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CHAPTER 2

The Articulation of 'I', 'We' and the 'Person': Elements for an Anthropological Approach within Western and Islamic Contexts

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In order to understand the 'meaning of justice', it is necessary to examine both individual aspects – as related to a specific individual – and collective aspects – as related to a community. Therefore, the categories of 'I', 'we' and the 'person' are at the heart of our investigations into justice.¹ The question first calls for a determination of the appropriate status of the two fundamental categories of 'I' and 'we'. How can one define them? Is it through the *autonomy* of the 'I' and its freedom to act according to moral principles (the 'determining I' of Kant). Or is it through the dominance or primacy of the 'we' within which the 'I' belongs and has its roots? How are these categories linked to the idea of the person? These questions are important because they present one with significant epistemological implications as well as decisive ethical issues.²

This chapter examines these implications and issues evolving from numerous differing and even opposing concepts: those of the 'liberals' (Rawls, in particular) and the communitarians, but also those of other authors, among whom one notes Schapp, Mead and Ricœur. The debate fuelled by each author leads to a clarification of the critical roles played by the 'I' and the 'we' in a determination of the basic meaning of justice. The status of 'I', 'we' and the 'person' cannot be grasped without a precise study of certain related ideas, such as *me*, *self* and *subject*. 'We', as it is used here, always assumes the existence of a group of individuals; one could say an aggregate of 'I,' sharing common

experiences, concerns, values and a certain togetherness. For its part, the 'I', as Etzioni says, needs the 'we' in order to exist. To have conflict-free cohabitation between individuals or co-subjects, there must be agreement on certain rules, norms and conventions that are equally shared. All this is preliminary to the existence of a social or community link and leads to what Wittgenstein calls a 'life form' (*Lebensform*). Furthermore, it should be clear that the relationship between the 'I' and the 'we' is never established definitively. On the contrary, it is in a constant state of evolution and must be regularly redefined in order to respond to the needs of a situation or action. In this way, it can be considered as a *process*.

For a deeper analysis of these different concepts and to show their *articulation* with each other and with the notion of 'person', I refer to the works of both Western Christian and Muslim authors. The choice of these works is based on their theoretical contributions and on the renewed look that they provide into the question of the person.

Even though this question has been the subject of multiple classical research efforts in social psychology, sociology and anthropology, I believe that it deserves a closer re-examination, tapping into recent discoveries in social science and philosophy.³ By introducing a renewed discussion of the categories of 'I', 'me', 'self' and the 'person' as inspired by contemporary moral philosophy as well as current historical and anthropological research, I hope to generate a more detailed and satisfactory analysis of the *articulation* between these different fundamental categories.

I propose, therefore, to adopt a diachronic and *genealogical* perspective derived from the contributions of numerous disciplines. One of the goals of this study is to define the parameters of the idea of 'person' within an Islamic context. This includes examining how in the West it has inherited aspects from a long history, and how in the classical Islamic context it benefits from a specific status that precedes or predetermines the one attributed by modern Western society.

The liberal versus communitarian debate and the question of the subject

Authors called communitarian have usefully formulated the most definitive criticism of the fundamentally epistemological presuppositions contained in the 'liberal' interpretation of the question of this subject. This interpretation is considered too global, too abstract and, in some ways, incompatible with the concrete reality of the human person. Looking at the well-known critique formulated by Arendt regarding the concept of human rights and transposing that onto Rawls's concept of this same subject, one can say there is 'an obvious paradox, because of the reference to an 'abstract human being' that does not seem to exist anywhere'.⁴

So one has, in effect, both this hypothetical 'abstract human being' and its underlying values of universality, axiological neutrality and individualism that are criticised and rejected in whole by most of the communitarian authors. The best illustration of these authors' position is the 'metaphor of habitation' that Walzer uses to sum up his opposition to the idea of a subject without belonging or attachment.⁵ This metaphor aims to reject any concept of the 'me' as an abstract entity that claims to transcend casual facts and escape from any cultural or historical determination. It is not possible, according to Walzer, to make an abstraction of these determinations or to ignore attachments.

The communitarian criticisms take on several forms and are concerned as much with the presuppositions of liberalism as a philosophical and political theory as with Rawls's fundamental assertions concerning the 'justice as equity' theory. Among these, one must consider what are called the 'three priorities' at the heart of Rawls's demonstration, that to some degree make up the epistemological assumptions of his moral anthropology. These priorities can be summarised as follows: the priority of right versus good; the priority of the self versus ends; the priority of individual rights versus societal rights. I am limiting myself to the second priority, being the most important in this study, since the others have already been examined.⁶

For certain liberals, a single satisfactory concept of the common good is as illusory as the concept of an end (*telos*) that arises from a consensus or an adhesion to something by all members of society, because, according to them, it is impossible to choose

the 'best possible good life' or the best common good for a community to the extent that no unanimous agreement is conceivable without falling into authoritarianism. This is why 'liberals' challenge the idea of the priority of good over right. Referring to Kant, they affirm that only the 'autonomy of will', meaning the freedom of the subject to act in conformity with moral principles, can be considered as a 'supreme good'. In this sense Rawls, following Kant, maintains that 'the concept of justice is independent from the concept of good and precedes it', and that the self always precedes its ends. As de Benoist notes:

This priority of the self over its ends means that I am never defined by my engagements or my attachments, but, on the contrary, I can at all times distance myself from them in order to freely determine my choices which is only possible if the individual is positioned as a separate being.⁷

Instead of considering the basis of the 'me' as intrinsically composing its identity, liberals see it as being without social bearings, without history. The communitarians do not in any way share this view of the self 'out of context' and reject the idea of a society that defines itself as a simple juxtaposition of individuals. Thus, by showing the *limits* of what he calls 'deontological liberalism', based on Kantian tradition, Sandel reveals the inadequacies of the Rawlsian concept of the subject and the self. The priority of the subject over its ends, he writes, means that I am never defined by my possessions, but always capable of stepping back to assess them, then to revise them.⁸

Sandel adds:

For a subject as presented by Rawls, the ultimate moral question is not: 'Who am I?' for the answer to this question is considered a given, but rather: 'What goals am I going to select?' Therein is the question that leads to the idea of will. It seems, therefore, that the subject according to Rawls possesses an impoverished epistemological me, poorly-equipped conceptually to engage in the sort of self-reflection that can transcend a simple attention to preferences and desires in order to see and be able to re-describe the subject encompassing them.⁹

This concept of the self is not *realistic*, for it gives pre-eminence to the intrinsic qualities of the individual to the detriment of the relationships that the individual has with the 'fundamental

structure of society' (Rawls) in which he or she is an active participant. Such a concept sets forth the thesis of a pre-existing and independent composition of subjectivity, thereby demanding the *priority of the self over its ends*. In other words, this concept assumes that the constituting elements of a person have priority over the values and ends that an individual may pursue, and that identity is determined independently of any membership of a community, of any tradition within which it is rooted.

This concept of a subject stripped of all exterior influence, of an 'unencumbered self' and of an individual promoted to the rank of abstract autonomous entity is, according to Sandel, inconsistent. For Sandel, the individual, as conceived by Rawls, 'is stripped of all his contingent attributes, acquires a supra-empirical status essentially without attachments defined in advance and then given to his ends, a pure action figure with possessions, ultimately impoverished'.¹⁰

In addition, Sandel reveals a contradiction in the way that Rawls makes use of a singular and similar concept of the subject in order to justify two different but essential aspects of two 'principles of justice': an *intra-subjective* aspect and an *inter-subjective* aspect.¹¹ The 'veil of ignorance', whose major function is to allow members to choose these principles, justifies, in the final analysis, the "principle of equal freedom" only to the extent that it places members *on an equal footing*.

For Sandel, the 'principle of difference' requires a different and necessarily broader conceptualisation of the subject. A concept in which the primary concern would be to justify individuals' altruistic preoccupations guarantees, in a sense, a certain social solidarity. Sandel shows that such a principle assumes a high degree of solidarity among its participants. Yet this solidarity is shown to be totally lacking in the abstract definition of a subject without history, stripped of all connection with its past and with the social world whose members are defined as mutually indifferent. In addition, this definition appears as demeaning and, finally, as incompatible with the social and altruistic vocation of the 'principle of difference'. Sandel adds:

Without a broader concept of the possessing subject, as the Rawlsian idea of common good also demands, there would not be a compelling reason why these goods should be offered for communal

social ends rather than to serve individual ends. On the other hand, absent any enlarged idea of the possessing subject, to look at 'my' faculties and talents as simply instruments for a greater social end, is to use me as a means to ends that are pursued by others, and therefore to violate a central Kantian and Rawlsian moral commandment.¹²

Therefore, the idea of an 'unencumbered self', the idea of a deontological liberal subject unaware of its ends and its belongings is undermined both by the criticism that Sandel has put forth and by the contradiction that Sandel has succeeded in revealing. Therefore, this idea must, according to Sandel, give way to a *constitutive concept of subjectivity* that portrays the identity of the 'me', of the subject and of the person as the product of a combination of history, culture and, even, chance. It is a question of a self in the context of all its social attributes. Far from preceding its ends, the self is unavoidably *composed* of them, including the values, which form the base and give meaning to the community to which it belongs. The self is always embedded and located in a sociohistorical context. It is these different sociohistorical religious aspects that contribute to the formation and the development of the identity of the self. On this subject, Sandel writes: 'To imagine a person incapable of constitutive attachments does not lead to the concept of an ideally free and rational agent, but rather to the concept of a person totally stripped of character and moral depth'.¹³ In order that the 'principle of difference' does not use certain persons as a means to the ends of others, according to Sandel, it is necessary that the subject be located within a 'we' rather than a 'self'. Such circumstances assume the existence of individuals who share a strong sense of community.¹⁴

The belonging of 'I' to a 'we' thus becomes a primary condition, one that is thereby necessary for any definition of the person to the extent that it constitutes the basis for the formation of identity and individual personality. As a result, justice can no longer benefit from the priority standing that Rawls and the liberals accord it, since it is circumscribed within a community. The common good of this community creates limits for justice and can, henceforth, be considered as preceding it. Sandel claims, in the tradition of Aristotle, that the common good of a community has priority, putting justice in second place.

The individual as an autonomous subject is, as has been seen, at the centre of Rawls' theory of justice. Individual rights demand, therefore, absolute priority and are guaranteed in an intangible manner. As Rawls writes: 'Each person has an inviolability based on justice that, even in the name of the well-being of the whole of society, can not be transgressed'.¹⁵

The priority status of individual rights is, according to Rawls, the logical consequence of the two other priorities. Once the communitarians and Sandel demonstrated the inconsistency of the first two priorities, it follows that this third priority, which is a logical consequence of them, evaporates *de facto*.

The thesis of the primacy of the rights of the individual over those of society is not valid according to communitarians to the extent that it appears to be excessive. According to communitarians, the reasoning for the cult of the individual is put forward to the detriment of other more significant virtues for the individual. These virtues contribute to the formation of individual identity and allow a thinking-subject to give meaning to his or her actions. This explains why the idea of virtue holds an important place in the communitarian concept of justice.

Ultimately, we find ourselves looking at two opposing concepts, both of which err by too much rigidity: one focusing on the idea of autonomy, the other accentuating the idea of belonging. In order to avoid the logical difficulties of one or the other, it makes sense to view the connections between the 'I', the 'we' and the 'person' in terms of articulation.

The development of a paradigm articulating the 'I', the 'we' and the 'person'

The categories of 'I', 'we' and the 'self', and their articulation

In this research, I am interested in all aspects relating to 'I', 'we' and 'self', especially the specific clues that allow one to explore the question of the 'person' and the theoretical preconceptions that help understand the relation between these different fundamental categories. This implies, as Etzioni states, the development of a 'new paradigm' that articulates the whole.¹⁶

By giving priority to the *dialogic situation* and, more precisely, to ordinary narration found in daily life, my approach to the meaning of justice has, as one of its foundations, the relationship of 'I' and 'we'. Through this relationship and the narrative configuration that it expresses, one finds personal judgements and individual or collective attitudes that exist in the social world. Through the 'I' and the 'we' and the fundamental relationship which usually unites them, but which also sometimes separates them, one finds meanings that people assign to justice and in justice, to that which is praiseworthy or blameable. In giving voice to the 'I' through speech and in a narrative mode, one gets closer to the 'we', revealing its impact on the 'I'; one can thereby examine their internal connections and entanglements. For, no doubt, the 'I' is as important for the 'we' as the 'we' is for the 'I'.

The 'I' and the 'we' have in common their participation as integral members in the development of a social link at the heart of which are combined individual and collective histories, the destiny of each and the destiny of all. It is not a question of a juxtaposition of the 'I' and the 'we', nor a super-positioning of the two simply because of their continual overlapping and intermingling. Just as there are personal histories, seen as narrative configurations of a speaking or telling 'I', there are collective histories that reflect the communal life of the 'we'. But, these stories are not without strong interconnections and articulations. It is in this sense that stories or recitations ('affairs' that are explained later on in this chapter), albeit of an individual origin, allow access to the collective/anthropological dimension. In explaining the status and the role of spoken narrative, allowing for an anthropological approach, Balandier writes:

The objective is to access, from within, a reality that goes beyond the narrator and gives him form. It is a question of grasping the social experience, the subject in his activities, the manner in which he negotiates social conditions that are specific to him.¹⁷

Therefore, while telling a story, the 'narrating I' lets us know about a person's feeling of belonging to stories shared with others or being 'entangled in stories' according to the formula of Schapp.¹⁸

Throughout our investigation, narrative configurations are considered, ordinary slice-of-life stories, examining that which implies the collective, the entanglement – in short, the 'we'.

Some may reproach me for making the 'I' depend on the 'we' and, by doing so, giving dominance to a kind of methodological holism. On the other hand, others could consider that my approach renders the 'we' just as an adjunct to the 'I', implying the pre-eminence of methodological individualism. To both, I respond that, in my point of view, these are articulations and contact points for grounding and making connections between the 'I' and the 'we', between individual and collective, and worthy of our attention.

Why, henceforth, do I start with the 'I' and why do I not try to start with the 'we'? The reason is, above all, epistemological. It is a fact that one cannot grasp the 'we' unless one returns to its materialisation in a 'universal history' that is not within the scope of this work. Outside this 'universal history', it would be difficult to get to the 'we'. What remains, therefore, is the trail of the 'I', that is to say the narrative activity or the story in order to try to reach the 'we'. Ordinary stories of daily life can guide one on this path. They can help one uncover some of the specific and primordial traits that characterise belonging to the 'we'.

Whether these traits are insufficient or sometimes more or less simplistic is not too bothersome, since the 'we' is not taken to be something that it is not – i.e. a homogeneous monolithic entity – and we do not fall into caricature, thereby, neglecting the most significant traits. These traits constitute bridges between the 'I' and the 'we'. Thanks to them, the 'I' can reach the 'we' with bearings to fix its belonging and to define its identity. For 'the "I" needs the "we" in order to exist'.¹⁹ As Schapp repeats, 'belonging, this internal belonging to the unique "We", to the community that encompasses everything, is grasped in new twists and turns'.²⁰ It is now appropriate to explore these traits or styles while *articulating* the 'I' in relation to the 'we' in order to expand the anthropological basis for our approach and especially to arrive at a global reflection concerning the sense of justice.

We have attempted to do this through the analysis of stories from lives of ordinary people, recognising the constant risk of falling into one of two excesses: to restrict the analysis to the point of cutting the 'I' off from its bearings – an 'I' stripped of all belonging – or, to enlarge it to the point of drowning or dissolving it, which would result in the loss of its 'soul' or its 'substance'. It would be interesting to pursue this reflection as

Schapp does, for example, in order to discover the internal process which creates the relationship between the 'I' and the 'we' and to show how 'the I and the We are integrated in a universal story, how the singularity of the I is abolished in the We, how the we becomes a community we'.²¹ It would also be interesting to demonstrate the philosophical and even the ontological interplays between 'I' and 'we' as, for example, Schrader does.²²

But investigating this in a closer way would take one further into the subject, which is neither the intention nor the ambition of this study. What I now propose is to clearly approach the question of 'I' by correlating it to the question of the 'me', the 'self' and the 'we' in order to arrive finally at the question of the 'person'. I will do this by leaning on the analyses which Mead and Schapp have devoted to these ideas. I will keep in mind, as Ricœur has remarked, that the 'I' has 'this strange property of sometimes meaning *whoever* is speaking (*who*, by speaking, designates himself or herself) and sometimes meaning the single *me*, that who I am myself'.²³ This is what Ricœur calls the 'ambiguity of the "I"'.²⁴

Narration and entwining of the 'I' and the 'we' according to Schapp

My study, as I have said, aims to get closer to and understand the sense of justice via stories of everyday life and, therefore, via narration. Narration has as its basis the fact that human beings are entwined in stories just as things are. This is the very provocative thesis defended by Schapp, on whom I will now focus.

Schapp's thinking deals with narrative phenomena in general, and stories in a larger sense, both considered from a phenomenological point of view and treated according to Heidegger's concept of historicity. The philosophical stakes of Schapp's concept are essential for such an approach to history or stories, but it would be long and useless for me to dwell on them. What is important here are the analyses that he devotes to the study of the rapport between the 'we' and the 'me'. I am going to try to grasp this relationship by following the path

traced by the author. His plan is to seek the 'We which corresponds to the me, entwined in stories'.²⁴

In the relationship between 'me' and 'we', it seems that the 'we' occupies a primary place in the sense that it is the We, which corresponds to the entwined me. For, as Schapp observes, 'The me entwined in stories wears itself out by virtue of being entwined in stories'.²⁵ It is true that, at a linguistic level, the 'we' is one personal pronoun among others. In Schapp's view, the fundamental pronoun seems to be the 'me' to the extent that the me 'can apply to each person, to each man who appears in stories'. But, Schapp adds quickly, 'if we take our manner of speaking as the foundation, each person can refer to a different entwined me'.²⁶

The linguistic investigation proves to be inadequate in the sense that it does not allow one to reach the 'me' entwined in stories. It is true that the starting point or, as Schapp calls it, the 'original point of reference' is the 'speaking me' that 'alone makes possible the jump toward the we'.²⁷ But, one must never lose sight of the idea that the 'me' is always contained within a 'we'. In addition: 'each We in a story has as its point of departure a me that is understood as part of the We'.²⁸ Furthermore, because it includes different individual segments, the 'we' can take on varying depths: it can be superficial as well as profound. It is only through individual stories relative to a 'me' that one can approach the 'we' and grasp the relationship that unites them. Schapp writes:

Just as we first meet the me, entwined within stories, in individual stories, and we then meet the We, albeit an incomplete We, a We on the horizon, this We comes to meet us as if it were complete, graspable, in universal history or in universal stories. It is the We to which we belong.²⁹

By introducing the idea of 'self', one can define the relationship between the 'I' and the 'we'.

*The 'I', the 'self' and the 'we' as clarified
by the works of Mead and Riceur*

These categories hold a central place in the philosophy, psychology and sociology of Mead. Even though some of his assumptions that are sometimes derived from a behavioural perspective are not shared here, I believe that his analysis of the ideas that concern this research is enlightening. One of the contributions of Mead's thinking is his tendency to consider the genesis and development of social groups or of society as deriving from the formation of the 'self', beginning with the internalisation of models of social attitudes and roles by the 'self'. For Mead, 'it is the self as such that allows for a specifically human society'.³⁰ Society is made up, therefore, of an aggregate of 'self'. However, Mead attributes predominance to the social, the collective, making it a *sine qua non* condition for the emergence of the 'self'. In the manner of Durkheim, he sets forth the pre-eminence of the collective conscience in relation to that of the individual:

Human society as we know it could not exist, if there were not minds and self. [...] In other words, the human social process in which men are engaged had to be present before the existence within man of the mind and of the self so that, thanks to this process, a mind and a self might develop within him.³¹

Mead's sociological theory in its entirety.³² Instead, elements from his analysis can be directly useful to us in building an understanding of our initial categories. It is important, however, to know that for Mead, the fundamental principle of human social organisation is that of 'meaningful communication', with the undeniable characteristic of creating a social process with situations for interaction. It is communication that, by establishing significant relationships between self and others, makes possible the emergence of the multiple self and creates lasting co-operation among them. Regarding this, the author writes:

The principle that I have considered as fundamental in human social organisation is the communication that implies participation with others. This demands that the other appears in the self, that the self identifies with the other, and that one becomes conscious of the self because of the other.³³

I find such affirmations at the heart of Taylor's analysis. For him, 'one is only a self in the midst of other selves'. A 'me' only exists inside of what he calls 'speaking networks'. The author observes that 'one can not be a me by oneself. I am only a me in relation to certain speakers.'³⁴

But what must be the definition for the ideas of 'self' and of 'others' in Mead's point of view? And how can his analysis help me better express my approach to the person? The strength of his analysis is found in an operative distinction between the basic categories that concern me, between the 'I', the 'me' and the 'other'. Taking a closer look, it can be seen that according to Mead, the self can only evolve from a well-constructed society by its rapport with others. In one sense, 'other' corresponds to a 'we' integrating the self, that which Mead calls 'generalised others'.³⁵ As Daval observes Mead calls the 'other' the organisation of attitudes of those who are engaged in the same social process; the individual creates itself by internalising the other.³⁶

The unified self or the unity of 'self' can only be realised through the process of being integrated into a society and internalising social attitudes, which allows the self to belong to a 'generalised other'. However, this self, as whole as it might be, does not 'correspond' simply to internalised social attitudes, nor is it made up of a single homogeneous instance. In this case, Mead insists on the fact that one must distinguish two essential elements in the self: the 'me' and the 'I'. He does not establish any hierarchy between them. But for Mead, the 'I' is not a 'me' and cannot become one. 'The "I" is the action of the individual as distinct from the social situation assumed by his own conduct.' The 'me' presents itself thanks to the adoption of the attitudes of others. By adopting these attitudes, we have introduced the 'me' and we react to it as an 'I'.³⁷ In general terms, one could say that the 'me' is the expression of the social dimension of self while the 'I' is the expression of the individual dimension with its most intimate attitudes and behaviours and its most personal temperament. Mead writes: 'The "I" is the reaction of the organism to the attitudes of others, the "me" is the organised ensemble of the attitudes of others that one assumes oneself'. The attitudes of others make up the organised 'me' to which one reacts as 'I'.³⁸ Commenting on the analyses of Mead, Daval puts forth elements that clarify his proposal and, at the same

time, portray the nature and the basis of his distinction. For Mead, the 'I' and the 'me' are, in effect, starting points to define the way that one acts as influenced by attitudes of society represented within 'us' as 'me'; at the same time there is a bit of individual initiative in any act, and this is what makes up the 'I'.

Daval concludes:

It is clear that, through this distinction between the me and the I, G.H. Mead wishes to preserve individual freedom. He insists, indeed, on the fact that reacting to a situation the I is always unpredictable and uncertain, while, on the contrary, the me is involved in the social attitudes that the individual assumes.³⁹

In Mead's perspective, the concepts of 'I' and of 'me' therefore take on a strong epistemological status and, in a certain way, respond to a requirement of a philosophical order. Also, the concept of 'self' takes a new shape, marking both the conscience and the person of the individual. The interaction of the 'me' and of the self forms the basis for the formation of the personality and for the determination of the 'content of the mind'. Underscoring the central place of the self, Ricœur has us notice that 'the term self exists to put us on guard against the reduction to a me centred on itself'⁴⁰ and, one might add, to put us on guard against all forms of solipsism.⁴¹ This shift also allows us to avoid the 'auto-foundational assumption' of the 'I'.

One must remember that Mead does not create a wide distinction between, on one side, the 'self' and, on the other, the 'I' and the 'me'. For him, it is less a question of two distinct elements than of a 'frame' within which social experience plays a dominant role. Only social action can allow access inside this frame and to the relationship that connects the 'self' to the 'I' and the 'me'. Daval underscores this aspect of Mead's thinking when he writes:

The three ideas of self, I and me can only be understood within the framework of the social process of experience. [...] The 'I' and the 'me' can only be understood within the frame of social action. An 'I' that expresses itself completely outside the norms of his social group would be an individual exhibiting psychological problems and would, in no case, be a man advancing human society and the group to which he belongs.⁴²

From all of this springs simultaneously the role of the 'I' and the 'we' in the determination of action and in the formation and execution of judgement, meaning, finally, in the affirmation of a 'practical subject', a 'subject of moral imputation', as Ricœur would say.

The dualism of 'I' and 'we' along with the dualism of 'I' and 'me' can take on complex forms as in paradoxical relationships, notably when one looks at the category of 'person'. In order to avoid eventual logical difficulties, Ricœur prefers to return to the use of the word 'self'. As Descombes observes, 'Ricœur especially emphasises the distance which separates self and I'.⁴³ For Ricœur, in fact, 'to say my self is not the same as to say I. The "I" is put forth or is put aside. The self is involved reflectively in the operations wherein analysis precedes the return toward itself.'⁴⁴ Thus evolves Ricœur's project of constructing a *hermeneutique du self*⁴⁵ a hermeneutic 'characterised by the indirect status of the position of the self'.⁴⁶ It is from the 'centrality of the self' that Ricœur determines the idea of person, showing the necessity of having thought processes that define and confer upon that person an appropriate empirical description. For Ricœur, one can not 'go far in the determination of the concept of person without bringing into the discussion, at some point, the power of auto-designation which makes the person not only an example of a unique type, but a self'.⁴⁷ This brings us to a clarification of the articulations of the three main ideas.

On the articulations of 'I', 'we' and the 'person'

I have just shown how the 'I' becomes the 'we' and vice versa, by making a correlation between 'the I lived and anchored, and a slice of world history'.⁴⁸ Such an approach allows the *inscription* of the 'I' in a relationship that brings in the 'other', or rather, 'others'. Thus, the 'I' who has since become 'self' requires social attributes that make the self more a 'person' than a simple 'me'. And it is here that the unique category of 'person' appears and demands our attention.

If one considers that our examination of the traits common to these diverse ideas have provided access to different writings on what makes up the identity of the human person, one can

now add that the idea of 'person' will allow us to articulate these writings in order to have a coherent vision of the whole. In this sense, the person corresponds to an integral being in a social setting with the particularity of having a specific capacity to act as well as having rights and responsibilities.

Thus, it is at the crossroads of these different writings and by attributing a certain primacy to the idea of a 'moral person', with privileged status and required 'competence', one can grasp the sense of justice in all its complexity and in an articulation of certain 'ethical dimensions', thereby placing it at the heart of a judicial and moral anthropology.⁴⁹ It is the axiological dimension at the core of the idea of 'person' that makes both possible and necessary the existence of moral imperative: the respect and the dignity of the person.⁵⁰

Variation on the category of 'person' in a Western context

One of the characteristics of the idea of 'person' in the Western context is that it is 'heir to a long tradition' and that, moreover, 'the word is today still charged with meanings acquired over the course of time and that the great upheavals in Western culture did not sweep everything away, but on the contrary, have often left traces'.⁵¹ This is the thesis defended by Ladrrière in a most enlightening study which I add to my analysis. However, in a way that is different from Ladrrière, our intention is not to discuss ancient or medieval origins of this idea nor to bring up certain great historical moments, but to clarify these implications as they relate to the 'meaning of justice'. At any rate, for the clarity of my proposal, it is appropriate to expose different writings on the idea of 'person' and to emphasise their philosophical and anthropological contributions.

An approach to 'person' can be viewed in at least three different ways: judicial, theological and linguistic. In each of these ways, the idea of 'person' requires its own meaning and reveals itself marked by its own history and by the controversies that have contributed to its shape and parameters.⁵²

Thanks to the contribution of the Roman jurists, the judicial aspect is no doubt the first that provides a definition of the idea of 'person'. Roman law established the affirmation of the person

as a functionally judicial category with a completely autonomous status. It is true that the person continued to pursue learning and their own amplification through numerous stages in order to reach the present with more maturity and consistency and to become a specifically modern category. However, in spite of these transformations and the challenges of his evolution, one can consider the person's genesis and original affirmation as being the most significant for determining this person's meaning. Mauss underscores the importance of what the Romans brought to this defining process in that even though they did not invent the word and the institution, 'it was at least they who assigned the primitive meaning that we have adopted'. On this, Mauss writes:

The person is more that a fact of organisation, more than a name or the right to a personage and a ritual mask; it is a fundamental fact of the law. In law, the jurists say: there are only *personae*, *res* and *actiones*: this principle still governs the separations in our codes.⁵³

This *summa divisio* between persons, things and actions continues today to be at the basis of any reflection on the law (individual responsibility law, penal law etc.). At risk in all this is, most notably, the fundamental question of the judicial status of belongings and persons as well as that of qualification. It is not up to us to set out the different aspects of this question.⁵⁴

I prefer to focus, even briefly, on another equally fundamental dimension that consists of considering the person as a 'moral fact'. This dimension concerns law as much as it does ethics to the extent that, as Mauss observes, 'to a judicial sense, one adds a moral sense, a sense of being aware, independent, autonomous, free, responsible'.⁵⁵ This change in the meaning of the idea of person was, according to Mauss, introduced via the voluntary moral of the Stoics. One thus injected 'moral conscience' into the judicial concept of the person. From a purely judicial perspective, I now come to the person who is considered as a 'moral fact', a meaning that assumes the existence of a conscious moral person and implies the intervention of the 'consciousness of self'. In brief, one moves to the meaning of the 'awareness of good and evil'.

But, as decisive as it may be, this change in the genesis and development of the idea of person remains inadequate and of limited value since it lacks an essential theological-philosophical

foundation – an ontological dimension. Mauss notes clearly: 'The idea of person is still missing a reliable metaphysical basis. This foundation comes out of Christianity.'⁵⁶ Christian theology brought about decisive progress.

It was, in fact, the Christian theologians and, most particularly, St Thomas Aquinas who defined the ontological dimension of the person.⁵⁷ Ladrrière brings our attention to the double limitations that impede efforts toward reflection and deeper understanding due to the substantialist nature of ontology and also to the fact that it only functions within a theology. Henceforth, he observes, 'the idea of person passes through the mysteries of theology'. He then adds:

The idea of person, tied to a questioning about God, is increasingly linked to a questioning about man. But, this incontestable process of secularisation must not mask the paradoxical reality that confronts us: the idea of person that will end by saying that man's most human characteristics historically pass through a process that only concerns the Christian God.⁵⁸

The idea of person has emerged reinforced and confirmed. It is during this period that it acquired a complete consistency in an irreversible and irrevocable way. It is finally during this period that evolved the 'passage of the idea of *persona*, *homme revêtu d'un état*, to the simple notion of man, of human person.'⁵⁹

Unfortunately, I cannot prolong my investigation here in order to consider the upheavals that this notion of person must have dealt with in the coming of modern times in what has been called the 'philosophy of the subject' (Descartes, Kant, Hegel etc.)⁶⁰ Let it simply be said that it must have undergone a profound new mutation, adding to it another essential dimension: the primacy of subjectivity. This is the beginning of the person as subject.⁶¹

From all this comes the thought that the idea of person is heir to numerous traditions and the product of a long history, that it is essentially historical. That is why Mauss insisted on establishing its social history as a 'category of the human mind'. It is now appropriate for me to take a brief look at how this 'category' is situated within the framework of Islamic thought.

What is the status of the person in Islamic thought?

What about the Islamic tradition? All the authors discussed so far hardly even mention it. Does this mean that Islamic thought did not concern itself with this essential idea? Far from it. It is obvious to all that Muslim authors, whether *fuqahâ* (judicial counsellors), *mutakallimân* (theologians) or *falâsifa* (philosophers), have certainly developed a profound study on the status of the person within an Islamic context. However, the frame of reference for the different approaches can appear to some as inadequate or outdated in the sense that it has remained an output of the mysteries of speculative theology. That, at least, is the point which Arkoun raises and from which he proposes to rethink the question of the person. He writes:

On the Islamic side, the theme of the person is highly present in various tendencies of Islamic thought. One cannot, however, be satisfied with the religious, ethical, judicial and philosophical frameworks passed down via speculative Islamic thought. One must carve a critical reflection out of the new conditions that have evolved in Muslim societies since the 1950s.⁶²

In my opinion, this speculative approach to the person must serve as a point of reference or, as Mauss says, a 'metaphysical basis' for reflection. This metaphysical basis of the idea of 'person', missing from Roman and Greek moral traditions, is found clearly in and, in certain ways, is an outgrowth of Islamic tradition. This undeniably presents an inestimable gain.⁶³ On the other hand, what is still lacking here is the freeing of the idea of 'person' from this initial frame and the fitting of it into a sociohistorical and anthropological perspective – an attempt numerous authors from St Thomas to Mauss have made in the Western context.

The choice of a classical author or tendency of thought as a point of reference in the development of a new approach implies, of course, epistemological and theoretic positions. In any case, it is from this perspective that I have had to call upon *Mu'tazilism* and *Ash'arism* in order to shed light on the debate concerning the idea of justice that endured in the classical era. It is necessary to proceed in the same way to uncover the status of the person.

In effect, classical thought, particularly the *falsafa* in its speculations on 'the mind' (*rûh*), 'the soul' (*nafs*), 'essence' (*dhât*), the

'I' or 'me' (*anâ*) etc. can without doubt contribute to the basis of an approach to the person in this historical context. As Arnaldez observes, there already exists 'in the tradition of thought inspired by the Koran, all the elements of an original doctrine of the person'.⁶⁴ For Arnaldez, one already finds in an author such as Fakhr al-Din al-Razi a philosophy of personal pronouns and the premises of a doctrine of the person beneath an intermingling of existential and essential languages. One also sees in Razi's writing 'traits that precede in this word (*shakhs*) the modern idea of person'.⁶⁵

Although of great importance, the contribution of Razi does not advance those of Avicenna or Ghazali and remains, in certain respects, trapped in a 'mystical ontology'. It seems, in fact, that Avicenna is the philosopher who went the furthest in this perspective. His thinking on this point is often rightly presented as having foreshadowed the preoccupations of modern authors, preceding in some ways relevant concepts laid down by Descartes and Kant.

In discussing the work of Taylor on the 'sources of self', Brague reproaches him for limiting himself to the exploration of the modern idea of 'self' without taking into account the pivotal names and concepts which preceded him, going back to the Middle Ages. The contribution of these concepts is, in fact, totally lacking in the analysis of Taylor. Brague affirms that 'we can not be clear on modernity unless we are clear on that which is pre-modern'.⁶⁶ In this respect, it is clear to Brague that 'the ancient and medieval equivalent of the *self* is the soul (*psukhe*, *aminâ*, *nafs*, *nefesh*); its Christian equivalent is the person (*prosopari*, *persona*)'.⁶⁷

Taking into account the conditions for the formation of the concept of 'self' and its passage into modernity, it is precisely in Brague's view of 'historic continuity' that one can inscribe the contribution of Avicenna, whose primary concern is precisely the passage of the idea of soul to that of 'I'. In this way, he is the predecessor of Descartes and, in a sense, the founder of the modern concept of the subject. The concept of soul, central for the entire Middle Ages, shows itself henceforth, according to Brague, richer than that of the self, a concept dear to Taylor. The work of Avicenna on the transition between the idea of soul and the idea of 'me' is undeniably one of the most revealing and

significant. In a well-known epistle, Avicenna clearly defines the soul as follows: 'what is meant by "soul" is all that one evokes while saying: "me" (*anâ*)'.⁶⁸ Brague reminds us that '[Avicenna] is probably the first to provide in the 11th century a central concept, relevant to the soul, on the idea of self-awareness'.⁶⁹ Arnaldez develops the same idea and does not hesitate to speak of an 'Avicennian precedent of the Cartesian Cogito'.⁷⁰ Elsewhere, he writes:

One must go back to the strange passage in *Kitab al-Nafs*, in the *Shifâ*, where one can discern a sort of Avicennian *cogito* and elsewhere in order to put forth that permanence of a reality which cannot be simply reduced to the body, Avicenna leans on the experience of I and of his identity throughout diverse stages of existence.⁷¹

It is therefore obvious that, at the heart of classical Islamic thought, one finds the necessary elements to establish a basis for current thinking on the idea of the person. I have just illustrated this by briefly evoking the work of Avicenna.⁷² There are surely other works that sustain and affirm such a perspective. However, that is only the starting point and, consequently, the essential remains to be done. Indeed, one cannot simply be satisfied with the reactivation of a philosophical tradition, as promising as it may be. What remains is to know how to grasp it and extract from it in order to reach an understanding of the present situation.

The question thus posed obliges us to adopt a sufficiently critical attitude *vis-à-vis* classical thought and heritage. From this point of view, there are many contemporary authors who extol such an attitude and call for the reworking of Islamic thought. What interests me here is the fact there are several attempts, certainly still embryonic, which tackle the question of the subject, the individual or the person.

For example, based on a reflection of the subject and individuality in Islam, Benslama puts forth the following question: 'Is it possible to lay down the bases of an idea of the subject in Islam that takes into account both the ancient and the modern approach in its critical (deconstructive), analytic and constructive aims?'⁷³

The same questioning, stirred up by other concerns, is found throughout the project of applied Islamic study inscribed by

Arkoun. In order to introduce the study of the person, he has formulated three questions:⁷⁴ how does the problem of the person appear as an undeniable reality in contemporary Muslim societies? Which intellectual equipment and which scientific and cultural resources are used in contemporary Islamic thinking to find answers that are new and respect both positive traditional teachings and the unavoidable imperatives of modern times? And, how does one place the 'Islamic' answer to the problem of the person among the concepts and concrete attitudes imposed by modern scientific thought?⁷⁵

The questioning on the subject and individuality advanced by Benslama and that of Arkoun concerning the person coincide on at least one fundamental point: the need to join together the contribution of classical thinking with that of contemporary thinking in order to present a new approach to the subject or to the person in an Islamic context. Arkoun underscores the importance of the anthropological approach in the study of the status of the person. In addition he believes that 'one cannot identify the status and the functions of the person present or past, without beginning with a sociology of Islamic law'.⁷⁶

Here, one is at the heart of the author's reflection and present preoccupations. Clearly, the basic crux of this kind of sociology is to examine the status of the person in contrasting sociohistorical contexts. Such a study necessitates a profound discussion on both the past and present significance of the polysemic concept of *haqq* (truth-reality-right). How must one understand the distinction that one often makes between *haqqûq* Allah (God's law) and *haqqûq al-insân* (rights of the person). For, as seen, the idea of 'subjective rights' (*haqqûq*) raises the question of the 'subject' and, in a more general way, that of the 'person'. These rights touch directly on the question of what is called 'personal status' (*al-ahwâl al-shakhsiyya*).⁷⁷

A broad subject, indeed. But my contribution seeks, at most, to put down markers for an epistemological approach to these fundamental categories that are found at the heart of all moral and judicial anthropology. This has been the focus of my study.⁷⁸

Notes

- 1 These questions are further developed in Nachi, 1998a.
- 2 This work is a revised and extended version of a paper given at the colloquium: 'Legal Personality: What Kind of Modernity for Law in Arab Societies', CEDEJ, Cairo, November 1999. The translation of certain terms and pronouns in this text gave rise to some specific difficulties. The choice has been made here to translate 'moi' into 'me', 'soi' into 'self', 'nous' into 'we', even if the English terms do not perfectly correspond to the French sense. I gratefully acknowledge the contribution of Elvynne Léonard for his commentary and suggestions on the translation.
- 3 Carrithers, Collins and Lukes, 1985.
- 4 Arendt, 1982, p. 271.
- 5 Walzer, 1990, pp. 25-26.
- 6 Nachi, 1996, pp. 402-407.
- 7 de Benoist, 1994, p. 9.
- 8 Sandel, 1984, p. 9.
- 9 Sandel, 1984, p. 153.
- 10 Sandel, 1982, p. 94.
- 11 Sosoe, 1988, p. 83.
- 12 Sandel, 1982, p. 141.
- 13 Sandel, 1984, p. 91.
- 14 Sandel, 1984, p. 80.
- 15 Rawls, 1987, p. 30.
- 16 Etzioni, 1994.
- 17 Balandier, 1983, p. 8.
- 18 Schapp, 1992.
- 19 Etzioni, 1994.
- 20 Schapp, 1992, p. 234.
- 21 Schapp, 1992, p. 235.
- 22 Schrader, 1981.
- 23 Ricœur, 1987, p. 62.
- 24 Schapp, 1992, p. 221.
- 25 Ibid.
- 26 Schapp, 1992, p. 222.
- 27 Schapp, 1992, p. 223.
- 28 Ibid.
- 29 Schapp, 1992, p. 230.
- 30 Mead, 1963, p. 204.
- 31 Mead, 1963, p. 193.
- 32 For a concise presentation of his theory, see Daval, 1997.

- 33 Mead, 1963, p. 215.
 34 Taylor, 1998, p. 57.
 35 Mead, 1963, p. 131.
 36 Daval, 1997, p. 294.
 37 Mead, 1963, p. 148.
 38 Mead, 1963, p. 149.
 39 Daval, 1997, p. 296.
 40 Ricœur, 1990b, p. 117.
 41 Petit, 1996.
 42 Daval, 1997, p. 299.
 43 Descombes, 1991, p. 550.
 44 Ricœur, 1990a, p. 30.
 45 Hermeneutic of self: the title that Ricœur gives to his own project, which is to lay out a practical philosophy within which a central place is given to the subject of action and passion ('acting and suffering man'). The hermeneutic sets forth a subject, but it does so indirectly by passing through the facts of language, action, narration, law, legitimate institutions and ethics: Descombes, 1991, p. 546.
 46 Ricœur, 1990a, p. 28.
 47 Ricœur, 1990a, p. 45.
 48 Ricœur.
 49 Williams, 1994.
 50 It is the meaning of Lucien Sève's proposal 'For a common definition of the person'. He writes: 'In its ethical sense, the only one in which the word is not replaceable with any other, the person is the value-form equally assigned to any individual in his belonging to the human race': Sève, 1994, p. 82.
 51 Ladrière, 1991, pp. 29-30.
 52 For more detail on the specificity of the idea of person in each of these recordings, see Jacob, 1989, p. 220.
 53 Mauss, 1983, p. 351.
 54 For a presentation of several aspects of what is involved in qualification, see Nachi, 1998a, pp. 565-69.
 55 Mauss, 1983, p. 355.
 56 Mauss, 1983, p. 356.
 57 The definition that dominated the Middle Ages and that continues to be cited is from Boèce (sixth century): the person is 'an individual substance with a rational nature', Ladrière, 1991, p. 33.
 58 Ladrière, 1991, p. 32.
 59 Mauss, 1983, p. 357.

- 60 See Ladrière's study that consecrates concise developments to this period, shedding light on the contribution of these different philosophers: Ladrière, 1991.
 61 One can refer to the introduction to this work in which Dupret underscores this evolution, notably using the outline developed by Elias.
 62 Arkoun, 1989, p. 144.
 63 For an approach that demonstrates the parallels between the status of the idea of person in the three monotheological religions, see Waardenburg, 1989.
 64 Arnaldez, 1972a, p. 72.
 65 Arnaldez, 1972a.
 66 Brague, 1998, p. 222.
 67 Brague, 1998, p. 222.
 68 Michot, 1984, p. 485.
 69 Brague, 1998, p. 221.
 70 Arnaldez, 1972b.
 71 Arnaldez, 1972b, p. 96.
 72 For additional information see Pinès, 1954.
 73 Benslama, 1994, p. 49.
 74 Arkoun, 1989, p. 143.
 75 Ibid.
 76 Arkoun, 1989, p. 146.
 77 Ben Achour, 1992, p. 171.
 78 In a subsequent chapter, I study a specific case in order to provide an empirical basis for this theoretical concept.

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