times in the United Nations convention on the rights of the child of 1989. In the child dignity teaching, the field model, as the American philosopher John Dewey clarified in his famous book Democracy and Education, is better than advice. Educating children on dignity is not confined with a special stage of childhood. It rather starts since the child’s birth and continues up to the adolescence stage. It’s a mistake to assume that schools and preschool’s institutions are the only responsible for forging the child’s dignity, since all the surrounding elements of the child’s environment are concerned with this type of education.

Mohammed Ech-Cheikh from Morocco talked on “Just War in the Arab Philosophical Tradition”. The classical Arabic philosophical conception of “just war” has long suffered a double marginalisation: on the one hand, western philosophical literature dedicated to this theme has long been neglected. He examined the history of this concept—from St. Augustine to Richard Walzer—while concealing the contribution of Arabic philosophers. The paper evaluated this contribution, and this from two angles: 1. The thematization of the theme of just war in classical Arabic philosophy (Al-Farabi, Avicenna, Averroes)—the fundamental texts and their limits; 2. The problematization of the theme: the conception the “just war”—acknowledged from “the Virtuous City” to “the Perverted Cities” in the name of proper values—being too idealist and absolutist, does it not risk being at fault by its lack of realism and making us reflect of some current wards which are being waged by the “good side” and the “bad side”.

Isaac Donoso from the Philippines talked on “Al-Andalus as a Bridge of Knowledge from Europe to Asia”. Al-Andalus was the Islamic socio-political reality established in the Iberian Peninsula from 711 to 1492. As an European Islamic culture, Andalusian Civilization developed singular qualities as bridge between the East and the West. Al-Andalus was a bridge of knowledge between nations from the Medieval Era to the present, from Europe to Asia.

Session Seven was on Environmental Justice and Future Generations

Ayoub Abu-Dayyeh from Jordan asked whether “Environmental Justice is Possible?” In discussing how far international forums recommendations over the environment, in its advisory form, have been practiced, he asked Why has it failed for global warming? Where did it succeed and how? What makes an act ethical and compulsory at the same time? How can different nations of contradictory conceptions over environmental issues get closer together to make a compromise? Is this possible in a world controlled by trans-border multi-national cartels?

Rainier Ibana from APPEND talked on “Linear and cyclical models of Energy Production and the problem of Distributive Justice”. This paper showed that the inefficiencies of linear energy production lines are inherent in the mass production technologies of energy and that a more efficient model are now being made available from cyclical patterns of production that imitate the laws of nature. These new technologies, moreover, can be produced and consumed at the local level and therefore will not be susceptible to the inefficiencies of mass production. They
also empower consumers instead of becoming dependent on capital-intensive energy production technologies. Examples from the Asia-Pacific Region will be cited. Abhik Gupta from India talked on “Environmental Justice: Importance of Integration and Assimilation”. Every inhabitant of the planet earth has the right to a healthy environment. This is reflected in the environmental justice movement that has its emphasis on public health, toxic exposure, and related issues in the context of race and class discriminations. The concept of environmental justice has mostly revolved round issues like exposure to and/or inadequate protection from toxic, xenobiotic substances of poor citizens, ‘blue collar’ workers in mines and industries, and other similar groups. This paper provided an ecological basis of as well as the philosophical ‘defense’ for a more inclusive premise of environmental justice in order to make this concept less overtly anthropocentric and consequently more ‘just’.

Suwanna Satha-Anand from Thailand talked on “Between Freedom and Tradition: Inter-Generational Conflict in Buddhist Ethics”. This paper offered an analysis of the discussion of the Buddha on the question of inter-generational relationship, basically between father and son. It based its analysis on two main suttas, namely the Agganna Sutta and the Sigalaka Sutta.

The final Session was on Philosophical Dialogues for Shaping the Future of Society Darryl Macer from UNESCO Bangkok talked on “Bioethics is Love of Life”. Souria Saad-Zoy from UNESCO Rabat gave her reflections. A draft statement was developed and agreed.

All the participants thanked the volunteer interpreters, John Carlo P. Uy from Ateneo de Manila and Kimberley Junmookda from UNESCO Bangkok, Laura Vittet-Adamson who had acted as a secretariat for the meeting prior to the event, and Sawa Kato who assisted. After each paper there was a commentary, and the written versions of the commentaries will be included when they are sent to the editors. For comments please write to Darryl Macer (d.macer [at] unesco.org
Welcome Words

- Ms. Cynthia Rose Banzon Bautista,
Chair, Social and Human Sciences Committee, Philippine National Commission for UNESCO

On behalf of the Social and Human Sciences Committee of the UNESCO National Commission, I am honoured and pleased to welcome you to the Philippines and to this inter-regional philosophical dialogues. I would also like to take this opportunity to welcome and thank Souria, Darryl and the Regional Unit for Social and Human Sciences in Asia and Pacific, the Ateneo Human Rights Center, APPEND and the Eubios Ethics Institute for organizing a timely and extremely relevant philosophical exchange. For non-philosophers who have not fully appreciated the value of philosophy and who have caricatured philosophers as ungrounded thinkers or dreamers who float in the air, my statement about the extreme relevance of this Conference would be rendered inappropriate or at best a diplomatic exaggeration. I am not a diplomat. I am a social scientist, who by circumstances that are not fully in my control, happens to be part of a small team that is grappling with an ongoing higher education reform process in the Philippines. This work has compelled us to go back to basics, that is, to review the role of education in general and higher education in particular. Two observations connected to this work provide the context for the relevance of philosophy and of this particular dialogue.

First, education is mandated to bridge the underlying tension between the socialization and acculturation functions of education—e.g., to ingrain love of country, good citizenship and cultural values, on the one hand; and its individuation function on the—i.e. to recognize the movement of individual, intellectual, emotional and spiritual differentiation, the multiple worldviews that result from it, and the activation of unique individual potentials, (Tawil, et al., 2011)—towards the development of whole human beings, specially among the young generation, who in UNESCO’s parlance have the competency to learn throughout life and to negotiate the complexities of a world in flux. The tensions that education ought to bridge can be partly traced to conflicting value premises, the clarification and tentative resolutions for which demand a lot of philosophical reflections.

Second, there has been a tendency to focus the required changes in higher education to those that meet the socio-economic challenges of globalization and national development. However, living quality lives and enabling meaningful engagement in communities and critical participation in nation building among higher education students is premised on a strong humanist orientation that is believed to have been imparted well by the classical liberal arts tradition. Unfortunately, the response of higher education to global developments and national imperatives over the last few decades has eroded this tradition.

Our team’s strong advocacy for the adoption of an outcomes-based education and quality assurance in higher education—implied in the lifelong learning discourse—is partly a response to the erosion of the liberal arts tradition. It offers the possibility of balancing effectively the inordinate focus on individual and national competitiveness, advancement and growth engendered by the globalization of most, if not all dimensions of contemporary life. We argue that a learner-centered paradigm—opens up spaces for building competencies that weave in the values and principles of a strong humanist orientation—i.e. moral/ethical moorings, fundamental respect for others as human beings with intrinsic rights, cultural rootedness, an avocation to serve, and ‘imaginative sympathy’ as fundamental to democracy, among other manifestations of
the “classical liberal arts” tradition in higher education. For this, philosophy at all levels of education become extremely crucial, and thus relevant. It is in this sense that we strongly assert the relevance of philosophy in contributing to reflexive and meaningful lives, building communities, substantiating democracy and developing national and global citizenship in the 21st century.

Looking at the titles of the papers and your reflections on human dignity, justice, fairness, youth and democracy, I am even more convinced of this contribution. Looking at the theme that links these reflections to public policy and the subjects of your papers, punches the caricature of the philosophers as ungrounded thinkers whose ideas float in the air. For many of the papers, the philosophical dialogues of the next few days merely raise to the level of philosophical reflections ideas that are grounded in the complexity of current day reality in the Asian and Arab world. Such reflections become part of discourses that we hope ultimately frame public policy.

Welcome to the Asia-Arab Interregional Philosophical Dialogues and I wish you a productive and stimulating exchange.
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This research aims to study the impact of globalization on industry and the female workforce in various countries. More comprehensively, it aims to study how policies attributed to globalization and the institutions associated with it (World Bank, International Monetary Fund and World Trade Organisation) have triggered the preoccupation with examining issues of women in the labor market.

Introduction
This study revolves around two conflicting views. The first observes that the structural reforms implemented by southern states have an external influence. This policy has had a negative impact on female labor force in the southern countries, which has led some to speak of the "paradoxes of globalization." Globalization has banned traditional social structures, methods of assistance and social solidarity. It has created negative consequences, minimizing Man’s authority. It has replacing it with market mechanisms and objectives such as individualism.

The second view argues that the generalization of economic liberalism and free trade has helped create many opportunities for women to improve their living conditions through what is called channel development. This has resulted in the adoption of experiences and expertise accumulated in the northern area of industry and technology. It is a model which provides individual right for women in the south, which has led some to speak of the "saving grace of globalization."

I will highlight a few key themes from my research:

1 - The Marginalization of Women: The Historical and Social Context
The dependence of women cannot be ignored in the fields of history, politics or the economy. It tends to take a very universal character. However, we are forced to reevaluate the role of women in the social and economic development of all societies. We must reconsider the value placed on this important aspect of society in the social and economic development of all societies.

Economic development has invaded all levels of the social structure with the distribution of tasks and roles for social actors. It has also distributed wealth in terms of job creation. In fact, development created “a world of dependency theory generalized to all women” as a kind of paradigm that immunizes against radicalization and can provide the scientific treatment of substantive issues of society and development.

Despite the fact that discrimination against women reflects certain ethnological and cultural influences, the reality is that male hegemony over females leads to a kind of conflict between men and women. However, this theory may be false, because biological discrimination can be evidenced in social and cultural differences. The marginalization of women is not a new phenomenon, but it is a historical fact which existed before our time, and marginalization exists
even in the context of capitalism. However, the effects of globalization and its impact in several compartments of the marginalization of women have become obvious and cannot be conceived through a comprehensive approach.

Indeed, liberal globalization is reflected today in the form of the unprecedented deepening of the gap between North and South in the production of relations of unequal capital both internally and externally. Women employed today are at the heart of this dilemma. Indeed, to address this difficult issue is firstly to return to the phenomenon of globalization and its social and economic impacts on developing countries. Particularly, it is to decipher some of the specifics of female labor and segregation on the basis of gender, its relationship to the capitalist mode of production and economic globalization.

2: Economic and Social Effects of Globalization on Developing Countries

Today there is a common consensus between the proponents of globalization and its opponents. Globalization has weakened the nation-state both internally and externally and destroyed its immune system in a time of cultural, economic and social development.

Indeed, countries are trying to assess themselves through whatever means they have, in order to be able to cope with global turmoil. There is no doubt that the liberalization of the economy and the transfer of capital have considerably reduced the choices related to macroeconomic policies. Policies for the promotion of growth and financial speculation have been the cornerstone of this stage of globalization. The marginalization of social policies varies from country to country, but the state is withdrawing its system of socio-economic monitoring in many countries, including those in Asia and Africa because these states have suffered the brunt of the evils of globalization. However, despite all these parameters, the secular state is not dead. The policies of liberalization and economic openness have betrayed the hopes, as poverty, marginalization, inequality has increased.

Similarly, these policies could accelerate the pace of growth; neoliberalism has led to a real failure. It showed that the model advocated equality between both sexes proved a false hope that all the liberal policies of the failures recorded in the social. According to Shahra Razavi, the rate of growth was on a continental scale during the period ranging from 1960 to 1980, when emerging markets were in the process of implementing a policy of development and concern about an increased political the use of local products instead of exports, compared to growth rates during the period 1980 to 2000. This development makes us doubt the consequences of liberalism, which provides an opportunity for neo-liberal policies. In fact, the growth has been biased in much of Latin America, Africa and Asia (except in the case of China), because the prospects of development are not encouraging.

Some theories admit two main arguments: initially, commercial relations between the North and South are illustrated with a limited number of countries known as the "Group of Thirteen." Countries like India are part of this group with regard to their demographic weigh importantly.

Second, we observe in the limited group of developed countries that changes in the exchange market remains weak. Some economists are experiencing a level of employability who accused a starting low in the four countries are Malaysia, China, Indonesia and Thailand before experiencing a rise in some exporting countries such as South Korea.

The gap between the North and South led to a trade deficit in addition to the inability to upgrade domestic products in the South, particularly in terms of increasing competitiveness. The situation does not help to reduce marginalization or the poverty gap between the North and South. Such a situation has had a negative impact on employment trends in the female workforce. Market volatility has led to overexploitation of the female labor force comparable to a situation of modern slavery. It is through the four corners of the world 850 operating industrial zones where women represent over 90% of employees in all sectors of industry. In addition, they hold low pay and work between 12 and 14 hours a day. They exercise in sanitary conditions and do not even have access to even the most basic social services.

3: Globalization and the Division by Genre

Discrimination against women cannot be considered as an inherent characteristic of some communities living in a historic moment. In fact, this division includes all forms of organization, social or political (political parties, unions, local authorities, etc.) Discrimination against women appears particularly apparent with the rise of individual privacy. The reality of life in all of its dimensions makes the awareness of its existence complex and it makes consensus difficult. Segregation on the basis of gender did not appear with the appropriation of the means of production as Josette Trat defends, or with the extension of capitalism. It has taken root with the passage of these systems through their various stages.

The model of capitalist production has evolved to contribute to the expansion of relations of production based on gains and profit, which leads to a change in the old social patterns and traditional social structures based on stratification in developing countries the developing world. This is why globalization should be seen as liberal, and its relation to discrimination on the basis of gender is a particular stage of capitalism. One of the "paradoxes of globalization" is that it benefits from the free reproduction of the female labor force to double its gain. Of these paradoxes, we can draw the essence of discrimination against women during this age of globalization.

4: The Impact of Liberalism and Structural Reform: The Deepening Disparities

Liberal globalization and its economic policies contribute to the oppression and exploitation of women. In many cases, poverty is widespread in the fairer sex. Poor women now account for over 70% of the world's poor. In the Nordic countries for example, women constitute the vast majority of working poor.

In the European Union, it was found that there was a significant deterioration in the social conditions of women. In 1992, the salary of women in the workforce and the remuneration per

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2 Anger Aboubaccar, La femme et la mondialisation, in Dialogue civilisé (en arabe), n° 1300,2005.
3 Josette Trat, Engles et l'emancipation des femmes, in Friedrich Engles, Savant et révolutionnaire, George Labica et Mireille Delbraccio, P.U.F.1997.
working day is less than the range between 1.5 and 2.6% for men. The percentage of unemployed women in the age group 20 to 59 years is about 37%, while only 6% of this class are used. The unemployment rate in the same segment is 12% for men and 81%.

At a time when the world population was estimated at about 6 billion people, according a report by the World Bank, a billion and half of those people lived on less than one dollar a day. Indeed, 70% of the 4.5 billion people living on less than two dollars a day are women. In addition, women have at least 1% of the world's wealth and women workers comprise 70% of 4.5 billion people who are living on $2. The total working hours of women are in turn only 20% of revenues. Today, women are the first affected by the global policy of structural reforms and liberalization of the economy and at several levels. They were the first to pay for changes, manifested by the deterioration of living conditions, increasing the load on their work. Studies showed that the abolition of free education and health in the Third World has had a significant impact on girls and increased the dropout phenomenon. This parameter has also affected the status of women in the labor market dedicated chapter in the public sector, especially education, health and management to many of the jobs were filled by women.

Women are today victims of marginalization due to discrimination based on gender. They also suffer from the deprivation of ownership of agricultural inputs such as land, credit and training, where women have only about 1% of land in the world.

The decline of the "culture of life" against the "export culture" was such a disaster for women. It has also become a threat to food security and land ownership because men still struggling to find less fertile land, leading to increased employment of women in agricultural activities of their husbands, especially in sub-Saharan Africa.

5 - Globalization and Women's Rights
The contradictory nature of globalization and discrimination against women has become more visible in the Third World economies. We can say, from different situations and societies, the contradictions of globalization have emerged especially after the implementation of development strategies during the period between 1950 and 1970.

According Talahite Fatiha in his article, "Employment of Women in the Maghreb," the adjustment to astructural post adjustment", it was found almost anywhere, increasing the proportion of feminist activity, for thirty years including in the regions of the Third World, such as North Africa.

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4 Anger Aboubaccar, La femme et la mondialisation, in Dialogue civilisé (en arabe), n° 1300,2005.
7 Anger Aboubaccar, La femme et la mondialisation, in Dialogue civilisé (en arabe), n° 1300,2005.
Many studies, including that of the Study Group on the social and sexual division of labor (Gedisst) showed that the industrial sector offers more opportunities for paid employment in the industrial sector for qualified women. This has been proven in a number of countries in Asia and Latin America. 

Economic liberalism has led in many countries, particularly in Latin America, the bankruptcy of many industries that were previously protected by tariffs and employed, particularly women. Export industries use the female workers, female workers in these industries are over-exploited: the lack of labor rights, freedom of association and the high number of working hours and conditions unhealthy and even dangerous in some work which, which must be added to the fact that this layer is a vulnerable population, violence, sexual harassment, etc.

According to Joseph Lim, the contradiction between globalization and the rights of women in situations of economic and social crisis is manifested in some countries in Southeast Asia. The effects of the Asian crisis of 97 and 98 in the Philippines led to the impoverishment of the population and an increase in working hours and unemployment for women than for men. The same crisis has increased the number of women working in the informal sector, but also increase the discrimination was in men discrimination on the basis of gender in the labor market. Other examples in China, Bangladesh, showed the vulnerability of the fairer sex to social costs of economic progress.

Women were the first to be affected by unemployment, particularly in the garment industry in the Philippines, a direct consequence of the crisis linked to globalization and the implementation of liberal policies. Import quotas in many countries, led to the development of export industries, particularly in the field of electronics and termination of employment of women in production units.

Today, it is found that the negative effects of globalization and liberalization of the economy especially in the service of global capital accumulation traditional: this explains the steady growth in recent years of or illegal use of the so-called moonlighting. Thus, this parameter led to the development of domestic work but has now allowed women to the opportunity to fulfill their family responsibilities in education of children in the absence of nursery schools.

Despite the rapid pace of global economic growth, the woman remained on the margins of employment development. Indeed, as evidenced by the daily "Women of China" in a study based on values in Guangdong Province, one of the richest provinces of China and the most conservative, it is shown that the difference in income between men and women at the national level in China was 16.1% in the last decade, against 7.4% in the previous period. The study also showed that bias hovering on female employment has been confirmed as 59.9% of men claim that the Township 'and 61.3% of women claim that “the man must be concerned the company while women should take care of the family.”11 This proportion was ten years ago, less than fourteen points.

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6 - The Nation-State and Social Rights of Women

Many researchers in the industry see the nation state as a catalyst for social policy. Indeed, the State must support salaries and bear the cost of labor used by employers, including companies export through the allocation of pensions, housing and various social services (health, education and training and child care), insurance against the risk of unemployment, sickness, social security, among others.

Today, the countries of South East Asia, Latin America played an important role immediately after the independence of their respective states. Despite the fluctuations associated with globalization, the area of workers was held to consider all the parameters of women's rights but their application remains a subject of debate.

7 - Effect of Globalization on the African Market and Arab Women's Work

The Arab states did not remain with folded arms over what is happening internationally, particularly in relation to the liberalization of trade and economy. In fact, most Arab countries have made liberalization of economic policies and reforms on a large scale. These reforms have led to the contrary. It should be noted that increased competition in the labor market has been paid beloved by women, even those working in the fields asking for high-level scientific qualifications.

Despite the multiple factors leading to the exclusion of women in Arab countries, Arab women has explored other fields related to the field of information, communication, trade and tourism. But the work in the public sector remains the best option for Arab women, particularly in education and management, health and banking.

However, the effects suffered by these sectors because of the structural reform policies led to a reduction in employment opportunities for women, which led to a widening gap between the sexes in work and in the distribution of roles that impacts more on women's employment. Despite strong demand expressed by Arab women in the private sector, employers do not prefer especially the work of women for reasons of social, cultural and material.

Restrictions are still imposed on women's work outside the home in many Arab countries that have a negative impact on the economy. All these factors led to the "feminization of poverty" and the "feminization of unemployment" which have now become two features for women worldwide, according to recent UN reports. However, some researchers explain the unemployment of women in Arab countries by the theory of supply and demand. However, this theory must take account of structural changes that limit access to qualified women in the labor market. Indeed, sometimes it is recommended the revision of many structures and the questioning of certain reforms including those related with the export of foreign labor. Despite some negative aspects of the employment of Arab women, the decade of the 90s saw the birth of a significant change in some Arab societies.

For example, this policy has resulted in some countries such as Saudi Arabia, where women are still living in difficult conditions, but marked by the increase in the percentage of Saudi workers from the fairer sex to 3%, although the proportion of women in Saudi society reached 50%.
Bahrain has led, through his reforms, promulgation of certain international laws on the establishment of women's rights and increasing the proportion of women than 5% in 1971 to about 40% in 2001.

The experience in general North African and Tunisian especially in the field of women's work remains a reference in the Arab world. It can not be explained by any external factor, but the internal policies adopted by the Tunisian state since independence, have suggested that Tunisian society can not know without a significant empowerment of women. The Tunisian government has built up its development and by betting on training, mentoring professional women at the time the other Arab states were lagging behind.

Instead of the Libyan experience and its impact less pronounced in the employability of women, because of social barriers still hinder the work of women, particularly in rural areas as in the case of also in Mauritania. Except that in Libya, the increased presence of women since the late sixties in the sector of the economy and the breaks in the labor market have greatly contributed to the creation of a female workforce, which reached 32.2% in 2001.

Statistics have shown that the impact of the division of labor between the sexes on the economic activities revealed that about 85% of women workers are concentrated in the Libyan activities of administrative and social development. The rest of the hand female labor is left on the following activities: processing industry: 6.3%, other activities: 2.7% 2.0% Trade, transport and communications 1.3%, electricity, gas and water 0.9%, construction 0.4%.

In other Arab countries, many other activities grant the woman a small role. The ratio remains below 10 in many countries, result of the influence of customs and traditions, in particular, on women's work in the rural community. The "social cost" of these traditions have had a negative impact on women in particular age of marriage, employment in certain sectors.

In sub-Saharan Africa, women's work is concentrated on the agricultural sector. The participation of African women not only in economic development is through subsistence agriculture, based on the production of grains and fruits for export to the world market. In this regard, the example of Ghana, Nigeria, Togo and Benin, is striking.

With regard to land ownership, work Ogoth Ogendo have shown that women make up only 5% of Kenyans landowners officially recognized.

InSenegal, we found that women's autonomy in the area of production is based on land ownership in the cereal and peanuts in the center of the country no longer exists. The ownership of land is subject to many obstacles.

The study by Sissoko Kefing showed that the social and economic role of women in rural production units particularly in semi-arid Banamba "in Mali impact broadly on the domestic responsibilities of women and their productivity .

Conclusion
To understand the evolution of women's marginalization in the context of globalization, it is necessary to consider two obstacles: we must consider marginalization on the one hand as a kind of linear progress unconditionally suffered by women, with the enormous potential for liberation
from the burden of cultural heritage and traditional violence against them. Moreover, the World Bank advertises the positive role of globalization in this area.

On the other hand, we can say that this marginalization in traditional societies shows the arbitrariness of authoritarian rule toward women, which would be even against the development of these traditional societies.

Indeed, to overcome this impasse, traditional societies are faced with the "revolt" of women who claim to be more considered as an integral part in all kinds of fight against the negative effects of globalization.

Thus it allows us to deduce the following conclusions:

1. Because there is a division of labor on the basis of gender and social work, the effects of neoliberal globalization on women and men are not an end in itself. Instead, they are an ongoing process.
2. We cannot at the same time directly attribute to liberal globalization all forms of discrimination against women in the world today, especially since some cases of discrimination can be attributed to deeper causes.
3. Liberal globalization, by nature, will lead to a disruption of relations at the heart of fundamental traditional societies and all forms of traditional authority.

References

Commentator: Isaac Donoso
Revisiting Gandhi: His dialogue in the context of mutual understanding, culture of peace and Gender Equality in Asia

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The uniqueness of Gandhi is that he not only humanized politics but he intended to moralize and regionalize politics so that no gap is created between preaching and practicing politics. His two principles namely, truth and nonviolence, which he derived from Indian tradition is important in the present day of politics wherein there is domination of terrorism, war and intolerance. Gandhi’s steadfast devotion to truth (satya) and the application of non-violence (ahimsa) as a method even in politics are perfectly in accordance with human nature. Non-violence is not for the weak, it is for the mentally composed and equanimity. The concept of truth, non-violence and Satyagraha is the main philosophical as well as social focus in Gandhian philosophy. Non-violence and possession do not go together, according to Gandhi. Theoretically perfect love and absolute renunciation have invariable concomitance. One who has desires, designs and attachment with any object cannot truly love a single individual, and can never be non-violent. It requires one to dedicate oneself to society and be a selfless seeker. Gandhi says: “Love and exclusive possession can never go together. Truth is meaningless if it is devoid of non-violence”. For him, means and ends are identical. Truth and non-violence is indistinguishable. They are one and convertible.

Gandhi chose the spiritual means of non-violence and applied for the realization of different ends. By employing evil means moral and spiritual ends cannot be realized. If the means utilized is pious and pure, the resultant end will necessarily be sublime. Non-violence is comprehensive and many sided path which not only brings salvation but uplifts the entire cosmos with it. It aims at social or cosmic salvation in preference to the individual salvation. Gandhi has done an immense service to mankind in evolving an integrated method of god-realization in non-violence. In the changed social structure and in the world of conflict, his philosophy of non-violence is socially relevant. Many social reformers like Dr. B.R. Ambedkar, Periyar E.V. Ramasamy, Phule, and others waged a war against evil practice of untouchability which is prevalent in Indian social stratification. One of the grounds for Gandhi’s attack on untouchability is that it hindered national unity and harmed the cause of Indian independence. One of the important contributions of Gandhi is the empowerment of women. Gandhi is the one who worked for the progress and upliftment of women. In his view, there is no distinction between men and women and both are equal. Gandhi was vehemently against the evils like sati, widowhood, prostitution, dowry, and other evils of the society. Similarly Gandhi talked about the concept of sarvodaya, i.e. welfare of all.
Need for Gender Equality

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Gender disparity manifests itself in various forms, the most obvious being the trend of continuously declining female ratio in the population in the last few decades. Social stereotyping and violence at the domestic and societal levels are some of the other manifestations. Discrimination against girl children, adolescent girls and women persists in parts of the country. Consequently, the access of women particularly those belonging to weaker sections including Scheduled Castes/Scheduled Tribes/ Other backward Classes and minorities, majority of whom are in the rural areas and in the informal, unorganized sector – to education, health and productive resources, among others, is inadequate. Therefore, they remain largely marginalized, poor and socially excluded.

Since women comprise the majority of the population below the poverty line and are very often in situations of extreme poverty, given the harsh realities of intra-household and social discrimination, macro economic policies and poverty eradication programmes will specifically address the needs and problems of such women.

Gender disparity is visible in the fields of agriculture, industry, education, employment, family, health, media, politics, decision making and religion. Steps should be taken for mobilization of poor women and convergence of services, by offering them a range of economic and social options, along with necessary support measures to enhance their capabilities. The Constitution of India ensures gender equality in its preamble as a fundamental right.

There is a need for new kinds of institutions, incorporating new norms and rules that support equal and just relations between women and men. Today women are organizing themselves to meet the challenges that are hampering their development. The paper discusses the need for Gender Equality in India, the problems and prospects. Case study, published works, UN reports, Indian Constitution etc form main source for the study.
The Concept of Gender and its Applications

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The concept of gender is a dynamic concept that adapts to change and to development from one community to another and from one culture to another. Furthermore, this concept can change within a community itself. Social class, socio-economic background and age are factors that gender the behaviour of men and women in the workplace. Put differently, these elements can determine the role of the sexes as well as the relationship between them. The transition from one community to another automatically leads to a change in the roles that they are granted.

Social gender thus represents the social roles assigned by society taking into account the biological role of both sexes. It is this social gender that will determine their behaviour. And it is based on a system of values and social customs that become a reality over time.

The main objective that has pushed us to study this concept is the liberation of mentalities, prejudices and stereotypes regarding gender, in an attempt to discern the psychological differences established by nature.

Social gender is determined by a series of historical, cultural and social and psychological factors, through which masculine and feminine roles are defined, shedding light also on the relationship between the sexes as well as on the status of men and women within society. The distinction between what is natural and what is cultural, historical, social or psychological leads to a fossilization of social gender and of male and female roles, and brings about an unjust distribution of roles between men and women (for example, the education of children, domestic duties, etc).
In a recent newspaper column, Randy David, professor of sociology at the University of the Philippines and someone who might be described as a Filipino public intellectual, made the following remarks:

A useful starting point for any analysis of the problem in Mindanao is the recognition that the Philippine government is not, and indeed has never been, in full control of Muslim Mindanao. The ubiquitous checkpoints that dot the region, manned by forces belonging to traditional warlords and rebel groups, concretely attest to this. To all intents and purposes, Philippine laws and institutions have never defined the framework of political rule in these parts. Periodic elections conducted by national agencies may indicate membership in the Filipino polity. And the presence of state-run schools may suggest integration into the national culture. But this is largely an illusion.\(^{12}\)

While these general observations were made in light of the recent flare-up in the conflict between so-called “lawless elements” and government troops, the same assessment might be made in terms of Filipino culture as a whole. What denizens of Manila have come to understand as “Filipino culture” has excluded, for the most part, the socio-economic and cultural history of the Muslim South. So thorough has the Christianization of this region of the Philippines been that Muslims are included largely as an afterthought, a nugget of knowledge students need to memorize in order to pass exams. Practically speaking, many of the students in private institutions of learning in Manila, of which the majority are run by Christian religious orders, only encounter Islam through the stereotypes portrayed in media, and their purchase of pirated DVD’s. I wish that last part were a joke, but sadly, it is not.

It is in this context, therefore, that the Department of Philosophy of Ateneo de Manila University engaged in an experiment, of which I was the willing test subject. Founded in 1967, the Department of Philosophy has a long tradition in the canon of Western thought, influenced equally by scholasticism and phenomenology. It has also endeavoured to engage other traditions, with specialists in the Chinese and Indian traditions. Alas, there was only one person who researched Islamic thought, the late Fr. O’Shaughnessy, who has been dead for many years now. Unwilling to let the study of Islamic thought to die with Fr. O’Shaughnessy, the department chanced upon an opportunity to have its younger faculty members begin this foray into Islam.

I studied for a year at the Indonesian Consortium for Religious Studies, in Yogyakarta, Indonesia, where Dr. Amin Abdullah crafted a reading plan for me. Personal reasons forced me to return to Manila earlier than expected, but lest this turn into an autobiography, allow me to skip ahead to the part when we offered, for the first time in decades, a course on Islamic

Thought. It had been so long since the course number was used, it had actually been excised from the undergraduate catalogue and a new course number had to be invented.

The students in the first class were all male (a detail I do not know how to interpret), 2 of them were graduate students, while the rest were undergraduates. Most were philosophy majors while the rest were doing minor degrees in philosophy. The class would employ a close reading of texts, similar to our training with regard to Western thinkers. What would we learn? What would we see as we embarked on this journey of discovery?

I would say that this singular opportunity allowed us to undergo three kinds of renewals, which may be described as a cosmic renewal, a political renewal, and a personal renewal. Allow me to take each in turn.

COSMIC RENEWAL

The very first thing I said to the class was that we were about to engage in a systematic, structured, and unavoidable hypocrisy. Mainly because none of us were Muslim; we therefore had to attempt to see the world in a way different from what we were used to. Almost immediately, the differences revealed themselves, as the Islamic tradition brought us to a mindset untouched by Western modernity and scepticism. As Seyyed Hossein Nasr says:

The traditional sciences [i.e., Islamic science] were profoundly non-anthropomorphic in the sense that for them the locus and container of knowledge was not the human mind but ultimately the Divine Intellect made accessible to human beings through objective revelation and inner intellection. True science was not based on purely human reason but on the Intellect, which belongs to the supra-human level of reality yet illuminates the human mind.¹³

Unlike the confidence that the Enlightenment placed in human reason, Islamic thought reminds us that “human beings stood on the lowest level of reality with a vast hierarchy of levels of existence before and above them and to enable them to gain a vision of the cosmos as a crypt through which they must travel and that they must transcend.”¹⁴ The world and nature, and the human being’s place in it, are therefore understood against a broader horizon, a horizon that is both source and goal of human existence, a horizon that could only perhaps be approached as absolute, as divine. As Nasr notes:

When Descartes uttered, “I think, therefore I am” (cogito ergo sum), he placed his individual awareness of his own limited self as the criterion of existence for certainly the “I” in Descartes’ assertion was not meant to be the Divine “I” who through Hallaj exclaimed, “I am the Truth”, the Divine “I” that, according to traditional doctrines, alone has the ultimate right to say “I.”¹⁵

How did the students react to such a different attitude? Some of them were understandably hesitant, having inherited the scepticism of their teachers and the modern world.

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¹⁴ Ibid.
¹⁵ Ibid.
Still, one might ask that question raised by Martin Buber: What if it were true? The economic and political crises of the last half-century, the environmental catastrophes of the last decade, might all be attributed to the notion that the human being has lost the sense of place; that is to say, we have arrogated to ourselves a place that was never ours to begin with, and the dereliction we experience has to do with the idea that we have “lost our place.” Might we not benefit from a renewed submission; a humble acceptance of our place in the universe?

To engage the thinkers of Islam would be to hear a call to return to the source of all, the cause of all that exists. It would be to hear Al-Farabi say, for example:

In the First there is no deficiency in any way whatsoever. There can be no existence more perfect and superior than Its existence. There can be no existence prior to It nor at a rank equivalent to It that is not Its own existence exclusively. Therefore, the bestowal of existence [on It] from anything other than and prior to It is as equally unlikely as the possibility that such bestowal would come from anything less perfect than It. Thus, It is also completely different in Its substance from everything other than it. The existence that It has cannot belong to more than one, because there cannot be a difference between whatever has this existence and something else that has the very same existence.16

The humble realization of one’s own finitude, especially in the face of the First, the One, the Absolute, may lead to a recovery of the human being’s sense of place in view of the larger cosmos. Perhaps one would tread more carefully in dealing with the environment with the understanding that we are part of a larger hierarchy. In describing the human as vice-regent of creation, Islam underscores the responsibility of the human being towards the world, as opposed to the entitlement that modernity proclaims.

POLITICAL RENEWAL

Although our selected texts tended to focus on the metaphysical and epistemological themes of Islamic thinkers, our class discussions inevitably led to discussions of how these ideas applied to the contemporary setting. More often than not, these discussions focused on questions of culture and politics.

Unfortunately, our course ended just as the so-called Arab Spring began. Still, the changes we have witnessed in the Middle East and other regions where Islam is the majority religion suggest that Islam is more than the theocracy it is made out to be, especially in Western media. There is a rich tradition of ethics in Islam, found mainly in the Qur’an, but also to be discovered in the thought of these philosophers.

Again, this ethics cannot be separated from the view of the cosmos mentioned earlier. To know one’s place in the universe, after all, is to know also how to live with other human beings. Listen, for example, to Al-Kindi:

We should keep in mind that all the things that hands can reach are common to all people. They are merely near us, [but] we have no more right to possess them than do others. They are the possessions of the one who possesses them [only for] as long as he possesses them. As for the things that we have but are not common to others, others’ hands cannot reach them and possess them. [They are] the soul’s virtues that our souls possess; these are the ones about which we can be excused for feeling sad if our souls are bereft of them. It is not seemly for us to feel sad over what we have only through the exigencies of change, because anyone who feels sad over the fact that he does not naturally possess what [other] people have is envious. We should not teach our souls envy, since it is the worst evil, because anyone who wants evil for his enemies loves evil [itself], and anyone who wants evil is [himself] evil. More evil than this is anyone who wants evil for his friends. Anyone who wants to prevent his friend from [obtaining] what he wants to possess, possessing it being a good in his [friend’s] view, has wanted for his friend a situation that he believes is evil. So he has wanted evil for his friends. Anyone who wants that no one else possesses what they have the right to obtain has wanted neither enemies nor friends to possess it. So, anyone who feels sad at someone else’s obtaining it is envious. We should not accept this baseness.\(^\text{17}\)

Al-Kindi takes a remarkably sober view as regards possessions and what really matters in human life. One could well imagine Kindi reaching across the centuries to reprimand corrupt politicians of today, reminding them of their ethical duties. Of course, as mentioned earlier, this ethics presupposes the cosmic renewal described earlier. As Al-Kindi remarks: “We should also keep in mind that the common possessions that we have are a loan from a Lender, who is the Creator of the possessions (great is His praise), [Who] can retrieve His loan whenever He wants and give it to whomever He wants; for, if He had not given it to whomever He wants, it would not have come to us at all.”

PERSONAL RENEWAL

At the end of our semester, my students told me that the class had been enlightening (I had not given them their final grade, after all), and it drove home the point that Islam and the lives and thoughts of Muslims were almost another world altogether. I suppose if any of the smugness of Western modernity had been eroded after a few months of studying texts, then that would be a good thing.

This leads me to my own conviction. While I am really still at the beginning of this engagement, I have begun to see that a conversation begun on the more “neutral” ground of philosophy might have some promise. Religion and theology are too contentious; politics even more so; where could we possibly find ground to commence a serious discussion about how to live together in the world? Philosophy might be that venue, especially as it is in the nature of philosophy to question itself constantly, to never be secure and smug in its certainty.

There is a group of travelling lecturers in America called the Interfaith Amigos. You can look them up on YouTube when you have the time. Imam Jamal Rahman, Pastor Don Mackenzie

and Rabbi Ted Falcon, through humour and wisdom, burst the bubbles of traditional interfaith dialogue and dare to break the taboos. They discuss and debate openly about the most contentious subjects in their respective religions in a genuine desire to understand each other. At the heart of their friendship and truth-seeking is the faith that all of these roads lead to the same destination, the same absolute. I mention them now, as this is the attitude I hope to have passed on to my students. The next time I teach this class, I will definitely use the Interfaith Amigos.

To end this brief reflection, allow me to return to Seyyed Hossein Nasr:

The reality of prophecy is like that of the Sun; it can be eclipsed, but it always returns as an abiding reality. As for philosophy understood in its time-honoured sense, it is the quest for the truth, for wisdom, for a vision of the whole, for insight into the nature and causes of things. As long as there are human beings, there will be men and women drawn to this quest, and there will be philosophy in the sense defined here. Therefore, philosophy in the land of prophecy is a reality that is of central concern now as it was yesterday, and it will remain of central concern tomorrow as it is today. The deepest philosophies whose truths are perennial and that speak to us today, as they did to our forefathers before us, are those that, while using the inner intellectual and rational faculties with which human beings are endowed, are fruits of philosophizing in a world whose landscape has been illuminated by the light of prophecy and permeated by the perfume of the Sacred.¹⁸

Commentator: Naima Hadj Abderrahmane

Towards a Transcultural Ethics: A Note on Integration Policy

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I.

John Dewey, pragmatist and reform liberal, famously wrote that “Democracy has to be born anew in every generation, and education is its midwife” (The Middle Works, vol.10: 1916-17, p.19). This perennially insightful remark reminds us that the multidimensional contours, contexts and citizens of a democracy are in a constant flow, a state of deep and wide, ever moving liquidity. For, Dewey, who saw democracy as joined to participation, his statement meant that democracy’s citizens, not just their representatives, needed to be educated and practiced in the public reasoning necessary for political deliberation.

Dewey was not the first prominent philosopher to speak of deliberation as necessary for democracy, indeed philosophers have been talking about the nature of deliberation at least since early Athens with its limited, exclusionary essay in democracy. In the West, deliberation in governance was much discussed in the Age of Enlightenment, when democratic principles like freedom and equality were beginning to be articulated. In the 19th century, John Stuart Mill advocated government by discussion, though he favored the better educated as the ones who should discuss. John Dewey, born in the mid 19th century in 1859, began publishing in 1887 and continued as a force until his death in 1952. He saw deliberation as more than the right or privilege of a particular class of educated people; he would have all people educated. To counteract the poverty engendered by the Gilded Age of big business and consumerism, Dewey advocated building a culture of deliberation, to include all members of a democracy’s constantly shifting, changing and expanding society. This fit in well with Dewey’s insistence that the liberalism of his day needed to be reformed. Curiously, the liberalism of Dewey’s day was much the same philosophically as is the so-called neo-liberalism of today, that is, the so called classical liberalism of Dewey’s day saw individuals as independent competitors in the market place, and government’s job was to allow each individual to carry on the competition. Dewey insisted that all citizens, all people were exist only in relations to one another and the state represents each of them only in so far as they are related together in the purpose and interest of fairness. Hence, the need for the state to encourage and provide ways for participatory discourse and deliberation. (See Dewey’s “The Ethics of Democracy”).

Deliberation is, of course, talk, dialogue, discussion about issues that affect the populace. But it is a special kind of talk. Deliberation requires that those in the discussion present points of view and arguments cogently and reasonably even when all involved are in agreement. Of course, Dewey did not expect that all would be in agreement, even after deliberation. An important requisite in carrying out deliberations is that we presuppose that we all possess the ability of moral reasoning on the basis of an intersubjectively arrived at understanding of such democratic ideals as freedom, equality and human rights. Dewey’s dream of a Great Society was based on this mutual ability to understand.

Dewey’s work and influence did not achieve a great or lasting deliberative democracy in his country, yet his influence lingers there and globally. His strongest ideas regarding the relationship of individuals to the state and the state as representing its citizens only in so far as individuals are related to one another in purpose and interest are often noted in the surge of studies advocating a return to or increase in deliberative democracy which has appeared in the
last two decades. Jurgen Habermas has been rightly credited as bringing about that surge of interest in deliberative democracy and he credits Dewey for inspiring his interest in the necessity and power of discursive deliberation. I need not go into the many dialogues among philosophers critiquing Habermas or Dewey and adding to the current conceptualizing of deliberative democracy. It is enough to note that democracy is a contested concept and so is deliberative democracy. Both have always been contested but especially in modern times as they become more global, and more swiftly vulnerable to the shifts, changes, reconstructions and conflicts that characterize modernity. That is why Dewey’s observation that democracy must be reborn in every generation remains vital. Indeed, that is the reason for this forum grappling with the problems besetting the integration so necessary to democracy.

Today, from every corner of the planet we hear resonating cries for egalitarian liberal democratic ideals such as freedom, justice and human dignity. While we may lament that they are not yet celebrations of attainment of these universal values, we must take heart and courage, for the cries for individual freedom are stronger than ever and are growing in number. Pleas and demands for freedom and justice from students, teachers, office workers, and clerics of less industrialized traditional societies should demonstrate that democracy is no longer a mode of governance available only to advanced modern societies.

In recent years, we have been witnessing growing concerns in Western Europe and in Western democracies elsewhere over the influx of alien customs and mores still practiced by immigrants. Many of these practices are considered to clash with the established liberal social order existing in the Western democracies. It is well publicized that a considerable number of immigrants from the nearby continent to Europe where countries are built around a population base with a common culture tend to be hesitant to integrate into the host democracy and to identify themselves as their members. It is certainly is a disturbingly worrisome situation, and it makes one stop and reflect upon the current state of affairs on this continent. One might ask if the political, social and economic order is one that tempts newcomers to give up their traditions for the sake of integration into the cultures of their adopted countries; that is, is it fair and just enough for them to recognize its legitimacy. Is integration truly the “dynamic, two-way process of mutual accommodation” between immigrants and residents of EU countries as a recent promotional EU communication says?

The whole idea of integration is to tie immigrants more closely into society, but that will only happen if their basic rights are respected (Haleh Chahrokh, Human Rights Watch). There is mounting evidence that human rights abuses suffered by immigrants impede efforts to assist them in integrating. Immigrants face a higher risk of poverty that the rest of the population and specific obstacles in accessing housing, health care and financial services. This situation, compounded by discrimination, is hampering their full participation in society and should soon be reversed. Discrimination in this instance refers to discrimination by nationality and national origin and restricting family reunification thus undermining surely long established human rights to family life and the adopted country’s duty to enable residents to marry and start a family. No one needs to be told that discrimination of this sort breeds not only discontent but a fervor for traditions that are deemed offensive.

II.

In Today’s world, increasing cultural interactions among regions, accelerated by the ongoing globalization by trade, travel, migrations and high-tech communications, have come to
gradually unmask our self-deceptions regarding the justification of animosity toward those who are different. The global economy has ushered in a new form multiculturalism that contends for mutual tolerance of differences through finding commonly shared elements existing in every culture. This multiculturalism ultimately should aim at connecting all of us through the common elements in our different cultures. That is, it should aim at realizing a transcultural ethics. The narratives played out by individual and collective lives are shaped by complex social, experiential interactions both with and within the dynamics of history, cultures, cultural identities, globalizations, self and selves. And no one of these can lay claim to the complete sculpting of humankind’s destiny. Neither can any one of them exist without the others.

Each individual begins life in a family and starts out from that family or home to the neighborhood beyond, venturing, perhaps, even further to new surroundings, and then, home again. Through each repetition of leaving our home and returning again, the different world we visit become ever more comfortable even like our home. Today, with increasing knowledge of the outside world through globalization by way of travel, trade and high-tech communication, the boundaries of our lifeworld ever become widened thus transforming it by turning what is, at first, strange and alien into the familiar and the intimate. This process is called the “mundiaziation of home.”

For this narrative, “mundialization” is not to be confused with globalization. While, in French, globalisation and mondialisation and, in German, Globalisierung and Mondialisierung are interchangeably used, in English, globalization and mundialization generally have quite different connotations. Both words are Latin in origin. Globalization refers to the global shape of the earth, hence meaning a movement from one locality to another spanning the entire sphere of this planet. Mundialization comes from the Latin, mundus, or, in English, world. World refers to far more than spatial dimension or geographic confines. When we speak of “our world,” we usually mean the manners and customs, ideas, beliefs, values, language and the like which are in our particular community or communities. It is not geographical at all, though place may be a part of it. When we refer to the world at large, we are referring to the peoples and cultures around the globe. With these connotations in mind, we can see that mundialization, taking in of the outside world into our lifeworld, is the result of globalization, a process by which the cultures of the strange outside world reach into our lifeworld.

This lifeworld in which the course of our daily lives takes place is the world which we feel most at home. It is indeed the homeworld, the world that contains the totality of our familiar and intimate entities, including our immediate environment, our language and the fellow human beings who share the same mores, customs, and views of life. It changes, moves, and renews itself simply because its horizon widens constantly. Nonetheless, it is familiar. The changes that take place within it become natural and intimate to us.

III.

From the cries for justice, recognition of human rights and freedom echoing around the world, we can see how history has led us to a juncture of the possibility for democracy and an understanding of human rights in every culture and every lifeworld.

In reality, democratic ideals such as justice and human rights have traveled through time and history as compelling agencies in many human societies. But their universality was more comprehensively articulated only in mid-20th century. “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one
another in a spirit of brotherhood.” So state Article I of the 1948 Universal Declaration of Human Rights. Many historians have noted that most of the 48 member states that voted unanimously for the Declaration had, and continued to have over the years following, grave abuses of human rights within their border. Nonetheless, the notion of human rights has proven to be one of the most ubiquitous, constantly growing in inclusivity capacity, compelling and powerful conceptualizations in a changing world.

When the Declaration was first drafted, many nations in both Asian and African regions were not represented and the suspicion of Euro-centrism surrounding the concept of human rights was aroused on the part of non-Westerners. Now, however, after more than seventy years of its inception, the civil, political, economic and social rights stipulated in the Declaration are believed to be acknowledged by the greatest part of the entire international community. The ever-widening diffusion of the idea of human rights is the result of a long, tenuous, historical process of humanity’s struggle of self-liberation from the conditions that threaten to degrade individual dignity and significance. And over the centuries of mundialization processes the idea of human rights that no human being has the right to exercise his or her rights at the expense of another’s has come to encompass the entire world. It is capable of reaching so many because it resonates in all of our histories, all of our pasts.

Such ideas as human rights and justice which are articulated from the outside, that is, which are globalized from another culture beside our own may be recognized different and strange, but they become ours only if they connect in some way with the deep structures and schemata of our own value and belief systems. When a connection is made, these are transformed so that they absorb the feature of own culture.

Transformative accommodation of the schemata of what is alien to our own schemata of orientation to the world goes far beyond globalization, which is simply the transfer of ideas from one part of the globe to another. Transforming globalized ideas such as freedom, equality, rights and justice into our own schemata and making them our own is accomplished through transculturation, which is the mediation of elements in one culture’s conceptual schemata that are compatible with elements in the conceptual schemata of another culture. Those mutually compatible elements, existing in every culture in various contexts, are thus transcultural; that is, they make up the cognitive structure of pre-understanding (Vorverstaendniss) that enables those from disparate cultures to connect to one another through empathy.

Empathy is a cognitive method with which we have access to the psychic phenomena of the other by way of deciphering the verbal symbols uttered, facial expressions and gestures exhibited during an encounter. The mental state of the other is not perceived with our senses. It is usually apprehended through analogizing transfer with our already fixed schemata of orientation to the other anticipating the other’s similar schemata. This anticipation notwithstanding, empathetic understanding meets stumbling blocks in encounters with strangers especially when their presentation of schemata is unfamiliar to our own. This difficulty in exercising empathy makes us suspicious of strangers and also interferes with our interactions. As well, this difficulty very often can be attributed to one of the determining causes of intolerance and denigration of human dignity to be found among different ethnic groups even within the same society. Yet the practice of empathy is capable of refining and enhancement through civic education for international understanding.

IV.
What is it in our human nature that allows us to absorb the strange and unfamiliar cultures into our lifeworld? The answer should be simple. We possess a faculty for pre-understanding that give access to every kind of diverse culture of the world. This we have acquired through social relationships with other human beings. We are born into various modes of coexistence with others, especially, in those of love, hate, work, play and death by virtue of which we develop from childhood on a complex of meanings upon which an understanding of the essentials of self, society and nature is founded.

As human history shows, there always have been bifurcated oppositions of unity and division, conflict and peace, and creation and destruction existing side by side in tension in the human lives, and these pairs of contrariety manifest as categories of thought in every society and in every culture. And by the medium of these common categories humans relate to peoples of diverse social and cultural traditions. We know what these oppositional pairs of categories imply for our own lives. We are aware that unity, peace and creation would lead us to overcome differences among ourselves so that we could carry on a creative life through peace rather than war and destruction. The Kantian notion of “unsocial sociability” \(\text{die ungesellige geselligkeit}\) aptly demonstrates the tensions of opposites prevalent in human society, and his philosophy of history prescribes that we have to accept the necessity of living together in peace for the survival of humanity.

The notion of love has indeed informed all kinds of culture in the history of human kind which show that love alone can bind human individuals and groups establishing a social coherence. In the warm bosom of the loving family the child learns the meaning of oneness with others. Out of hatred comes the knowledge of destruction and severance. Hatred, the universal capability, which many fear with spell the doom of our species, is all in the mind. Yet, it destroys tangible things. It leads to animosities and quarrels, and eventually to the separation of winners from losers. And this festers into generations of domination and subordination. Hatred finds infinite ways to divide humans into superiors and inferiors, and it continues to do so. History has witnessed innumerable cases of this kind. Religions are supposed to bring peace to all peoples, but some faiths have marched in the name of war. Cultural diversity is a dazzling and profound proof of human ingenuity. Nevertheless, it has also been the cause of ethnic antagonism and genocide. Difference and diversity characterize our human race and history. So does our contrary oppositional make-up. Yet we continue to strive for an impossible harmony and in our diversity and our similarities, we sometimes achieve it.

Meanwhile, we see the emergence of a new cosmopolitan lifestyle brought about by economic globalization that appears to be in perfect tune with the digital age. Young white collars from Berlin to Beijing and from Seoul to Sydney attend daily work cruising around in cyberspace, taking a quick bite at fast food counters for lunch and evenings they sit back and relax at the couch watching evening news, both domestic and international over cable TV being keenly concerned with the changing world. They show great sympathy toward pro-democracy movements here and there hoping for the whole world to be without dictators running around. They need not be Germans or Russians to read Goethe and Tolstoy or to listen to Bach and Rachmaninov. Enhancement in school education worldwide and a rapid progress in global telecommunication have created lifestyles that bring young people together to share their own common ethos with contemporaries in different lands and cultures.

The unfolding of this cosmopolitan lifestyle points to the fact in truth, no culture of any folk or society has ever been indigenous. Every culture on earth has been a culture of cultures, a complex of many different cultures as well as similar cultures. Each culture is constantly in a
state of assimilating other cultures. The fluidity of this process of assimilation contributes to the commonality to be found among different cultures. Culture is always in the state of instability transcending its confines with accelerating globalization and mundialization. The flexible nature of culture eventually leads to enabling a more global consciousness of multi-identity of more individuals and groups inhabiting various regions. And this mundialized mindset will be called upon to counter intolerance of differences, mutual suspicions and animosities among peoples of all localities of the globe.

Commentator: Michael C. Vasco
Approaching the Resemblance of God

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Introduction
It would be tempting, seeing the evil introduced by Man to society and to earth, to believe in an insurmountable fate. Reality does nothing but to confirm this. The lover of wisdom, the manufacturer of concepts, has raised a challenge by developing reflections on the possibility of warding off evil and establishing the well-being of human beings. Indeed, although Man is imperfect and justice is a divine attribute, some Muslim philosophers have come to view that Man can achieve good and become the escape of the soul. This elevation makes him resemble God. To what extent does this theological-metaphysical conception of justice, which is one of its foundations, become part of the physical and material life of the individual? How can it take part in generating citizens aspiring to perfection in order to achieve justice?

Presentation and Organization of Work
To examine these questions, we will focus on a single medieval Muslim philosopher: al-Kindi.

We will proceed in the following manner:

- We will then define philosophy as an assimilation to acts of God
- We will deduct the theological-metaphysical conception of al-Kindi of Justice (we have deduced that the conception of al-Kindi’s writings—both psychological and others—but his political writings will not make their way to us).
- After that, we will pause to consider the phenomenon of death, a path toward justice and love.
- Finally, we will take notice that death is not always linked to the afterlife, but sometimes to this world.
- It is from these elements that we will approach some aspects of the news in the Arab world.

Humanity, Angelism or Animality?
In his Letter on the Definitions and Descriptions of Things, Al-Kindi starts by defining the reason and ends with defining the animal. He does not hesitate for a moment to refer to the ancients—the Greeks probably without doubt—and those he praised in his First Philosophy. The first definition of the nomenclature is the first element, God. The last three definitions refer to the following terms: humanity, the angelic and the animal. Life is the common thread between these three words. But death is nothing but in between the first and last. Thus, the angelism is “life and reason.” Animality is “life and death” and humanity “that's life, and reason, and death.” Let us remember these three concepts, as we will need them for the length of our study. We must try to deduce, skimming the texts of al-Kindi, what was its purpose? God or Man?
Humanity and Divinity
Always referring to the Greeks, in the same final third of the same letter, our philosopher defined philosophy as an “amount to acts of God, to the extent of human capacity.” In two other letters, the Letter of the soul and the Letter on the quiddity of sleep and vision, where Kindi analyzes the issue of the soul not as it animates the body, but rather isolated and distant from him, our author defined it (the soul) in the following manner: “the soul is simple, it has nobility and perfection, its rank is high.”

It has two main different faculties: that of the senses and the intellect. His salvation “is in knowledge, it succeeds in purifying himself and makes him worthy of entering world of the intellect.” Thus, we face two kinds of souls: 1) the intellectual soul (or rational nafs 'aqliyya), rusty and dirty and that breeds ignorance, 2) The intellectual soul (or rational nafs' aqliyya) purified and generates knowledge of all things appear in it. The first is attached to the senses and thus to the sensible world, however, the second is detached completely in order to "make it capable of receiving the forms that use the senses do not offer [...] [and] “will ascend like the creator” and thereby becoming a virtuous soul, nafs fadila.

The fact of the “separate body” is nothing more than death. But what is death? It is, in our dictionary, that is to say, according to the letter, two types of definitions: one natural and the other intellectual. In both cases, the body is the target. The natural is the cessation of the soul of the use of the body. The intellectual is that to kill desire, that is to say, the pleasures of the body. This is the second death as the wise “is offered to kill desire as the path to virtue. This is why many among the largest Veterans said, the pleasure is evil. And that necessarily - that the soul has two jobs, one sensitive, the other intelligent, and that what men call pleasure in the sensation occurs - because to be distracted by sense pleasures is abandoned the use of the intellect.”
The use of the intellect is the solution to become virtuous, to ensure the passage of bestial humanity to humanity angelic or should I say to humanity divine.

From the Divinity to Humanity
But what is the purpose of this second death? Is it material or immaterial? Is there a connection with this world or beyond? What is assimilated to acts of God? And why the soul wants to be virtuous and approach the likeness to God with no intention of joining God but to care about his world?

One of two things: either the purpose of death is immaterial and intellectual world of the afterlife is also immaterial, or the objective of the world if material. Two figures represent the first case: the mystic and the philosopher out of the cave, or the philosopher isolated from the world. However, the former is represented by the Man concerned with his daily life. This man may be the philosopher, the philosopher in the cave among the prisoners, or just an ordinary man. Thus, we arrive at two types of intellectual death: vertical or horizontal. The first goes to God or heaven or the ideal world that we limit ourselves to call it the divine world. The second goes to our world, this world we call the human world.

a) Justice
As for the maxim, “to go like God”, which is borrowed from a passage in the dialogue Theaetetus (176 a) where Socrates, having said that “it is impossible that evil disappears and the
seat of evil may be the divine world”, identifies that the “place of this world” will remain evil. And as the seat of evil is here, that is to say, in our world, the man who devoted himself entirely to the intellectual soul aspires to acquire virtues. Becoming virtuous (Fadil), it approaches the likeness to God by trying to appropriate its attributes are, to identify those we need here in this study, Wisdom, Power, Justice, of Perfection and Truth. This is because evil lurks here, that the virtuous man escaped, to the extent possible, within the limits of human ability, to become wise, just, generous, good, and act according to what is true and good. So the knowledge is acquired by the soul in its isolation, which leads to moral perfection. Indeed, this soul has the power, by the knowledge that it will reach its highest degree, to be like God and become just like God or almost like him. To achieve what we have said, practice is necessary: the escape. “From down here up there to get away quickly.” Escape is then flee the evil to good, to escape from injustice to justice.

Good and Justice are the attributes of God. Escape is what will become like almost like God. The people will not tolerate the domination of his bestial side, which is summarized in the life and death, transcending through reason, intellect, to a better nature, a divine nature. Before natural death, death accidental, then the man chosen for himself another death which carries a row to another to establish justice in the world. So when you think to escape is that we realize that we are immersed in injustice. And when it decides to escape, we are on the path of justice. And when we start intellige, it is immediately in justice.

b.) Love

If God means to escape and to transcend, and if this transcendence is vertical, its purpose is rather horizontal. Of course, it goes through God, but it is not his ultimate goal. Its goal is man, it's down here. Closer to God, becoming like him in order to imitate to become better and for that “better”, which is nothing other than justice “here,” between humans. Two reasons this reading allows me to Kindi. The first is that Kindi, of course, started his Letter on the definitions of God but his goal is to reach the man. The second reason is linked to two other words that are in the middle of the same letter. Kindi dedicated the thirtieth definition to love and to the fifty fourth friend. “The love of things because of meeting.” The attraction of beings, human beings. It also defines a friend as follows: “a man who is you, and yet other than you.” The friend is your alter ego. It is different but you otherwise. Hence the legitimacy of our reading puts us in humanity away from the animal and close to the deity.

c.) News of the Arab world

But why is the justice? It is up to the evil that exists on earth, the evil that lurks between humans and spreads everywhere. Evil is not an entity, not a thing. It is everywhere and nowhere. It takes up space to the point where demobilize all human beings. The men are paralyzed by the disease. This is what happened in Arab countries before the revolution, which had acquired a certainty that said the Arab man has forgotten that he was born free power of the state repression and submission in which he found himself. One word has dominated. It prohibited all speech differently. It was founded in the authority, exclusion and executions. The silent speech was installed. The man went through the stable phase. I call this moment the time of Oblomov. But Russian literature tells us that this character, by lying on the couch doing nothing, doing something else. He reflected. He was working on oneself. The action is not only in physical movement. It can be, also, for an intellectual movement.
Though they remained for decades without visible reactions, the people of the Arab revolution have reacted differently. The challenge raised by young people from the streets and villages is that another world is possible: the silent speech evolves, the right time, in a speech in action. The act created two Arab figures: 1). the figure of one who sacrifices himself, 2), that of one who manifests. The first figure is the result of despair: In it, the man has the desire to escape from this despair. And when there is no other way out than death or martyrdom of the body, it is used in order to show the state in which it is to ensure a better life to those leaves behind. We note here, despair (setting themselves on fire) and hope (to ensure a better life for our fellow human beings) are mixed.

In contrast, the second figure is the result of hope for a better world, a just world. It is because of the triumph of injustice that people are going to denounce the demonstration. The rebel, who set himself on fire in preferring death, especially loves the world of here and wishes to him more than the hereafter. By sacrificing himself, he intends to deal with evil, stubborn, the face and say you have to disappear. The peoples of the Arab revolutions, reciting their respective governors, “Ben Ali, released!,” “Mubarak, released!” “Gaddafi released!”

Clashed with dictators and masters more precisely the evil that was spreading in their cities over the years. The rebel loves more than anyone else's body and the world of earth. Do we consider his death as a transition from being to non-being, or is it, inevitably, be in the flesh? Approach the likeness of God, or be like God does not defend, according to my conception, the idea of wanting to die, or a renunciation of life or self destruction for the glory of God. Absolutely not. Rather, it is a mad love of the sensible world, a love without equal in life but with less selfishness: I can die for the love of my friend, who is nothing but a man who is me, and yet other than myself. This is a reversal of values!

**Conclusion**

From al-Kindi, we tried to determine the foundations of the issue of justice in the medieval Arab-Muslim world, in order to read news of the Arab world. We have seen how the will to lift evil from the Earth leads us to approach the divine. Citizens, not entitled to speak and change in their societies, choose other means, knowledge and love among other things, to act and establish justice, to attribute themselves to, to be among others and with God.

Commentator: Roy Allan Tolentino
From Development to Persecution: Assessing the Fairness of China’s Social Policies

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The social policies adopted by the Chinese state towards the Muslim Uyghur minority of China’s Xinjiang province constitute an interesting case-study for a discussion of the expression of justice and fairness in applied state policy. China’s “Strike Hard” and “Go West” policies as well as its general stance towards the practice of Islam in China illustrate how – more often than not – the violation of justice and fairness is couched in state policy.

This study will take a social sciences approach to discussing social policies aimed at Uyghurs. First of all will be a clarification of the policies themselves, followed by a discussion of the various reactions these policies have caused within the Uyghur community. Secondly, against the setting of the Asia-Arab Interregional Philosophical Dialogues, the reaction (or perhaps inaction) of the Muslim world and the Arab world vis-à-vis China’s social policies towards its Muslim Uyghurs must be addressed. Finally, this study shall conclude with a larger discussion of the relationship between justice, fairness and social policy: while the success of a social policy cannot be measured by such factors as justice or fairness, the justice or fairness within a social policy can perhaps be measured according to an assessment of the “victims” of a given social policy.
The Destiny of the Rural World: Between Exploration, Bio-technology and World Hunger

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The Destiny of the Rural World
The Neolithic revolution has given two great inventions to man beyond those known by the polytechnic project. It has created the idea of the border, which is territory, and the investment in agriculture, thus the idea of planning.

Firstly, it created the idea of “heritage.” The term includes the use value of food, such as the symbolic “product,” which emerged from the relation between man and the territorial substratum: place names, burial, tenure, agricultural practice, and the conditions of social reproduction; in other words, the right in its fundamental sense, in its canonical sense.

Secondly, punctuated by cycles of production, it created temporality, in which it learned to discipline its impatience, managing the requirements of planning, that is to say in prioritizing constraints to the constraints in order to subsist. Equally, waiting for the harvest is a time to ponder the fate that is reserved by nature and when it does not always understands its whims, in the minds of those who lived in those places. In the quest for food, cultural temporality turns into a mystical temporality. Just as the concerns of yesterday drive the need for storage, it drives the need for what is “lean.”

In addition to the cardinal questions and the invariants that have surpassed over centuries in the reality of rural life, such questions are today at the center of the second challenge: that of technological modernity in order to face hunger, which is rife in parts of the world, that of the too-short modernity to reconsider an agriculture that gives meaning to the rural area as self-sufficient in both economic and existential. Is this dual challenge of modernity is not simply an ecological challenge, in the broadest meaning of the term? Let us debate the terms:

The paradox of our time is that of the seemingly irreconcilable conflict between the temporal scientist who advises caution and a multitude of parameters that contribute to the reproduction or regeneration of an ecosystem on the one hand, and the political-economic temporality which acts under market constraints (drastic food dependence, uncertain liquidity for the purchase of foreign wheat) and ideological (to suppress the crisis and address discontentment and legitimacy) on the other.

These constraints cannot wait. They operate with a short cycle, hence the gap mentioned above. Is the modern Man necessarily a predator?

On one hand, all of this merits further inquiry. The trend is against the legal system of patents on life. Also because of the consciousness of growing independence of countries in the South or North and more and more widely shared by the middle classes of these countries, and that the opposite effects of theory of value could be regulated by the exigency of a quality of life or by regional preoccupations, indeed planetary; a sort of confluence which is at the very heart of modernity, but it’s the old debates, firstly, of philosophers and then that of economists.

In any case, none of this prevents us to dream of a global conviviality which would be less predatory, and that would lead to reductions in inequality, from the time when rich countries, once able to master the de-polluting technologies under their skies want to ensure that poor countries do not alienate or pollute resources out of desperation. One can imagine scenarios of
ego altruism to a global scale and of multiple modifications to the human landscape. But the
predator, the South as well as the North, still rife, for market rationality is far from being
undermined by the power that can be cathartic ecological anguish.

"Prometheus predator," here for the essayist or philosopher is a beautiful title for a novel.
Prometheus, stealing fire from the Gods, was sentenced to be nothing more than a mere man, and
thus to prove itself in thie lowly world. He decided not only to be great, but to have
"knowledge.” This Greek myth shares a few details with other civilizations, at least those in the
Mediterranean.

Prometheus had kept his bet of being a free man when he produced formal democracy, the
right of private property and subsequent individual freedom. It seems to have held when he
submitted to nature and men with the requirements of technical and industrial revolution, and
when he thought to make sense in terms of technical and scientific progress, liberty of the subject
postulated by the philosophers of the Enlightenment. It seems finally to have taken this challenge
by building the city and sound at home tending to impose it elsewhere.

Doubts about the bet began to appear during the passage of the city to the rational world
order. Homo economicus—necessarily capitalist—was a modern and formidable predator
because it attacks both the consciences of people under its control and nature that he wanted to
transform the name of progress, science and market.

The opinions have long been divided not on the first aggression, but the second when they
made themselves known to a later date. Damage perpetrated against nature can be now
articulated as a social relation of domination. Whether new ecological imperialism or the
inability of men at the beginning of the third millennium to manage the planet, all based at a
different level, the debate on the rationality of which the West has been carrying helps to
question this concept, which has been long dominant, from ethico-philosophical assumptions.

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As the title indicates, this paper examines the important roles of ancient wisdom and how it could contribute to the social and economic development of a nation in the modern day. Over the past decades, social and economic development in many developing countries including Cambodia have placed an emphasis on capitalism, industrialization and technology which relied too much on the Western knowledge and know-how. There are some successful stories and problems in following this paradigm of development; for instance, Cambodia has experienced the fast economic growth in the last two decades. However, the country is also facing some serious problems such as the development imbalance, cultural and environmental destruction, urbanization etc. that are the results of the misguided development and they extremely affect the quality of life of the people. Seen the outcome of such crisis caused us to rethink, review and re-evaluate our social and development approach and plan. It is realized that we have focused too much on the Western ways of development and just neglected some of our practical ancient wisdoms, the local and the indigenous knowledge and skills, which are also the treasures that could contribute to the harmony, prosperity, dignity and sustainability of a nation.

Commentator: Jasdev Rai
Justice, Contempt, and the Search for Recognition

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One of the foundational concepts of the theory of justice recently inaugurated by Axel Honneth—the current representative of Critical Theory of the Frankfurt School—is that of recognition. According to Honneth, the demand for justice cannot be reduced simply to a demand for equality understood in the traditional sense, that is to say to a relation of equality in the distribution (or redistribution) of goods and wealth, with a view to creating social equality, but the demand as well for the recognition of the human person, of human dignity, and of human worth. For a person, access to a positive relation with oneself and to success rely on intersubjective recognition, which take three general forms (self-confidence, self-respect, self-esteem) and define the totality of conditions necessary for a person to lead a successful life. This recognition finds itself threatened in current societies whose contradictions and conflicts push for the standardization of what qualifies for social contempt. The experience of contempt is always accompanied by feelings which reveal to the individual that certain forms of recognition are denied him/her. Establishing justice on the basis of recognition allows for taking into consideration the forms of denial of recognition and of social contempt. The principal categories of this new understanding of justice are no longer “distribution of goods” or “equality of wealth” but “human dignity” and “integrity of individuals”. Thus, social justice is measured to the degree that it is able to guarantee the conditions of mutual recognition. Apart from Axel Honneth, I will be referring to Nancy Fraser, Charles Taylor, and Emmanuel Renault. For all these philosophers, the question of justice founded on the idea of recognition is absolutely fundamental.
Unfolding Conceptualization of Justice in India

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Every day the streams from the mountains branch out to create new ones, the new streams attach themselves to other waters which ultimately blossom into something different. They change the vast oceans every day. We people are a product of our pasts; not just in a personal day to day manner of behavior, but more so in a social and cultural setting. The history of a region gives it a flavor. It also makes the people think of where they came from, their heritages and the past ways of life, thus influencing their present sense of morality. Our oceans are and will always be invisible and complex. But that’s what makes the bonds between two human beings so beautiful. For us it is very important to hold onto the roots, studying them not just for mistakes of the past but for an inspiration to solve today’s problems. In India, the ways of life have changed on a continuous basis from the ancient period of Hindu predominance with the introduction of countless foreign powers ranging from Middle East to Western Europe. All of their philosophies and ways of thinking are incorporated in the making of today’s Indian person. Justice is one of those concepts. Present moral and social justice flash this fact more vehemently than legal justice which is, for most of the part, a result of its nearest contemporary system in time.

Ancient & Early Medieval India (c. 1700 BC-800 AD)

Ancient Indian concept of justice is very intricate and very contradictory to the modern judicial ethos. This concept underlines a journey of falling from a perfectly just society and includes the social codes to follow in the current Kali Yuga, the age of decadence. An individual’s spiritual enhancement was the aim of society as well as of the state. The system was based upon a very instinctive and natural philosophy: do good and good will be done to you. This karmic system of justice entailed an inequality which was again seen to be natural. If one had tried to instigate the concept of equality it’d been received as very unjust, which is actually true because every person is different. To explain this, it is necessary to first delve into Indian idea of origin of society and its different stages: phase of hunter-gatherers, the time when domestication of rice began leading people not only to develop a proprietary interest but also the concept of family, division of rice fields as private property followed by its violation and theft and ultimately, the formation of a new system of justice incorporating the individual, the family and the private property. The functional division of labor that followed morphed into the birth of Varna system of social classes. This is explained in details in the Pali text of Agganna Sutta, wherein Buddha, pointing to Hymn X, 90 of Rigveda, tells this story to the two novices of Buddhist order who are of Brahmin origin.

The Varna system consisted of four social classes with Khshatriyas, the ones responsible for protection and order who with a short lived democratic process became the government evolving into monarchy, Bramhins, the ones devoted for academics and education in general who later automatically became in charge of all the religious affairs, Vaishyas, the ones responsible for society’s economy through being agriculturalists, cattle rearers, traders and Shudras, the artisans and laborers. The exact time of solidification of this system is unknown but first description is found in the Bramhanical text of Purusha Sutta from Rigveda belonging to the early Vedic period of 1700-1100 BC. Each class had its share of rights and duties. The social law was a very well
thought of system with an inclusion of man’s tendency to act in his own best interests and his
total disregard for karmic consequences. *Manusmruti* (c. 100 BC) speaks of the King in the
following way: Having fully considered the time and the place (of the offence), the strength
and knowledge (of the offender), let him justly inflict that punishment on men who act unjustly.
Here, his ‘strength and knowledge’ is meant to be a function of his varna. In the legal sense
varna ranks had the following variables that decided justice: responsibilities and privileges
intermingling with the perpetrators of crime and its victims. For example, the Kshatriyas had
more responsibilities and privileges but the severity of punishment for their crime was also
higher for them. Bramhins had a lower rank followed by the Vaishyas and finally, the Shudras.
Consequently, the severity of punishment against Kshatriyas was the higher than for the crimes
against other varnas.

It is seen that this system of social justice tried to, theoretically, have a fair system of
opportunities for all the individuals in the society. People belonging to the class of shudras with
lower responsibilities and lower privileges could have lived happily alongside others. Even if he
was born into lower class (due to his deeds in the past lives), he (believed he) could redeem his
status by moral conduct in this life which made him a ‘stable’ element of society. Same goes for
the other classes. Keeping a third party perspective, it looks like a brilliant plan to keep order in a
society. But once people started attaching more importance to the differences among themselves
than to an individual’s spiritual enrichment, the cracks in the interdependent structure started
showing up. Because of this, new differences started cropping up. For example, Bramhins
declared their sovereignty over academic and religious affairs banning shudras from any kind of
vedic practice.

At least until the time of Patanjali (c. 150 BC), and probably later, the region east of the
confluence of the Ganga and Yamuna rivers was not considered brahmanical. The culture and
the religious beliefs of people in this region predated the brahmanical autocracy. Much of the
second urbanization took place here from 500 BC onwards and it was here that Buddhism and
Jainism arose. Buddhism was a consequence against this system with harsher brahmanical
orthodox social injunctions on the use of force, intensive policing, and ruthless social economy.
Buddhism in effect showed how, even though there were these cracks, this system of social and
legal justice could be efficient. This was the change of scene from the Iron Age of India which
has the formation of Mahajanapadas (16 kingdoms that came into being from different kshatriya
tribes) of which Magadha Kingdom (6th century BC- 6th century AD, the region described above)
flourished through numerous dynasties among which Maurya dynasty (322 BC-185 BC) and
Gupta dynasty (240 AD-540 AD, the Golden Age of India) are notable. King Ashoka of the
Mauryan dynasty adopted ahimsa (non-violence) into his social and political policies. Ashoka
sent many Buddhist missions to West Asia, Greece and South East Asia, and commissioned the
construction of monasteries, schools and publication of Buddhist literature across the empire. He
is believed to have increased the popularity of Buddhism in Afghanistan, Thailand and North
Asia including Siberia. Ashoka helped convene the Third Buddhist Council of India and South
Asia's Buddhist orders, a council that undertook much work of reform and expansion of the
Buddhist religion because by the first century AD Buddhism itself had developed problems of its
own(though not as serious as Hinduism).¹

Gandhara Kingdom (present day northern Pakistan and eastern Afghanistan, lasted from 1st
century BC- 11th century AD) is very important to understand the various cultural and social
influences on the north Indian subcontinent. It was during this time that India came in contact
with Persians (5th century BC, introducing Zoroastrian monotheism and diffusion with various
vedic traditions), Greeks (180 BC-10 AD, north-west Indian subcontinent, bringing with it a confluence of Buddhism, Zoroastrianism, Hinduism, ancient Greek religion and a vast incorporation of various customs into Indian lifestyles), Scythians, Parthians, Kushans (2nd century BC-4th century AD, Indo-European tribes with more or less same lifestyle who were influenced by Buddhism in Gandhara), Sassanids (Persian culture), the Huns and later the Arabs. Arabs in 5th century AD, conquering Persia, moved eastward to Afghanistan spreading Islam which was a totally different religion to this part of Indian subcontinent. During the eighth through the ninth centuries, many inhabitants of what is present-day Afghanistan and western Pakistan were converted to Sunni Islam. Islam as a part of people’s lives came into being around 870 AD in Kabul, around 11th century in and around the whole of present day Afghanistan and Pakistan and by 1206 AD Delhi Sultanate (of Turkic origins) established the first Indo-Muslim kingdom which lasted till 1526 AD when it was absorbed by the emerging Mughal empire.

**Late Medieval & Early Modern India (c. 900 AD- 1600 AD)**

Islam has been a prominent religion and a way of life in the Indian subcontinent since around 9th century. When the Muslim rulers invaded India, they brought with them all their customs and laws. Sharia law is the moral code and religious law of Islam. Sharia was derived from two sources of Islamic law: teachings of Quran and the example set by the Islamic prophet Muhammad in the Sunnah. The current Islam in India is different in terms of its customs than its counterpart in the middle-east because from this invasion in 11th century it has assimilated into and has learned to live with the previous peoples of the region. Fiqh was the jurisprudence that interprets and extends the application of sharia to questions not directly addressed. It dictates human behavior based on five types of actions: obligatory (fard), recommended (musthabb), neutral (mubah), discouraged (makruh) and forbidden (haraam). These usually include the consensus of the religious scholars (ijma) and analogy from the Quran and Sunni (qiyas). Shia jurists prefer to apply reasoning (aql) rather than analogy in order to address difficult questions. Thus, concept of justice has been a vague term since the Delhi Sultanate and through the Mughal Empire in the laws of Islam.

A concept of ‘Circle of Justice’ has been an integral part of most of the justice systems for Islam throughout history which can be seen from the following verse:

> There can be no government without men,
> No men without money,
> No money without cultivation,
> And no cultivation without justice and good administration

Justice here, in a social sense, points to much more than equality. It shows the relation between the progress of a society and the protection, stable administration, an active responsive infrastructure provided by the government. A just king had to follow this vague notion of ‘justice’ for the farmers, who in turn provided taxes to the treasury, in order that government workers might be paid to protect the kingdom, bring order into society, enforce decisions and refrain from exploiting their subjects. Just like the monarchy previously present in the Indian subcontinent, idea behind supporting a hierarchical social system was to actually show the interdependency of the classes and yet emphasize the need for cooperation between the classes. This idea of justice acknowledged inequalities of power but sought to mitigate their worst effects.
The main tools used to tackle these problems were the revenue survey system trying to spot and eliminate the exploitation and the royal court (mazalims) where people's petitions could be heard even if they lay against the king or his powerful officials. The above concept of ‘Circle of Justice’ was characteristic to Islamic Persia though similar ideas were known in ancient Indian literature. The idea behind the Circle was also familiar to the Ghaznavids (963 AD-1187 AD) who ruled present-day Afghanistan from Gazni. The Delhi Sultans imitated the Ghaznavids’ search for legitimating through the practices of Sunni Islam. They took undue advantage of some of the customs. For example, the term ghaza was used to justify warfare against the pagan Mongols, deemed more dangerous than the Hindus, which actually protected the Indian subcontinent from the fierce Mongolian invasions. Like their pre-cursors, the Delhi sultanate had a very vague and flexible notion of justice. They believed that royal inscriptions proved their dominance more than their justice. Most probably Raziya Sultana (1236 AD-1240 AD) being a woman was the only one legitimated in part by her sense of justice. On the other hand, a reputation for justice was desirable in a king.

The king, in spite of his religion, was responsible for keeping social and political order. He was supported by an army the strength of which permitted him to collect wealth. So maintaining the army was more important than justice. He was also responsible for implementation of the sharia. For co-existence of all these he had to make laws outside the context of Islam. Barani realized the importance of interdependency of the ruler and the subjects. He believed that the only reason the Muslim rulers could claim Divine attributes was for the sake of helping the oppressed and the common masses. But he associated these attitudes only towards the higher class people. There were a lot of sayings and praises for the rulers in writing during the Delhi Sultanate, but in actuality, very few of them were sincere in their words. But we cannot talk of justice during this age if we don’t actually what it meant to them.

The Circle of Justice formed a minor part of Mughal Empire’s Timurid political heritage. But through the simple yet beautiful custom of growing gardens, they alluded to that cyclic nature of things entailing justice. Babur’s successor Humayun (nominally 1530 AD-1556 AD, but ousted from Delhi 1540 AD-1555 AD) spent much of his life fighting for the throne, often outside India. In the time of Akbar (1556 AD-1605 AD), the Golden Age of the Mughal Empire, due importance was given to this philosophy. As Akbar’s concept of justice in royal behavior and ideology grew and changed over the course of his long reign. While there were the others, kings like Jahangir were dedicated towards their subjects and made real effort to connect with them to solve their problems. Shah Jahan brought people together to events where themes and ideas from ancient empires (Mesopotamian, Persian, and Jewish, Christian, and Hindu as well) were discussed and approved of by Islamic rulers. This strategy seemed very appealing to the elite Hindu population as well as to the Muslims; a lot of them learned Persian, became exponents of Persian culture and learning. But even with Shah Jahan, the bulk of these ideas were aimed at people of higher class. Aurangzeb was a versatile ruler in every sense. There are numerous accounts of his new and helpful policies towards all classes and places including harems. But he was also involved in factional struggle over officials’ appointments which consequently made him loose their service. And of course, there was the infamous jizya tax for the non-muslims.

While this was the condition on the side of the dispensers of justice in India during Mughal period, the actual masses (of which Hindus and Buddhists still consisted the maximum percentage), were a bit detached from the state. Zamindars, or the landlords bore arms; collected revenues and resolved local disputes. What’s more, the Panchayats (local rural government bodies dispensing justice) were responsible for local security. The state’s and the ruler’s role in
their lives was minimal. On a more personal and moral basis, among the Hindus and the Buddhist populations as well as the Muslims, it was the religion that governed the conceptualization of justice. These rural bodies had survived for generations before this time and they will continue to do so through British India and after that, albeit with an increased hand of the state in their affairs.

**Colonial Period (c. 1600 AD-1950 AD)**

The pre-British era in the Indian history that was under the rule of East India Company saw introduction of the Colonial British courts and tribunals like Mayer’s courts. Around the second half of 18th century, the House of Commons started taking notice of the business and socio-political affairs of the Company. After receiving a report by a committee, which condemned the Mayor's Courts, the Crown issued a charter for a new judicial system in the Bengal Presidency. The British Parliament consequently enacted the Regulating Act of 1773 under which the King-in-Council created a Supreme Court in the Presidency town, i.e. Fort William. In the new Supreme Court, the civil and criminal cases alike were interpreted and prosecuted accorded to English law; in the Sadar Adalats, however, the judges and law-officers had no knowledge of English law, and were required only, by the Governor-General's order to proceed according to equity, justice, and good conscience, unless Hindu or Muslim law was in point, or some regulation expressly applied.

They had a sideline purpose of favoring the economy of the Company. So, again, the rural India which formed about 80% of the whole was left to its merit, only now the revenue went in the treasury of the Company instead of the ruler (who led a nominal role in most of the places and got remunerations for it). The greatest change-maker introduced was the education system. The British and other European colonial powers wished to educate the local public so that they can be a part of the system. But this new education did more than that. It introduced the concept of rights and duties, albeit not impartially. It showed Indians the ‘flaws’ in their own society. There was a sort of a renaissance in the social structures with many social activists like Raja Ram Mohan Roy coming forward trying to uplift the oppressed, the downtrodden and the neglected people within the community. Long time had it been since man in the Indian subcontinent had actually been proactive in the betterment of society instead of blaming it all on karma and the gods. In a way, this sowed the seeds of the concept of ‘equality for all’ as justice in them. It was like a veil was being lifted off slowly from over their eyes. First were the social movements from 1860s to 1880s followed formation of different social and political bodies especially marked by formation of Congress in 1885 and of the Muslim League in 1906. Even in terms of the change in ideologies and objectives of these bodies, there was continuity. For example, never had they even dreamed of putting forth the idea of total independence until the Bombay meeting of Congress in 1931. People still followed their own religion in their homes and their communities but now their lifestyles were mixed with the European ideas of justice and freedom, for most of the part. The highlights of this era were the two conflicting ideologies of Gandhian non-violence and drastic revolution, with the same aim: independence. Incorporation of non-violence was a phenomenon never seen before in the history of mankind. Mahatma Gandhiji’s thought behind this idea was to prepare the society so that they can govern themselves instead of just blindly trying to oust the British (even with a specific ideological dream of future India). He stopped the whole nation involved in the Civil Disobedience movement because of a small incident of violence in Chauri Chaura in 1922 saying that the Indian society was not ready for independence yet. Marching alongside Gandhiji were the brave revolutionaries like Bhagat
Singh whose sense of justice was more immediate. They dreamed of India without the British for the first time and were equally adamant in their resolves. They gave a different strength to the Independence struggle. They showed the Indian people that justice cannot be dealt with only by negotiations when the colonial party was unwilling to leave their nation. These two sides of the coin complemented each other perfectly even though they were in conflict with each other in ideology. They were in fact the ideologies that pointed at what justice actually stood for in a common man back then.

Conclusion and its implications to policy making

This period of Indian history is, for most of the part, responsible for what justice means to India today. Indian constitution and democracy were born out of all these ideas of equality taking in consideration the diverse cultural history of the country. But there were some negative aspects of that as well like groupism in social and political scenes based on the religious differences. Muslim League was founded in 1906 because of the fear that once India gained independence, the minority Muslim populations would not have any say in its functioning. This fear divided some of the communities and political bodies based on the inter-religious as well as the intra-religious differences.

This phenomenon continues even today in the ways different states in India interact with each other. Thus those cracks are still there in India. But so are the innumerable philosophies and ideologies that have been the part of this country for centuries. The concept of justice today in a common man’s heart is a combination of all these. The ocean is just getting more and more complex with time. The only thing we can do is find a combination of a structure that helps us live in harmony with the whole of it. We have to learn from these ideas even though we cannot use them directly in today’s policy making. Things like the ideological rationalities of how and why the social system in the ancient India failed into class autocracy or of how the government and the sovereignty of affairs of the public should be related or of the good and the bad ways in which education affects the progress of a society, can be used to formulate that structure of policies. Positive social and cultural growth depends on conscious and continuously evolving use of what we learn from these factors.

References:
Fairness and Justice

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There is a higher court than court of justice and that court is the court of conscience.

– M. Gandhi

At his best, man is the noblest of all animals, separated from law and justice he is the worst.

– Aristotle

The words justice and fairness are often used interchangeably, with fairness being the more general term, suggesting equilibrium in the way two (or more) people treat each other socially or conduct business together. While justice has a more structured sense, relating to actions that are done in accordance with some sort of law, divine or manmade, because some believe that justice stems from God (his will or command).

Fairness is the state condition or quality of being free from bias or prejudice, in other words in order for someone to be fair he needs to look at any given situation from both his own point view and that of the others involved. For example it is my belief that when two parties have a grievance with each other (in the majority of cases) neither of them will be completely in the right or wrong, they will both be at least partly responsible even if one is more so than the other.

None of us is a saint to be always right, therefore none of us when faced with a problem or situation involving others should say ‘it is not my fault it’s theirs.’ A fair person would say, yes I was wrong for doing this and he/she was wrong for doing that. How many times have we heard from couples who got divorced that it is the other’s fault that the marriage has broken down, when in fact the blame is usually shared by both of them and again while the degree of responsibility might vary the end result is that in failing to accept their share they both act unfairly.

“That’s not Fair!”; “Why Me?” we have all heard children repeating these two phrases or ones very much like them. Why is that? What makes children say them? John Locke (1632-1704) maintained that we are born without innate ideas, and that knowledge is instead determined only by experience derived from sense perception. Could it be that during our first 4 years of our life we learn through what we see and hear from our parents? And after these four first years we learn from society. It is known that children during their first 4 years of their life learn many things (coordination, walking, speaking, etc.), and it is well known too that they observe what the parents and the extended family do, and learn from them. At KG/school and they interact with other children and teachers, and slowly they interact with the society. So could it be possible that we teach our children (without knowing) to be unfair individuals?

This paper intends to outline that, fair individuals are just individuals, just individuals will not create conflicts or carry out unjust acts and it is us, whether as parents or as members of society, who will determine whether the next generation grows up to be fair or unfair.
Background

One of the major causes of conflict on personal level is when two people think that they are both right. Why is it they both feel that way? Because both of them without knowing it are being unfair, each one looks at the situation from his or her own point of view without trying to see that of the other. For example in Jordan the government is trying to introduce a new (long overdue) tenant’s law. Currently there are many tenants who have been renting a house or a shop for over 30 years and who are paying very low rent (as low as 20 USD/month), in the past there were no laws to regulate renting of premises, so if someone moves into a premise he becomes an owner, because as long as he pays the agreed rent, you cannot evict him even if after few years the landlord asks for an increase of rent and the tenants refuses to pay the increase. The new law (which has not been finalized) is trying to bring some justice to the landlords while at the same time being fair to tenants. If you ask someone who is renting a house he/she will say that this law is unfair and does not bring justice to tenants, if you ask a landlord he/she will say that this law is fair and at last they can get some decent rents from tenants or they can leave. I have a friend who has been renting a place since 1980 and pays around 75 USD per month, and he keeps saying that this new law is very unfair. I asked him once “how you would feel if you were the landlord, would you be happy or unhappy with this law? Did you ever think of going to your landlord and telling him that the rent you are paying is very low in comparison to current rates and that you are willing to increase it by 10 or 15%?” My friend looked at me in amazement and said “why should I do that?”

I was renting an office since 1996 (we had yearly contract), and in 2007 the landlord sent me a note asking for 100% increase in rent, although few years back he increased the rent by 30% I went to see the landlord, and said that I fully understand his point of view because of inflation and higher cost of living, because I am feeling them too, so a raise is fair but the percentage is unfair, (especially when he did not do any maintenance for the past 2 years) a 30-50% increase will be fine with me, although I can find similar office with cheaper rent, but I am happy here. The landlord insisted on 100%, I said that’s fine I will be out of the office by the end of leasing period. I tried to be fair with him, but he did not see my point of view.

The point I want to make is we should always keep an open mind and put ourselves in the other’s shoe and see how we would feel if the situation was reversed?

A fair person is a person who will think of others before taking any action/decision, whether it is on a personal or group level. A fair person will look at the full picture, not part of it, will look at the two sides of the coin not just one side.

Let us take another example: If a person in the West wants to be fair towards his family after his or her death, the person will simply write his will leaving their wealth in equal shares to all.

For a Muslim however it is not that straightforward, he cannot just write a will, because in Islamic law the son gets double of what the daughter gets, and the wife gets eighth of what he leaves.
"Allah commands you regarding your children. For the male a share equivalent to that of two females." [Al-Nisa 4:11]

"And for them (wives) one-fourth of what you leave behind if you did not have a child, but if you have a child then for them one-eighth of what you leave behind; [Al-Nisa 4:11]

Some Muslim men, who wish to give their daughters an equal share to their sons, have found a solution to this problem; they distribute their wealth while they are still alive. Other men who inherit from their fathers the larger share set down in Islamic law have chosen to then give their sisters the difference so that all the siblings end up with equal shares, to me these men are fair men and have done their daughters and sisters justice.

A fair person is not selfish, is not corrupt, will keep his end of the bargain, and does not judge people based on race or religion but on their action, so basically a fair person is a just person.

Another sad, heart breaking example, Stephen Sackur the presenter of Hardtalk, interviewed Tony Nicklinson who isn't terminally ill, he is in terminal despair. Since he suffered a massive stroke six years ago he has been paralysed. The only movement he can control is in his eyes and his blinking. His unimpaired brain - his conscious self - is locked inside a body beyond his command. (Locked-in syndrome is a condition in which patient is mute and totally paralysed, except for eye movements, but remains conscious).

Tony cannot speak. He "talks" to Jane (his wife) by way of a letter board which she holds in front of his face. He uses eye movement and blinks to select letters which she spells out into words. Using this laborious method Tony welcomed the HARDtalk crew into his house. The Nicklinsons want the world to see what has happened to Tony.

"I can only see the future being worse. It is soul destroying - being fed like a baby, I can do nothing for myself. I have nothing but this for the rest of my life - is it any wonder I'm not exactly enthusiastic about living? Tony said.

Tony wants from life one thing above all else - the right to die. To be more precise he is fighting for the right to be lawfully killed. Tony and his family want every one of us to know what it means to be "locked-in". And they want to provoke a debate based on a simple question - just as an able-bodied person can choose to take their own life doesn't a paralysed person of sound mind have a right to die? Do you think it is fair if we allow him as a society to take his own life? Is it fair to leave him like this? Is it fair on his wife Jane to see him like this, and to cater for him and not be able to live her life?

How can we always be fair in this ever changing world? What is required to reach this level of thinking? Are we influenced by our culture/society? Are we affected by the way we were brought up? These are the questions I have always asked myself?

Rousseau (1712-1778) stated that “man is good by nature but destroyed by civilization”. Confucius never stated whether man was born good or evil, he stated:

“By nature men are similar; by practice men are wide apart” (whether good or bad).
Children scream “Why Me” or “It’s not fair” and I believe that at some point most parents for various reasons (a hard day at work, stress from financial concerns, etc - parents are human and they have their bad moments) will reach the point where they tell their children “Because I say so”, or “Just do as you are told”. They do not explain to the child why he is not supposed to do that thing. Most parents forget that children at that age are exploring and trying to figure out things, so they need to understand why they cannot touch the hot oven or jump on the sofa.

In my opinion through parenting we can have fair and just members of society. Parenting is an art, and need to be taught to potential mothers, in the West there are many books on parenting, but in the under developed countries it is well known reading is not a strong suite, and, even if they should want to, to my best of knowledge few books are written on this issue (UNICEF has issued some books on child rearing, but emphasis was given on health issues).

I am talking from experience as I have carried qualitative research on this issue with mothers and fathers in Jordan, Syria, Egypt and Sudan, and have found out that majority of those who took part in the focus groups believe that “Parenting” is easy, you pick it up as you go. Most of the mothers stated that they will seek help from their mothers, older married sisters or an older neighbour.

“If he rights himself, what difficulty he has in public office? If he is not able to right himself, how can he right others?” – Confucius

To right yourself, you need to be fair, and if you are fair with yourself, then you will be fair with others. How can I right myself? How can I be a fair person?
The Egyptian poet Ahmad Shawqi (1869-1932), known as “The Prince of Poets”, said in one of his poems:

"الأم مدرسةً، إذا اعدتها طيباً، اعدت اطفالها" 

“The Mother is a school, if you prepared her; you prepare people with good norms”

What did Shawqi mean by that? He meant that a mother is the school in which the child learns virtues among other things. The mother (usually) spends more time with the child than any other family member, so it is logical that the mother will have as great an influence over the formation of the child’s character as the school where the child learns reading, writing, maths, etc. if you prepare her with knowledge on how to raise children, then you will end up with a nation with good norms. It seems Shawqi has recognized the importance of the role a mother plays in child life and the influence she has on his values, and the importance of child rearing in creating a society with decent values, and good norms.

Arabs have a proverb: "الطفل مرآة البيت", it means that a child is the mirror of the household. This proverb complement Shawqi’s poem, but from a different angle. It suggests that if a child swears a lot or screams or does anything improper, he is reflecting what the child’s parents do or teach him at home and likewise if he is polite, caring and good natured. For example if a child says something like I hate this or that, or he says please and thank you, then you are sure that he has heard these phrases at home, because a child repeats what he hears or does what he sees at home.

“العلم في الصغر كالنقطة على الحجر” 

Learning at an early age is like inscription on stone – Arabic Proverb
It means that learning at an early age will last forever, so by teaching children good values at an early age it will last throughout their life.

**Conclusion**

“Our youth now love luxury. They have bad manners, contempt for authority; they show disrespect for their elders and love chatter in place of exercise; they no longer rise when elders enter the room; they contradict their parents, chatter before company; gobble up their food and tyrannize their teachers.” — Socrates

To me the above quote best describes what is going in our societies nowadays, although it has been said by Socrates (469 – 399 BC) nearly 2500 years ago.

I am one of those who are strong believers that “Child Rearing” is the most important factor in planting or cultivating fairness & manners among other important virtues in a child’s character, because the first four years of a child’s life are the most important ones, during these years he learns to coordinate his movements, walks and talks among many other things. A child watches his parents and learns from their actions, he hears what they say and absorbs what he hears, so in general parenting play the most important role in child’s life (in the underdeveloped countries the extended family play a role too).

Kindergartens play another important role in a child’s life after the age of 4, because the child interacts with other children and kindergarten’s teachers, so he/she can pick up good or bad habits depending on the quality of supervision and education the kindergarten offers. Of course a dedicated mother can rectify any bad habits a child picks up. The final stage of a child’s learning is the school in particular and the community in general.

Let us take the following scenario; a child has been brought by his parents on the following fundamentals:

- Humans are all equal (colour of skin or religion does not make them different)
- Honesty is an important virtue
- Sharing things with others is the right thing to do
- When playing take turns
- Treat others as you want them to treat you
- Freedom ends when you start annoying/disturbing others
- Keep an open mind, and listen to others
- Take responsibility for your actions (right or wrong)
- Abide by the rules
- Do not litter at home or at the street, it is bad for the environment
- Be kind to animals
- Do not use people for your own self interest

It is very important to act in front of children in accordance with what we say or teach them, for example we might tell them that smoking is very bad for you, but we still smoke, or we tell them that littering is bad for the environment, and we throw a cigarette or a can of Pepsi from car’s
window, or we tell them not to lie, yet we lie in front of them, we ask them to be polite, yet we ask them to do things and we do not say Please or Thank you afterwards. I am sure a child would think “He is telling me not to do this yet he is doing it, why is that?” or “He wants me to say please and thank you, but he is not saying these things to me”.

When this child goes to kindergarten he learns the same principles.

When this child goes to high school and he gets exposed to additional virtues preparing him for adulthood stage of his life (having had a solid base from virtues learned during his childhood), such as:

- Team work
- Work Ethics
- Time management
- Family Planning
- Energy Saving
- Environmental Issues

Do you think this person will be a fair person or not? Will he be a just person? If this child happens to take a key government position will he be a good “Civil Servant”? If this person becomes a company owner will he be a good employer or not?

We need to realize the importance of “Child Rearing” in shaping up future generation to achieve fairness as individuals; this in my opinion will lead to fair and just societies.
Justice and Fairness: What Dialogue?

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Are the notions of justice and equity the two sides of the same coin? Do they mean the same thing? Are they synonymous to each other? Can we take one for the other? Or are they rather degrees and different levels in the scale and sequence of meanings related to the same unit? Can these two notions exist without each other?

The choice between treating justice and equity together or in isolation increases the number of questions and distills the problems. Can justice have a meaning which would neither be confused nor ambiguous without the support of equity?

Devoid of this, how can justice become relevant and effective without deteriorating? And as for equity, is it the accomplishment of all of justice, its farthest limit, the highest degree it can attain or the intention it labours to constantly actualise? Must equity, which doesn’t draw its strength from an rigorous exercise of justice, be something other than a superfluous morality and a source of confusion?

If Descartes’s question is “Who am I?” and Kant’s “What can I know?”, in the area of justice and equity the question would be: “How do I behave to be just or become such if one is not yet so? What must be done to protect it from the powerful temptation of injustice?

Do will and determination play a decisive role in the learning process and dissemination of justice and equity? How does one distinguish between the true, the false, and the probable in this area? It seems that these are perpetually experienced not only as thorny questions, but above all as disturbing and fascinating ordeals which embody an immense difficulty which humanity has come up against ever since. The subject launches a debate.

Dialogue would perhaps be the best way to take in order to break through its opaque aspects, its numerous paradoxes, and render it sufficiently intelligible. Now, this possible dialogue seems to be contaminated by the same difficulties which characterize our subject. The dialogue would be set up not only between justice and equity on the one hand and questions and concerns on the other; it is constantly invited to operate from within the space of justice and equity. This is what risks making of this dialogue yet another difficulty, and one that is not the least of it.

Commentator: Philip Cam
Justice in the Philosophy of Mencius

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Mencius (372-289 B.C.) lived in a time of revolution, not unlike the Arab spring that is happening in our time. The China of Mencius was the Warring States Period of the late Chou dynasty, where feudal states were at war with each other. Some states like Ch’i and Chin swallowed up and smaller and weaker ones. The whole of China became devoted to forming alliances, with each ruler trying to gain legitimacy by assuming the title of king (wang). By this time, warfare was becoming more brutal, exacting a terrible toll on human lives. Mencius, who studied under the pupil of Confucius’s grandson Tzu-ssu, was bent on passing on the teachings of Confucius, and so he traveled from one state to another, offering his advice to rulers on matters of good governance and debating with other thinkers who expounded different views. This writer believes that Mencius has something to contribute to the issue of what is Justice that is behind the uprisings in the Arab world today. This paper intends to show the meaning of Justice for Mencius that grounds good governance, the absence of which may result in a revolution.

I ( ) as Justice

I ( ) in Mencius’s philosophy is often translated as righteousness, or doing what is right because it is right. It is composed of the character yang ( ) above, meaning “goat” or “sheep” and the character wo ( ) below, meaning “I” or “we”. Together I would literally mean “I or we carrying the goat or sheep. I thus conveys carrying a burden, a responsibility. W. A. C. H. Dobson, however, aptly translates I as “Justice” because it is “the doing right in seeing that others get their rights.”

‘Rights’ are not codified and referable to a system of law, but derive from custom: such things, for example, as the time-honoured ‘right’ of the people to gather kindling in the forests, the ‘right’ to the duties f a filial son by his father, the ‘right’ of the people to a level of existence sufficient to maintain their aged in comfort. But it is also ‘right’ to give and receive the niceties of courtesy, to behave and deport oneself according to the Rites.

To translate I as ‘righteousness’ may not convey the meaning of virtue as much as ‘Justice.’ I is not the incidental act of doing what is right but the will to accumulate righteous deeds. Also ‘righteousness’ fails to give emphasis the doing of what is right in seeing that others get their rights, which ‘Justice’ does in giving what is due to others, that is what is rightfully theirs.

Justice and Humanity (Ren)

As a virtue, Justice is paired with ren ( ). Ren is translated as benevolence, kindness, human-heartedness, humanity, but when Confucius was asked for the meaning of Ren, he replied, “It is to love human beings.” Ren is composed of two characters, ren ( ) meaning ‘human being’ and erh ( ) meaning ‘two’. Thus Ren is the virtue that governs interpersonal relationships, the

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20 Ibid. pp. 131-132. Rites refer to the classic Book of Rites.
21 Mencius 2A: 2.
22 Analects, 12:22.
The pairing of Humanity and justice shows the inseparability of love and justice. One cannot have one without the other. Justice is the minimum demand of love and love presupposes Justice. Justice is not justice unless it is the beginning of love, and love without Justice is false charity or romantic love.

As the minimum demand of Humanity, Justice fulfills one’s obligation to the other according to his role(s) in the family and society and to the circumstances he finds himself in. Both Humanity and Justice emphasize obligation more than rights. Thus in the family, “Humanity attains its finest flower in the service of parents. Justice attains its finest flower in obedience to older brother.” Justice is doing what is right as prescribed in the *Book of Rites*, but this varies according to the circumstance.

Shun-yu K’un said, “Is it a rule of propriety that men and women should not touch hands when they give or receive things? Mencius said, “It is a rule of propriety.” “If someone’s sister-in-law is drowning, should he rescue her with his hand?” Mencius said, “He who does not rescue his drowning sister-in-law is a wolf. It is a rule of propriety for men and women not to touch hands when giving or receiving things, but it is a matter of expediency to rescue one’s drowning sister-in-law with hands.” “The whole world is now drowning. Why do you, sir, not rescue it?” Mencius said, “A drowning empire must be rescued with moral principles. Do you wish me to rescue the world with my hand?”

Justice as doing what is right, and what is right is one’s obligation to the other according to one’s role and circumstance, still what is common standard to all roles and circumstance is the humanity of the other which binds us together. A century or so ago, Confucius had said, “By nature, all men are alike. Through practice they have become far apart.” Now, Mencius explicitly says that the common humanity that makes all human beings equal is their innate goodness. Both Humanity and Justice, and Wisdom and Propriety as well are inherent in all

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23 Mencius, 6A:11.
24 Dobson, op. cit., p. 132.
25 Mencius 7B:31.
26 Mencius 4A: 27.
human beings because of the innate goodness of human nature, because “it is a feeling common to all mankind that they cannot bear to see others suffer.”

Justice as Internal

For Mencius, the four Confucian virtues of Humanity, Justice, Wisdom and Propriety are inherent in the human being as feelings basic as the four limbs. They are grounded on the innate goodness of human nature, nature understood as that which is endowed by Heaven. Mencius appeals to the sense or feeling of commiseration in proving the innate goodness of human nature. Mencius said, “It is a feeling common to all mankind that they cannot bear to see others suffer…. “I say that all men have such feelings because, on seeing a child about to fall into a well, everyone has a feeling of horror and distress. They do not have this feeling out of sympathy for the parents, or to be thought well by friends and neighbours, or from a sense of dislike at not being a thoughtful person. Not to feel distress would be contrary to all human feeling. Just as not to feel shame and disgrace and not to defer to others and not to have a sense of right and wrong are contrary to all human feeling. This feeling of distress (at the suffering of others) is the first sign of Humanity. This feeling of shame and disgrace is the first sign of Justice. This feeling of deference to others is the first sign of propriety. This sense of right and wrong is the first sign of wisdom. Men have these four innate feelings as they have four limbs. To possess these four things, and to protest that one is incapable of fulfilling them, is to deprive oneself. To protest that the ruler is incapable of doing so is to deprive him. Since all have these four capacities within themselves, they should know how to develop and to fulfill them. They are like a fire about to burst into flame, or a spring about to gush forth from the ground. If, in fact, a ruler can fully realize them, he has all that is needed to protect the entire world. But if he does not realize them fully, he lacks what is needed to serve even his own parents.

Mencius takes pain to prove that Justice, like Humanity, is also internal as shown in his dispute with Kao Tzu. For Kao Tzu, human nature is that with which man is endowed at birth, which is neither good nor bad, “a set of tastes and sensibilities, awarenesses capable of responding to inner and outer stimuli.” So, he regards Humanity as pertaining to the senses and therefore internal, such as the feeling of love for my younger brother but not for the younger brother of a man from another state. But as for Justice, he regards it as external because it is a duty that is a product of external stimuli, such as paying respect to an elderly because of his old age. In response, Mencius says there is a difference between the seniority of an old horse and the seniority of an old man. “In which case, in what does Justice repose? In ‘seniority’ itself or in him who responds to seniority as he, in Justice, should.”

Does it really make a difference if Justice is internal and not external? For Mencius, human nature as the endowment from Heaven is what differentiates the human being from the animal. And Justice is one of its inherent qualities, the others being Humanity, Wisdom (Chih), and Propriety (Li). In response to Kao Tzu’s human nature as neither good nor bad, Mencius says,

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It is of the essence of man’s nature that he do good. That is what I mean by good. If a man does what is evil he is guilty of the sin of denying his natural endowment. Every man has a sense of pity, a sense of shame, a sense of respect, a sense of right and wrong. From his sense of pity comes ren (Humanity); from his sense of shame come I (Justice); from his sense of respect, li (the observance of rites); from his sense of right and wrong, chi (Wisdom). Ren, I, Li, Chih do not soak in from without; we have them within ourselves...  

To make Justice external would be tantamount to obeying what is imposed on us from the outside; it would be equating Justice with legality. For Mencius, Justice, no less than Humanity, Propriety and Wisdom, is what makes us human; and being human is being response-able to the other. Justice as internal is moral Justice, a value higher than life.

Mencius said, “I am fond of fish, but, too, I am fond of bear’s paws. If I cannot have both of them, then I prefer bear’s paws. I care about life, but too, I care about Justice. If I cannot have both, then I choose Justice. I care about life, but then there are things I care about more than life. For that reason I will not seek life improperly. I do not like death, but then there are things I dislike more than death. For that reason there are contingencies from which I will not escape.

“If men are taught to desire life above all else, then they will seize it by all means in their power. If they are taught to hate death above all else, then they will avoid all contingencies by which they might meet it. There are times when one might save one’s life, but only by means that are wrong. There are times when death can be avoided, but only by means that are improper. Having desires above life and having dislikes greater than death itself is a type of mind that all men possess—it is not only confined to the worthy....

From the Self to the Family to the State to the Kingdom, Justice as the Root of Good Governance

Mencius said, “There is a saying the people keep repeating: All beneath Heaven: nation: family. All beneath Heaven is rooted in nation. Nation is rooted in family. And family is rooted in self.

Justice as inherent in human nature is first exercised in the family, in obedience to older brothers, and extended to those outside the family, and to all living creatures, just as “he who feels the love of the family towards his own kin will feel Humanity for all men. He who feels Humanity for all men will be kind to all living creatures.” Indeed, “if each man individually were to treat his own kin as properly they should be treated, and respected his elders with the respect that is due to them, the whole world would be at peace.”

36 Mencius 6A:12.
37 Mencius, 7A:45.
Justice and Humanity for Mencius are the root of good governance. “If the prince is a man of Humanity, then nothing in his state but will be Humane. If the prince is a man of Justice, then nothing in his state but will be Just.”\(^{39}\) A good ruler does not seek after his own interest but the welfare of his people. In reply to King Hui of Liang to what teaching of Mencius would profit his state, Mencius says

Why must your Majesty use the word ‘profit’? There is after all just Humanity and Justice, nothing more. If your Majesty asks “How can I profit my state?” your nobles will ask “How can we profit our estates?” and knights and society will be competing for profits. Such would undermine the state….If indeed you put profit first and relegate justice to a minor place, no one will be happy unless they are forever grabbing something.\(^{40}\)

A just ruler in seeking the welfare of his people must first provide constant livelihood to his people. “With a constant livelihood the people have a constant mind. Without a constant livelihood the people will not have constant minds…If the people are inconstant in their minds, there is nothing evil that they will not do.”\(^{41}\) His just government provides the necessities of life in sufficient quantity,\(^{42}\) encourages the breeding of fowls and pigs, the planting of mulberry trees for the production of silk, the establishment of schools with the curriculum “augmented with the Justice of filial piety and fraternal duty”.\(^{43}\) The just ruler promulgates measures to solve the “inequities in the distribution of wealth – luxury and riches on the one hand and poverty and starvation on the other.”\(^{44}\) For Mencius, poverty and hunger is another form of violence. There is no difference between killing a man with a knife and with faulty governmental policies.\(^{45}\) At the heart of all these measures is the principle of the Golden Rule.

King Hsuan of Ch’i said, “I have a weakness, I love wealth” Mencius replied, “…If Your Majesty love wealth, let your people enjoy the same, and what difficulty will there be for you to become the true king of the empire?” The King said, “I have a weakness, I love sex.” Mencius replied, “…If Your Majesty love sex, let your people enjoy the same, and what difficulty will there be for you to come the true king of the empire.”\(^{46}\)

The Golden Rule (Shu) is one dimension of the virtue of Humanity.\(^{47}\) The just ruler institutes measures that will benefit the people because like all human beings he has a mind-heart that cannot bear to see suffering of others.\(^{48}\) For this reason also “only men of Humanity ought properly to occupy high position.”\(^{49}\)


\(^{41}\) *Mencius* 3A:3. Dobson translation. Dobson, op. cit., p. 35.

\(^{42}\) *Mencius* 7B:12.

\(^{43}\) *Mencius* 1A: 7.

\(^{44}\) Dobson, op. cit., p. 177.

\(^{45}\) *Mencius*1A:4.

\(^{46}\) *Mencius* 1B:5. Wing-tsit Chan translation. Wing-tsit Chan, op. cit., p. 61.

\(^{47}\) The other being *Chung* (忠) translated as conscientiousness.


The most important element of the state for Mencius is the people, not the territory. To lose the confidence of the people is to lose the empire.

Mencius said, “When Chieh and Chou lost the Empire, they lost the people. And by ‘losing the people’ I mean ‘losing their sympathy’. There is a way to gain the Empire. It is to gain the people, and having gained them one gains the Empire. There is a way to gain the people. Gain their sympathy. Share with them the accumulation of the things you wish for, and do not impose upon them the things you yourself dislike.”

A just ruler who has the sympathy of the people has the Mandate of Heaven. The Mandate of Heaven is also the mandate of the people. The example of this from ancient Chinese history is the way Shun became emperor instead of the sons of emperor Yao. After the three years of mourning over the death of the emperor, Shun, premier to Yao for twenty eight years, withdrew from the sons of Yao but the people ran to him to make him the ruler. Mencius quotes from the Book of Documents: “Heaven sees as my people see; Heaven hears as my people hear.”

An unjust ruler, on the other hand, loses the Mandate of Heaven. And the Mandate of Heaven being equated with the mandate of the people, the subject(s) may banish and slew him. King Hsuan of Ch’i asked: “Is it true that King T’ang banished Chieh, and that King Wu slew Chou? Mencius replied: “Yes, it says so in the Records.” The King said: “But properly speaking, may a subject sly his prince?” Mencius replied: “A man who despoils Humanity I call a robber; a man who despoils Justice, a ruffian. Robbers and ruffians are mere commoners. I was aware that that commoner Chou was slain, but unaware that a prince was slain.”

Following the Rectification of Names of Confucius, that one must do the duties corresponding to one’s name, the ruler must do his duty as a ruler, the father as a father, the minister as minister, and so on, when the people kills an unjust ruler, they are not killing a ruler but a commoner or even an animal. Thus, Mencius can be considered the first philosopher in the history of philosophy to justify a revolution.

Conclusion
The insights of Mencius on justice, that it is doing one’s duty according to the rights of others, that it is inseparable from love, inherent in the goodness of human nature, rooted in the self and family and extended to the state, can help us understand the Arab spring happening in our world today. It calls upon all of us, citizens and rulers, to be just and loving, if we are to have peace in the world.

Commentator: Mohammed Doukkali

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51 *Mencius* 5A:5. Wing-tsit Chan translation. Wing-tsit Chan, op. cit., p. 78
52 *Mencius* 1B: 8.
From Suffering to Injustice

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The notion of justice has two meanings: a moral sense of what is just, and a legal comprehension of what is right. The first one is Islamic political experience. I would also try to show the interest of such an approach for modern political thought in order to reconcile Arab world with a past that was more universal and cosmopolitical than commonly admitted, and where a non-religious understanding of the power was effective, which is, in my opinion, a duty, in these hours of constitutional rewriting in Tunisia.

I was looking for a way to talk about the changes in Tunisia without forgetting the philosophical purpose of the dialogue, when I read a text from Alfarabi that deals with the definition of justice. It seemed to me interesting to recall this classical definition of justice, by presenting one it’s great occurrence in medieval Arabic philosophy, as a way to remember that arbitrariness is not consubstantial to Arab political thought. (And by Arab I mean people who speak Arabic.) Arbitrariness describes a power that is not used to promote justice. We can define it as the power of a man or a group that doesn’t take into account the laws through which it exists.

What the Tunisian revolution has put in light for the whole world is the importance of the injustice that ruled the Tunisian state. Then what is political justice? My point is to make clear that despite all the claims for freedom, it is the old notion of injustice that has made people stand together to chase out the dictator. People have not begun a revolution by desire for liberty, but because of a feeling of injustice (and this is a thing some politicians has forgotten during the campaign for elections). More precisely, the arising of the revolt was the moment when suffering converted itself into the feeling of injustice.

1 - Political Justice.
The purpose of Al-Farabi Aphorisms of the Stateman is to present in a short book the main principles of the political science according to the Ancients. The short form of an aphorism allows a quick memorisation of those principles. This memorization is required from the ruler, since, as the book shows it, he does not necessarily have to be a philosopher. According to Al-Farabi, in the Aphorisms of the Stateman, there is a political science that is distinct from the political philosophy and this science is empirical and must rely on the principles discovered by philosophy and on experience, observation and practice. (Whereas in political philosophy, all the knowledge required from the king is drawn through demonstration and classification.)

In the medieval ages, all the knowledge possible was considered already discovered by former philosophy with Aristotle and Plato. And, especially for Al-Farabi, revealed religion has only made this knowledge of the universals notions easier to learn for the common people, using imaginative representation for that purpose. This is why Al-Farabi uses the Aristotelian definition of justice in his book of Aphorisms for the Stateman. Al-Farabi explains two of the three species of justice according to Aristotle:
Justice first has to do with dividing the shared goods that belong to the inhabitants of the city among them all. Then, after that, [it has to do] with preserving what has been divided among them.

The excellence or virtue that concerns collective action divides itself into three species in fact: legal justice, distributive justice and corrective justice. For Aristotle, legal justice means that the laws address every citizen equally. It relies on an arithmetical equality: A=B=C=D. Al-Farabi does not present this form of justice because it is obvious for him.

But he defines distributive justice: it is the proportional repartition of the goods between all the allowed members of the community.

Indeed, each one of the inhabitants of the city has a portion of these goods equivalent to what he deserves.

The distribution depends on the constitution: if all the people are equals, they equally deserve the goods. If the riches or the nobles are superior, all the people are not equal and the goods are distributed according to the proportion of the inequality: A/x = B/y = C/z.

The just preservation designates Aristotle’s corrective justice, but with a particular emphasis on the preservation of the goods, which indicates that the correction of the abuses is only a mean to re-establish justice. For Al-Farabi, justice relies on a stable order:

When they [the goods] have been divided and a portion settled upon each one, the portion of each one of those [persons] ought afterward to be preserved. Either it is not to go out of his hand or it is to go out through stipulations and conditions such that no harm touches him or the city from some of his portion going out of his hand.

These stipulations and conditions correspond to the contract, and are meant to maintain equality between the citizens who share the goods.

That comes about only by returning, in place of what voluntary or involuntary went out of his hand, a good equivalent to that which went out of his hand – either of the [same] kind or of another kind. And what is returned is either returned to him personally or to the city. To whichever of the two the equivalent is returned, justice is that the divided goods remain preserved for the inhabitants of the city.

The preservation of goods by returning the part that come out of the hands of a citizen relies on an arithmetic equality. When the portion of goods of someone goes out of his hands, he is no more equal to the others who still have their goods untouched. So justice is to re-establish him in his possession by returning an equivalent to good that has gone out of his hands.

2 - From Suffering to Injustice
A revolutionary situation may happen when individual suffering is transformed into a feeling of injustice, and maybe almost into an Idea. Injustice is when there is an order that is contrary to the
forms of justice previously seen. Let’s now consider briefly the repartition of the goods in Tunisia, with in mind the definition of **unjust distribution** by Al-Farabi:

His [each inhabitants] falling short is an injustice upon himself, and his exceeding is an injustice upon the inhabitants of the city. And perhaps his falling short is also an injustice upon the inhabitants of the city.

The last sentence means that, if the exceeding signifies obviously to wrong the poorer, the falling short is not only unjust to the person who has less than he deserves, but it may also be unjust to all the citizens. It is because distributive justice is a ratio that is applied to the whole city. The falling short of someone signifies some others are exceeding, which is unjust upon the inhabitants as we have just seen.

I would now illustrate the unjust repartition through the example of Tunisia. It is my way to relate to you the story of the Tunisian uprising. This can only be a general survey since the economical information was manipulated by the former government. Some figures then: one of the first information I saw on the social networks some weeks before the uprising, was the classification of the income of the rulers in the world by the magazine Forbes: the former president Zine-al-‘Abidine Ben Ali, was likely to have a fortune of 5 Billion dollars and that was only the visible part of his wealth and did not took into account the wealth accumulated by all his enlarged family. This information has quickly reached Tunisia, at least the connected people, which may represent a quarter of the population, confirming what they had already heard of the usurpations accomplished by his family in the acquisition of societies, banks, newspapers, in the market of the exportation, in the national distribution, etc…

And injustice is for someone’s portion of the goods to go out of his hand without its equivalent being returned to him or to the inhabitants of the city. Further, what is returned to him personally ought either to be useful to the city or not harmful to it.

Another figure, the GDP (gross domestic product) per inhabitant is about 9397 dollars for a year in 2010, that makes almost 783 dollar a month. The minimum salary is about 150 dollars. We can estimate that the largest part of the population has an income inferior to 250 dollars per month. I am not an economist but to give an idea, it is hard to find a flat under 600 dollars per meter squared and the kilo of meat is around 15 dollars. I am sorry to be so materialist in such a spiritual assembly but talking about injustice requires sometimes talking about facts. As these figures may indicate, Tunisian revolution is a consequence of many years of suffering. Surely everyone knows that all individuals have suffered from the lack of freedom of speech but the point is not about personal liberties only. The lack of freedom of speech prevented anyone from expressing its suffering or the suffering he could have noticed in many areas of the country.

Al-Farabi describes the **goods that are shared** in the virtuous city:
Those goods are security, monies, honour, ranks and he rest of the goods it is possible for them to share in.

For the **wealth** we had an insight. I would describe these others goods mentioned here as the **elementary needs**: food, water and health care at least. For the lack of food: 25% of the Tunisian
population have less than 2 dollars the day to live. Some are lacking water: many areas in the
countryside still have no running water in a country that uses so much water for tourism and for
9 or 10 golf courses. For health care, surely there is a quite good health care system on the coast
side but besides the lack of doctors in the remote areas, I will relate to you an anecdote: some
physicians from Tunis, the capital, have discovered, while going to help the injured people in
Sidi Bouzid, after the departure of Ben Ali, that Sidi Bouzid’s hospital still uses glass syringes to
sterilize, whereas Tunis has been using modern ones for over 30 years… It was forbidden to
make documentaries on the poorest areas, forbidden to enquire on the southern suburbs of the
great towns (which are always the poorest in Tunisia). So there is an unjust repartition of the
wealth and of the elementary needs.
Let us question the repartition of the **honours**. For example, there are phosphate mines in Gafsa.
In 2008, a great protest appeared in this southern area. Its main reason was that the national
society of phosphates preferred to employ members appointed by the “Family” rather than to
employ the graduate people of the area. It is a general problem in Tunisia. I must add that
considering the family of the president, who had such high place in the economical and political
world, as incompetent and dishonourable was a commonplace.

As to talk about **security**, what can it be when every one who begins to produce benefits, could
be forced at any moment to sell his society to a low price to one member of the “Family”? Surely
there where a great number of policemen in Tunisia [200 000] But it implied security against
terrorist intrusions, and against violence, only as long as you are not taken for an opponent.
Security was the unique argument of dictatorship. We can then consider that justice was reduced
to the notion of security. It is clear that such a reduction of the notion of justice to security can
only be endured to the point there is a sense of righteous distribution.

The prevention of injustice rests on a **measured application of punishments**. A human being’s
portion of goods goes out of his hand either by volition – as with selling,
donating, and lending – or not by his volition – as with robbery or usurpation. In each of these
two instances, there ought to be stipulations by which the goods of the city remain preserved for
the people (this last sentence may call to mind the problem of fiscal paradises). It involves justice
courts that are just. The state of corruption of Tunisian justice court is so high that we cannot talk
about a just application of punishment since the president could decide arbitrarily, for each
opponent, what punishment he pleased. There was a clear perception of the corruption. Corruption
literally means an alteration that leads to destruction. It is the destruction of a
function: the institutions of justice are destroyed when they are corrupted.

When the one causing a portion of the goods to go out of his own hand or out of the hand of
another harms the city, he is also unjust and is [to be] prevented. To prevent many, there is need
to inflict evils and punishments. **The evils and punishments ought to be measured so that for
each injustice there is an opposite measured punishment prescribed as an equivalent for it.**
So, when the evildoer gets a portion of evil, that is justice. When it is excessive, that is an
injustice upon him personally; and when it falls short, that is an injustice upon the inhabitants of
the city. And perhaps being excessive is an injustice upon the inhabitants of the city.
Preservative justice takes only into account the harm and not the quality of the perpetrator of the offence. All these examples of legal injustice, distributive injustice and injustice in preservation of goods refer to individual suffering.

3 From a sense of the injustice to political action (by political, I mean collective action)
What happened in Tunisia is that in addition to the suffering experienced by more than 40% at least of the people, and to the absence of any better perspective for almost all the others, rumours grew stronger about the wealth of the president and the multiples abuses committed by the members of his beloved family. At a moment the point of rupture was reached. The question here is: why the rupture occurs at this moment and not at another moment?

Here we must talk about the role of images. Imagination for Al-Farabi, for the good Aristotelian that he is, is a faculty of abstraction, memorization and re-presentation. It combines itself with appetite, desire. Consequently, imagination has a great part in the determination to act for an individual. It has a practical function. It doesn’t have the logical necessity of scientific demonstration, nor it requires our assent like opinions may require. Imagination for al-Farabi, as representative faculty, sometimes leads man to action as well as sensation or demonstration. Furthermore, the production of images, may lead another man than the producer of the image, to act, by creating desire or aversion for the image produced. It is the case when he hears an utterance (statement) about a thing, or sees an image of this thing, or when he sees the thing itself. These three kinds of representations lead a man to imagine the same reality. It is interesting for our purpose that, when al-Farabi explains how the imaginative suggestion works, he gives these examples:

For example, in the case of the utterances that suggests about one thing, the image of beauty, or that of ugliness, or that of injustice, or that of lowness, or the one of grandness.

In many cases a man’s actions follow his imaginations; in many cases they follow his supposition or his science. But often, his supposition and science are contrary to his imaginations. And more often his actions follow his imaginations, and not his supposition or science. (Book of poetry, 6).

The revolt in Tunisia became national when the suffering became patent. It became patent with the help of the internet and of the social networks. What is the nature of internet and social network? We can agree that it connects many places one to another and this way it connects people, through images principally or written testimony (which may be assimilated to statements that provide images as al-Farabi would say) through a very short period of time. So internet provided Tunisian people images: the image of Bouazizi immolating himself to protest against the final confiscation of his only good: his stall of vegetables and fruits. (This addresses another question, what is justice when there is not enough goods to share, or without any good to share?) Internet provided soon after the images of the demonstrations to denounce his suffering. And then after, there were the images of the people killed in the demonstrations by snipers hiding themselves on roofs. And it provided them also with many witnesses about the abuses perpetrated by the regime. In Arabic, a shahid means a martyr, but both Arabic and Greek word marturos mean witness… and I have almost forgot to mention wikileaks…This asymptotic welter of images led to the multiplication of demonstrations in all the great cities of the state
until they reached the capital. The army refused to fire against the people. And Ben Ali was led to flee.

These multiples images, very concentrated in time, have made people imagine a Reality given by these images: all were images, re-representations, imaginative suggestions of Injustice. Images led to men to imagine the Reality of Injustice. Experienced suffering has been represented in various images; and repulsion (the contrary of desire which is also linked with imagination) fuelled by the images of Injustice, have led Tunisian people to action.

References

Commentator: Sawa Kato
Islamic Concept of Human Dignity and Justice: An Analysis in Asia-Arab Perspective

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The concept of “human dignity and justice” plays a key role in discussions of human rights. And yet, the concept of human dignity and justice present significant challenges that often go unacknowledged in the realm of public discourse. What do we mean when we say that humans have dignity? And what kind of claim is it? Is it a claim based on some kind of comprehensive worldview or set of worldviews? Is it simply a pragmatic assertion—one that, hopefully, leads to less violence and create a more just world? The concept of human rights appears to us not surprisingly since numerous human rights documents—in particular, The Universal Declaration of Human Rights—refer to humans as having dignity and justice will have to maintained because this dignity as being the basis for human rights. What is the relationship between this triad of terms: “human rights,” “human dignity,” and “justice”? And what are the implicit assumptions in these terms in Islam that need to be explored in this article.

Human dignity is a composite concept that can embrace a variety of objective values and those which may be relative and subjective in the context of particular legal and cultural traditions. The values that dignity subsumes are also liable to change with new developments in science and technology as well as the mobility and interaction of peoples and cultures. Broadly speaking, from a legal perspective, human dignity connotes inviolability of the human person, recognition of a set of rights and obligations and guarantee of safe conduct by others, including the society and state. It has also implications on a global scale as to whether the world communities and cultures accord dignity and inviolability to the other.

Before the emergence of Islam the human dignity and justice were violated enormously in the Arabian Peninsula. Islam emerged as a panacea to establish human dignity and extend just treatment to all without any discrimination of caste and creed. The Islamic concept of justice is based on the divinely-ordained right of human dignity: “we have honored the children of Adam” (17.70), if honor, and dignity, is a common heritage of mankind, then it is only logical that they all must be treated as equals and just way. It is important to remember that one of the attributes of God mentioned in the Quran is adl, that is justice, which denotes placing things in their rightful place. The Quran says, “God does command you to render back your Truths to those to whom they are due; and when you judge between man and man, that you judge with just ice”(5.8). The words are clear; the duty to do justice is paramount.

The fact that the commands to do justice and shun inequity have been repeated more than 55 times in the Quran, gives an idea of the overriding importance of justice and equity. The Quran emphatically prescribes: “O ye who believe! Stand out firmly for God, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to Piety”(5.8). the words are clear; the duty to do justice is paramount.
and no extraneous considerations like personal hatred are allowed to colour the judgement. Not just hatred, other considerations like personal interest, kinship or the high or low standing of the person concerned, shall have no bearing on doing justice. The directive is clear to “stand out firmly for justice, as witnesses to God, even as against yourselves, or your parents, or your kin, and whether it is against rich or Poor” (4.135).

The Quran further clarifies that in matters of justice; even the proclaimed faith of a person cannot help him to avert punishment if he is found guilty. It sternly warns those who show partiality on account of religious affinity and defend a wrong doer: “we have sent down to you the Book in truth, that you may judge between men, as guided by God: so be not (Used) as an advocate by those who betray their trust”(4.105). The commentators explain this verse with reference to the case of one Taimah bin Ubayraq, a Muslim of Median who was suspected of having stolen some valuables and later planted them in the house of a Jew, where the property was found. The Muslim community sympathized with Taimah, but the Holy Prophet decided in favor of the Jew who had been falsely implicated.

The Islamic laws, as developed during the Umayyad and Abbasid periods, have many provisions which discriminate between a Muslim and a non-Muslim. Even today in the various Islamic countries human dignity and rights are violated often and they are deviated from the path of justice. It is very painful to me also. But the provisions of the Islam are crystal clear; Islam addressed to the general run of people and makes no distinction on grounds of race or creed of any person. In fact, as a measure of special caution, Islam exhorts to be kind and just in dealing with all non-Muslims who do not indulge in any religious persecution: “God forbids you not, with regard to those who fight you not for (Your) faith nor drive you out of your homes, from dealing kindly and justly with them: for god loves those who are just” (60.8). The Quranic injunctions on justice and fair dealing are reaffirmed in several prophetic narrations. One tradition quoted by Imam Ghazali in his book Advice to Kings is particularly revealing. It says: “A country can survive under kufr(disbelief or ingratitude to God) but it cannot survive under Zulm(Injustice and oppression”).

Considered from a different direction, it is not clear precisely what follows from the claim of human dignity, either for those whose commitment is broadly theoretical or for those who marshal the concept in support of various causes. Some legitimate questions are also related to it as- Does respect for the value of each and every human being have any direct implications for public policy? Does it provide substantive guidance to those who are working to relieve suffering and combat injustice? In this issue, we take up these crucial questions, trying to bring some conceptual clarity to terms that are frequently used. Without a closer look at the assumptions brought to, but unexplored in, discussions of justice and human dignity, we cannot hope to sustain the human rights efforts that cross our globe—particularly since these assumptions are not uniform, or even necessarily compatible, across cultures or communities. While we are optimistic regarding the fruitfulness of a discourse of human dignity, it is unwise to dismiss theoretical challenges out-of-hand. For any idea to make good on its promise, it must be capable of withstanding the most rigorous and critical of examinations. In what follows we try to bring into view some of the fundamental assumptions that ground the Islamic concept of human dignity and justice so that the violation of human dignity and justice can be preserved in the systematic and global way.

There are many challenging points in the topic.
Wittgenstein, Social Courage, and Justice

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The later Wittgenstein has been known for his contribution to virtue ethics. But his *Philosophical Investigations* can be read as supporting a more positive conception of justice that goes beyond mere reciprocity and entitlement. The method of language-games provides an alternative account of empathy and caring for others that offers advantages over Kantian accounts of justice. I explain how this is the case for the phenomena Gerd Meyer calls 'social courage' and how such cases of caring for others help advance the concerns of justice.

**Language-games and virtue ethics**

Central to the *Philosophical Investigations* and to Wittgenstein’s later philosophy is the method of language-games. In contrast to the inclination towards the ineffable of Wittgenstein’s *Tractatus (1922)* and *Lecture on Ethics (1929)*, the *Investigations (1953)* emphasizes how we learn to act, understand, and make judgments through immersion in various language-games. Moral judgments are not mystical phenomena beyond human comprehension. It is a natural but complex ability that is more appropriately learned and understood by participating in the relevant forms of life that come with the use of an expression.

The method of language-games is a method of understanding by engagement and participation. Instead of searching for common traits that allow for a fixed rule or definition, it employs a method of explanation through ‘a series of examples (and analogies) that can be broken off’ (PI 133). This training requires the learner to understand the different ways words are naturally connected to certain actions and practices (PI 7). As a result, the learner acquires mastery of grammar which is shown by a sensitivity to the varying constraints of actual linguistic discourse. Similarly, moral competence is not independent of the sensitivities we acquire while learning a language (Crary, 2000). These sensitivities often defy articulation via a definite rule, but they are necessary components of moral knowledge (McDowell, 1979). In this aspect, Wittgenstein’s method of language-games has been viewed as contributing largely to virtue ethics in the tradition of Aristotle and the concept of *phronesis*. Rather than someone who employs a definite set of moral principles, the virtuous man is characterized by a keen ability for practical judgment. He possesses a sensitivity to perceive the unique requirements of a situation and acts accordingly (Ibid.). And this type of sensitivity is acquired by experience and training in the various practices of a community.

So, as opposed to the isolation required by abstract modes of reflection like Kant’s categorical imperative or Rawls’ veil of ignorance, the method of language-games requires participation and connection to a community or practice. It is important to cultivate and enter into relationships and practices that put us in a disposition to think and reason in the place of one another. These shared experiences, and the attachments and interests we form through it, are not impediments to objectivity. On the contrary, they are inescapable conditions for any coherent account of reason and autonomous thinking. \(^{53}\)

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\(^{53}\) The original position from which Rawls derives his theory of justice assumes that humans’ capacity for thought and action are self-sufficient and fully autonomous. It also assumes we can think of ourselves as
In addition, engaging in language-games and thinking from the perspective of shared practices enables us to come up with a shared language for genuine communication. This is what it means to say that sharing a language is sharing a form of life (PI 19). Engaging in avenues for articulating similar thoughts and experiences allow us to understand others whom we have come to ignore because of some difference and unfamiliarity. So in many parts of the Investigations, Wittgenstein asks us to reflect about imaginary cases and compare them to actual language-games. For example, in the case of understanding different ways of reading, measuring, calculating, rule-following, seeing aspects etc… Such methods of reflection involve sociological and moral imagination so we can understand the ‘otherness’ of beings we have excluded from our world.

Hence, the method of language-games offers a coherent understanding of what it means to think in the place of others while not undermining our sense of identity. Autonomous thinking is not incompatible with our involvement to the different practices of a community because individual judgment is developed in the context of shared activities. At the same time, the synoptic view of language (PI 122) developed during play enables us to understand the connections and differences essential for recognizing the agency of others. This, in turn, puts us in a better position to act and think with empathy.

Accordingly, the method of language-games presents itself as a promising framework for a conception of justice that can deal with the increasing occurrence of social and political apathy in contemporary society.

The need for a more positive conception of justice

The idealized conception of agency that abstract modes of reflection have unwittingly assumed leads to a negative conception of justice that cannot deal with systematic acts of neglect, indifference, and apathy (O’Neill, 1996). For example, in the recent case of Wang Yue, the Chinese toddler hit-and-run victim who was ignored by 18 passers-by (Yip, 2011), in the case of the Kitty Genovese, the New Yorker who was murdered in the presence of 38 people (Hegarty, 2011), and in many other similar cases where a person is hurt or victimized but people just pass-by and do nothing.

In these cases, agents are vulnerable and need help from others. Yet the failure to help is not viewed as a concern of justice. While the perpetrators can be held liable for the harm inflicted, there is no legal liability for those who do not help. There are risks and inconvenience to helping that cannot be obliged from people as private citizens. For example, many claim that the failure to help Yue may have been due to the fear of being made responsible for the injuries. This is actually what happened when a fellow Chinese named Peng Yu was prosecuted after helping an elderly woman in 2006 (Fish, 2011). Helping in such risky circumstances is considered an act of virtue that is discretionary depending on the personal conscience or private morality of an agent.

reasoning from a point of view independent of the particular attachments that constitute our sense of self. Hence, it becomes a question how ‘thick’ of ‘thin’ the veil of ignorance should be to make sense of the particular interests that can be protect or advanced by justice (O’Neill, 1998).

54 Speaking and thinking is akin to a rule following activity made possible by a practice shared with others. Hence, it is not possible for a person to follow a rule, think, and speak a language only once. The pattern of activity made possible by our shared forms of life is necessary for any coherent account of language, thought, and reasoning process (PI 198-199).
Onora O’Neill (1996) explains that the problem with such type of reasoning is its tendency to dichotomize accounts of justice and virtue. In this view, virtue belongs to the domain of the ‘private’ where institutions have no legitimate concern, while justice belongs to the ‘public’ where individuals only have to avoid violating laws and interfering with others. Justice is not the obligation of individuals who are entitled to pursue their selfish interests so long as they do not violate any law and do not harm others. But O’Neill argues that caring and helping others is also a moral and a political requirement. Failure to help in certain situations is a deficiency not only of virtue but also of justice, and justice is also a virtue of individuals.

We have the Kantian obligation to help and care for others because human capacities for thought and action are finite and not self-sufficient (Ibid). We need help from others to develop our capacities or to attain goals we cannot reach on our own. There are also untoward circumstances that render us vulnerable, and we need help to protect our well-being and regain our strength. For example, during natural calamities or political crises or during times when we are hurt or physically injured. The Kantian requirement of universalizability is not met when moral requirements do not include the duty to support and care for others. The weak and the vulnerable are unable to follow prescriptions which only the strong and the powerful can follow. And because every one of us is, at some point, weak and vulnerable, apathy and indifference are not universalizable and need to be rejected by acts of care and support for others.

So, we have a Kantian duty to help and care for others. This duty, however, is inescapably selective. Because of the limits that come with embodiment and finitude in resources, we can only help some. There is no universal right to be helped compared, for example, to the universal right not to be killed. The latter is merely a duty of non-interference which can be done by everybody to everybody. The former duty, on the other hand, requires positive action which we cannot do, and so cannot owe, to all.

But the fact that the duty to help is selective does not imply that the duty is purely discretionary. Such a duty may be a requirement of both justice and virtue. There are times when the duty to help is a matter of justice, but there are times when it is a matter of virtue. For example, the provision of basic education and health services by government institutions is a matter of justice. They can be claimed as matter of entitlement because the right to education and health are foreseeable and persistent vulnerabilities. Occasions for such actions can be clearly defined by relevant laws, and obligations to act can be claimed as a matter of right from certain institutions. So even as just acts require more than non-interference, it is a perfect obligation that can be met by just laws and institutions (O’Neill, 1996).

On the other hand, the duty of parents to provide and care for their children, the help rendered by a stranger to an endangered person, and the solidarity expressed during natural disasters are matters of virtue. As opposed to just acts, virtues actions are obligations that do not have corresponding entitlements. They respond to needs and injuries that are dependent on certain situations. The occasions for their performance are too variable that it becomes demanding to require them as a matter of entitlement that can be formally claimed from any agent or institution. Helping, for example, cannot be required for beforehand for any specific agent. Hence, there is no such thing as a right to be helped.

However, helping still obligatory for those who are able. The absence of caring and supportive acts in particular situation or relationship often imposes a vulnerability comparable to harm.

55 Instead of ‘universalizability’ O’Neill (1996) uses the term ‘followability’ probably to also consider some requirements on action that cannot be required of all due to finitude and variability.
Some parents, for example, owe their children forms of care that they do not owe to other children just as some children may owe their parents some form of respect they don’t owe to other elders. The absence of these special forms of care and respect may amount to nothing for those who are not in the same relationship, but it inflicts a type of injury to the well-being of those people who are because of certain dependencies that have been developed. Relationships provide more opportunities for care and nurturing capacities for human action, but it also leads to more expectations and vulnerabilities that create special obligations.

Positive acts of virtue may also be required in the case of accidents and emergency situations like that of Yue. We do not have a right to be helped by passers-by and strangers unless those strangers are obliged to do so by their profession. (Institutionalized sanctions can be given to the neglect of doctor but not to that of the stranger). But it still becomes a matter obligation for a stranger to help because the consequences of any incompetent way of helping are more tragic than not helping. And even as private citizens, strangers obliged to care as a matter of civic responsibility.

In the case of having an oppressive tyrant or unjust socio-political structure, there is an extent to which able citizens are required to be activists and non-conformists to promote common good. Institutions that address citizens’ welfare rights may be lacking or extremely inefficient due to corruption and partisan allocation of government resources. During such cases, it becomes a civic duty to lobby and work for laws that can improve or create relevant welfare institutions. Such responsibility is something that cannot be claimed by anyone as a matter of law or entitlement but it is something that we owe to others as members of a human society. In the cases just mentioned, the duty to help and care for others are social virtues that are required to promote justice by addressing requirements on action that cannot be claimed as matter of right from any specific agent or institution. Social virtues are important because they promote and sustain human capacities in the presence of selective vulnerabilities and limitations for action. They also help address welfare rights that have yet to be established by relevant laws and institutions. The absence of these positive actions is too paralyzing for human agency that it is inappropriate to exclude them from the list of political requirements. Hence, for us to have an adequate place for such virtues, O’Neill emphasizes the importance of using the perspective of obligations, rather than rights, in moral and political thought. Taking the perspective of obligations will allow justice to be conceived not just in terms of fairness but in also terms of helping and caring for others.

There are also virtues that are optional. These acts are desirable but not essential in maintaining relationships but they can be useful in strengthening. For example, the cheerfulness of friend or the generosity of host. These things cannot be claimed as matter of entitlement and they are not obligatory but they are desirable. Being tied to specific situations, the same act of virtue can be merely optional in circumstances but required of another. For example, the act of gift-giving may be optional for a stranger but obligatory for a special someone (e.g. gift during your children or spouse birth day). Note also that regardless of whether the virtue is optional or obligatory. They are both not a matter of entitlement. Guests do not have a right to hospitality and even birthday-celebrants do not have a right to a gift but such acts of virtue may be optional or required depending on the circumstances. In understanding the difference between acts of justice and virtue, I adopt O’Neill’s (1996) stipulation that virtue is always a matter of obligation while justice is always a matter of perfect obligation.

It must be noted that Rawls himself includes a duty to help via the difference principle which is mentioned both in A theory of Justice and in Political Liberalism (1993). However, closer reading will
A rights based conception of justice ignores the possibility of obligations that do not correspond to entitlements either because they are too variable for identification or because the institutions that define and create them are yet to be created. It also construes the Kantian requirement of universality merely as a procedure similar to reciprocity. For example, some formulate the Categorical imperative via the Golden Rule: ‘Do not do unto others the things you do not want to be done unto you. And do unto others what you want others to do unto you.’ This formulation however is wrong in the Kantian sense that reflection should not be centered on wants but on types of action that treat others as ‘ends in themselves’ or as rational agents (O’Neill, 1989). There is an extent through which wants and desires are constitutive of agency and should be acknowledged as legitimate starting points of reflection. But there is also an extent that those desires compromise rationality and impartiality. So even in the Kantian perspective, it becomes a question (e.g. in discussions about the notion of consent) what it means to treat others as rationally autonomous agents (Ibid).

Moral and political reflection should involve not just the ‘I’ that is common to every ‘other’, but the ‘other’ that is distinct and unique from the ‘I’. Kantian modes of reflection involve the danger of imposing actions and interests that are not of the actual agent affected by the action. Either it dissolves the sense of the ‘I’ to the ‘other’ by pure conformity to the rule (Consider for example Nietzsche’s criticism of Kantian ethics as a type of herd morality). Or, it dissolves the sense of the ‘other’ to the ‘I’ by egocentric and solipsistic modes of reflection (e.g. Rawls original position).

Wittgenstein avoids such a reduction by emphasizing the need to reflect via active participation in the language-games that make up our complex forms of life. For example, helping others should come with respect for autonomy. Agents receiving help may have interests and conceptions that are different from the helper. Hence, there are ways of helping that are perceived as condescending and meddlesome rather than truly helpful. Without the appropriate care or sensitivity, the helper might unknowingly impose his interest or view on the person being helped. Wittgenstein’s method of language-games helps us develop a sensitivity for what would count as the appropriate way of helping given the uniqueness of the ‘I’ and the ‘other’ in a particular situation. In doing so, he presents a method of reasoning that provides a more coherent account of the social virtues necessary for a conception of justice as a way of caring for one’s self and others.

Wittgenstein and Social Courage

Wittgenstein can be viewed as supporting a positive conception of justice, i.e. justice as caring, in so far as he is supportive of social virtues like social courage. To do support this claim, I explain the striking parallelism between features of Wittgensteinian ethics and Gerd Meyer’s account of social courage.

‘Social Courage is a type of social action, directed not simply to oneself, but for others in public’ (Meyer, 2010). It is often “associated with situations where the ‘psycho-physical integrity’ and interests essential for a person or group is violated, and where the resulting conflict involves both a pressure to act and an opportunity for alternative action” (Ibid). In relation to our concern about the duty to help and the conception of justice as caring, Meyer makes the term broad enough to include acts of positive intervention during emergency or life-threatening circumstances as well show that such positive duties still cannot account for O’Neill’s social virtues or the civic obligation of able strangers to help prevent or worsen the injustice suffered by others.

58 I am thankful for the kindness of Prof. Meyer in sending me his articles on Social Courage.
as acts of standing up for important values during non-violent circumstances in everyday-life. Hence, standing up against an abusive superior, arguing against a driver for an overcharged fare, or not ignoring a crime committed by a powerful politician are all instances of social courage.59

I believe that Wittgenstein shares basic insights in Meyer’s research on social courage because:

1. It acknowledges the influence of situational and systemic factors on action.

   Gerd Meyer (2010) distinguishes social courage from moral courage. Moral courage has the tendency to neglect systemic factors that facilitate or hinder social courage in favor of emphasizing altruistic motives and pro-social attitudes of an individual. Social courage, on the other hand, is fostered and hindered by a variety of situational determinants and institutional contexts.

   For example, those who experience economic insecurity are less likely to show social courage in work and stand against their boss. On the other hand, those who are confident about their social roles are more likely to show social courage. Such confidence gives people a feeling of legitimacy and security when intervening. The non-authoritarian and democratic character of political institutions in terms of freedom of opinion, tolerance, and rule of law also increases the chances of social courage by minimizing the risk that come with acting for the welfare of others (Ibid).

   Similarly, Wittgenstein’s method of language-games is said to emphasize the continuity between the moral and non-moral, and would hardly approve of the reductionist accounts of moral courage that Meyer speaks of. Wittgenstein speaks of the multifarious language-games that provide the context for understanding the meaning of an expression or, in our concern, the act of social courage. No generalization can be made about how specific factors (personal, political, economic) influence the occurrence of helping behavior because they are influenced by a variety of other factors which we would fail to recognize once we settle with one aspect of the action. The challenge is to be open or receptive to how all these factors interact to foster or hinder socially courageous action.

   Hence, even as social courage involves action for others, it is often expressive of a degree of personal autonomy and non-conformist attitude that is developed and acquired from certain types of socialization and biographical experiences. For example, children are likely to show social courage when they are not trained not to avoid conflict and criticism at home and were encouraged to stand up for themselves and voice out their opinion, or if they are given roles that allowed them to develop a sense of confidence to act on their own (Meyer, 2009).

   So, Meyer (2002) points out the need to be more conscious of how our actions are influenced by different situations. Because social courage often implies non-conformist action, it is often punished by the society and lack of it is the norm. The anti-reductionist view of Wittgensteinian ethics imply that even as social virtues depend on the personal attitudes and values of a person, it makes sense to work for a society, educational system and political structure that rewards, rather than sanctions, autonomy and non-conformist action. This approach is also akin to the Wittgensteinian emphasis on how the moral is continuous with the non-moral, and how the ethical can be viewed as something involved in all domains of thought and action (Crary, 2000)

59 Meyer (2010) also notes that the term ‘social courage’ is not normatively neutral and refers to values importance to democratic societies. It does not include the courage of extremist in fighting for an authoritarian order or the courage of intolerant citizens who consider all Muslims as potential or real terrorists.
2. It acknowledges the role of moral feelings and a caring morale in accounting for social courage. While Meyer (2009) leaves open the question on whether his research on social courage shows gender specific types of moral reasoning and notes that gender differences have played a minor role in determining who is likely to act with social courage, it appears that the results of his study has affinities with feminist ethics and the ethics of care, which in turn also has affinities with Wittgensteinian ethics. In particular, he recurrently notes the importance of feelings such as moral rage and indignation in the many cases where social courage was shown. I believe that this is consistent with the Wittgensteinians’ concern on making room for the non-rational and the legitimacy of acting on gut feel in light of the ambiguity of a situation and the need for (urgent) action. The non-rational and the non-argumentative are genuine elements of moral reflection (Crary, 2002). Moral feelings and the instinct to care and see ones’ self in the place of another are sensitivities necessary to perceive salient requirements on action.

And what is necessary are ‘socially reflective forms of learning’, a mode of social learning that requires us to reflect on situations involving conflicts associated with the need for social courage (Meyer and Herman, 2002). Social courage requires the ability to ‘put oneself in someone else’s shoes in order to know their needs, feelings, and ways of thinking, so we may understand how an excluded or threatened person feels’ so we can determine the kind of help needed (Ibid). Promoting social courage involves clarifying opportunities for productive action via the practice of: changing ones perspective, articulating different interests specifically those of the excluded, and clarifying one’s role in the social interaction process. Meyer (Ibid) explains that this can be done in educational institutions through role playing, simulations, and training in conflict-mediation. In our case, we are doing this ‘socially reflective learning’ through participation in this Asia-Arab dialogue. Analogously, these socially reflective modes of learning are similar to the task of seeing and understanding different perspectives involved in playing language-games. This task of feeling and seeing with the other is task of the imagination and is often categorized within the domain of the non-rational. This is because we have been accustomed to taking our perspective and interests alone, that being able to empathize with other ‘beings’ involves being able to think of the inconceivable. When the convention and rules of a society determine what is rational, we are invited to reflect on the non-rational and act and see differently (Crary, 2000). As a result, we come to have wider a perspective of the world and become more considerate and caring of how others are affected by our actions.

3. It emphasizes the need for connecting the private to the public.

The requirement of Social Courage is a domain where the private and public overlap. With all its risks and isolation, it requires us to step out from our private domain and ‘feel socially responsible for others beyond the narrow limits of individual or family life’ (Meyer and Herman, 2002.). What enables us to do so is a fundamental sense of connection with others. Hence, even as violence is a major factor inhibiting social courage, such a factor becomes irrelevant if the person being harassed is our family or our friend. In such instances, thoughts

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60 A third factor Meyer (2009) notes as important in production of acts of social courage is the internalization of moral values and principles into the person’s self-concept. From a Wittgensteinian perspective, abstract moral principles of justice are unlikely to be translated into action unless it becomes a part of who the person is. The same thing can be said of social virtues and social courage. The person acts and reasons from who he is, even as it is an action done for others.
about intrusion of privacy or possible harm no longer come to the mind. When the persons involved are people we are socially close to, helping is ‘natural’ and ‘goes without saying’ despite the risks it involved (Ibid). Hence, female friends regularly stood up against the harassment of their female friends. And male friends stood up for their ‘buddies’ as a code of honor (Meyer, 2009). When there is no such closeness, people are unlikely to help because cases involving violence are usually thought of as private affairs where others have no right to interfere.

Socially courageous action however is not always exclusive to specific persons we are socially close with. Despite the risks, people were also willing to help strangers if the situation involves a problem or conflict they feel emotionally close with. Some said they had a similar experience and would have wanted help during that time. Some helped because they thought of the victim in terms of people they are close to. Others said that failure to act courageously contradicts their positive self-image as acquired from values and examples given by parents or grandparents (Meyer and Herman 2002). Here, the concern for self-image is not necessarily a narcissistic act but an effort to preserve an important sense of identity.

The duty to be courageous enough to act and help others can only be enforced by an individual’s fundamental sense of connection with others. Hence if we are to foster social courage, we ought to find ways by which we can develop social and emotional closeness with others or with particular issues and problems in the society. Wittgenstein method of language-games is a tool of undertaking this task. Because even if as my ‘world is my world’ and ‘my pain is my pain’, we are only able to make sense of such expressions by sharing a human form of life, and in being reflective of how similar and different we are from others. There is ‘no necessarily private language’ means we cannot understand ourselves independent of the practices and responses we share and learn with others. Reflection on the paradoxical nature of language in terms of how it is able to bring about the connection between the self and others brings fruitful insights on how we can come to empathize with others, and act justly, without undermining our sense of self.

**Conclusion**

Wittgenstein language-games allow us to have a conception of justice as a way of caring for ourselves and others. As opposed to rule-centered modes of moral reflection that Kantian and political theorists have proposed, Wittgenstein offers a method of participation and engagement so we can establish overlaps between the private requirements of virtue and the public requirements of justice. One such overlap is the virtue of social courage. The obligation to be helped by able and competent strangers is not a matter of entitlement but it is a requirement that comes from our sense of connection with others. Our social and emotional closeness provides a strong motivation to address injustice and help others in the face of corrupt and weak institutions. Such an obligation does not raise problems of justification because they are obligations that are natural to us and constitutive of who we are as human beings.

**References**


Commentator: Mohammed Ech-Cheikh
Reflections on the Notion of Dignity

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In my lecture, I will try to contribute a response to the following question: is it possible to rethink the notion of human dignity in light of the changes the Arab world has known without taking account its rootedness in lived experienced? Dignity has well been defined as an absolute and intrinsic human value, which must be considered - following Kant's expression - as an end in itself and never as a means. But the notion of dignity is no less ambiguous. To deal with this concept from a dynamic point of view and to approach it on the basis of its real manifestations such as the demands of justice, equity, and civil rights would allow us, perhaps, to define what human dignity is.

Commentator: Manuel Dy
Universalism, Democracy and Justice

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There is an increasing trend to see justice in a monologic perspective. The individual is at the centre of concepts of justice. While principles such as punishment, redress, rehabilitation and safety of society are some of the key factors that determine a justice system, cultural norms rarely if ever figure in the system of justice. Where it is, the system of justice remains a regional variation in need of standardisation rather than an acknowledged system suited to the culture of the region. For instance whereas revenge and appropriate punishment to satisfy the angst of the victim is strong in some systems, the culture of forgiveness and rehabilitation form the fundamental principles in other societies. Yet in some societies, material compensation rather than incarceration of the offender redeems the victim.

Even on a bigger scale, different communities react differently to major conflicts. In some regions such as Europe, conflict leads to separation and boundaries while in some parts of Africa, communities get over conflict and move on to coexist in the same territory. The principles of Justice therefore cannot be treated from a universally normative perspective but a diversity of concepts that serve the same purpose but with different outcomes and different ethics.

What does justice mean and what does it imply? Justice according to some satisfies a basic natural instinct of being treated fairly. For others it is about creating harmony in society. While the individual may pursue justice for retributive reasons, the State may have an added component of preventative reasons. The State may wish to punish as an example to act as deterrent to others. But the State Government may also have its own political survival and authority in some cases of what it terms justice. Justice may simply be an abstract phenomenon, institutionalised in detail within human society.

Justice, Democracy and Universalism
Speaking at a NGO meeting in 2009 Ban ki Moon said that "justice is a condition of peace" and "peace and justice are indivisible". The Secretary General perhaps states what is at the core of United Nations idealism. This is not necessary a reality. So there is a slight contradiction in reality.

If peace is the state of absence of violence, the question is, is it through democratic consensus or is it through a dictatorial regime or is it a voluntary submission to forego any form of violence. Whatever the route, peace in the end is enforced through some form of coercion, which ironically is the paradox of peace.

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61 http://www.fidh.org/Peace-and-justice-are-indivisible-according-to
Peace achieved in a democratic regime leaves the losing side feeling a sense of loss and quite often injustice when coerced to accept the policies and prerogatives of the majority, particularly in the fields of culture, religion and even economics.

Peace imposed by a dictatorial Government is not always just. Opposition and dissension is discouraged through suppression. Freedom of thought is limited. There is a general feeling of injustice felt by those who perceive a different reality.

In dictatorial regimes, there are numerous examples recorded by human rights organisations of unjust decisions in courts. In countries like China, Iran, North Korea and lately Syria and Bahrain there are some examples. Either political power is used unjustly to influence court decisions by powerful bureaucrats and politicians for their own interest, or the State in some cases imprisons individuals under fabricated or unjust laws in the interest of maintaining peace and integrity. There are cases of villages being forcibly relocated to new design houses and flats, thus destroying the cohesion of ‘village’ in some ‘development’ projects in China that have been much reported in international media. Those individual villagers who have resisted, have found the full impact of State’s coercive force exploited by bureaucrats who may directly or indirectly benefit from the development.

But such examples of justice are not unique to dictatorial States. Even in some democratic countries, justice tends to be conscious of the majority voice, political exploitation and corruption rather than follow detached and abstract principles.

In the recent riots in Britain, the courts sat in record time and dispatched many cases with harsh punishments which almost reeked of summary justice. Many small time looters, such as an individual having picked an orange juice bottle from a broken shop, were handed jail sentences two or three times harsher than the sentence they would have faced ordinarily. In Britain this approach by judges, or rather magistrates, was followed when the press started a campaign against what it labelled ‘rioters’. The judges were influenced by headlines or fear of adverse headlines.

In the biggest democracy, perversions of justice are common. Many of the elected members of Parliament in India face charges ranging from corruption to murders, yet these individuals legislate for the entire country. The police is renown in some Indian states for fabricating evidence and bringing false charges against political enemies of powerful people or simply to ‘close’ cases. Rich and powerful individuals often get away with murder in India. Yet people do not rise against the State for these ‘unjust’ decisions. ‘Peace and justice’ are not interconnected as has often been suggested.

In democratic United States, justice is often influenced by public opinion rather than evidence. The deaths sentence is a powerful example of a punishment that is pursued in many American states for the benefit of right wing opinion rather than the evidence that ‘death sentence’ does not reduce crime. The USA has the most incarcerated number of people per 1000 citizens in the world, yet it has more violent streets than most dictatorial countries. It does not seem that ‘justice’ as seen by the United States, leads to peaceful society.
In these instances, justice seems to be following emotions, power and state prerogatives than an abstract notion of fairness.

A common comment is that these form of justice are ‘un just’ and result from deviation of a universal normative idea of justice as ‘fairness’. People are angered by the injustices but obviously not in sufficient numbers to campaign for change. Perhaps, a more realistic analysis could be that justice as an abstract ideal is a difficult notion to achieve.

Leaving aside the different theories of justice, such as retributive justice, distributive justice, justice as fairness etc, it is perhaps more realistic to consider justice as a multifactor phenomenon which has to take a number of expectations and demands into consideration. It would also be an idea as proposition to give some percentage weight to the different aspects in the various factors that go on to make the end result.

**Factors**

*Expectations of victims*
- Victim’s sense of fairness
- Victim’s feeling of revenge
- Victim’s idea of redress

*Perpetrator’s perspective*
- Whether accepts injustice perpetrated
- Whether feels injustice on the same scale as victim
- Whether feels the punishment is appropriate

*Society’s arbitration*
- What is injustice
- Which injustice warrants punishment
- Which injustice warrants other forms of redress
- What is appropriate punishment / redress

*Government’s prerogative, issues of policy*
- What is affordable
- What is feasible
- What is enforceable

*State’s sovereignty*
- Its right over individuals and groups
- Development prerogatives
- Governance prerogatives, maintaining peace, harmony etc

*Power*
- Political interference in norms of justice
- Exploitation of power by politicians/ ruling order and judges
- Media’s power to influence
Corruption
- Political corruption
- Judicial corruption
- Financial corruption

Preventative measures
- Rehabilitation
- Citizenship/moral teachings
- Government policies of equity and distributive justice

The institution of justice
- Whether rule of law is sovereign
- Whether justice is dependent on patronage
- Whether justice is determined politically

Source
- Religious revelation
- Cultural consensus
- Ideological
- Experts
- Democratic

Justice therefore does not have a universalist norm. While fairness is the most important aspect, several other factors intervene and qualify both the meaning of fairness and scope of fairness within any system of justice.

What we need is to appreciate reality and have indices on each of the different factors to create a dimensional significance to justice. For instance if political or financial corruption is significant, then their influence needs to be acknowledged and stated as negative factors. In other words there needs to be some scoring process of what quality of justice is being delivered within a country.

Source
But complications arise with sources of justice. If a society is used to justice according to religious concepts and has proven to be a peaceful society without significance coercion, then seeking to replace it with secular systems of justice may seem a little absurd. However the more important question is whether exceptions are permitted for those of different religious persuasion or no religious persuasion.

Similarly in a secular system, the lack of any pluralistic provisions creates a sense of injustice among people of different religions and cultures. The United Kingdom is showing some signs of widening provisions in personal law to religious courts. The authority of these courts is dependent on voluntary acceptance of the participants and secondly always subservient to the national courts. In other countries, such as France, secular extremism prevents any opportunity of a pluralistic system of justice.
In both countries the determinant factor appears to be democratic consensus. The Anglo Saxon world tends to be less obsessed with ideological fixation and therefore more amenable to accommodating differences and different perspectives. The European and particularly French traditions are generally substantially ideological. Consequently there is less scope to permit variant systems let alone coexist with alternatives.

**Cultural Variants**
There are also cultural variants of justice. In some Middle East countries the victim is permitted to have some influence in the punishment and can also accept recompensation for the crime committed in return for the perpetrator walking away free from general rules of castration or punishment. It can be said that the perpetrator can ‘buy’ justice but at the same time the victim may find it better to be compensated than simply seeing the perpetrator being punished by an abstract system.

Other cultural variants consist of slight reduction in individual autonomy and balancing family or society’s rights over the individual. The individual is expected to have some duties towards the family and society.

In some cultures, ‘revenge’ as a determinant of justice carries down generations and years. This was common in some Asian regions, particularly the Pashtoon tribes of Afghanistan-Pakistan, the Jat Sikhs in Punjab and in countries such as Kazakhstan.

Conventional concepts of justice do not accommodate this nor do they address this. The result is that an extrajudicial form of cultural justice continues in the background irrespective of the official judicial decision.

It is important that these traditional anomalies be addressed through appropriate debate and confidence in the State’s justice system as sufficient recourse be encouraged.

**International Ideas of Justice**
An interesting sphere is justice in the international world when conflicts and wars break put between ethnic communities within a State.

Generally ‘revenge’ and resentment seems to determine the final outcome. In the Eastern European countries, conflicts led to Balkanisation and fragmentations of some countries such as Yugoslavia. This is quite normal in European history. In fact the nation-state is perhaps an outcome of this.

Yet in some regions, we note that despite genocidal violence between communities, they overcome the injustice and continue to stay within the same State. Rwanda is an example of this. Partition and movement of people across new borders does not seem to have figured substantially in the final outcome. Tutsu and Hutus still live in the same territory.

This is also seen in South Africa where despite immense oppression and humiliation at the hands of white settlers, the black population has gone on to accept the white races after a brief period of so called truth commissions.
Is Africa and Africans better able to overcome protracted emotions of anger against an enemy and move on than European and Asian communities? If so, can the same principles satisfy sense of injustice across the globe or do we need differential ideas of justice even in international and ethnic conflicts?

This brings us to the issue of democracy.

**Democracy**

Democracy is a very wide word and has had different conceptual meanings in different periods of history. All forms of government whether democratic or authoritarian, with rare exceptions, exercise power through some form of consensus.

While the idea of consensus is obvious in a democracy, it is not evidently appreciated in non democratic regimes.

Power, whether exercised by an absolute sovereign or a dictator is ultimately dependent on a number of power brokers. It is rare for one person to have absolute reign of power and authority. We saw recently in Libya that when power brokers slip away, the dictator loses the ability to rule.

Perhaps what we should concentrate on is consensus rather than democracy. The questions then are:

1. What form of consensus is acceptable and humane.
2. To what extent should the common person engage in decision making
3. How does the common person engage in decision making
4. How much does the common person engage in decision making
5. What level of authority does the common person have in objecting to a decision?
6. What strength is given to the assent of minority group

The engagement of the common person does not necessarily mean democracy. Democracy is simply one form of consensual government. But there are issues with democracy which are evident in some of the leading democracies.

1. It is periodic and once a government is chosen, the losers have to suffer its policies for 4-5 years depending on the term. Attempts to recall have failed in many democratic countries. Perpetual democracy exists in California.
2. It is tyranny of the majority against the minority. In UK right wing economic theories now dominate leaving large number of people out of employment.
3. Democracy can reflect majority cultural values and impose them on minorities for instance in India and France. Indian state is in conflict with almost all its minorities, whether
regional or communal. France suppresses cultural freedoms and imposes its own gospel of liberalism upon its citizens.

4. Democracy can empower a state to become absolute sovereign and grant itself the power to standardise ethical values regardless of their empirical value.

Democracies can also have historic roots and reflect cultural or regional histories in their current structures. For instance conflict remains the context of British democracy. Britain as a country was perpetually engaged in internal civil wars. Parliament became the place to resolve these conflicts without violence.

In violent conflict there is only one outcome. One group wins and imposes its will upon the loser. That is ‘winner takes all’. The loser harbours resentment and plans to eventually defeat and overthrow the winner. There are two examples of this in Britain.

1. In Conventional national politics the party that wins imposes its policies. The defeated party spends time planning for the next election to dispose it.
2. Scotland was won by the English. But the Scottish have harboured resentment and silently campaigned for independence when it was considered treason to do so. Now they are able to openly campaign for it in Britain’s age of freedom of expression.

In India, the majority decided that minorities cannot have any cultural autonomy. This was the fear that led to emergence of Pakistan. It is also at the root of conflicts between Kashmiris, Nagas, some sections of Sikhs etc on the one hand and the Indian State.

In a conflict, there can also be stalemate. But unless there is the mechanism for consensus among all, the various groups continue to conspire to bring the dominant group down. This again is evident in the current British Government. The Liberals and Tories are very uncomfortable partners, each attempting to undermine the other. It is also evident in the current coalition Government in India.

Thus English democracy is essentially war through non violent means where the winner takes all and the loser spends time opposing the winner regardless of its policies.

French democracy on the other hand has its roots in ideological conflict between the anti Church and common power idealists on the one hand and the Church-Monarchy nexus on the other. To date French political outlook is influenced by this conflict. Its democracy drove out religion from the public domain and remains extremely anti monarchist. However it has a wider base of consensus in political and economic ideologies. The President can be right wing yet the Prime Minister can come from left wing economic parties.

In contrast migration or rather immigration to American by Europeans was influenced among other factors by small Christian sects escaping persecutions from Catholic or Protestant tyrannies. Religious freedom and religious commitment continues to dominate American
democratic institution. Almost all American Presidents have to show some respect or commitment to religion.

Middle East and Maghrib
It therefore will be interesting to see what happens in what is called the Arab revolution. Western observers are almost claiming that Arabs have at last found the road towards western form of democracy. And Arab secularists are convinced that the recent rebellions are paving the way towards less religion and more secular democracy similar to European models.

What is often forgotten in this are three factors:

1. That what has been overthrown in some Arab countries is not Islamic Government but western backed dictators who ruled in the name of Islam but were often atheistic playboys themselves. Mubarak and Gaddafi were key examples of this.
2. That the rebellions have followed the agenda set by Al Qaeda’s ideologue, Zawaheri and to some extent may end up following the teachings of ideologues such as Qutb. Al Qaeda never stated its aim to rule over Arab States. Its primary aim was and remains to get rid of Islamic countries of western backed regimes. Secondly, it called on common Arabs to take control of their lives and state in the name of Islam. Thirdly its stated aim is to install a caliphate. It can be argued, contrary to some who think their writings have encouraged the youth, that Al Qaeda’s challenge to the west may have emboldened the Arab street to rise against tyrannical rulers. AQ’s influence in precipitating these rebellions cannot yet be ruled out and history will need to be reviewed in a few years if not decades time.
3. That there is the tradition of consensus already within Islam. The umma has more power and egalitarian status than believers in some other religions. And I believe that the Monarch or sultan was never accepted as absolute sovereign. He had to accept Islam and the ulema as guides, at least in theory, if not in practice. There is also recent examples of early democracy in Islamic world. This is largely in a Shia country, Iran. In the Sunni world, Malaysia is a successful democracy.

In the new countries, the most important issue that will need to be addressed is the question of sovereignty. Will it be secular, with the State being sovereign or will it be an Islamic form of democracy with sovereignty emanating from the Quran.

The fact is that despite democratic changes, the Muslim brotherhood is the most organised group in many countries. It is playing an extremely careful game and its leaders speak the language that quietens the west.

There is another aspect that might need to be considered. Islam has broadly followed the trajectory that European Christianity has followed albeit with a slightly speeded up version.

Christianity began as a liberating and uniting movement in Europe. It soon became a State religion and the rulers became oppressors with the Church taking an active part in denying freedom of conscience and speech. Christianity then went through internal wars and restricted the scope of human enquiry in science and ideas. Finally Christianity was pushed out of power by secularism.
Islam seems to be following a similar cycle. It emerged as a liberating and unifying force. It gave rise to scientific and administrative developments. It then started oppressing non-believers and schisms. It is now going through a phase where the masses are beginning to claim power. The question is whether its final chapter will be similar to European Christianity with the public domain becoming secular or will it evolve into an Islamic form of democracy with consensus at the core of its political philosophy.

It is too early to say either way, but the influence of AQ cannot be dismissed. It is too early to predict the Arabian movements as leading to secular democracies.

However, rather than be obsessed with one form or another form of democracy, perhaps the conceptual issue that we should look at is consensus. Is there opportunity for wide based consensus in governance including consensus from minorities and cultural groups. If that is the essential question, then we might review some leading western democracies in a different light in need of reforms and encourage new movements to structure consensus as the basis of governance. That will be a more just form of governance.

Commentator: Souria Saad-Zoy
Fair Opportunity and Justice in Surrogacy

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This paper will consider, Case studies of surrogacy in Japan, Background for surrogacy in some countries, Asking “fair” opportunity in surrogacy, Substantial justice and procedural justice, Top-down approach and bottom-up approach to treat surrogacy and The comparison between two approaches.

Japan does not have any regulations over surrogacy at present but it is not encouraged positively. The Japanese Society for Obstetrics and Gynecology stated that surrogacy should be prohibited by a formal law, and forbids members to offer surrogacy. The reasons are:
– The welfare of children must be given priority.
– Surrogacy can cause physical risk and mental burden to women.
– Surrogacy makes family relations complicated.
– The fee-paying contract can make the human body a reproductive machine.

We can map the vertical direction, meaning high or low accessibility of surrogacy, against the horizontal direction expressing the degree of laws and regulations. However, it is not impossible to access surrogacy in Japan. Let us consider case 1. In fact, an obstetrician disclosed that he has provided surrogacy services in his clinic. According to him, there are cases where an infertile daughter asked her mother surrogacy and the mother gave birth to the daughter’s biological child. These inter-family cases can prevent some troubles, especially money issues, however, these cases certainly appear to make family relations more complicated. As viewed from the perspective of the child born through surrogacy, his or her legal grandmother is, at the same time, the surrogate mother. To compound matters, Japanese civil law provides that a woman who delivered a baby is the legal mother of the baby.

This became a big problem in case 2. A famous couple in Japan, the wife is an actress and her husband is a wrestler, went to America to receive surrogacy services. The wife lost her womb because of cancer, but she hoped strongly to have a child inheriting the husband’s genes. Finally, an American surrogate mother succeeded to deliver twins. The couple disclosed this process to the public. The public office did not accept that the wife is mother of the twins. The Supreme Court also did not admit finally that she is the legal mother, but it suggested that the existing law needs to be reviewed immediately.

Questions of “fairness” in surrogacy come from these cases:
• Is it fair to practice surrogacy between inter family members?
– to go abroad to receive surrogacy services?
– to maintain the existing law?
• Which is fair for the children who are born?
– Private surrogacy or open one?

While in the past the United States was the common surrogacy destination among the Japanese, now surrogacy tourism to India and Thailand is increasing. Thailand and India have no legal regulations on surrogacy now and therefore its practices are relatively easy-to-access. In both countries some troubles have occurred. For example, one Japanese couple who received
surrogacy services in India got divorced after the surrogate mother got pregnant but before the baby was delivered. The baby could not enter into Japan because the mother and nationality of the child were not identified. Another German couple asked surrogacy in India because Germany has the laws to ban surrogacy. They got twins but the twins were refused entry to Germany. In response to those troubles, draft laws for surrogacy are being prepared in India and Thailand.

Each country has different situation about surrogacy. It can be said that the difference between countries reflects the different ways of thinking about the fairness in surrogacy. We can put forward some questions about it. Is tourism for surrogacy fair in the first place? Tourism for organ transplants has been criticized as unfair. Similarly in surrogacy, poor women are likely to apply to be a surrogate mother. Then, is surrogacy also exploitation? Germany prohibits surrogacy may answer “yes” to this question. Then, the next question may be: does the German government have the authority to prohibit tourism for surrogacy?

In contrast, India and Thailand may say “No” to the first question and answer that surrogacy is the last resort to provide infertile women with the opportunity for becoming a mother. Then, the second question is “who may access the surrogacy?” Is medical indications needed? Or may women without medical indications or gay couples receive the service? In addition, should the Thai and Indian government continue to accept couples who are from countries where surrogacy is illegal?

Solving these issues one by one can be a task of substantive justice. The purpose is to illustrate the content of justice concretely. In the case of surrogacy, it is related to show which practice accords with justice, and why. What is important here is logical consistency through the whole argument. It can be regarded that Germany has given weight to substantive justice.

Germany has been affected by the Kantian theory strongly and has respected human dignity as the most important principle. The principle prohibits treating persons as merely a means. Under this principle, it can be judged that surrogacy used women as a means for other’s end, in one sense, and then the laws to ban surrogacy can be given.

We can call this approach top-down analysis, from background theory to principle, and from principles to positive laws. In the Kantian theory, a moral rule should be universal. When surrogacy is not just in Germany and German women should not receive the service within the country, it can mean that surrogacy in India and Thailand also is unjust. This may prohibit German women from accessing tourism for surrogacy. It can justify the unfair access to surrogacy between German people and others.

In contrast, the approaches being adopted by Thailand and India in preparing drafts of surrogacy appear to be different from the Germany, because it can be judged that both countries are giving weight to arranging laws from practices.

This is the image of the Thai and India strategy in preparing for drafts surrogacy and it appears to bottom-up approach. It can be said that both counties try to arrange laws, getting feedbacks from practical troubles.
This picture is to express an example of feedbacks between practices and principles. For example, a money trouble may suggest that no charge surrogacy is desirable in principle. Then it will be considered whether this principle treats other practices well. If this is adopted as a principle, then it would burden surrogate mothers with necessary cost and it would bring the understaffing issue. Which principle is desirable: covering a minimum of cost or admitting further payment? India is going to adopt the policy of further payment, while Thailand is going to adopt the policy of minimum cost in surrogacy. The difference may reflect difference feedback processes between both countries.

In repeating feedbacks, a set of principles most suitable for treating surrogacy practices will be found. Then, the best balance between principles and practices will be reached. Keeping the best balance can be interpreted as one evidence reached justice in a sense. This position can be called procedural justice. The task of substantive justice was to clear the concrete content of justice by directly asking whether is surrogacy just or what kind of surrogacy is just. In turn, one task of procedural justice is to secure justice in a decision-making process by bringing the best balance on the whole. Keeping the best balance here reflects that justice is achieved. In the case of surrogacy, finding a set of principles to treat practices can mean that those principles match our practices best.

As a possible problem of this approach. Once a certain balance was reached, all practices that do not break the balance are seen just. The balance, after all, may be reached in a way that principles are modified to fit the practices proceeded even if those include a wrong practice. The judgment of whether a practice is wrong or not will need a background theory. In Thai and Indian approaches, it seems to be difficult to understand the relation between such a background theory and principles. It does not mean that the Thai and India governments do not reflect the background theories in the process of making drafts at all. For example, it is predicable that Hinduism has been affecting Indian people’s believes and that Buddhism has been influencing Thai people’s believes. However, it is difficult to fully understand the relation between such a background theory and principles.

**Conclusion**

Two different approaches in surrogacy were compared and the possible criticisms were pointed out. However, we could not say which approach is better. For both approaches reflect different versions of justice respectively.

Japan also needs to arrange laws of surrogacy and then it should keep two approaches in mind and learn how to explore the different ideas of justice.

Commentator: Yasmina Kefi-Ghodbane
Human Dignity and Justice are Promoted through Making the Failure of a State to Provide Humanitarian Assistance During Times of Natural Disasters an International Crime

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Human death and suffering are ultimate expressions of insults to the dignity of life when caused by violence. Similarly, when a State intentionally withholding humanitarian assistance from its people, or any people afflicted during times of a natural disaster, not only is there a degradation of human life and dignity, but also such intentional acts should be recognized as both a failure of a State’s responsibility to protect its people and a crime against humanity.

Examples of such intentional neglect for human life and dignity by a State are not uncommon. For instance, in May of 2008, Cyclone Nargis struck Myanmar and devastated the Irrawaddy Delta. The government of Myanmar imposed significant restrictions on the delivery of humanitarian aid. As a result of both the cyclone and the intentional failure of the Myanmar’s government to respond, 2.4 million people were adversely affected and an estimated 130,000 people died or were reported missing.

Our presentation addresses both the status of humanitarian intervention and the basis of the ‘responsibility to protect’ in customary international law. We also discuss pertinent aspects of the United Nations Charter, principles of humanitarian law and international law, humanitarian intervention in customary international law, and crimes against humanity as defined by Article 7 of the Rome Statute of the International Criminal Court. We conclude by calling for a recognition of a State’s intentional failure to provide humanitarian assistance during times of natural disasters as an international crime – in this way human life and dignity may be preserved and justice may be achieved.

Commentator: Nadir Marouf
Justice and Fairness: What Dialogue?

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Are the notions of justice and fairness the two sides of the same coin? Do they mean the same thing? Are they synonymous to each other? Can we take one for the other? Or are they rather degrees and different levels in the scale and sequence of meanings related to the same unit? Can these two notions exist without each other?
The choice between treating justice and fairness together or in isolation increases the number of questions and distills the problems. Can justice have a meaning which would neither be confused nor ambiguous without the support of equity?
Devoid of this, how can justice become relevant and effective without deteriorating? And as for fairness, is it the accomplishment of the whole of justice, its farthest limit, the highest degree it can attain or the intention it labours to constantly actualise? Must fairness, which doesn’t draw its strength from a rigorous exercise of justice, be something other than a superfluous morality and a source of confusion?
If Descartes’s question is “Who am I?” and Kant’s “What can I know?”, in the area of justice and fairness the question would be: “How do I behave to be just or become such if one is not yet so? What must be done to protect it from the powerful temptation of injustice?” Do will and determination play a decisive role in the learning process and dissemination of justice and fairness? How does one distinguish between the true, the false, and the probable in this area? It seems that these are perpetually experienced not only as thorny questions, but above all as disturbing and fascinating ordeals which embody an immense difficulty which humanity has come up against ever since.
The topic launches a debate. Dialogue would perhaps be the best way to take in order to break through its opaque aspects, its numerous paradoxes, and render it sufficiently intelligible. Now, this possible dialogue seems to be contaminated by the same difficulties which characterize our topic. The dialogue would be set up not only between justice and fairness on the one hand and questions and concerns on the other; it is constantly invited to operate from within the space of justice and fairness. This is what risks making of this dialogue yet another difficulty, and one that is not the least of it.

Commentator: Lumberto Mendoza
Ethical Issues of Food Rationing: Typhoon Pedring and Quiel Experience

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The Philippines was hit by Typhoon Pedring (international name Nesat) on September 27 and Typhoon Quiel (international name Nalgae) on October 1. Massive flooding ravaged many areas of the country and put many people’s lives at risk. The incident also triggered various responses from the different sectors including distributing food rations to the affected communities. This paper looks at the actions done by local government units and agencies, international institutions, non-governmental organizations (NGO) and private institutions regarding food rations and examine these actions based on the following lenses: a) Sphere Minimum Standards in disaster response relating to Food Security, Nutrition and Food Aid; b) Rights-based approach; c) Ethics approach; and d) perspectives of the affected people by conducting key informant interview together with preliminary survey on food security, access to food and adequacy of food rations that were given as food aid.

Commentator: Thomas Gionis
Applications of John Rawls' Theory of Justice as Fairness in Philippine Society

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The paper is an attempt to show possible practical applications of John Rawls' Theory of Justice in the macro- and microcosm of Philippine Society. An exposition on the Theory of Justice will be given focus through the two principles of justice, the difference principle, the original position and veil of ignorance and concerns on overlapping consensus which eventually leads to Rawls' Political Liberalism.

At the outset Rawls' idea of justice seems too ideal in a developing democracy and economically developing nation state such as the Philippines, but it is argued in this paper that even as a young democracy and nation state, the Philippine Society already qualifies as an example of a well ordered society, which serves as a ground and impetus for the effective justification and application of Rawls' idea of justice. It should be pointed out that Rawls' Theory of Justice is politically grounded and does not really work on some metaphysical presuppositions. The socio-economic-political dynamics found in Philippine Society can be used as a test case on the practical side of Rawls' theory.

Applications of the said theory include the problems of inequality, distribution of public goods, protection of basic liberties and rights, the role of the state in a welfare state system/society and the appropriations of justice as realized in the whole society in general and by the individual in particular.

Through these practical applications, the paper hopes to clarify the common misconception that Rawls' Theory of Justice will only work and is applicable only to mature democracies and highly industrialized nation states. While we may find some of Rawls' concepts quite too ideal in some cases, by contextualizing the said principles to local scenarios such as possible convergences of said principles with some cases/examples drawn from the Philippine experience, we hope to bridge the said gap.

Commentator: Touria Bourkane
Notes on the Theme of Child Dignity

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What can be understood in the word “child”? It is the period between birth and adolescence, prior to the period maturation. It is characterized by changes, both among the child himself and in his immediate environment.

According to the first article in the U.N Convention of child rights in 1989, a child means every human being below the age of eighteen years old. Unless under the law applicable to the child, majority is attained earlier. The word Dignity underlines the Universal moral value and the Purpose of the human rights. It’s concreted in the respect of Human nature. We find this meaning in the first article in the Universal declaration of Human Rights “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”.

By Teaching, I refer to a specific and complex psychology process. Defined by G.A. Kimble, it is a relatively permanent change in behavioral potentiality that accrues as a result of reinforced practice. First, I would like to expose my premises, through which I shall get possible results. The initial premise is as follows: we can sum up all the human rights in a crucial one, which is the right for dignity. We can also notice that the word dignity was mentioned 8 times in the U.N convention on the rights of the child of 1989.

The second premise: all what is relating to human rights in general can be applied on childhood considering the age difference and the child’s privacy. Therefore, the future of any democratic society is shaped by the adequate education of dignity.

The third premise is the following: education best guarantees respect to child dignity. Nevertheless, teaching how to forge someone’s dignity is also included in this premise. This

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62 Didier Jacques Duché, Arti. Enfance, in Encyclopaedia Universalis, Corpus 6, P 1057
64 U.N Convention of child rights in 1989, Article One
65 Dignitas is a Latin word referring to a unique, intangible and culturally subjective social concept in the ancient Roman mindset. The word does not have a direct translation in English. Some interpretations include “dignity”, which is a derivation from "dignitas", and "prestige" or "charisma". The Oxford Latin Dictionary defines the expression as fitness, suitability, worthiness, visual impressiveness or distinction, dignity of style and gesture, rank, status, position, standing, esteem, importance, and honor. With respect to ancient Rome, dignitas was regarded as the sum of the personal clout and influence that a male citizen acquired throughout his life. When weighing the dignitas of a particular individual, factors such as personal reputation, moral standing, and ethical worth had to be considered, along with the man’s entitlement to respect and proper treatment.
way, law, ethics and pedagogy meet up in this theme as proven in the 17th article of the U.N Convention on the Rights of the Child⁶⁷
- Fourth premise: dignity education is never cut off its pedagogical means used for this purpose. This is what we might understand from the 2nd part of the article 28 of U.N convention on the rights of the child of 1989⁶⁸
- Fifth premise: In the child dignity teaching field model, as the American philosopher John Dewey clarified in his famous book; Democracy and Education, is better than advice.
- Sixth and last premise: undoubtedly, there’s a contradiction between the nature of the emblematic, ethical meaning of the concept of dignity and the child’s abilities of understanding, except during the formal operational stage, as in Piaget’s explanation in his work psychologie de l’enfant⁶⁹ psychology of child

We have finished with the premises; we come now to deduct the results from the preceding premises. We shall underline first that, respecting the child himself, is the most important rule in teaching dignity.
- The Second deduction: child who is not brought up on dignity concepts suffers therefore from human rights abuse.
- The Third deduction: The states and international organizations which signed up (agree) the convention on the rights of the child treaty are not exempted from creating pedagogical means to train their children on dignity.
- The fourth deduction: educating children on dignity is not confined with a special stage of childhood. It rather starts since the child’s birth and continues up to the adolescence stage.
- The fifth deduction: it’s a mistake to assume that schools and preschool’s institutions are the only responsible for forging the child’s dignity, since all the surrounding elements of the child’s environment are concerned with this type of education.
- The sixth deduction: certainly the educational environment of child covers the different pedagogical means, the various mass media, attractions, and oriented activities. In fact, this environment should be well paved to guarantee an efficient educational role.

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⁶⁷ States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.
To this end, States Parties shall:
(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
© Encourage the production and dissemination of children’s books;
(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.
⁶⁸ U.N convention on the rights of the child of 1989. Article 28- 2 “States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human Dignity and in conformity with the present Convention.”
⁶⁹ J. Piaget, psychologie de l’enfant, PUF, France 1966
Actual Experience

I can talk precisely about the situation of children’s education on dignity in all Arabic societies, but I think that such an education is not well centered. This is due to an issue related to the different political systems and the status of human rights in these societies.

But, I shall talk about this themes has been approached in Tunisia. Indeed, in the legislative field we site “code of children rights” which is concerned with the children’s rights. This juridical magazine was edited in 1996 based on the law 92 of the year 1995, containing 123 articles targeted all to protecting children’s dignity and infusing this culture among society. As included the first article 4 and 5.

The Tunisian child code was developed many times since it was first published in 1996. The last rectified copy of the Tunisian child rights code has appeared in 2011 with some new articles.

Although the great progress on the side of children’s rights, the Tunisian code hasn’t embittered, in fact, a lot in the judicial Tunisian child culture up to 2011 the year of the revolution.

Nowadays our ministry of education has signed up a treaty with the Arabic institute of human rights, by which the ministry will reform all the primary school programs to introduce the human rights awareness among the children.

The greatest reform will be ready in the beginning of the school year 2013-2014.

Hence, we wish that the advance reforms in education field will be able to achieve a first step towards a new free democratic society.

Personally, I have created my own way of initializing the child how to acquire his dignity. It consists on providing some literal writings. However, this way won’t be successful unless democracy takes place in our society.

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Commentator: Suwanna Satha-Anand
Evaluation Model of Democratic Citizenship Education

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When we try to apply a democratic citizenship education program based on philosophy at school they ask about evaluation method? This is an attempt to reply for such question. During 65 years democracy has been taught in Korea which was a non democratic society. Now we have achieved economic and political development within relatively short time. If we say it is case of succeed, what is the reason? Can we make evaluation model? what are the evaluation criteria? This question can go to two different dimension one is to policy level the other is curriculum level. First 25 years DCE was contents centered one, second 30 years it was focused on virtues diligence, self help and cooperation. Recent 10 years it was focused on skills. Democracy is a way of life. Strong democracy means citizens have a ability to make a good judgment. Doing philosophy or higher order thinking skill is the necessary to make good judgment. We need skills to understand knowledge of democracy, to practice it as reflective way, skills to communicate and to solve problem reasonably.

Commentator: Lotfi Hajlaoui
Philosophy for Youth: In Search of Kinship between Cultures

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This paper intends to discuss the potentials of teaching philosophy for youth at the International Baccalaureate level in comparison to teaching philosophy for undergraduate university level, within the framework of the "philosophy of hope" of Richard Rorty and the "continuity" principle of John Dewey. The a posteriori knowledge needed to establish the dialogue was acquired through teaching experiences at CHS and the University of Jordan.

The aim of the IB program is explicated in the following statement: "The aim of all IB programmes is to develop internationally minded people who, recognizing their common humanity and shared guardianship of the planet, help to create a better and more peaceful world". These aims, as put forward by the IB guide, will be critically discussed and, finally, we hope that lessons can be learnt from this comparative study to direct teaching philosophy at all levels of education towards a study of kinship between words, cultures and philosophies.

I would like to start by discussing IB aims within the framework of the "philosophy of hope" as perceived by Richard Rorty in his book "Philosophy and Social Hope" before I move on to discuss teaching philosophy at university level within another framework which is demonstrated by John Dewey's principle of "social continuity and interaction". Firstly, the aims of the IB program shall be discussed.

"The aim of all IB programmes is to develop internationally minded people who, recognizing their common humanity and shared guardianship of the planet, help to create a better and more peaceful world"!(1). To discuss these aims critically we need to deconstruct it and test its components both a priori and a posteriori through the IB curriculum.

As for the problematic concept of "common humanity", we are happy to believe that seven billion peoples on the planet Earth live in the same household, yet, very few people would agree that we have solved our cultural differences, which is a logical and necessary premise before we conclude that we all belong to a "common humanity"! An example from Claude Levi-Strauss work could be useful here to explain the issue further.

A Belgian – French social anthropologist and philosopher Claude Levi-Strauss (1908 – 2009) developed structural anthropology, through which he rejected the ideology of the privileged and the concept of unique Western Civilization, and tried to prove that the savage mind is equal to the civilized mind.

Through this concept we might get closer to an answer to one of the aims of the IB program, and we can equally argue that the theoretical background needed for such an approach is actually embedded in the IB curriculum, particularly in the "Language" part and also in the discussion over "Truth and Relativism". I, therefore, believe that introducing Levi-Strauss work would give students a first hand proof of what they have been taught in theory.
Levi-Strauss spent decades studying the social organization of Southern and Northern American Indian Tribes through structuralism, where he was searching for unsuspected harmonies. He found that the pattern of the words that form a structure in one particular culture is neatly comparable to other patterns in other cultures. A precious link between cultures was thus undoubtedly found. The next step was to critically intervene in dominant ideologies in order to deconstruct the argument over cultural uniqueness!

Levi-Strauss used deconstruction to undermine the hierarchy constructed by cultures through its long and hostile historical trails. As the structuralists perceive binary opposites (rational vs. emotional; white vs. black … etc) as being helpful in organizing human thoughts, Levi-Strauss proposed deconstruction to show that the "text" itself undermines any hierarchy imposed by a given culture through emphasizing on the inferior item in the hierarchical scale and giving it positive assets in order to push it up the ladder to an acceptable level.

This methodology can be used to upgrade many other important concepts, such as: emotions, class, color, … etc; it can also be used exactly in the same manner in dealing with environmental issues in order to upgrade the values we claim towards natural objects and towards the biodiversity in general, shifting from an anthropocentric perception of the world into an Ecocentric one; A concept extremely important in our present and future life, yet, we hardly introduce at all educational levels, except for the very few who choose to study it.

As contemporary philosophy has left us the heritage of a dependent world; that is a world dependent on our conscious, language, theory, text, … etc, we should be striving to be free from this hierarchy and move towards perceiving an independent world, evaluating binary opposites in favor of the “Other” rather than “Us”, giving "things" an intrinsic value, a value per se!

The IB program opens the way to such an understanding (Language-culture dichotomy) through teaching the different ways of knowledge (Language, sense perceptions, emotions, reason, intuition, … etc) that are intertwined and also devious at the same time (The Devil's influence in Descartes discourse), thus leading to believe that beliefs can be defined as unjustified knowledge; waiting to be justified; Adversely, emphasizing on the notion that when we justify knowledge, it remains some relative knowledge which must be consistently refined by a perpetual series of verifications and falsifications. This idea helps students to realize how relative truth is, and how weak theories can be, thus, opens the way for an argument that allows some space needed to facilitate counter-arguments.

Teaching the limited capabilities of our various ways of knowledge and the vast areas of knowledge available will no doubt cast shadows over our relative values, limited knowledge and the problematic justifications of our beliefs that need upgrading into potential knowledge that might be called "truth", with our judgments suspended at least for the time being!

Further more, teaching youth how judgments must be postponed, as we move on from one profound truth into another and from one paradigm into a new different paradigm, involves introducing critical thinking, which eventually enhances inter-cultural dialogue on the basis that truth in relative and thus dialogue between two profound truths become possible!
In the Arab world, it is a great issue to accomplish this stance of "relative truths" and push it forward to overcome stagnant historic perceptions about knowledge, particularly when dogmatic beliefs of final and absolute truths prevail.

Therefore, it is essential to reach an understanding over the notion that we think through distinct cultural paradigms, yet, we are at kinship with other cultures, it is a great outcome of IB that facilitates accepting the notion of "common humanity" in the manner underlined as one of the aims of the IB program.

As for the second aim of the IB Theory of Knowledge course: "shared guardianship of Earth", we can argue holding many different views whether it is our right to win the guardianship of nature, who gave us that right and what are the limits of guardianship?

Etymologies, as provided by the linguists, can also work side by side with anthropologists to form structural linguistics, as developed by N. Troubetzkoy (2), in order to discover the relations between terms, and thus set general laws that are capable of connecting different languages to the same root (kinship of languages), which is a first step in the study of kinship between cultures, eventually capable of extending its arms further to encompass all cultures and the whole world.

I have also tried to stress on the kinship of facial expressions, as a common language between all cultures; a universal language which is similar to the first letters or words that a child would struggle to say when he first tries to mutter; words such as Ba and Ma, short words expressing fear, wonder, pain, …, which are almost identical in so many languages.

Discovering the kinship in every form of life is a message of Ecocentric dimensions. Thus, shifting from facial expression into word-language kinships into cultural kinships, steering towards biological kinships (Evolutionary or else) are all necessary nowadays to achieve shared emotions and responsibility towards the ecosystem rather than achieving "shared guardianship of Earth"! The alternative of this feeling of kinship is the feeling of enmity which has devastating consequences.

Historically, the integrity of the environment and the spiritual relations with nature were essential in order to organize the human-nature relationship in an agrarian society, but nowadays, in a capitalist mode of production, we need to outline the socio-economic and political impediments to this "shared guardianship" slogan, particularly from a North-South perspective, which considers it as biased!

We think that the IB program avoids discussing the fundamental differences between the North and the South, making it difficult to achieve the second aforementioned aim. This dichotomy (The privileged–marginalized) must be addressed if Justice is to be taken into consideration as a basic condition to a balanced dialogue.

As for achieving a "better and more peaceful world", that is the last part of IB aims, a "philosophy of hope" is introduced to help, whereas hope is expressed by Greek mythology in the story of "Pandora", who was given a jar full of evils by the Olympian Gods; Pandora quickly closes the jar after the evils have fled, trapping "hope" inside!
We need a philosophy of hope to trap all the achievements the program has achieved so far, particularly to marginalized ToK students who are only rewarded 1.5 marks for 100 hours spent on their work for studying the curriculum and writing the essay, out of a total of 45 marks. The extended essay is evaluated equally, although a mere 40 hours are allocated from student's private time. Meanwhile, 240 hours are allocated for teaching any subject of 7 marks at the higher level, thus, ToK deserves at least 3 marks. If this mark represents the comparative importance of teaching the Theory of Knowledge, much hope is needed to change this attitude. We also need a philosophy of hope to unprivileged students, teachers and schools. It is true that IB students in Jordan, for example, come from well-off families, yet some come from modest backgrounds and cost their parents fortunes to enroll in a private school of IB standards.

Another troubling issue for some students in the South is that most of the student's mother's tongues are Arabic, so they are marginalized compared to those whose mother's tongues are English; This issue is not yet solved in the IB programme, as Essa ys are marked taking no exceptions into consideration. So, it seems that a philosophy of hope is important to make up for the unprivileged students who are asked to compete on equal grounds with all IB students. Part of the problem was solved by accepting essays in French, Spanish and Chinese. The list is expanding to embody Arabic and German. More carriage is still needed.

Immanuel Kant asked: what may I hope? He didn’t pursue it further, perhaps because he thought that moral rationality progression is valued more (3). Here, we intend to use hope as a philosophy of change, in the manner used by later philosophers.

Richard Rorty, on the other hand, sees the concept of hope as an engine to social change(4). Naïve utopia ought to be replaced by a "realistic radical politics of hope“(5). Hope, can thus be defined as the unpredictable result of the tension between the limits of desire and achievement; desire being of unlimited nature while achievements are subjective and restricted-constrained by reality. But, we still wonder about the goals set for the philosophy of hope, is it utilitarian in nature?

Mc-Inerney sees hope as a mechanism for social transformation towards equity. He believes that hope transcends our understanding of injustices into a qualitative level of action on a "robust vision of hope that focuses on what is possible“(6).

So, hope must be a robust and an attainable endeavor in order for hope to become a practical and critical conceptual tool to achieve equity and other social changes of a utilitarian dimension (7). Now, holding on to the definition of our proposed concept of hope, how can we possibly connect it to IB in order to achieve the aims put forward by the IB programme?

I believe that students at IB level are more stable, secure and confident, living at home and enjoying intersubjective relations with their parents, teachers and colleagues, whom they have known consistently for a relatively long time. It is a recipe for hope and progress in both realms: pedagogy and education. Yet, once at University, it becomes harder to make new friends; concurrently, financial and social securities are both threatened. At this stage, I believe that a new set of rules overwhelm, new competitors pop-up and a new perception of life takes over;
Survival instinct, income stress, psychological tension, complicated social structure and a new life-style starts. At this historic stage in that specific time, it is possible that the opportunity to establish young philosophers is lost, as university students have now moved into a game with new sets of rules and social strains. Does this mean that university students are left defenseless?

John Dewey "continuity" principle explicates the organic connection that exists between a student personal experience and education (8) and at the same time opens new horizons for university students to "hope" and "change". This interaction between the student and his or her environment is one of the more salient factors contributing to learning, in a progressive continuity of "growth defined as developing physically, intellectually and morally"(9). This conception brings out great possibilities for students at university to move forward on many levels, including philosophy, through their rich experiences. We can learn from this the importance of practical experiences and extra-curriculum activities at School.

One research paper reflects on education for the real world(10), which inspires us to reflect on the real world, both in IB and university levels. So, how can this be related to the emphasis on relating knowledge issues to real-life situations in IB, where the presentations and essays focus great attention on constructing knowledge issues out of real-life situation? An idea that can be discussed at another occasion, yet, we must ask if we have enough time to teach philosophy students during a university semester and relating knowledge issues to real-life situations?

A 16 weeks course in philosophy at the under-graduate university level, that is 3 hours of lectures weekly, will end up 10 weeks when excluding beginning and end of semesters, exams, holidays, weather conditions, sick leaves, … etc; therefore, 30 hours of lectures are left to cover a subject like Greek philosophy, Islamic philosophy, Modern European philosophy or contemporary Arab philosophy, … etc. It is simply not possible, there is hardly enough time to introduce this spectrum of philosophies to our student, rarely any serious technical philosophy could be holistically discussed!

Further more, under-graduate university courses in philosophy are usually short and intensive in such a way that not much time is allocated to put the different pieces together, which is vital to conceive shifts in paradigms and perceive the historical development of human thoughts in a collective dimension.

What complicates things even further is that at a university course you can almost start anywhere by choosing your subject, which means that you can never understand the real connection between Greek, Islamic and modern or contemporary European philosophy.

The latter connection between different philosophies is what I like to call, the kinship between philosophies, the necessary background to intercultural dialogue; so, how can different philosophies, be related together?

The Middle East was unified Hellenistically (Greek-Roman) with the expansion of the Greek Empire, since Alexander the Great, for almost one Millennium (4th century B. C till the 7th century AD), language and culture became almost one, intellectuals in Greater Syria spoke Greek till the 8th century AD, that is when the Arab World intertwined again with Southern
Europe since 710 AD when the Arabs entered into Spain and stayed there until 1492. Can we thus speak about different cultures (East and West) that can never get close together (Kipling), or can we utter Huntington's slogan: "Clash of Civilizations"\(^{(11)}\).

This tradition is some sort of continuity, a kinship between philosophies that should be taught at IB level and where appropriate; it is the ground necessary for an inter-cultural dialogue that teaches the corporation of civilization rather than the clash of civilizations.

It is thus possible that teaching philosophy at university under-graduate level, in the manner denoted earlier, will eventually dissect philosophy into distinct eras which seem disconnected and far away from being intertwined, eventually parting away from IB philosophy and aims of achieving a "common humanity" or believing in the wishful thinking of a "better and more peaceful world"!

As for the economic impact, particularly after the recession of 2008, it seems that teachers in the UK feel more secure and better paid finding a job teaching at IB level rather than in university, even those who have a PhD. The phenomenon is expanding elsewhere. In Jordan an IB teacher can earn more money teaching IB than teaching at university; eventually, university graduates will pay the price; particularly those who pursue further education.

On the other hand, graduates of philosophy in Jordan pay even a higher price because they usually teach a very weak syllabus of philosophical conceptions, only at the last year in public schools, which is bundled with other general information under the title "General Culture"; there is no specific subject called "philosophy" in public schools, it is shyly intertwined with a syllabus of "general information"! This, in my opinion, marks the continuity of a message of hatred to philosophy that echoed since the late eleventh century by Al-Gazali, prohibiting teaching philosophy for its bad effect on the Muslim faith!

A further problem arises when students who wish to study philosophy at university (which is only available in 2 Universities out of 26) face a language problem, as they study philosophy in English at IB, then they have to study philosophy in Arabic at the university, or it can be the other way round: they learn philosophy in Arabic at university and then move on abroad to continue their further studies in another language; I think the Sapir-Whorf\(^{(12)}\) hypotheses can predict the outcome of this cultural marriage and its impact on inter-cultural dialogues.

This language dichotomy also deepens and makes understanding different philosophies (and thus different cultures) almost impossible particularly in conceiving imported philosophies as being a series of progressive human knowledge related to each other! The end result would be defining European philosophy as a Christian philosophy, or going more radical and calling it the atheist philosophy or the philosophy of heathers.

In conclusion, I believe that the IB Theory of Knowledge programme facilitates an important background in critical thinking and philosophical traditions that are necessary, not only for philosophical studies at university level but also for all other disciplines and areas of knowledge. Nevertheless, in order for the aims of IB in the "Theory of knowledge" to be fulfilled, a better understanding of the differences between North and South is needed, acknowledging students who are less privileged in the South, as per their weak English language, marginalized teachers and limited technological facilities, … etc, which sheds some light over the problematic concept
of "guardian-ship" the planet and thus we hope it can be evaluated accordingly in the coming years.

We also believe that teaching the kinship between human gestures, words, cultures and philosophies, at all levels of education, is vital to establish the platform needed to start an inter-cultural dialogue at the universal level, based on equity and justice; this space is not available at universities, neither in those institutions with a semester system of education nor at other systems where environmental education is an elective course and not compulsory for all disciplines as we hope it would become with the help of UNESCO.

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(12) A hypothesis that suggests people understand and respond to the same question in different ways if different languages are used.

Commentator: Lotfi Mathlouthi
Youth and contemporary Identity: Art and Street Performance, Batik as Indonesia youth’ contemporary Art

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The purposes of this paper are to explore and cultivate the changing of identity and ideology of the youth in Indonesian contemporary society in the context fashion and cloth. My paper will present about the transformation of values in fashion and cloth of the youth. How the youth express their identity through fashion and cloth that they are wearing. This paper will portrait on the fashion trend and the images of traditional batik as fashion trend in Indonesia contemporary society. Furthermore, this paper will present about the youth’s ideology that they follow deal with Art and street performance in Indonesia especially in Yogyakarta region.
The value of engaging young people in philosophy depends upon how we teach it. If our aim is to encourage dialogue, mutual understanding and a culture of peace, then we need to employ dialogue and other teaching strategies that develop mutual understanding and peaceful ways of dealing with differences and disagreements. This presentation shows how collaborative and inquiry-based teaching and learning can harness the spirit of philosophy to achieve these ends. It will be illustrated by examples from the classroom.

1. Methods and Aims

Disciplines develop their own ways of going about things. Pure mathematics developed the method of deduction from postulates, beginning with plane geometry at least as far back as Pythagoras. Experimental psychology involves the empirical method of testing behavioural hypotheses in controlled environmental conditions, a procedure that had its beginnings only in modern times. By contrast, no canonical method has arisen from the history of philosophy. Philosophers, schools and traditions have employed means that match their philosophical outlook and have even donned the garb of other disciplines from time to time. We need only think of Spinoza reasoning by a method akin to geometric deduction, or of John Dewey viewing philosophical hypotheses as being subject to empirical test in much the same way as in science. Perhaps the most we can say about philosophical method is that, broadly speaking, it relies upon reason and argument together with conceptual exploration and analysis. Beyond that, we are free to proceed in whatever ways happen to suit our aims.

I raise this matter because we cannot escape a commitment to method when it comes to philosophy education. However we construe philosophical method, it needs to be reflected in the manner in which philosophy is taught. Just as in science education we must bend the application of scientific method to the classroom in order that students may come to think scientifically, so in philosophy education we must adapt philosophical practice to the classroom in ways that encourage students to think philosophically. The appeal to method is vital. When we engage students in a science in order to teach it, we are doing what is necessary given that science is a practice, or family of practices, and not just an array of theories or established results. Philosophy too inevitably involves some repertoire of practice. It is not limited to the philosophical theories and doctrines that comprise its subject matter, which can be taught without really attempting to engage students philosophically.

While this takes us well beyond what I suspect all too often passes for philosophy education, it does not take us very far. In thinking about the task of adapting philosophical practices to the classroom, we need to be clear about how to adapt those practices to the teaching and learning environment in such a way as to fulfil our educational aims. Only then will we have a clearheaded understanding of what we are attempting to do.

For the purposes of this discussion, I am going to assume that the development of dialogue, mutual understanding and a culture of peace are among our aims in philosophy education. While argument is required for adopting these aims, my focus will be upon how best to fulfil them once that case has been made. To concentrate upon these social aims is not to ignore the development
of philosophical understanding and intellectual skills and abilities that are also bound to be among our aims. We need to bring all these things together into a coherent whole, whether we employ dialogue as a means of cultivating philosophical understanding or develop students’ intellectual skills and abilities through the peaceable resolution of their philosophical disagreements. However we proceed, we need to introduce students to ways of thinking and relating that fulfil our social aims, while at the same time developing their philosophical abilities and understanding.

2. Socratic Dialogue

According to standard convention, the history of Western philosophy begins with Socrates and the dialogical method. This method may be narrowly or broadly interpreted. It may be taken as the particular set of philosophical procedures used to elucidate philosophical concepts in the early dialogues of Plato or, at the limit, as any philosophical discourse that takes a dialectical approach. The broader interpretation of the Socratic tradition can be seen in what the philosopher and educationalist Matthew Lipman called the Community of Inquiry. In fact, while Lipman’s work centres on philosophy education, he is inclined to extend the idea of the Community of Inquiry to a Socratic approach to life and society as a whole:

“Surely Socrates realized that the discussion of philosophical concepts was, by itself, just a fragile reed. What he must have been attempting to show was that the doing of philosophy was emblematic of shared inquiry as a way of life. One does not have to be a philosopher to foster the self-corrective spirit of the community of inquiry; rather, it can and should be fostered in each and every one of our institutions.”  

While I will be following Lipman in offering a broad interpretation of the Socratic Method to philosophy education, I will begin by suggesting that the broader and narrower versions of the Socratic tradition can already be found in different classical interpretations of the Socratic approach.

Xenophon tells us that Socrates “was always conversing about human things—examining what is pious, what is impious, what is noble, what is shameful, what is just, what is unjust, …as well as about other things, knowledge of which he believed makes one a gentleman (noble and good) while those who are ignorant of them would justly be called slavish.”  

In other words, according to Xenophon, Socratic philosophical dialogue was conceived of as a method by which to attain knowledge of the general nature of those things by which we judge and determine conduct in life. It is to be noted that Xenophon does not present this as just a theoretical grasp of what Aristotle took to be general definitions. Socrates’ quest relates to character and conduct. Allowing for Xenophon’s aristocratic way of expressing the point, Socratic dialogue aims at knowledge that improves and liberates us.

The idea that Socratic dialogue leads to moral improvement is, of course, contentious. Aristotle’s claim that Socrates is to be credited with introducing a method of adducing general definitions is

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72 *Memorabilia*, I.1.16.
73 Along with the systematic use of inductive arguments, Aristotle regards the attempt to develop a means of general definition as Socrates’ chief contribution to philosophy. See *Metaphysics*, 1078b, 17-29. Aristotle is concerned with the technical apparatus of philosophy and not with the fact that Socrates provided us with a method through which we might inquire together into matters of common human concern. On the broader interpretation being argued here, however, Socrates’ main contribution lies precisely in his having provided a model of the community of philosophical inquiry.
followed by criticism of the idea that we can learn to be virtuous by inquiring into the properties of virtue, much as we can learn to be geometers by inquiring into geometrical properties. While “there is no other part of astronomy or physics or geometry except knowing and contemplating the nature of the things which are the subjects of those sciences.” Aristotle claims that this is not so when we come to what he calls the productive sciences. We are not made just merely by knowing what justice is any more than we are made healthy simply through knowing what health is. As Aristotle points out, we need to know how to attain the things at which those sciences aim and not merely to know the nature of them.

Even so, there is something to the Socratic idea that knowledge acquisition through philosophical dialogue is a process of self-transformation. Such knowledge is not merely something that we access or call upon. It is not something in auxiliary storage. It is constitutive of who we become. The contrast with a great deal of the so-called knowledge acquisition that happens in school is familiar enough. When knowledge is imposed upon students, rather than gained through their own inquiries, it is unlikely to be taken into their being, and may be actively resisted. It becomes extraneous information and not knowledge in any full sense.

In any case, we should not be too quick to dismiss the moral benefits of the Socratic enterprise on technical grounds, as Aristotle does, without taking proper account of the Socratic Method. Learning to engage in philosophical dialogue with one another is not simply a theoretical encounter. It is a form of fellowship. It is one in which we learn to listen to each other, to share our ideas, enlarge our perspectives, and deepen our mutual understanding by thinking together about matters of value. Such an encounter lies in stark contrast to the didactic presentation of philosophy in a lecture or talk such as this, or in the image of students trying to cram enough of philosophy into their heads to pass the exam. To bring Socratic dialogue into the classroom offers a moral education far beyond anything that the theoretical results of students’ inquiries might bring.

3. Mutual Understanding and a Culture of Peace

Once the moral character of the broader Socratic enterprise has been rescued from the criticism that can be brought against Socrates’ philosophical presumption that virtue is knowledge, it is easy to see how it can contribute to mutual understanding and a culture of peace. Mutual understanding is one of the immediate aims of dialogical inquiry, as we can readily appreciate by stepping along its course. (1) Such an inquiry begins with open intellectual questions in which there is ample scope for different opinions and points of view. (2) The expression of an opinion or a point of view has the status of a hypothesis in the context of inquiry. It is not something to

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74 Aristotle, *Eudemian Ethics* 1216b. Translated by J. Solomon, in Jonathan Barnes (ed.), *The Complete Works of Aristotle*, Volume 2 (Princeton, NJ: Princeton University Press, 1984). This topic is complicated by the fact that knowledge can be a matter of skills and abilities rather than an intellectual affair—of knowing-how rather than knowing-that. Those who have learnt the art of yodelling are yodellers just as those who have learnt geometry are geometers. In many cases, the knowledge involved in an activity is both practical and theoretical. Serious musicianship requires an understanding of musical theory as well as the development of performance skills, while the medical practitioner is someone who brings a great deal of theoretical knowledge to bear on the very practical tasks of examination and treatment. Indeed, these examples remind us that sophisticated performance typically involves a fusion of theoretical knowledge and practical skills and abilities. Every movement of the surgeon’s scalpel embodies his anatomical knowledge. The concert pianist’s knowledge of musical composition suffuses her performance.
be asserted and insisted upon, but takes the form of a suggestion to be put to the test of reason and argument. (3) In coming to regard expressions of opinion as suggestions, students learn to hear each other out when points of view are presented that do not coincide with their own. They are led to consider other points of view and to examine their own. These are all steps toward mutual understanding.

By further extension, this practice builds capacities and dispositions that facilitate constructive engagement across difference and the peaceable resolution of disputes. (4) Open inquiry into opinions builds the capacity to admit one's own partiality and fallibility and a willingness to change one's mind in the light of reason and evidence. (5) This helps students to be more reasonable in the way that they deal with everyday problems and issues, and establishes the habit of resolving their differences by inquiring into them rather than through a show of force.

All these steps within dialogical inquiry are building blocks for a culture of peace. The consideration of open questions about matters of human import counteracts the tendency implicit in much education to assume that to every important question there is a unique right answer that brooks no disagreement. The open expression and consideration of different opinions develops the habit of listening to other people and trying to see their point of view. By engaging in the give-and-take of reasons, students become more prepared to open their views to thoughtful criticism, and not to think that those who disagree with them must be ignorant or vicious. Just because it has these characteristics, dialogical inquiry provides a training-ground for mutual understanding and the peaceful resolution of conflict.

While such a practice is in many respects a long way from what we understand of Socrates' dialogues in ancient Athens, it remains Socratic in spirit. Following on from Lipman, it presents philosophy education as a model of the inquiring community: one that is engaged in thoughtful deliberation and decision-making through dialogue, is driven by a desire for mutual understanding, values the kinds of regard and reciprocity that grow under its influence, and benefits from its willingness to treat difference and disagreement as a source of richness rather than cause for suspicion and confrontation.

4. Illustration

The best way to appreciate the approach being recommended is to observe philosophy classes inspired by this model in action. Therefore I will present slides and audio records of segments of discussion in two classes, time permitting. The first is a class of 9-10 year-olds discussing the criteria of reality, and the second is a class of 11-12 year-olds discussing the meaning of life. They are not selected because of any particular merit other than typicality in terms of what we can expect from students and teachers engaged in philosophical discussion. The first class is a fledgling dialogue supported by a good deal of scaffolding through teacher questioning. The example from the slightly older age group begins with small group discussion and then whole class dialogue, again driven by questioning from the teacher.

Commentator: Jinwhan Park
Just War in the Arab Philosophical Tradition

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The classical Arabic philosophical conception of “just war” has long suffered a double marginalisation: on the one hand, western philosophical literature dedicated to this theme has long been neglected. One can keep on tracing the history of this concept—from St. Augustine to Richard Walzer—while concealing the contribution of Arabic philosophers. On the other hand, even when it happens that western specialists deal with this theme in Arabic tradition, they focus on texts bearing on Islamic Jurisprudence (theology of “Jihad” and ethics of war). The purpose of this paper—which aims to be analytical and critical—is to evaluate this contribution, and this from two angles: 1. The thematization of the theme of just war in classical Arabic philosophy (Al-Farabi, Avicenna, Averroes)—the fundamental texts and their limits; 2. The problematization of the theme: the conception the “just war”—acknowledged from “the Virtuous City” to “the Perverted Cities” in the name of proper values—being too idealist and absolutist, does it not risk being at fault by its lack of realism and making us reflect of some current wards which are being waged by the “good side” and the “bad side”.

Commentator: Laura Vittet-Adamson
Al-Andalus was the Islamic socio-political reality established in the Iberian Peninsula from 711 to 1492. As an European Islamic culture, Andalusian Civilization developed singular qualities as bridge between the East and the West. Classical knowledge, philosophy and science were translated into Arab language, and through al-Andalus this heritage reached Christian Europe to lead the Renaissance. At the same time, al-Andalus had a deep impact in the commercial route connecting both edge of the Islamic world, from the Iberian Peninsula to China, and it is possible to speak about Muslim Iberian presence in the Far East (even in the Philippines) before the arrival of the Christian Iberians, i.e., before Magellan. Nowadays, the concept of al-Andalus has been use by modern thinkers and politicians to develop modern social programs, as Malaysia proves. In sum, we will describe the importance of al-Andalus as a bridge of knowledge between nations from the Medieval Era to the present, from Europe to Asia.
Is Environmental Justice Possible?

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When perceiving environmental agendas, such as the "Ozone Layer" depletion, and how it has been tackled successfully since the Montreal Protocol 1987, one wonders why the international community succeeded in preserving the Ozone layer, through reducing and then eliminating the ozone depleting substances, such as chlorofluorocarbons, yet, the issue of Global Warming is still shifting from a discussion over reducing Green House Gases into adaptational measures, particularly after the Copenhagen Summit 2009 (Cop 15).

We think that tackling such a question: "Is Environmental Justice possibly?" would require discussing how far international forums recommendations over the environment, in its advisory form, has been practiced? Why has it failed, we must ask too? Where did it succeed and how? What makes an act ethical and compulsory at the same time? How can different nations of contradictory conceptions over environmental issues get closer together to make a compromise? Is this possible in a world controlled by trans-border multi-national cartels?

The outcome of this discussion will not prescribe a solution for environmental integrity, it will only attempt to answer the question whether environmental Justice is possible by discussing the different criteria that formulate an impediment to environmental Justice.

Commentator: Rainier Ibana
**Linear and cyclical models of Energy Production and the problem of Distributive Justice**

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**Introduction**

A careful examination of electric bills in the Philippines will yield such items as “system loss, distribution costs and transmission charges.” Thirty percent of our own electric bills in the province, just to cite an example, are spent on such items every month. Although such charges include human foibles such as pilferage and theft, these charges are also inherent to the mass production of electric power due to the loss of energy when transferred from one form or level of electric power to another. Such charges, therefore, can be minimized if the frequency of the transmission of energy is reduced from its source to its end user. Small-scale renewable energies that are being developed in many parts of the world today, particularly in the Asia-Pacific region, have a better chance of optimizing power generation, mitigating global warming and addressing the energy requirements of vulnerable populations.

*The Laws of Thermodynamics and Linear Production Lines*

Our basic physical science courses taught us that energy is neither created nor destroyed; it is however, degraded whenever energy is transferred from one form to another and the difference between the infused power and the reduced energy within an energy system are dispensed to the environment in the form of heat. The total amount of energy therefore remains constant and merely degraded by consumers and diffused to the environment whenever energy is converted. But the more frequent an energy source is converted from one form or place to another the more heat is expelled to the environment and the less energy is made available to the next consumer.

The Philippine Distribution Code promulgated by the Energy Regulatory Commission in 2011, for example, defines system loss in terms of “the difference between the electric energy purchased and/or generated and the electric energy sold by the distributor. Electric consumers are therefore being charged not only with the energy that they actually consumed but also billed with the amount of dispersed energy. Transmission system cost are included in the electric bill in order to pay for the conveyance of electricity through the grid or transmission system composed of “the high voltage backbone System of interconnected transmission lines, substations and related facilities for the conveyance of bulk power.” Distribution system cost, moreover, pays for “the system of wires and facilities between the generating plant or transmission system to the premises of the end-user.”

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The underlying paradigm behind these energy costs are linear production systems that extract energy from a resource base and expel wastes along the way until the energy residues are exhausted or merely dumped at the end of the production line. Once the tipping point towards the depletion of these non-renewable energy is reached, however, it will require more actual energy to extract the potential energy of such forms of energy as fossil fuels and therefore the production costs of power generation and distribution will become more expensive than economical because the setting up of the technologies to harness and distribute non-renewable energies will actually require more energy than its potential output. Alternative sources of energy are therefore necessary in order to continue the modern lifestyles that human beings would like to pass on to the next generation.

**Renewable energies and the “maximum power principle”**

Unlike the linear production lines of mass-produced fossil fuel generated energy systems, renewable energies abide by the cyclical patterns of nature to create feedback loops that reproduce self-maintaining power resources. The entire biosphere, for example, receives energy from the sunlight that is converted into food by plants and other organisms that are consumed by carnivores whose wastes return to the environment for reuse. The act of breathing in and breathing out also demonstrates these loops in the manner by which oxygen consuming organisms are empowered by plants who in turn consume the carbon dioxide expelled by oxygen consumers. These feedback loops are used as models to design renewable energy technologies in order to continuously support energy consumption and even stimulate growth from the excess energy produced by these systems. What is distinctive about self-maintaining energy resources, moreover, is that it can be scaled down and consumed at the local level so that it will minimize the transfer of energies and thus reduce wastes along the way.

Solar panels and hydro-electric energy resources are typical examples of so-called green technologies that have been harnessed by local communities and households especially in far-flung areas that could not be reached by electric power lines. The recent awardees of the Ramon Magsaysay Awards, Asia’s equivalent of the nobel peace prize, have been cited for reengineering these technologies for the consumption of the marginalized sectors of society. Harish Hande, for example, has customized solar panels so that they can meet the demands of consumers and encouraged the poor to become “asset producers” instead of merely becoming dependent on energy providers. Tri Mumpuni, another Magsaysay laureate, was able to bring electricity to half a million people in Indonesia by building small hydro-electric energy systems in far-flung communities. In the Philippines, a Non-government organization, the Alternative Indigenous Development Foundation, Inc. (AIDFI), reengineered the ram pump in order to bring water upland for farming and livestock raising.

**Development of Human Capabilities**

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These alternative renewable energy resources do not merely contribute to the solution of the problems of energy crisis and climate change; they also address the problems of poverty and inequality by empowering the vulnerable sectors of society to contribute to human development by enhancing their inherent capacities to take charge of their own lives.

The Magsaysay laureates who introduced these renewable energy technologies did possess the intellectual capital that they merely applied towards the solution of social problems. But the multiplier effect of their innovative ideas extends to those who would otherwise not have the opportunity to improve their living conditions. The kind of empowerment that they have imparted, therefore, is not merely measurable in terms of physical or economic advantage but a contribution to the building up of self-confidence among the vulnerable sectors of society in their capacity to also make a significant contribution to human development.

Amartya Sen, nobel peace laureate for Economics in 1998, made a distinction between human capital and human capability by emphasizing the need to develop human resources not only in terms of their contribution to economic production systems but also in terms of developing the human capacity to choose the kind of lives that people have reason to lead. Empowering the vulnerable sectors of society with energy resources do not only mean improving their income but also enhancing their self-worth and dignity as human beings who can begin to lead decent lives for themselves and their surrounding communities.

The fundamental laws of energy conservation and degeneration are applicable not only to the physics and biology of animate and inanimate entities but also relevant in performing such spiritual acts as thinking, creating and worshiping. The brain can function properly only with the proper management of energy-infused resources such as nutrition, learning materials and learning environments. Energy therefore is an omnipresent power that can be harnessed by humans through their thinking faculties by creating feedback loops in energy systems. Reflective thinking, the highest form of human activity, also exhibit a kind of feedback loop that bends back into itself in order to generate more ideas that can ultimately be applied to physical and biological realities.

**Distributive Justice: Building Energy Resources from the Ground**

Instead of merely waiting for capital-intensive and centralized energy providers to bring electricity to end users through power lines, alternative renewable energy generators are building energy resources from the ground by harnessing the eternal cycles of nature of their local environments.

This pattern of decentralization runs parallel to similar efforts that are being initiated in the delivery of other public services such as education, health, agriculture, and environmental protection as a consequence of the enactment of the Philippine Local Government Code of 1991.

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81 Harish Hande earned an engineering degree and was a graduate student at the Massachusetts Institute of Technology when he was inspired to develop and introduce small scale solar energy technologies in India. Tri Mumpuni, another recent Magsaysay awardee who established small scale hydro electric power in far flung communities in Indonesia was supported by her husband, Iskandar Kuntoadji, an engineer who instituted the Yayasan Mandiri, a pioneering non-government organization that promoted hydro electric power technology in the country sides. Auke Idzenga, a Dutch marine engineer and one of the founders of AIDFI, reintroduced the ram pump technology that led to the revitalization of their NGO. Cf.: [http://www.philstar.com/Article.aspx?articleId=720953&publicationSubCategoryId=68](http://www.philstar.com/Article.aspx?articleId=720953&publicationSubCategoryId=68) (Accessed on November 10, 2011)

This law aims to allow local governments “to enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals.”

A similar trend of devolution of energy resources can be discerned in the series of laws that have been enacted by the Philippine Congress in order to dismantle power generation monopolies. These include such legal instruments as Republic Act No. 7156: *An Act Granting Incentives to Mini-hydroelectric power developers and for other Purposes* promulgated in 1990 and the *Electricity Reform Act* of 2001.

The difference that energy generation makes, however, is its pervasive effect not only at the local level of political governance but its profound implications in the behaviour and attitudes of human and collective persons. We are today more aware of our carbon footprints and individual water consumption levels and their effects on the environment. But overall energy consumption can also be measured in terms of calories that health conscious individuals fret about while the malnourished children of the marginalized sectors of society are worried about their next meal.

Such higher levels of ecological awareness implies that individual human beings are viewing their place in social systems not only as producers and consumers but also as intricately connected to the broader physical and biological contexts of their behaviour. The enhancement of such higher order kinds of thinking makes the job of philosophers and metaphysicians to be ever more relevant today because of their vocation to articulate the distinctive place of humans and all beings within the context of a synoptic vision of a moral universe.

Commentator: Ayoub Abu-Dayyeh

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Environmental Justice: The Importance of Integration and Assimilation

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Brief History and Present Status of the Environmental Justice (EJ) Movement
One of the earliest events that can be said to have brought environmental justice (EJ) into focus was when Martin Luther King, Jr. led black Memphis sanitation workers in a garbage strike in April 1968. However, his assassination on the 4th of April in the same year left his mission for environmental justice incomplete. In the following year, Ralph Abascal of the California Rural Legal Assistance filed a lawsuit on behalf of six migrant farm workers that ultimately led to the ban of the pesticide DDT. In 1970, the United States Public Health Services (USPHS) acknowledged that lead poisoning was disproportionately impacting African Americans and Hispanic children, followed by the acknowledgement of racial discrimination adversely affecting urban poor and quality of their environment in the annual report of the US Presidents’ Council on Environmental Quality (CEQ). By the 1980s, the EJ movement became firmly ensconced in USA and gradually spread to the other industrialized nations. The need for a separate environmental justice movement distinct from those working for the conservation of natural ecosystems and biodiversity in protected ‘wilderness areas’ arose because the emphasis of the latter was less or totally lacking on social concerns, such as health hazards from toxics exposure and attendant human rights. The environmental justice groups have defined “environment” as “where we live, work, and play” (Brodsky and Sletto, 2007). The United States Environmental Protection Agency (USEPA) came up with a definition of environmental justice as “…the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across this Nation. It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.” In 2010, the EPA decided to make the expansion of “the conversation on environmentalism and working for environmental justice an agency priority”. This priority, incorporated into the EPA Strategic Plan 2011-2015, is proposed to be implemented through “Plan EJ 2014”, which is the Agency’s roadmap for integrating environmental justice into its programs, policies, and activities”. Through this plan, it “seeks to protect the environment and health in overburdened communities; empower communities to take action to improve their health and environment; and establish partnerships with local, state, tribal, and federal governments and organizations to achieve healthy and sustainable communities.”

Shifting of the Toxic Arena: A Case for EJ
We could perhaps find a link between the strengthening of the EJ movement in USA and the other developed, industrialized countries in the 1980s, and the practice of exporting of toxic

wastes to developing countries, especially Africa. This trend emerged in the early 1980s and increased throughout the decade. This has been termed as “an ironic consequence of environmental concerns over toxic waste disposal in industrialized countries” (Clapp, 1994). The rapidly growing EJ movement resulted in increased levels of awareness about the hazards associated with toxic wastes, which in turn led to regulations on dumping of hazardous wastes becoming more stringent in the developed world. Consequently, the earlier practice of dumping these wastes in the poor neighborhoods were increasingly resisted because of the adoption of the NIMBY (not on my backyard) attitude by more and more communities. Some of the pioneering instances where communities protested against or actively resisted the siting of waste facilities or landfills in their localities include the following: in 1978 Houston Northwood Manor subdivision residents protested against the Whispering Pines Sanitary Landfill; in 1979 Houston’s Northeast Community Action Group filed the first civil rights suit challenging the siting of a waste facility; in 1982 Warren County residents protested the siting of a polychlorinated biphenyl (PCB) landfill in Warren County, North Carolina; in 1983 a U.S. General Accounting Office (GAO) report found that three-fourth of the off-site commercial hazardous waste facilities were located in African American communities, although they made up only one-fifth of the region’s population. This led to the coining of the term “environmental racism”.87 Faced with increasing difficulties in siting of hazardous waste facilities or dumping of such wastes in the developed countries, the ‘waste traders’ targeted the economically vulnerable regions to lure the countries there to serve as toxic waste destinations. These ends were mostly achieved through clandestine deals with corrupt officials and politicians, taking advantage of the lax regulations and low level of environmental awareness prevailing in these countries. Economic benefits were also an important deciding factor. Clapp (1994) had estimated that while the cost of dumping wastes in the USA was over US $ 250 per ton in the mid-1980s, the cost was as low as US $ 40 per ton and even could go down to US $ 2.50 per ton in Africa during the same period. Thus Africa was visualized as a hassle-free, low-cost repository of hazardous wastes by the disposal industry. One poignant example of such disposal was the dumping of wastes containing dangerous polychlorinated biphenyls (PCBs) and asbestos fibers in 1988 in the backyard of a Nigerian farmer, who rented his premises to an Italian waste disposal company. The improperly packed containers leaked and released the toxicants into the environment, contaminating the soil and water. Some people reused the empty containers for storing water and were taken seriously ill. The resultant furore ultimately forced the company to take back the wastes. Another example was the dumping in open air of 15,000 tons of toxic incinerator ash from Philadelphia on the Guinean island of Kassa by a Norwegian waste management firm. At least 50 such incidents were recorded in the 1980s in different parts of Africa (Clapp, 1994).

**International Regulation**

The increasing instances of the flouting of environmental as well as ethical norms by waste handling companies accompanied by mounting pressure from international NGOs, especially the Greenpeace, and IGOs like the United Nations Environment Programme (UNEP), led to the framing of the Basel Convention in 1989 to check the transboundary movement of hazardous wastes88. The Basel Convention, however, regulated rather than prohibited the export of wastes.

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This was followed by the Lome IV Convention\(^89\) in 1989 between the European Community (EC) and the African, Caribbean and Pacific Group of States (ACP) that imposed further restrictions on the export of toxic wastes to these regions; and the “Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa” in 1994\(^90\). In spite of these international regulations, import of toxic wastes into developing nations continued to take advantage of the limitations and loopholes in their frameworks and scopes. A more recent problem is the dumping of hazardous e-wastes in the guise of recycling in the developing countries. A study by Greenpeace has shown that the ports of Singapore, Nanhai (China), Ahmedabad, Mumbai and Chennai (India) and Karachi (Pakistan) are some of the major entry points of e-wastes for recovery of materials and recycling. Sher Shah in Pakistan, New Delhi, Mumbai and Chennai in India, and Gulyu in China are the major recycling sites\(^91\). Nigeria is another important recycling site of e-wastes. The e-wastes are potentially toxic as they contain toxic metals such as lead, cadmium, and mercury. The plastic casings when burnt release carcinogenic dioxins and polyaromatic hydrocarbons. Movement of e-waste takes advantage of the fact that under the Basel Convention regulations, export of wastes for reuse and recycling are allowed. The discarded computers, cell phones and other gadgets that become outdated quickly provide good opportunities for repair technicians in developing countries who in turn can sell them at much cheaper rates to the not so affluent consumers there, making it a thriving industry. It was seen that a working ‘assembled’ Pentium III computer sells for US$ 130 and a 27 inch TV for US$ 50 in Nigeria (Schmidt, 2006). In India, an assembled computer can sell at one-fourth the price of a ‘branded’ model. In the cheaper version, many parts might be actually coming from discarded e-waste from developing countries.

The Importance of Environmental Education

Schmidt (2006) has pointed out that Africa has now become the most favoured destination for e-wastes, as compared to Asia, the knowledge about the nature of the materials is much less in Africa. This statement underscores the importance of awareness generation among the e-waste handlers and the general public about the hazardous nature of e-wastes, so that even if they are compelled to work on these materials to earn their livelihoods. Though not substantiated by any empirical data, the introduction of compulsory environmental education in India and several other Asian countries could be a contributing factor towards better awareness about toxic wastes and other environmental hazards. The rapid spread of open and distance learning through open universities like the Indira Gandhi National Open University (IGNOU) in India, and its counterparts in Malaysia, Thailand and other south east Asian countries could also be instrumental in generating consumer-worker awareness about occupational hazards. The Basel Action Network (BAN), an NGO, has come up with its “Electronic Recycler’s Pledge of True Stewardship” that can be signed by companies that promise not to send e-waste to landfills, incinerators or developing countries. The EPA has created the “Plug-In To eCycling” programme that promotes safe domestic recycling of electronic equipment by consumers and


businesses (Schmidt, 2006). Thus ethics and education could be visualized as being capable of playing major roles in resolving e-waste and other hazardous waste concerns and contribute towards bringing about environmental justice to the affected stakeholders.

Is EJ in Conflict or Harmony with Deep Ecology and Ecocentrism?
There is an apparent conflict between EJ and social ecology on the one hand, and Deep Ecology, ecocentrism and the conservation movement on the other. Social ecologists such as Bookchin have been fiercely critical of Deep Ecology and its postulates and have also undermined the ecocentric ideals and lifestyle of indigenous societies (Bookchin, 2010). But perhaps in a more patient analysis, the injustice to the poor and underdeveloped sections of humans is part of a continuum of the treatment of women, non-human animals and plants, and inanimate nature at the hands of the dominant and powerful sections of the society. A philosophical basis for this treatment has to be laid down and disseminated and promoted among human beings of all colour, creed and social-economic-political standing. Respect for nature also implies respect for people of all cultures and economic status, and until this is achieved, all professedly radical EJ movements, despite yielding ameliorative results, would fail to usher in any long-term change in societal attitude towards nature. The roots of this philosophy are present in many religious-cultural traditions, written literature and folklore, art and music, which cannot be ignored. Social Ecology would continue to be affected by its philosophical limitations without imbibing the values from these traditions. True environmental justice could be better achieved by shedding its anthropocentric accents and embracing the natural world as the one component that has suffered ‘inhuman’ treatment since a very long period of time, along with a section of the humans who were also meted the same treatment. Siting of a waste facility in a poor neighbourhood and the commissioning of a project that brings about deforestation and habitat destruction are essentially the two faces of the same coin of injustice.

References


Commentator: Lea Ivy Manzanero
Environmental Justice: Socio-economic Inequalities and Injustices Create an Unsustainable Worldmessa

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Based on the principle of prevention and precaution, environmental ethics investigates the elements composing nature and continuously interacting with each other. Everyone, particularly the young, is supposed to continuously build and maintain the relation between humans and nature. To subscribe to this concept of humanity, the individual must maintain the possibility of overcoming oneself and being free to exist. In his book *The Imperative of Responsibility: In Search of an Ethics for the Technological Age*, Hans Jonas takes for his point of departure the question “Why must humanity be?” The existence of humanity, whose imperative seems to go without saying, is not at all an assured fact in our day. On the contrary, through the enormous power he/she has—thanks to modern technology—the human being has from now on the capacity to self-destruct in no time at all.

How does one make young Algerians join this global march toward sustainable development—such a term so incompatible with their culture and lifestyle? Algeria is one of the developing countries and therefore a target of polluters—countries looking for dumpsites and favoring the most vulnerable populations. But today, with the State willingly making an effort, the Algerian population is aware of the danger and is even very conscious of this social injustice toward their environment and their youth.

Placed before this fait accompli, populations living in pollution (the least industrialized countries) disproportionately bear and suffer the effects on the environment without forgetting that this principle of environmental and ecological justice sprung from environmental racism during the 60’s in the United States. Soon after, from the UN Conference on the Human Environment held in Stockholm (1972), a declaration: “Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations.”

The basic idea of this is that the current gap with regard to humanity’s consumption and depletion of the natural resources of the planet (with a minority 20% consuming around 80% of these resources and leaving behind nearly 80% of the global environmental impact) cannot be dissociated from the ecological injustice implanted in the global system throughout the last centuries.

Only through a fair redistribution of planetary resources will it be possible to avoid the excessive consumption of a few who are the principal cause of global destruction. In this regulation and its transcription into national law, and on the basis of a dynamic interpretation of humankind’s right to the environment, ecologists glimpse the possibility of implementing new fundamental rights such as: the right to environmental justice, the responsibility to legally restrict companies and their executives, environmental health in the framework of a right to a healthy environment for all. “We must build an environmental ethic with the same principles of bioethics: autonomy, care for the weakest, and justice” according to Senator HEURIET.
Between Freedom and Tradition: Inter-Generational Conflict in Buddhist Ethics

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Introductory Note
Teasing with over-simplification, it might be safe to say that there are 4 major categories of approaches to Buddhist ethics, namely, the religious approach, the philosophical-historical approach, the political-cultural approach and the applied ethics approach. Leading scholars using each or a combination of several approaches invite the names of Buddhadasa, K.N. Jayatilleke, David J. Kalupahana, Steven Collins, Stanley J. Tambiah, Charles F. Keyes, Peter Harvey, Damien Keown, just to name a few. However, as far as I know, there is yet to be developed a major work dedicated to the field of ethics for youth in Buddhism. This paper is a modest attempt towards that direction. This particular endeavor is highly called for as the technological innovations in the past decades have pushed the younger generations into a major force for the future, placing them at the forefront of knowledge production and information consumption. The agendas for the discussion of ethics about youth, by youth and for youth will be crucial for both scholarly progress and social ethical advancement in any Buddhist society and beyond.

Particular Significance of the Two Suttas
Buddhist ethics is generally discussed against a backdrop of analytical bifurcation of the “other-worldly” or “this-worldly”, “the ultimate or the conventional”, the monastic codes or the codes for the laity. These approaches are based on key distinctions made in the Tripitaka as a compendium for moral cultivation and spiritual liberation. This paper begins with a slightly different focus in mind, that is, it focuses on the discussion of ethical admonitions by the Buddha to two cases of younger Brahmins. In other words, it takes the inter-generational dimension as a staring point of discussion. In both cases the younger Brahmins were having an “issue” with their fore-bearers. But their encounters with the Buddha have a decisive and long-lasting effects on the rest of their lives.

These two cases as recounted in the Agganna Sutta and the Sigalaka Sutta represent two opposite responses of the younger generation to the demands of their families. In one case, the younger generation are on verge of a decision which runs against their family tradition, while the other case of Sigalaka is simply and perhaps too readily following in the foot-steps of his father. The two young Brahmins, Vasettha and Bharadvaja in the first sutta are depicted at the beginning of the narrative in a moment of doubt and anxiety about their aspiration to become fully ordained. Their imminent choice would tantamount to turning against their family tradition. In their accounts to the Buddha, they had already been criticized by their families and other Brahmins who gave the account of their higher and superior status as the reason for the young brahmains’

“stupid” decision to join the sangha which would be tantamount to joining a lower and inferior class. In the case of Sigalaka, this dutiful son appears determined and un-questioning at the beginning of the narrative to go on performing the ritual of worshipping the six directions as instructed by his dying father. Sigalaka represents a younger generation who simply follows the tradition of their fore-bearers without questioning.

These two suttas are chosen as an illustration of paradigmatic cases of inter-generational issue in Buddhist ethics. I would say that this approach is quite novel in the sense that the first sutta has basically been studied as a cosmological account of human origin, while the latter sutta has mostly if not exclusively studied as a discussion of ethics for the laity. As far as I know, this paper is the first to highlight the inter-generational dimension of the two stories.

Brief Accounts of the Agganna Sutta and the Sigalaka Sutta

The Agganna Sutta recounts an encounter of the Buddha with two young Brahmins, Vasettha and Bharadvaja who aspire full ordination as monks. The conversation began with the Buddha asking a leading question whether the two of them had been reviled and abused as they were Brahmins who aspired full ordination in the Buddha’s religion. That question brought out an almost outburst of response.

“Indeed, Lord, the Brahmins do revile and abuse us. They don’t hold back with their usual flood of reproaches.”

“Well, Vasettha, what kind of reproaches do they fling at you?”

“Lord, what the Brahmins say is this, “The Brahmin caste is the highest caste, other castes are base; the Brahmin caste is fair, other castes are dark; Brahmins are purified, non-Brahmins are not, the Brahmins are the true children of Brahma, born from his mouth, born of Brahma, created by Brahma, heirs of Brahma. And you, you have deserted the highest class and gone over to the base class of shaveling petty ascetics, servants, dark fellows born of Brahma’s foot! It’s not right, it’s not proper for you to mix with such people!” That is the way the Brahmins abuse us, Lord.”

“Then, Vasettha, the Brahmins have forgotten their ancient tradition when they say that. Because we can see Brahmin women, the wives of Brahmins, who menstruate and become pregnant, have babies and give suck. And yet these womb-born Brahmins talk about being born from Brahma’s mouth... These Brahmins misrepresent Brahma, tell lies and earn much demerit.”

After this radical criticism of the Brahmins, the Buddha took the two young Brahmins for a flight of imagination. He told a primordial tale of celestial beings whose desire for earth essences led them to a gradual process of moral degradation, of pride, arrogance, stealing, lying, and physical violence. Then they collectively appointed a fair and charismatic being to act as mediator of conflict and imbued with the authority to dole out punishment. After establishing the political institution, the narrative moved on the development of the 4 classes of people. Toward the end of the story, the Buddha asserted that the Dhamma is the “best” and the young Brahmins rejoiced in the words of the Buddha.

The Sigalaka Sutta recounts the story of a Brahmin by the name of Sigalaka who got up early in the morning with wet clothes and hair and with joined palms heading out of the city of Rajagaha to pay homage to the Six Directions, namely, the east, the south, the west, the north, the nadir and the zenith.

The Buddha seeing Sigalaka, asked him why he got up so early to pay homage to the different directions. Sigalaka answered, “Lord, my father, when he was dying, told me to do so. And so, Lord, out of respect for my father’s words, which I revere, honour and hold sacred, I have got up thus early to pay homage in this way to the six directions.”

The Buddha then invited Sigalaka’s interest by providing him with alternative ways of practice to “pay homage” to the six directions. He gave detailed instructions on how to avoid evil actions, how to nurture friendships, and finally he offered a new set of reference for the “six directions” as a “package” for living a good life of a householder. The new set of reference for the six directions are: The east denotes mother and father, the south denotes teachers, the west denotes wife and children, the north denotes friends and companions, the nadir denotes servants, workers and helpers, the zenith denotes ascetics and Brahmins. Then in each “direction” the Buddha outlined “five ways” of duties for each of the pair in the relationship. Take for example, the relationship between wife and husband, the Buddha gave the following instructions.

“...There are five ways in which a man should minister to his wife as the western direction: by honouring her, by not disparaging her, by not being unfaithful to her, by giving authority to her, by providing her with ornaments. And there are five ways in which a wife, thus ministered to by her husband as the western direction, will reciprocate. By properly organizing her work, by being kind to the servants, by not being unfaithful, by protecting stores, and by being skilful and diligent in all she has to do. In this way the western direction is covered, making it a peace and free from fear.”

At the end of the Sutta, Sigalaka said to the Buddha, “Excellent, Reverend Gotama, excellent! It is as if someone were to set up what had been knocked down, or to point out the way to one who had got lost, or to bring an oil-lamp into a dark place, so that those with eyes could see what was there. Just so the Reverend Gotama has expounded the Dhamma in various ways, May the Reverend Gotama accept me as a lay-follower from this day forth as long as life shall last!”

**Inter-Generational Conflict in Buddhist Ethics**

In term of content, one can say that the Buddhist theory of karma lies at the heart of most discussion on Buddhist ethics. The Buddhist theory of karma is explained in the context of daily mundane life of ordinary Buddhists, or in the life of Buddhist saints (arahants) whose up-rooting of unwholesome motivations have placed them at a plane which is “beyond” karma. It is interesting to note that the moral actions of the individual as the corner stone of Buddhist karma is played out in these two Suttas with emphasis on the present life, and without direct reference

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94 Ibid., pp. 461-469.  
95 Ibid., p.466.  
96 Ibid., p.467.  
97 Ibid., p.469.  
98 Please see an explicit formulation of this in Buddhadasa, *Karma beyond Karma: A Scientific Study of Karma and The Buddha’s Teachings on Karma*. Bangkok: Atammayo, no date of publication.
to rebirth. This shift to the temporal “present” in the actions of human beings in this life, leads the direction of the conversation with the young Brahmins and the discussion about moral life into the future. In other words, it seems that the Buddha here is less interested in explaining the temporal present with past karma, rather he is more focused on “changing” pre-existing meanings of actions of the young Brahmins so that they can adopt a new understanding of what they could and should do with their lives in the future. The more traditional understanding of karma as invoking past actions to account for the present fortune or misfortune is not the main focus here. From this perspective, one can say that the Buddha is encouraging more freedom of choice for the young Brahmins in their present empirical life. These two suttas envision the moral efficacy of the moral decision of the individual in the present and does not highlight a more “deterministic” understanding of karma. However, this is not to say that the approach of the Buddha is to offer a radical revolution for their lives. Some scholars argue that the Buddha’s approach to change, lies within the spheres of a Theravada framework, that is, change which conserves linguistic or symbolic modes of traditional expression, or “change within a conservative mode.”

This paper would argue that this approach can be called a “middle path” approach. This will be elaborated later.

It is safe to say that most scholarly works on Agganna Sutta approach the narrative as a discourse on the origin of human beings, moral degeneration and political institutionalization. Steven Collins has pointed to the importance of reading this Buddhist “Genesis” in the broader social political context of Ancient Hindu civilization and also focused on the fact that the primordial narrative of celestial beings took place within a conversation of the Buddha with two young Brahmins at the beginning of the narrative. This contextualized reading of the Sutta brings out the lively forcefulness of the discourse as depicting how the teachings of the Buddha had impacted the lives of younger generation in the Brahmin class at that time. The anxiety of the two young Brahmins who aspired to be fully ordained at the beginning of the narrative points to the often overlooked impact that the Buddha’s teachings were offering something “new” and attractive for younger people. But this new option for the young did not fare very well with the old Brahmin establishment whose use of the creation myth to explain the most superior status of the Brahmin caste might be losing its efficacy to a larger number of people, especially the younger generation. We should also be reminded that the Buddha attained enlightenment and established his “new” movement in his early thirties. I have no information how advanced in years was the Buddha when the conversation with Vasettha and Bharadvaja took place. But the point still holds that his movement must have been attractive to younger people who probably were looking for alternative ways of life for themselves. This would involve a choice which

99 Please see a very good exploration of Buddhist framework for change in context of a discussion of Buddhist political philosophy in Vira Somboon, Dhammic State in the Past. Bangkok: Openbooks, B.E.2551, p. 82.

100 Please see a major work on the Agganna Sutta in English in Steven Collins, “The Discourse on What is Primary (Agganna-sutta), Journal of Indian Philosophy 21: 301-393. In the General Introduction, there are numerous references to other works in English which contribute to important debates regarding the meanings and significance of this Sutta. It also serves as a very good critical overview of other relevant works. Please also see a major work in Thai on the political philosophy of Agganna Sutta in Sombat Chantornwongse and Chaianan Smudhavanijja, Thai Political Thoughts. Bangkok: Thai Khadi Research Institute, B.E.2523.
might run against the tradition of their fore-bearers. The inter-generational conflict was subtly depicted as the backdrop of the conversation.

I have argued elsewhere that this anxiety of the young Brahmins reflect a conflict of the heart, and that the Buddha’s approach to conflict “resolution” actually became a process of conflict transformation which dealt with deeper problems of meanings or identity of the young Brahmins. In a way, the Hindu creation myth needs to be substituted by the Buddha’s narrative of gradual moral degeneration of the celestial beings which ultimately led to politics and the differentiation of the 4 classes or castes. The Hindu myth had served as a basis of identity of the Brahmins as a most superior caste. The full ordination of the young Brahmins would lead them to belong to another group whose rules of collective existence is defined in terms of moral practice and spiritual cultivation, not a creation myth.

I read the recounted *rejoice* of the two young Brahmins at the end of the story as indicating that they had a positive response to the “new” cosmological tale of the Buddha. This tale traces the development of human society and political institution *not* through some kind of divine will, but through a long inter-active process of causal relations between beings’ desires, their actions, and the changing environment. This long and gradual process with beings’ “moral” actions lies at the center of the impetus for social political development and the differentiation of the 4 classes. In this way, the *differentiation of the 4 classes is held in tact, while the explanation of their emergence was transformed from a divine emanation theory to one of individual actions’ cumulative and collective effects*. Once this new tale is embedded in the mind of the young Brahmins, a new structure of meaning is made possible. This moral imagination can serve as a new framework of meaning for their identity. If this cosmological tale is embraced deeply enough, the two young Brahmins’ decision for full ordination would be able to resist the old Hindu creation myth, thus resulting in the evaporation of their anxiety and the end of conflict of the heart so vividly depicted at the beginning of the narrative. *Freedom for change in the next generation is thus made possible by the replacement of the Hindu creation myth with the narrative of moral degradation of celestial beings as an “explanation” of human origin and the emergence of the four classes.*

This concept of “moral imagination” has been developed by a leading peace scholar/activist, John Paul Lederach. He explains moral imagination in three key elements. First, moral imagination develops a capacity to perceive things beyond and at a deeper level than what initially meets the eye. It can be captured with the term “awakening” or attentiveness to more than is immediately visible. Second, moral imagination develops a capacity to give birth to something new that in its very birthing changes our world and the way we see things. This capacity is often reflected in the artistic expression which makes possible the liberty to “break” the rules of morality, while at the same time making moral reasoning possible. Third, moral imagination has a quality of transcendence. It breaks out of what appear to be narrow, shortsighted, or structurally determined dead-ends. We can see that the Buddha’s approach to

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providing alternative to the young Brahmins encapsulates these three elements. First, the primordial narrative of the celestial beings has a quality of transcendence as it “breaks through” the traditional Hindu creation myth with a naturalistic explanation of moral degradation and social differentiation. The Buddha’s “Genesis” story which makes moral reasoning possible and feasible for the young Brahmins, had been precipitated by the breaking of Hindu’s traditional rules of morality. This was achieved by pointing to the “empirical” fact of Brahmins being born from Brahmin mothers, and by implication, not through divine emanation or the “mouth” of the Lord Brahma. This was a very radical stage-setting for the primordial narrative which followed. Finally, the “awakening” or attentiveness to more than is immediately visible is achieved by the Buddha in his deep understanding of the young Brahmins’ anxiety as being related to the reviles by other Brahmins. That anxiety is based on the young Brahmins’ own self identity as based on their past identification with the Brahmin casted through their families and other Brahmins. The Buddha could see the need to provide them with a different narrative to serve as a new basis of their new identity, to smooth the transition to that new identity. This new identity is based on the moral actions of the individuals and not their supposed divine origins.

In this sense, the primordial narrative of the Buddha offers change and freedom of choice, while at the same time recognizing the deep need for a “meta-narrative” which serves as a basis for collective identity. That recognition can be said to be a respect for “tradition” while the content of that tradition has been transformed.

The second story in Sigalaka Sutta offers a very different situation of the younger generation. While Vasettha and Baradvaja were pondering a radical choice against their fore-bearers, Sigalaka was simply, strictly and dutifully following his father’s instruction without questioning. In this situation, the Buddha again challenged Sigalaka into “new” meaning of what he was doing. The Buddha did not tell him to stop the ritual of paying homage to the six directions as instructed by Sigalaka’s father. The Buddha offered Sigalaka “new” content for his ritual performance. In this new content, Sigalaka’s act of ritual would be transformed into “moral actions.” As the ritual practice of the six geographical directions is turned into duties and moral obligations to real actual people in different relationships in the familial and social world, the very meanings of those practices could be transformed. Imagine a situation where people like Sigalaka faithfully and dutifully follow the rituals set down by their parents, and neglecting their proper duties to people around them. What kind society would come to be? On the contrary, imagine a society where people of the next generation realize the importance of their duties and moral obligations to all people around them as outlined by the Buddha. This new society would probably be much more attractive to live in.103

Here again, take note of the outburst of joy by Sigalaka as recorded at the end of the story. He expressed, “Excellent, Reverend Gotama, excellent! It is as if someone were to set up what had been knocked down, or to point out the way to one who had got lost, or to bring an oil-lamp into a dark place, so that those with eyes could see what was there.”104 This is a response of the younger generation to the instructions by the Buddha. From another perspective, we can see that the instructions by the Buddha make a lot more demands on Sigalaka. In the old tradition, Sigalaka’s duty will be done once he made his morning round of paying homage to the six

104 Ibid., p.469.
directions. But the instructions of the Buddha would require of him constant attention to the needs of so many different groups of people, each of whom deserve something different from Sigalaka. These instructions by the Buddha remind one of both Aristotle and Confucius, in the sense that it is a blue print on “who owes what to whom”, or “who deserves what” in Aristotelian ethics; while at the same time, the duties to each of the people in the six relationships invoke the theory of Five Great Relationship of Confucius.105

We can see that the Buddha’s approach here is to provoke Sigalaka into thinking of what it means to “pay homage”. It seems that Sigalaka is full of commitment and eagerness to act out his father’s will. But what he lacks is a broader understanding of what actually could be done to “better” his life as a householder. While Vasettah and Baradvaja were contemplating an ascetic life, Sigalaka was “blindly,” willingly and dutifully fulfilling his traditional duty of a filial son. The Buddha “expands” Sigalaka’s horizon. Judging from the various exclamations of Sigalaka at the end of the story, it seems that Sigalaka’s moral imagination has been successfully invigorated.

Buddhist Ethics for Freedom: The Middle Path Approach

When scholars argue that Buddhist ethics is for the purpose of freedom, they usually refer to spiritual liberation or a state of nirvana. From our discussion above, we could infer that the sense of “freedom” in Buddhist ethics is not limited to the ultimate aim of enlightenment, it carries wide-ranging implications for understanding the Buddha’s position for the younger generation as well. That freedom of the young, no matter whether their inclinations regarding their choice was to be ascetics or house-holders, they are provoked by the Buddha into a new moral universe which carries great potentials for serving as a new basis for their future life.

In one sense, the Buddha’s instructions to Vasettha and Baradvaja are very radical as they pose direct challenge to the time-honored Hindu creation myth. In another sense, the Buddha saw the great significance of having a primordial tale about human origin as the underlying framework of cultural meaning of life. The Buddha kept the importance of that meta-narrative while substituting the content of that narrative. This is the “middle path” approach in the sense that the Buddha was not denying the need of a meta-narrative in providing a coherent vision of life, he simply set in motion a radically different type of narrative. This replacement of one narrative with another indicates the Buddha’s “middle path” approach. It keeps the mode of symbolic expression in tact (the mode of primordial narrative on human origin), while substituting the content of that narrative with a naturalistic explanation.

In the case of Sigalaka, the Buddha offered “freedom” to Sigalaka in interpreting his actions by keeping the symbolic structure of the performance to pay homage to the “six directions.” In this

way, Sigalaka continued to fulfill his father’s instruction to keep on performing the ritual, while the new content of moral obligations to real actual people in the six relationships suggests a totally new meaning of those performances. Again, the symbolic expression of the ritual is kept in tact, while the meanings of the actions belong now to the moral actor, namely Sigalaka himself.

Concluding Remarks
Some Buddhist scholars have noticed this conservative element in introducing change in Theravada tradition and thus called it “Radical Conservatism.”

I will leave aside this discussion here. I will simply call the Buddha’s approach to inter-generational issue in Buddhist ethics as suggesting a “middle path” approach. This middle path is an attempt to put change into motion in the self-understanding of the moral actor while at the same time keeping in tact the linguistic or symbolic expression of the traditional legacy of the actor. In this sense, Buddhism does not encourage revolution in the total sense of the term. It seems to propose more elements of change than the Confucius’ claim of being a transmitter of the Chou tradition.

This middle path approach perhaps reflect the Buddha’s position on the ontology of impermanence. If everything is going through constant transformation, the best way to encounter change is to keep one foot in the past while bravely moving forward. The younger generation’s conflict with their tradition as reflected in these two suttas represent what could deeply go wrong between the two generations. In one case, a radical break could mean irrevocable conflicts, while a blind obedience could lead to meaningless imitation and stifle necessary adaptations to changing time. The middle path approach seems to try to avoid these two extremes. Then perhaps freedom could enjoy a more peaceful co-existence with tradition. The Buddha’s middle-path approach as discussed here points to that possibility for inter-generational relationships.

Commentator: Ould Abdel Malik El Bekkaye

Bioethics is Love of Life
Darryl Macer, UNESCO Bangkok

(The Book is available, and a second edition is under preparation – contact the author)

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Dialogues to Shape our Present and Future: Recommendations of the Asian-Arab Philosophical Dialogues

Adopted at the UNESCO Asia-Arab Interregional Philosophical Dialogues Human Dignity, Justice, Fairness, Youth, Democracy and Public Policy, held 15-17 November 2011 at Manila Hotel, Manila, Philippines.

Applause to UNESCO to be the first UN agency to recognize Palestine as a member state, even though it has led to hardships in funding, and even threatened the gathering of thinkers together at this occasion.

Rationale for philosophy dialogues

Philosophy can contribute to reflections on every avenue of society. International dialogues are ever more important in the world facing rapid social and ethical transformations, as peoples meet each other and learn from each other. People need to have opportunities to think about the direction, purposes and goals of social development.

Societies and communities progress in a more just, equitable and sustainable direction if the cultural, ethical, and spiritual values of those societies are central determinants in shaping their futures.

Widespread informed public participation is necessary for wise decisions about the future. By developing the intellectual tools to analyze and understand key concepts such as justice, dignity and freedom, by building capacities for independent thought and judgement, by enhancing the critical skills to understand and question the world and its challenges, and by fostering reflection on values and principles, the Dialogues could build a true culture of peace. Philosophy has been described as a “school of freedom”.

The participants recognized that historical reflections across all civilizations can make important contributions to every society. We recall Article 19 of the Universal Declaration of Human Rights, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” This is recognition of a right to do philosophy.

The Paris Declaration for Philosophy (Paris, 1995)\(^1\) states that development of philosophical debate in education and in cultural life makes a major contribution to the training of citizens in two major ways. First, it exercises their capacity for judgment, which is fundamental in any democracy. Second, it affirms that philosophy education prepares everyone to shoulder their responsibilities in regard to the great questions of the contemporary world- particularly in the field of ethics- by training independent-minded, thoughtful people, capable of resisting various forms of propaganda.

The UNESCO Intersectoral Strategy on Philosophy (adopted by member countries of UNESCO in 2005)\(^1\) stipulates that philosophy develops the intellectual tools to analyze and understand key
concepts such as justice, dignity and freedom. It develops these skills by building capacities for independent thought and judgment, by enhancing the critical skills to understand and question the world and its challenges, and by fostering reflection on values and principles.

Taking into consideration the results of the Study published by UNESCO in 2007, Philosophy, A School of Freedom – Teaching Philosophy and Learning to Philospohize: Status and Prospects, of the existing literature on the subject, and the discussions held in the dialogues over the past years, participants make the following suggestions.

**Future themes**

There have been substantive contributions to the literature and to ongoing inter-regional research and policy projects through the dialogues in the past. The important role in understanding and putting in a context the contemporary issues faced by the world was reiterated.

Additional themes that could be topics for future reflection include:

- Documentation of ancient wisdom from each region
- Philosophy with Youth, and for Youth
- Multiculturalism and tolerance
- Philosophy, ethics and legal responsibilities in natural disasters
- Humanitarian intervention
- Students and literature: the relation of the students with literature
- The question of justice
- The question of democracy
- Necessity to limit the themes around emblematic philosophers or key concepts/paradigms to enlighten the contemporary world.
- Increased incorporation of environmental philosophy and environmental justice issues:
  - examine these issues against traditional thoughts and world views such as Western vis-à-vis Asian (Hindu, Buddhism, etc.) and vis-à-vis the Arab World (Islam, etc.) through intensive dialogue, and arrive if possible, to a consensus.
  - examine these issues against the modern/post modern Western-Asian-Arab contexts.
- Consideration of the human body as a property: research + publication with studies about the law and culture of each country. Objective: international resolutions (euthanasia, surrogacy, prostitution, organs donation, etc.)
- Criticism tradition: promote (by scholarships, exchanges, intercultural conferences) the research on criticism in the history of thought in different cultures.
- Democracy: to share studies on the development of democracy in both regions and on the existing challenges. Objective: produce recommendations for States and ministries of Culture an Education).
- Develop human rights Arab-Asian concepts.
- Topic such as how to teach philosophy to students
- Asian Culture and communities.
- Concept of education.
- Foundations of a culture of peace.
- Faith, reason and justice
• Capitalism and its effects on the modern world.

Philosophy Education:

• Synchronizing the teaching of philosophy at schools and universities
• Making teaching of philosophy possible in underprivileged countries
• Expanding teaching of philosophy to environmental action

Activities

- Need to elaborate a concrete action-plan including researches about the different issues.
- Publications including the gathering of lessons learned from the dialogues and on new philosophical methods that can be shared between countries.
- Repository of philosophical methods, experiences and stories.
- Construction and publication of an anthology of Arab and Asian philosophical texts suitable for use in an undergraduate course – such texts to be selected, arranged and augmented with commentary, so as to form a dialogue between them.
- Elaboration of a declaration on perpetual peace by Asia/Arab intellectuals.
- Encourage culture exchange and respect of other countries and beliefs.
- Encourage Youth (UNESCO Clubs, young professionals) to elaborate projects promoting human rights, justice, fairness, youth, democracy and public policy.

Teaching


- Philosophy education encourages us to rethink our educational approaches.
- Frame a specific plan of action (ex.: through incorporation into curricula at various levels).
- Organizing workshops to connect school curricula to university philosophy programmes.
- Research on the ways of teaching philosophy.
- As follow up activities to be implemented in participating countries: local talks/seminars in universities, organisations and communities. The case studies presented during the dialogues could be translated and showcased in layman terms so that people without a background in philosophy could use this knowledge (to be more inclusive).
- Introduction in philosophy curricula (in the philosophy departments) the debate on multiculturalism and tolerance.
- Introduction of liberal educational curricula related to Arab-Asia regions.
- Repolish the education system.
- More conferences for the local educators (teachers, professors) on how they could teach students to be more aware not just academically but also to be involved as individuals or as good citizens in the society.
- Participants could take the lessons learnt and apply them to philosophy education.
Inclusion of courses that would teach understanding of Islam in catholic universities to develop respect and tolerance.
- On human rights: develop curricula to create rights-respecting schools and child friendly schools.
- Implementing awareness programmes through dialogues and roundtables on different issues to sensitize youth.
- Implementing information programmes in schools and universities, particularly on human rights, that would inspire students to become advocates of peace and tolerance.
- At the university level: introduction of an elective course on “Arab philosophy in Asia/Asian philosophy in the Arab World” on history and the dynamics of that relationship in the contemporary world.
- Introduction of a topic “Asia and the Arab World: historical dynamics” in the general education course on world civilizations.
- Introduction of courses in comparative studies on Asia/Arab cultures into the educational curricula.
- Integrate philosophical dialogues into curricula so that it maximizes the learning outcomes.
- Obstacles: ex.: Algeria: difficult to concretise the results of the Dialogue within philosophy departments. Need to have an official UNESCO document.

Suggestions on the structure of dialogues

- How to make the Dialogue more inclusive?
- Inclusion of the youth.
- Involving indigenous people not just academics.
- Necessity to involve educators as well as institutions and social representations in the Dialogue.
- The Dialogue should mobilize local institutions, foundations, NGOs and philosophers in order to have a real impact in the societies, and not be only a discussion of intellectuals in an exclusive venue without connection with the environment.
- How to make the Dialogue more participatory especially for those who are not present during the dialogues.
- Consistent translation in different languages to encourage the dialogue.

Human capacity building and Networking

Raising awareness within professional communities on the importance of philosophy can be achieved through various measures, including philosophy courses for related teaching fields and events, e.g. workshops, or conferences at intervals to be determined.

Support from parent organizations, the government and agencies such as UNESCO is required.

Recommendations for action

Recommendations to teachers

- Teacher-initiated action has been, and remains, essential for development of philosophy education and will continue to be important for evolution of the subject.
- Not to discuss just "philosophy", but to integrate philosophy into interdisciplinary education, and to relate philosophy to the challenges of life.
- Constructing a classroom atmosphere conducive to the education of thinking, e.g. a community of inquiry.
- Share experiences and resources with others, to gather more data from different levels, situations and cultures.

**Recommendations to philosophers**

- To be involved in promoting philosophy, conducting comparisons of different approaches and contents, and methods.
- To write papers explaining each country’s circumstance and needs to various target audiences who need to understand the subject more in order to support provision of relevant materials and appropriate pedagogies for philosophy education.
- Network with others to encourage sustainable activities.
- Promote and research how to effectively facilitate a dialogue and build mutual understanding and complementary strategies between philosophers and other professionals.
- Not only to rely on government initiated schemes, but to also take initiatives to develop activities mentioned in this statement.

**Recommendations to teacher training institutions and universities**

- To establish or maintain philosophy departments, and involve them in teacher training.
- To establish philosophy teaching and learning resource centres.

**Recommendations to member states**

- Adhere formally to the importance and relevance of philosophy teaching as a discipline having its own methods and diversely articulated contents to develop a quality education system.
- Enhance what has been done in the field of philosophy and to encourage philosophy teaching in countries where this discipline is not taught.
- Engage in formal or informal consultation between countries where philosophy teaching exists at the different educational levels, so as to benefit from existing experiences both in terms of the curricula content and pedagogy.
- Promote an interdisciplinary dialogue between philosophy and other disciplines, since the philosophical inquiry and analysis allow students to become better thinkers while shedding light on the modalities of knowledge acquisition.
- Safeguard the principle of academic freedom in a community of inquiry.

- Organize workshops to revise curricula and school philosophy manuals, and to promote in-service training for school teacher trainers, so as to sustain and update the skills of philosophy teachers.
- Designate a focal point within the secretariat of the National Commission for UNESCO in each country, to be in charge of the follow-up of initiatives related to philosophy.
- Create national databases on philosophy teaching, including the goals, curricula, schools manuals and activities related to philosophical reflections, teacher training programmes, etc. and to link them through a network.
- Foster exchanges of experiences regarding the practices of learning to philosophize in schools, involving in particular countries of the region where this approach has been elaborated.
- Dedicate a specific time slot to philosophical reflection or to the analysis of philosophical texts in all levels of education.
- Encourage the creation and/or the strengthening of autonomous philosophy departments within institutions of higher education with a goal to promoting philosophy as a field in its own right.
- Encourage the creation and/or strengthening of philosophy departments in terms of human resources and budget so that they may provide valid opportunities for philosophy graduates.
- Encourage universities in all member states to introduce philosophy courses in undergraduate studies.
- Ensure durable, systematic interaction and collaboration between secondary school teachers and university professors, especially through in-service training, joint research projects, or teacher assistance, with the goal of guaranteeing faculty motivation and high standards, and integrating curriculum.

**Recommendations to UNESCO**

- Continue its promotion initiatives and advocacy action in favor of including philosophy in all policy discussions.
- Strengthen its initiatives aimed at creating links and establishing networks between philosophers, teachers and students of different regions of the world.
- Continue and reinforce its actions in favor of a philosophical reflection that is open and accessible to the general public, notably through the celebration of the World Philosophy Day.
- Continue to act as a clearing-house for exchanging the best practices in the field of philosophy teaching, through events at the national, regional and global level.
- Provide special support to countries willing to set up regional exchange programmes between universities and training institutes, in order to build the capacities of philosophy teachers.
- Create dynamics of exchange and interaction between regional networks, national and regional associations of philosophy, experts, UNESCO Chairs of Philosophy, etc. in different regions, so as to encourage the establishment of exchange programmes for students and philosophy teachers.
- Elaborate anthology and commentaries of Arab, Asian and Pacific philosophical texts deemed important by the countries’ community of philosophers, so as to facilitate the development of school books and manuals for both students and philosophy teachers. Networks such as the Asia-Pacific Philosophy Education Network for Democracy (APPEND) can be a privileged partner in this task.
- Work in partnership with other organizations, such as the South-East Asian Ministers of Education Organisation (SEAMEO) in order to study the possibility and the relevance of introducing philosophy in the curricula of the different educational levels in the countries of the region. Have a focal point in such organizations in charge of initiatives related to philosophy teaching in the region.
- Foster translation and dissemination of philosophical texts.
- Encourage countries to develop national strategies aiming at enhancing philosophy teaching at all levels.
- Provide special support to countries willing to engage in the process of national policy formulation on philosophy teaching at primary, secondary and tertiary levels.
- Provide assistance, as much as possible, for the implementation of national policies in favour of the introduction of philosophy in curricula. Foster the sharing of experiences between countries which are at different stages in the process of policy-formulation, notably through expert meetings.
- Make expertise available to all countries on practices, pedagogy and material development for philosophy teaching. Make expertise available to interested countries on the practice of learning to philosophize. Help elaborate, produce and make use of educational materials, including resources already available in the country, or translation initiatives.
- Support the gathering of pilot experiences and case studies in the field of philosophy teaching, particularly concerning the learning to philosophize in primary schools.
- Work together with teachers, philosophers, institutions and member states to continue the ongoing work to further develop the summary documents on goals of philosophy education in each state.
- Work together with teachers, philosophers, institutions and Member States to collect philosophical texts that are specific to the countries of Asia and the Pacific region, in order to value and exploit philosophical texts that belong to the country’s intellectual heritage.
- Help member states access anthologies of materials and philosophical texts from all regions and traditions of the world. Further expand an anthology of philosophical texts that are deemed important by the countries’ community of philosophers, so as to facilitate the development of school books and manuals for both students and philosophy teachers.
- Foster multilingualism in philosophy teaching.
- Encourage philosophy departments in universities to address contemporary stakes and challenges in the region.
- Holding a regional and an interregional meeting on the teaching of philosophy at all education levels, as well as a follow-up.
- Support the exchange, dissemination and circulation of knowledge and practices relative to the learning to philosophize in primary schools, at intra-regional and international levels.
- Continue to develop and support exchange systems between universities in different regions so as to foster and disseminate best practices in terms of philosophy programmes and pedagogical training.

**The Dialogues should continue:**

- The dialogues have already encouraged exchange of ideas between philosophers from different regions and different cultures.
- The dialogues are very substantial and an eye-opener about the issues existing in the world.
- The participants committed themselves to establish monthly dialogues between students and teachers of different cultures, races and religions
- National dialogues would also be very useful in many countries where there are meetings of value systems.