

Sadr al-Din Shirazi (Mulla Sadra) and Natural Human Rights

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Abstract

The concept of ‘natural human rights’ serves as a pivotal fundament in the Universal Declaration of Human Rights and is among the most commonly discussed topics in today’s world. Belief in natural rights for humankind means that, humans, qua humans, have a natural and inherent right, apart from any type of contract/convention or command. This paper sought to address whether such a view could be attributed to *Mulla Sadra*, considering he never addressed this question seriously or mentioned it in his writings. To this end, we needed to indirectly pursue the issue; we did this within the framework of *Mulla Sadra*’s perspective on ethical values. The data were gathered through library research and the conclusions were reached using a logical, deductive method. The results showed that *Mulla Sadra*’s belief in decency (good) and obscenity (evil) would indicate his acceptance of natural human rights. Although the discussion of rights is apparently different from the discussion of ethical values, these two topics can be linked according to some views; the foundations raised in one area can be extended to another, and we may conclude that, although *Mulla Sadra* did not expressly state his acceptance of natural human rights, his ideas were in conformity with inherent natural rights based on evidence and rational reasoning taken from his moral views.

Keywords: Inherent Decency and Obscenity, Rational Decency and Obscenity, Human Rights, Natural Human Rights, Sadr al-Din Shirazi

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Introduction

Humans need a community in order to earn a livelihood, satisfy their demands, and reach material and spiritual maturity. Communities need an exhaustive, consistent body of rules and regulations, entitled legal system to settle disputes and organize complex social relations. These systems have always been trying to explain rights as gifts for all humans so as to prevent conflicts and disputes and set up justice. Great thinkers have proposed various theories to materialize this exhaustive, universal goal; natural human right is one of the most important theories in this regard.

In this paper, the term of 'rights' is used to refer to personal rights, i.e. all privileges of a person which other members of society are obliged to recognize and observe: right to life, right to freedom, right to education, and right of ownership. Although the discussion on the concept and history of natural human rights caused a major understanding of this subject, we will give it a cursory look for reasons of space and to prevent any digression from the main topic.

There have always been two viewpoints on the human rights in the history of Western philosophy: some philosophers adhere to Natural Law, while others follow Positive Law. Among modern philosophers, Thomas Hobbes and John Locke, and among the contemporary ones, Lon L. Fuller and John Finnis are known to be followers of natural law and believe that, humans are legally eligible because they are humans, not because of social contracts/conventions, commands, etc. It is not possible to deprive humans of some legal rules and regulations, originating in human nature unaffected by time and place; humans enjoy some rules because of humanness, and no states or jurists may impose or lift them. These natural rights were not established by humans; they exist in nature and need to be discovered and extracted. No person can invent or create them; therefore, they are permanent and universal, such as the right to life, to freedom, justice, security, ownership, and so forth.

Positive law refers to the rights, established by the legislator and recognized through interpersonal conventions and contracts; people and states may establish or lift them. As a matter of fact, this kind of law is focused on a set of rules and regulations which gains force through guarantee and acceptance of social institutions and governs a certain community during a specified time frame. Followers of legal positivism strongly believed this view; one of the noted philosophers of this school was Jeremy Bentham who considered natural law utterly meaningless.

Natural law, with its characteristics, i.e. universality, necessity, and stability, began to popularize in the West in the third century AD, but it is rather newly-established among Islamic scholars. It constitutes the origin of many governing rules in communities, so this topic deserves considerable debate and discussion by Islamic scholars.¹

¹. Various schools of thought such as theologians, materialists, idealists, secularists, Fascists... touched upon natural/inherent law and positive/conventional law. In the definition of natural law, we deal with basic, common, public rights which belong to no schools, circles, or ideologies. Human nature in Islam and nature in other religions form the basis of this law.

The natural law theory has experienced many reforms and there is no single definition of it. Generally, we may assert that natural rights are permanent, out of the discretion of the states, and it is the ultimate goal of humankind. Natural rights are advisable for human nature and they are under direct supervision of the intellect. Legislators need to find them, draw inspiration from them, and legislate the conventional rules and regulation accordingly.

There are many terminologies and disagreements in this regard. However, natural law has evolved, and the study of its evolutions and developments indicates that initially this law was a folk belief, and later on

Rights, observance, setting up justice, and preventing injustice are of utmost importance in Islamic teachings; they also influence many religious acts, and Islamic doctrines strongly enjoin it and emphasize its moral, legal, and ideological necessity.

Imam Mohammad Bagher (A.S.) is quoted to say:

There are three types of oppressions: oppressions forgivable by God; oppressions unforgivable by God; and oppressions unforgivable and punishable by God. An example of unforgivable oppressions is polytheism (associating partners to God); the forgivable oppression is the one inflicted on the self, in the relationship between God the High the Glorious and humankind; the unforgivable and punishable oppression is the one on human rights.¹

This topic is of such importance that, *Imam Ridha/Reza* (A.S.) considered it as an epitomized factor of pure Islam and on the exordium of *Prophet Mohammad* (PBUH) said, "When rights were at stake, Prophet would know nobody and no one could oppose his authority. He would vindicate the rights and would not default on the rights or transgress them".²

Undoubtedly, the concept of human rights is one of the modern challenges facing Islam in comparison with the West, and it is going to take a more serious form in the future. In this rivalry with the West, the theoretical foundations of Islamic rational sciences must be reviewed. Understanding the basics of *Mulla Sadra* philosophy will be useful in this regard and provide solutions to the critical issues of the today world, because we believe his philosophical ideas constitute a coherent philosophical system the firm grasp of which we will be able to solve even the problems, not addressed by him.

The current paper did not search for strong and weak points of the theory of rational decency and obscenity and natural human rights and did not pass any judgment thereof; this paper aimed to analyze the ideas of Sadr al-Din Shirazi (*Mulla Sadra*) as the founder of transcendental philosophy/theosophy, esp. the theory of decency and obscenity, and sought to answer the following question from his viewpoint: In *Mulla Sadra*'s opinion, are decency and obscenity rational and inherent? If so, is it possible to attribute the belief in natural human rights to him? The Study of these items from the viewpoint of *Mulla Sadra* and the analysis and evaluation of them will provide answers to the above questions.

Because *Mulla Sadra* believed in the creational relationship of human with the universe, considered human as microcosm, and focused on their bliss/prosperity and perfection, he expressed some opinions in this regard; there are some other basics and innovations which can be attributed to *Mulla Sadra*. These items account for the need to address this issue which was not dealt with in depth.

amalgamated with religions; in Renaissance, it gained scientific basis and started to be debated rationally. Although this law is theoretical and there is no guarantee for its feasibility, it has attracted many followers, and the Western politics has been highly affected by it. Natural law is still inspiring the positive law in the West (Tabatab'i Motameni 2015, p. 195).

¹. Kulayni, Muhammad ibn Ya'qub, *Tohafat ul-oliya* (Translation of Kitab al-Kafi) (Vol. 4). Qom: Darolhadith Cultural-Academic Institute, 2009, Vol. 4, p. 21.

². Ibn Babawayh, *Uyun Akhbar al-Ridha* (A.S.). Translated by A. Rezaei & M. Sa'edi. Tehran: Eslamiyeh Publications, 1976, Vol. 1, p. 641.

The current paper focused on proving the following line of argument based on its multiple premises:

- Premise 1: Duties/obligations bring rights with them.
 - Premise 2: Duties are congeneric with their rights. For instance, if a duty is conventional, its interrelated right will be conventional too, and if it is religious, i.e. originating in a divine command, the interrelated right will be religious too, having its roots in a divine command and providence.
 - From *Mulla Sadra*'s perspective, duties, decencies, and obscenities are inherent.
- Conclusion: *Mulla Sadra* believes that rights accompanying duties are inherent, incorporated in the center of reality.

Another reading of the conclusion goes as follows: if *Mulla Sadra* was a moral realist in the area of ethics, he would definitely be so in relation to law and rights; in other words, he would believe in inherent, natural rights. In a similar vein, if he followed moral conventionalism, his legal system would be affected by conventionalism.

Now we explain the conclusion referentially with regard to human rights:

Apophatic interpretation of the duty as it is necessary to respect the freedom/liberties of a human (It is decent to respect the human freedom) consists of: "Humans should not be deprived of freedom." (It is obscene to deprive humans from freedom.) This duty is interrelated with a human right: humans enjoy the right to freedom.

If *Mulla Sadra* belonged to the circle of moral realists who believed in the inherence of duties, decencies, and obscenities, and considering his belief in the above duty, it could be stated that he also believed in the inherence of the decent act of respecting the freedom of humans; consequently, he was undoubtedly an adherent of the inherence of the right to freedom in humans.

Experts contend that, *Mulla Sadra* did not express inherent decency or obscenity of the duties or inherence of human rights such as the right to freedom, but it is possible to infer these two unexpressed topics from his fundamental beliefs and views. The current paper sought to reveal this.

A. Natural Human Rights from Mulla Sadra's Perspective

Islamic scholars form two groups in dealing with the theory of natural rights: those who support this theory such as Shahid Motahari who likened natural rights to innate rights, regardless of naming this kind of natural rights as innate rights, inherent rights, divine rights, constant rights, or eternal rights. We could assert that, eternity transcends beyond time and place, belongs to all humans, is of benefit to all, embraces every human being, and is not reserved for a certain race, group, or guild; in other words, this universality signifies the innateness, inherence, and naturalness of the conditions.

Mulla Sadra and old Islamic philosophers did not take the issue of natural or conventional human rights seriously; they did not deal with it explicitly and just gave a cursory look at the question of human rights. Now we can possibly analyze their opinions and reach different conclusions.

Shahid Motahari addressed this issue and said:

In my opinion, the *raison d'être* of natural and innate rights is that, the creation insightfully and purposefully guides the creatures towards realizing their potentials fully and reaching perfection. Any natural potential forms the basis of

a natural right and serves as a natural instrument for it. For example, human offspring have the right to education and schooling but sheep offspring (a lamb) does not have this right. Why? It is because the human offspring are born with a potential for learning but the sheep offspring not. The creation put this credit/owe instrument in human and not in sheep. Some other examples of these rights are those to thought, opinion, and free will. Some think that the theory of natural rights/law and the fact that creation has vested humans with top privileges are simply preposterous and egotistical, and it is incumbent to eschew them. The creation has assigned all creatures with their proper course; the creature will attain bliss if it progresses on its course. In doing so, the creation has a goal and did not vest creatures with these instruments randomly and ignorantly.¹

In addition to the identification of natural rights with innate rights, Shahid Motahari also believed in the foundation of natural rights by Muslims and stated that , Islamic scholars laid the foundations for the philosophy of law by describing and explaining the principle of justice, but they could not stay on the path they laid due to terrible historical events. Muslims were first to take human rights and the principle of justice as inherent, natural affairs not subject to conventional rules; Muslims founded natural and rational rights.²

We should not misunderstand the human nature; if we claim rights originate in nature, and we have a thing called nature which grants us these rights, this claim will definitely be unscientific and groundless. On the contrary, the following sense of natural rights deserves contemplation and discussion: “Because human is a living material which has a soul, humanness necessitates some rights without those humans cannot continue to live and achieve the proper perfection”.³

Through detailed study, we would understand that, many of the natural rights specified in Islamic teachings are recognized as human rights. For instance, the right to life and the right of choosing religion are two important and fundamental natural, innate human rights. These two rights are revered in Islam both for believers and non-believers. This reverence is more in regard to the right to life, including material, spiritual, individual, and social life and the existence of every single body part.⁴

B. Argumentation of Attributing Natural Human Rights to Mulla Sadra

The current paper sought to prove that, *Mulla Sadra* considered natural human rights and it asserted the lack of an explicit text in this regard; it insists on the fact that, it is possible to infer from *Mulla Sadra's* theoretical framework and writings that *Mulla Sadra* attached special importance to innate, natural human rights. Considering the premises, the present paper also focused on the interrelation and contradiction of duties

¹. Motahari, Morteza, *Majmu'eye Asare Ostad Shahid Motahari* (A Collection of Works) (Vol. 19: Women Legal System in Islam). Qom: Sadra Publishers, 2000, Vol. 19, p. 158.

². *ibid.* p. 156.

³. Mesbah Yazdi, 2001, p. 89.

⁴. Javadi-Amoli, Abdollah, 2005. *Haq va Taklif dar Eslam* (Right and Duty in Islam) (1st ed.). Qom: Isra' Publishers, 2005, pp. 296-300.

and rights and emphasized inherent and rational decency and obscenity. This paper explained that only those who accepted inherent decency and obscenity would believe in innate, natural rights.

There are few references in *Mulla Sadra's* writings to the fact that humans have rights, and divine wisdom/theosophy necessitates God not overlooking these rights and helping everyone reach their proper bliss.

These brief remarks motivated people like Shahid Motahari to seek credible explanation for natural human rights. Some experts might possibly disagree with Shahid Motahari and interpret human rights as granted, divine, and religious rights. They do not see human qualified for innate, natural rights just because of humanness, similar to moral values which *Ash'aris* believe in but see them as the outcome of a divine command, not as inherent, realistic, and concrete entities.

Based on the last paragraph, it seems if we intend to attribute a belief in natural human rights to Mulla Sadra according to Ostad Motahari argumentation, we need more premises and the current paper is bound to put them forward. If Shahid Motahari did not talk about these rights or did not attribute them to *Mulla Sadra*, we have to support our argument with the following supplementary premises:

Premise 1: Mulla Sadra attaches rights to humans to some extent.

Premise 2: There is a correlation and interrelation between rights and duties.

Premise 3: Rights are congeneric with their interrelated duties.

Premise 4: *Mulla Sadra* is a proponent of the theory of inherent decency and obscenity in relation to duties, namely he believes in moral realism. As a consequence, he does not follow the theories of divine command or social conventionalism.

Conclusion: *Mulla Sadra* does not accept any theories but natural and real rights theory in relation to human rights; interrelated and correlated rights and duties should be congeneric because they are not separate entities but two sides of a coin.

I. Mulla Sadra and Attaching Rights to Humans

Islam is not a mono-dimensional and mono-spherical religion; it embraces all aspects of human life, esp. ethics and law. As a Muslim philosopher, *Mulla Sadra* took all aspects of religion into consideration, but he expressed some and suggested the others (difference between stipulation and non-stipulation). On the grounds that *Mulla Sadra* was a follower of divine theosophy, believed in the creational relationship of humans with the universe, and visualized them as microcosm focusing on their perfection and bliss, he asserted that, generally humans had rights and God did not ignore them.

Mulla Sadra stated, "God's grace necessitates Him not ignoring human rights, but attaching to every creature as much bliss as it deserves".¹ He mentioned some other similar opinion: "Divine wisdom and compassion necessitate not overlooking any single right of humans and conferring on every creature the bliss it deserves".²

It is not possible to discuss human rights without knowing human. Without this knowledge, we cannot accept the anthropology of any thinker or scholar. The anthropology of *Mulla Sadra* is such that it gives us an accurate, comprehensive illustration of his attitude towards human rights, but going into it in detail is beyond the

¹. Sadr al-Din Shirazi, Muhammad ibn Ibrahim, *Majmua al-Rasa'el ul-Tes'e* (A Collection of Nine letters by Mulla Sadra). Qom: Maktab al-Mustafawi, 1885, p. 226.

². Ibid. p. 227.

scope of the current paper. If we just scrutinize this *Sadran* doctrine that human is a successor to God and is an embodiment and manifestation of Him, we see that this creature has the highest status and enjoys the greatest material and spiritual rights.

Islam considers some principles regarding the entitlement of humans to rights and makes laws accordingly. Islam orders are set according to real interests and evils and are in total conformity with human needs; therefore, the following interrelated law is realized: “What intellect/reason commands, the religion commands too.”¹ It is interpreted as *what intellect orders are approved by religion/Sharia*. The knowledge of rational rules is limited, and rational rules are hard to discover per se. Here the divine revelation and innate guidance will be of assistance to humans.

Similar to Shahid Motahari, we can interpret *Mulla Sadra* theory as follows: In *Sadra*'s opinion, requirements within phenomena and human actions and deeds constitute the foundation of rights/law in Islam, and divine providence is vested in humans in the form of Sharia laws. Providence takes shape based on these requirements and goes into full conformity with human nature and character. This conformity and harmony exist between human and the world, i.e. human has natural, inherent, and innate rights which are in total harmony with creation and universe, and as the ruling systems of creation and Sharia share a common provenance, God has coordinated Sharia with nature. As a result, we can say that all legal and non-legal orders find their roots in human nature, but we have to put forward more premises if we intend this interoperation to *Mulla Sadra*.

II. *Interrelation and Correlation of Rights and Duties*

Interrelation of right and duty is studied in the following two ways:

a. The right of every person, a duty of other(s)

The right, stipulated for a person achieves meaning when others are bound and obligated to observe it, otherwise the stipulation loses substance and becomes meaningless. For example, let's say human has a right to freedom. The stipulation of this right takes effect when others are obligated to respect and observe it, but it depends on the situation: a right may be conferred on a person, e.g. from a father to a son, or more than one person, i.e. a community or a nation.

b. The right of every person, a duty of themselves

Stipulation of rights for a person regarding social affairs stipulates and proves a duty for that person; in other words, in a social system, some social duties are imposed on a person as many as the rights and privileges they enjoy. The substantiation of rights for people in the community cannot be established unilaterally. When a right is granted to a person, there will be some duty and obligation for them, e.g. if a person has the right to enjoy green spaces in an urban area, they have to protect these spaces and pay the relevant taxes.

In this paper, we focused on Section (a) and believed that there exists an interrelation between ‘right’ and ‘duty/obligation’ based on epistemological foundations of monotheistic world view, which is the selected view.

According to an independent view, every right is interrelated with a duty which other persons are to observe. For instance, if parents or teachers have rights over children or students, these rights bring certain duties with them which are imposed on

¹. kollo ma hakama bi al-aql hakama bi al-shar'

children or students. If we suppose an individual has human and social rights, these rights obligate the others to respect and observe them.

Mohammad-Taqi Ja'fari, an Iranian scholar, considered the establishment of justice as the main origin of human rights and rules and said that, justice created two positive and negative poles of right and duty, so the person receiving the justice liked it and the one who was under some duty disliked it.

Rights have always been accompanied by duties since their introduction to humans, because rights and duties act like positive and negative poles upon their coordinated interaction rests the collective life of human beings. If we scrutinize human history, we observe that humans have always proceeded limply by just rights and not by both rights and duties. In other words, rights are ascertained, but there is no sign of any duties or obligations.¹

This coherence and interrelation between rights and duties are evidently manifested in the following definition: “[This] interweaving, even in relation to rights, is composed of four elements, i.e. allocation, dominance, respect by others, and its legislative protection. The first and second elements express the nature of the right, and the other two elements explain the duty interrelated with that right”.²

It is even possible to maintain that rights and duties are one entity viewed from two perspectives. Interpreting these values as rights is what our (Islamic) jurisprudence calls the duty/obligation; the person is bound to accomplish the tasks. In the West, when these values started to be backed by some performance guarantee, the legislators decided to establish human dignity as a principle and called it the first principle of human rights.³

Mohammad-Taqi Mesbah-Yazdi, an Iranian cleric, asserts that concepts such as the right to life and human rights in which the right is assigned a positive, contractual, and value meaning, and according to which we prove a right for somebody which acquires force against somebody else. That is why rights are interrelated with duties in cases we apply rights to social affairs and human interactions. If we stipulate and prove a right for somebody, a certain duty is imposed on somebody else; in other words, rights and duties are inseparable regarding social affairs and form two sides of a coin. A right has two sides: the person, the right is on their side, called right-enjoyer⁴, and the other person the right is enforced against them and they have to observe it, called right-observer⁵.⁶ Contrary to Mesbah-Yazdi's opinion, interrelation between rights and duties is not limited to conventional and contractual rights. Every social right essentially necessitates a duty based on correlation.

In principle, the right is multilateral and has parties to it in Islam. Whenever a right is stipulated and posited, it is considered relative and extra which could be optional or compulsory, but there will be a mandatory duty. No one is exempted from this rule; Imam is the highest person who has rights over Muslim community/the *Umma*, and the *Umma* also have rights over Imam: these mutual rights bring mutual duties with them,

¹ Ja'fari Tabrizi, Mohammad-Taqi, 1994. *Tafsir va Naqd va Tahlil-e Mathnaviye Jalaluddin Mohammad Balkhi* (Interpretation, Review, and Analysis of Rumi's Mathnavi) (12th ed.). Tehran: Eslami Publishers, 1994, Vol. 1, p. 487.

² Al-Sharqawi 1966, p. 21.

³ Mohaghegh Damad, Mostafa, *Pasokhe Hekmate Mut'aliyeh be Masa'ele Hoquqe Bashare Mo'aser* (Transcendental Philosophy's Reaction to Human Rights Issues in Contemporary Era). Tehran: Sadra Islamic Philosophy Research Institute, 2008, p. 25.

⁴ man lah ul-haq

⁵ man alayh ul-haq

⁶ Mesbah-Yazdi 2001, p. 80.

because right and duty are correlated concepts, and one takes on meaning in association with the other. In sum, when there is a right, there will also be a duty or vice versa. A close analysis of the definition of correlation by Ali-Akbar Dekhoda,¹ namely the existence of two entities the reasoning about one is not possible without analogy with the other or the existence of two interdependent entities, e.g. *obovvath*² and *bonovvat*³, reveals that these two words take on meaning with each other and this association is such that some scholars consider them equivalents, not antonyms.⁴

Jurists have accepted this correlation, e.g. Amir Nasser Katouzian said, “Legal rules concern social relationships, and that is why there is a right for others in relation to every duty”.⁵

Some scholars disapproved the pure duty-based morality and said:

There is a fallacy here which is subsumed under deceitful welcomes, namely Islamic logic always emphasizes duties, whereas the modern discourse affirms rights. Why do you always talk about duties? In the first place, right and duty are two sides of a coin, and there is no right without a duty. Every person has a right and assumes a duty in exchange. Therefore, it is empty, baseless, and illogical to only talk about rights and leave out duties.⁶

We can exemplify the interrelation of rights and duties as follows: The duty: ‘We have to respect the others’ right of ownership.’ (It is decent to respect the human right of ownership) which is apophatically interpreted as: ‘We should not deprive humans of their right of ownership.’ (It is obscene to deprive humans of their right of ownership) is interrelated with a human right which goes as: ‘Humans enjoy right of ownership.’

III. *Parallelism of Rights with their Interrelated Duties*

Interrelated, correlated, or analogical affairs have always two sides, the existence of one being utterly dependent on the other, such as top and bottom, lover and beloved. As stated, rights and duties are interrelated, and it may be taken for granted to say rights and their interrelated duties are congeneric. For example, if a duty is conventional, then its interrelated right will be conventional too, and if that duty is divine and religious, originating in God Command, the interrelated right will also be religious and based on divine providence. Any other states but this would be flawed and illogical.

In sum, if we are realistic in areas of ethics and decencies and obscenities, we will undoubtedly be so in relation to rights believing in natural, inherent rights. Similarly, following conventionalism in ethics entails following it in legal system, and any other states would prove unimaginable.

¹ Dekhoda, Ali-Akbar, *Loqatnameh* (A Dictionary). Tehran: Majlis Printing House, 1946, Vol. 5, p. 6779.

² fatherhood; paternity

³ sonship, filiation

⁴ Khoramshad, Mohammad Bagher, *Mardomsalariye Dini: Mahiyat, Ab'ad, va Masa'ele Mardomsalariye Dini* (Religious Democracy: nature, dimensions, and issues). First Edition. Qom: Ma'aref Publications, 2006, Vol. 1, p. 308.

⁵ Katouzian, Nasser, *Falsafeye Hoquq* (Philosophy of Law) (Vol. 1). Tehran: Enteshar Publications and Bookstore, Vol. 1, p. 579.

⁶ Khamenei, Ali, *Noktehayeh Nab: Gozide Bayanate Rahbare Farzaneye Enqelab dar Jam'e daneshjuyan va danesgahiyan salhaye 1368 ta 1383* (A Selection of Pure Statements of the Wise Leader among Students and Academics from 1989 to 2004) (7th ed.). Qom: Ma'aref Publications, 2009, Vol. , p. 56.

IV. *Inherent Decency and Obscenity from Mulla Sadra's Perspective*

Decency and Obscenity is a subject with rich history dating back to Socrates. It has always been the center of debate among philosophers, speculative theologians, and religious thinkers. The dialog of Socrates and Euthyphro circles around this subject. In this dialogue, Euthyphro claims that God command makes an act decent/good. Socrates asks, "Is what is morally decent/good commanded by God because it is morally decent/good, or is it morally decent/good because it is commanded by God?" (Plato).

Euthyphro answers, "Because it is morally decent, it is commanded by God" (Plato 2005, Vol. 2: 25). We observe two viewpoints in this dialog: (1) we observe absolute, constant ethical rules governing God and humans; (2) we observe no absolute, constant ethical rules and God commands and what is commanded by Him is morally decent. The first viewpoint considers decency and obscenity inherent, and the second view deems them non-inherent, religious, and legal¹.

In regard to inherent decency and obscenity, some theologians believe that, things are of inherent decency and obscenity; some acts like helping and assisting others are inherently decent, while others such as lying and oppressing are obscene. Some other theologians say that things do not have inherent decency and obscenity; decency and obscenity are contractual, and an act which is obscene to a person might seem decent to another one.²

Muslim speculative theologians have assigned various meanings to decency and obscenity. We focus on the following meaning: "Decency/Hassan is an act which is good and receives praise, and Obscenity/*Qabih* is an act which is reproachful and receives punishment." In addition, theologians, Usulis, and philosophers studied this issue semantically, epistemologically, and ontologically. This paper focused on the ontological aspect.

The supporters of inherent decency and obscenity or moral realists maintain that, acts have real attributes, characteristics, and effects based on which they are assigned decency and obscenity. The supporters of divine decency and obscenity say if the holy legislator has not issued a command, it is not possible to assign decency or obscenity to any act; if the legislator orders an act, that act turns decent/*hassan*, but if the legislator prohibits it, it will be obscene/*qabih*.

Mulla Sadra did not address this topic exclusively and he merely said, "Decent act/Hassan is an act that the intellect encourages, and obscene act/*qabih* the intellect prohibits.³ In another part he added, "Acts are classified into decent/*hassan* and obscene/*qabih*, and they are described as either decent or obscene.⁴

Some opinions and viewpoints of *Mulla Sadra* like the theory of real relationship of good and evil deeds with fate and afterlife forms, i.e. realization of afterlife rewards and

¹. Regarding decency and obscenity as inherent is material and pertains to outside world, but deeming them rational is abstract and pertains to our knowledge and universe of permanent positiveness, i.e. if we discuss some ontological topic in outside and positive worlds, we actually touch upon the inherence or divinity of decency and obscenity, and if we discuss some epistemological topic, we touch upon decency and obscenity rationally or religiously.

². Sajjadi, Seyedjafar, *Farhange Ma'arefe Eslami* (A Dictionary of Islamic Sciences) (3rd ed.). Tehran: University of Tehran Press, 1995, Vol. 2, p. 734.

³. Sadr al-Din Shirazi, *Al-Tafsir* (A commentary upon the Holy Qur'an) (2nd ed.). Edited by Mohammad Khajavi. Qom: Bidar Publications, 1987, Vol. 3, p. 422

⁴. Sadr al-Din Shirazi, *Al-Hikma al-Muta'aliya fi l-Asfar al-'Aqliyya al-Arba'a* (Transcendental Philosophy in Four Rational Journeys/The Four Journeys). Annotated by Mohammad Hossein Tabataba'i (3rd ed.). Beirut: Daru Ehya Turath al-Arabi Publications, 1981, Vol. 3, p. 418.

punishments according to decencies and obscenities, divine acts, soul grades, intellect, intercession, immortality, resurrection, etc. characterize him as an adherent to the theory of inherent decency and obscenity which will be discussed briefly as follows:

a. Repetition of a good deed forms a decent property, and repetition of an evil deed forms an obscene property. These properties are physical affecting the afterlife forms in whose company humans will be placed in the hereafter.¹

b. Afterlife forms are obtained in proportion to good and evil properties, and properties result from repetition of actions; therefore, decency and obscenity of actions are real and non-contractual. Moreover, *Mulla Sadra* identified afterlife rewards and punishment with this-worldly actions: good deeds are counterparts of heavenly forms, e.g. rivers, houris/nymphs, and other blessings in the Paradise. Evil deeds embodied in the form of fire, Zachum infernal oil tree, and boiling water in Hell.²

c. *Mulla Sadra* strongly rejected this *Ash'ari* belief that decency and obscenity of acts were dependent on God, and acts were not inherently decent or obscene; he considered this belief as a prelude to nullifying wisdom, intellect, and religion.³

d. He said that it was correct that, some acts were obligatory and some were forbidden by the legislator's command and they were attached praise and dispraise, but this could not mean the offshoots of these acts were empty of those attributes and characteristics.⁴

e. *Mulla Sadra* asserted that, only God is fully aware of acts and their resultant attributes and effects and believed that humans lacked this ability because of their incomplete intellect; he specified that, this did not mean, acts were devoid of attributes and effects.⁵

f. Humans enjoy the capability of distinguishing decency from obscenity which affects their fate and future status.⁶

g. *Mulla Sadra* sneered at those who denied inherent decency and obscenity and said, "Take a look at the soul grade and Imam of this group who obligated his subjects to obey him, and consider their line of argument which revolves around the negation and denial of inherent decency and obscenity of acts".⁷

h. *Mulla Sadra* believed that, five religious instructions which signified decency and obscenity of acts did not mean human intellect was able to detect the inherent features of acts, and as a consequence, it could not perceive decency and obscenity of acts. He maintained that, a human intellect was able to identify the inherent features of the acts of that human, and the perfect knowledge of these features was only available to prophets and saints so they would provide people with them, because humans with their incomplete intellects could not appreciate all features of an act, statement, intention, or thought.⁸

¹. Sadr al-Din Shirazi, *Al-Mabda' va al-Ma'ad* (Origin/the Beginning and Resurrection/the End) (1st ed.). Tehran: Institute for Research in Philosophy, 1975, Vol. 3, p. 466.

². Op. cit, Sadr al-Din Shirazi, 1987, Vol. 4, pp. 412-413.

³. Sadr al-Din Shirazi, *Majmua al-Rasa'ele Falsafiye Sadr-ul-Moteallehin* (A Collection of Mulla Sadra's Philosophical Notes) (1st ed.). Compiled and Edited by Hamed Naji. Tehran: Hekmat Publications, 1996, p. 273.

⁴. Op. cit, Sadr al-Din Shirazi 1981, Vo.1, p. 208.

⁵. Ibid. pp. 149-151.

⁶. Ibid. p. 161.

⁷. Op. cit, Sadr al-Din Shirazi 1981, Vol. 2, p. 473.

⁸. Op. cit., Sadr al-Din Shirazi 1981, pp. 149-151.

i. Some researchers asserted that, it was possible for rational intellect to meet the perfect criteria of religious instructions, even though it was a laborious task due to limitations of human intellect and common sense.¹

j. Interests and evils affect instructions and commands inviolably, i.e. the legislator stipulates religious instructions according to a moral necessity and real, perfect criteria; this moral necessity finds its source in divine wisdom and grace.²

k. Evidently the practical intellect follows general instructions and rules which form the foundation for all morally good deeds and instructions; without them there would have been no ethical duty or ideology.³

Bearing the above-mentioned items in mind, we could maintain that, *Mulla Sadra* believed in inherent decency and obscenity in terms of ontology (real/outside world and universe of permanent positiveness) and believed in rational decency and obscenity in terms of epistemology (understanding and proving). He considered *Ash'ari's* views nullified wisdom, reason, and religion.

Conclusion

This paper used sufficient evidence to show that, the theory of *Mulla Sadra*, chosen in this regard was rational and inherent decency and obscenity. Regarding the question of *Mulla Sadra* belief in rational or inherent decency and obscenity, this paper answered that, he believed in inherent, and not divine, decency and obscenity, in terms of ontology (real/outside world and universe of permanent positiveness) and believed in rational decency and obscenity in terms of epistemology (understanding and proving), not religious decency and obscenity. *Ash'aris* supported divine and religious decency and obscenity, but *Mulla Sadra* said, this view would dispel wisdom, reason, and religion. In relation to understanding decency and obscenity and the intellectual ability of humans, *Mulla Sadra* maintained that, only a perfect human was able to grasp the inherent properties of acts not all people.

In addition, different viewpoints on the contradiction and interrelation of rights and duties were covered, and it was proved that, most scholars approved the existence of a relationship between natural human rights and belief in inherent and rational decency and obscenity. Only those who accept inherent decency and obscenity may support natural, innate rights, because the duties are congeneric with their interrelated rights. Thus *Mulla Sadra* who was a moral realist and believed in inherent decency and obscenity and considered all duties, decencies, and obscenities inherent would adhere to inherence or naturalness of rights.

In summary, *Mulla Sadra* believed that, humans, qua humans, enjoy universal, necessary, fixed rights which result from their nature and character, unaffected by time and space. These rights which are in total coordination with creation and universe are called *Natural, Inherent, or Innate* rights.

Although *Mulla Sadra* did not mention explicitly the inherent decency and obscenity of duties and the inherence and naturalness of human rights, it is possible to

¹. Sadr al-Din Shirazi, *Kasr al-Asnam al-Jahiliyyah* (Demolishing the Idols of the Periods of Barbarism and Human's Ignorance). A reading of divine philosophy. Translated by Gholamhossein Ahani. Tehran: Sadra Islamic Philosophy Research Institute, 2002, Vol 1, p. 71.

². Ibid. p. 72.

³. Ibid. p. 73.

deduce these two viewpoints from his theoretical foundations and some views plus supporting premises.

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