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Ancient Mediterranean Roots of Perspectives on Human Rights

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of Perspectives on Human Rights

Abstract: ICESCR and *Centesimus Annus* are heirs to a long tradition of reflection on justice and the universe. Amid the debates over the theoretical basis for human rights, it is important to recall the value of justice in ancient Mediterranean wisdom traditions that provided the roots for later perspectives. In ancient Egypt, Israel, and Greece, thinkers from a variety of vantage points affirmed a moral order of justice in the universe, which offered a basis for recognizing human dignity and for rebuking human rulers who abused their power. Early Christian reflections on the identity of the Holy Trinity and Jesus Christ played a decisive role in transforming the understanding of the human person, paving the way for later developments.

Keywords: Egyptian wisdom, ancient Israelite wisdom, Stoicism, Trinity

Introduction

Two of the most significant affirmations of human rights in recent decades have been the United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1966 and Pope John Paul II's Encyclical Letter *Centesimus Annus* twenty-five years later in 1991. The observance of the fiftieth anniversary of the former and the twenty-fifth anniversary of the latter invites reflection on the ancient roots of perspectives on human rights.

Both ICESCR and *Centesimus Annus* of John Paul II reached out to the broadest audience of all persons of good will, seeking to shape a convergence of opinion toward a more just and equitable world. However, in each case this project faces a major challenge in that many persons and institutions have

affirmed human rights, but there is tremendous diversity and disagreement regarding the interpretation and justification of these rights. After working on the United Nations Declaration on Human Rights issued in 1948, Jacques Maritain noted a paradox:

> It is related that at one of the meetings of a UNESCO National Commission where human rights were being discussed, someone expressed astonishment that certain champions of violently opposed ideologies had agreed on a list of those rights. "Yes," they said, "we agree about the rights *but on condition that no one asks us why.*" That "why" is where the argument begins.[1]

Maritain went on to reflect on this situation, noting hopefully that "the goal of UNECO is a practical goal, agreement between minds can be reached spontaneously, not on the basis of common speculative ideas, but on common practical ideas."[2] Maritain explained that there can be "points of convergence in practice" even when there is no theoretical agreement overall.[3] Maritain noted that speculative defenses of human rights draw upon earlier pre-philosophical intuitions, claiming that

> systems of moral philosophy are the products of reflection by the intellect on ethical concepts which precede and govern them, and which of themselves display, as it were, a highly complex geology of the mind where the natural operation of spontaneous reason, pre-scientific and pre-philosophic, is at every stage conditioned by the acquisitions, the constraints, the structure and the evolution of the social group.[4]

Maritain pressed further: "What is chiefly important for the moral progress of humanity is the apprehension by experience which occurs apart from systems and on a different logical basis—assisted by such systems when they awake the conscience to knowledge of itself, hampered by them when they dim the apperceptions of spontaneous reason."[5] Maritain's comments on the importance of pre-philosophic thought invite reflection on the early roots of contemporary perspectives on human rights, dignity, and social justice. In recognition of the significance of both ICESCR and *Centesimus Annus*, this essay will explore the

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[1] Jacques Maritain, "Introduction," in *Human Rights Comments and Interpretations*: *A UNESCO Symposium*, edited with an introduction by Jacques Maritain (New York: Columbia University Press, 1949), 9.

[2] Maritain, "Introduction," 10.

[3] Ibid., 11.

[4] Ibid., 12.

[5] Ibid.

roots of modern perspectives on human rights in the affirmation of the dignity of the human person in the ancient Mediterranean world.[6]

Ancient Roots of Modern Views on Human Rights

In recent years, some have claimed thinkers in ancient Egypt, Greece, Israel, and early Christianity offer precedents for the notions of human dignity and universal human rights, but others have vigorously contested this claim.[7] Strongly affirming that human rights are grounded in the transcendent dignity of the human person, David Walsh traces the roots of this belief to ancient Greek philosophy and early Christianity:

> How is a universal language of rights to avoid a collapse into incoherence in the absence of any overarching intellectual framework? […] What makes it possible for us to build cooperatively the world that is sustained by just such efforts is that we are not simply entities within that world. Over and above all that is done in history is the singular person that transcends it all. That insight is not by any means new, for it is present at the very inception of philosophy and Christianity.[8]

However, Christopher Gill points out the difficulty in relating modern notions of personality, selfhood, and human rights to ancient Greek philosophy: "On the one hand, these notions are so central to our thinking that it is virtually inconceivable that they have *no* equivalent in Greek thought. On the other, it is clearly unacceptable to assume that we can transpose our conceptual vocabulary

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[6] Portions of this essay appeared in my earlier essay, "The Dignity of the Human Person and Social Justice in the Ancient Mediterranean World." *Chinese Cross-Currents* 9/4 (2012): 100–113. Used with permission.

[7] Elaine Pagels, "Human Rights: Legitimizing a Recent Concept," *Annals of the American Academy of Political and Social Science* 442 (1979): 57–62; Kirsten Sellars, *The Rise and Rise of Human Rights* (Stroud, U.K.: Sutton Publishing, 2002); Jack Mahoney, *The Challenge of Human Rights: Origin, Development, and Significance* (Oxford, UK: Blackwell Publishing, 2007); Arvind Sharma, *Are Human Rights Western? A Contribution to the Dialogue of Civilizations* (Oxford, UK: Oxford University Press, 2006); Lynn Hunt, *Inventing Human Rights: A History* (New York and London: W.W. Norton & Co., 2007).

[8] David Walsh, *The Modern Philosophical Revolution: The Luminosity of Existence* (Cambridge, UK: Cambridge University Press, 2008), xii.

wholesale (with all its implied ideological and metaphysical associations) into the ancient Greek context."[9]

The differences in perspectives on social and economic human rights are stark: ancient Mediterranean societies generally assumed that slavery was a natural part of the social, economic, and political order that was willed by God or the gods. From different vantage points, the Torah of ancient Israel (Ex 21:1–11), the New Testament (Eph 6:5–8), and the *Politics* of Aristotle (1.2–7) accepted the ownership of some human beings by others as in harmony with social, economic, and political justice, a perspective shared by many signers of the U.S. Declaration of Independence in 1776 but widely rejected today. While it would be anachronistic to read modern notions of human rights and social justice in their current form back into the ancient texts, nonetheless, it remains true that both the Catholic Church, including John Paul II, and the United Nations draw profoundly upon resources from the ancient Mediterranean heritage in pondering human rights and social justice today.

Ancient Egypt

The roots of perspectives on human rights may be traced to Egypt around the year 2000 B.C.E. Long before the era of Greek philosophers and Hebrew prophets, writers in Egypt affirmed that justice is embedded in the cosmos, and they robustly challenged earthly rulers on behalf of those mistreated. While ancient Egypt did not propose an abstract, philosophical definition of the human person or human rights, writers in the Middle Kingdom about the year 2000 B.C.E. forcefully affirmed the equality of all humans in creation and demanded justice for all humans across social classes. James Henry Breasted argued that early Egypt produced *The Dawn of Conscience*.[10] In one Egyptian text, the god who creates states, "I made the great inundation that the poor man might have rights therein like the great man. That is (one) deed thereof. I made every man like his fellow. I did not command that they do evil, (but) it was their hearts which violated what I had said. That is one deed thereof."[11] This text grounds the

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[9] Christopher Gill, *Personality in Greek Epic, Tragedy, and Philosophy: The Self in Dialogue* (Oxford, UK: Clarendon Press, 1996), 3,

[10] James Henry Breasted, *The Dawn of Conscience* (New York: Charles Scribner's Sons, 1933, 1968). See also H. and H. A. Frankfort, John A. Wilson, Thorkild Jacobsen, William A. Irwin, *The Intellectual Adventure of Ancient Man: An Essay on Speculative Thought in the Ancient Near East* (Chicago: University of Chicago Press, 1946, 1972).

[11] "All Men Created Equal in Opportunity," trans. John A. Wilson, in *Ancient Near Eastern Texts Relating to the Old Testament,* ed. James B. Pritchard (3rd ed. with supplement; Princeton, NJ: Princeton University Press, 1969), 7–8.

fundamental equality and rights of all human beings in god's creative action. John A. Wilson comments that for this creation account, "the juxtaposition of god's equalitarian creation and this statement of man's disobedience of god's command means that man—and not god—is responsible for social inequality."[12] Wilson calls attention to the proto-democratic context of this text in the history of Egypt: "It is significant that so sweeping a statement of the ultimate opportunity of every man is known only from that period which came closest to democratic realization."[13]

During the Old Kingdom in the middle of the third millennium B.C.E., Egypt developed a sense of cosmic justice in the figure of *Maat*, "truth, justice, righteousness, right dealing, order."[14] Maat played a role in creation, represented the norm for justice in human society, and she weighed the souls after death to determine their fate. Wilson cautiously applies the word "democracy" to these developments, but not in the sense of political sovereignty residing in the people at large; rather, Wilson claims this was "ancient Egypt's democratic age" in "the secondary but common meaning of social equalitarianism, the disregard of political or economic barriers in the belief that all men have equal rights and opportunities—or should have such. It seems clear from the texts which we have cited that there was a belief in social justice for everybody at this time and that even the poorest man had rights to the gifts of the gods because the creator-god 'made every man like his fellow.'"[15] This is the earliest surviving assertion of something like the social and economic rights that the United Nations International Covenant on Economic, Social and Cultural Rights and *Centesimus Annus* would later affirm.

The Bible

The Bible continues and develops the concern for social justice expressed by the Egyptian creation account and the description of Maat. Commenting on the Hebrew Bible, John J. Collins argues that "no other collection of documents from the ancient world, and scarcely any other documents at all, speak with such passionate urgency on the subject of social justice. The primary voices in this respect are those of the Hebrew prophets, but the law codes of the Pentateuch are

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[12] John A. Wilson, Notes to "All Men Created Equal in Opportunity," 8, n. 4.

[13] John A. Wilson, *The Burden of Egypt: An Interpretation of Ancient Egyptian Culture* (Chicago: University of Chicago Press, 1951, 1967), 118.

[14] Ibid., 119.

[15] Ibid., 123.

also of fundamental importance for our understanding of human rights."[16] While Collins does acknowledge the profound gulf between ancient Israelite notions of human rights and the contemporary world, he nonetheless maintains that "the concern for the unfortunate of society in these books is remarkable, and often stands as a reproach to the modern Western world."[17] Like the early Egyptian writers, Amos and other prophets in Israel directly challenged the exploitation of the poor by the wealthy, threatening them with dire punishments. Kings in ancient Israel had the responsibility before God to care and provide justice for the widow, the orphan, and the stranger, that is, those most vulnerable to being exploited and deprived of justice.

The Hebrew Bible does not offer abstract philosophical reflection on the human person, but it does offer grounds for defending the dignity and rights of all in society. The Book of Genesis presents all humans as created in the image and likeness of God (Gen 1). Usually, ancient societies viewed the king as the image or representative of God, but Genesis extends this dignity to every human being without exception. Rabbi Jonathan Sacks, chief rabbi of the British Commonwealth, draws out the implication of this perspective for engaging human differences: "The test of faith is whether I can make space for difference. Can I recognize God's image in someone else who is not in my image, whose language, faith, ideas, are different from mine? If I cannot, then I have made God in my image instead of allowing him to remake me in his."[18] In a world where slaves usually had few rights, observance of the Sabbath (Ex 20) commanded that even slaves be given a day free from labor to worship God. On the Sabbath, humans cease from their economic roles in society and remember their status as creatures before God. Psalm 8:5 dramatically presents the dignity of humans as "a little lower than God."

While ancient Israel did not engage in philosophical reflection in the style of ancient Greece, nonetheless the biblical wisdom tradition approaches philosophy with its concern for the regular patterns in human experience and the cosmic context of human life. The figure of *chokmah*, cosmic Lady Wisdom personified as a woman in the Hebrew Bible, may have been inspired by the model of Maat in Egypt. She plays in the creation of the world, is more valuable than jewels, and she guides kings and calls them to account for their exercise of authority (Prov 8).

The deutero-canonical books of Sirach (also known as Ecclesiasticus) and the Wisdom of Solomon relate the universal, cosmic role of personified Wisdom to the specific historical religious experience of Israel in receiving the Torah.

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[16] John J. Collins, *Introduction to the Hebrew Bible* (Minneapolis: Fortress Press, 2004), 603.

[17] Ibid., 604.

[18] Jonathan Sacks, *The Dignity of Difference: How to Avoid the Clash of Civilizations* (London: Continuum, 2002), 201.

Sirach 24 interprets the Torah given through Moses as cosmic Lady Wisdom coming to dwell in Israel. William A. Irwin reflects on the assumption of Sirach (Ecclesiasticus) regarding the cosmic sense of justice represented by Lady Wisdom: "But beyond and subsuming this ["positive law"] is the invisible, unwritten law, the universal sense of right which has reality only in human thought and ideals but expresses itself in a mood of judgment upon positive law as well as in just and right action that transcends legal requirements. It will be apparent, then, that Ecclesiasticus's identification of the divine wisdom with the Torah is a statement of the anterior relation of natural law."[19] While Irwin acknowledges that Sirach and the Wisdom of Solomon are clearly aware of Greek literature, he rightly insists: "The concept of natural law here expressed is Israel's own achievement; its relation to that of Greece must be sought in other directions than one of dependence."[20]

The Hebrew word *nephesh* is usually translated as "soul," but it refers to the entire human person, not to a Platonic soul that indwells a body. In the Hebrew Bible the heart (*lev*) is the center of human identity, the seat of both thought and emotion. There is a mystery to the human heart that God alone understands. The corresponding Greek term in the New Testament is *psyche*. The deutero-canonical book, the Wisdom of Solomon, composed in Greek in Alexandria and accepted as part of the First Testament in the Catholic and Byzantine Orthodox Bibles, develops the ancient Jewish wisdom tradition in dialogue with Greek thought and presents a dualistic view of the human person, "for a perishable body weighs down the soul" (9:15).[21]

The Wisdom of Solomon develops the understanding of *chokmah,* now translated into Greek as *Sophia*, by drawing explicitly upon the concepts of Hellenistic philosophy. Writing under the pseudonym of King Solomon, the Greek-speaking Jewish author, probably from Alexandria, Egypt, admonishes the rulers of his day: "Love justice, you who rule on earth" (Wis 1:1). He sternly warns that even if earthly rulers get away with murder in this world, as in the account of the persecution and killing of a just man, they will be held to account in the afterlife, where the righteous will be rewarded and the wicked punished (Wis 1:16–3:19).

The New Testament continues and develops the concern for human dignity and social justice of ancient Jewish religion in relation to the death and resurrection of Jesus Christ. Jesus develops and transforms the roles of prophet and sage, continuing the concern for justice, especially for the poor. The Christological hymns in John 1 and Colossians 1 attribute to the cosmic Christ the ordering role of Lady Wisdom in creation.

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[19] William A. Irwin, "The Hebrews," in *Intellectual Adventure of Ancient Man*, 295.
[20] Ibid., 295.
[21] All biblical quotations are from *The New Oxford Annotated Bible*, ed. Michael D. Coogan (augmented 3rd ed.; Oxford, UK: Oxford University Press, 2007).

The Concept of the Person
and Social Justice in Ancient Greece
and Rome

The English word "person" comes from the Latin noun *persona*, which referred to the mask worn by actors in Greek and Latin dramas. The Latin noun in turn comes from the verb *personare,* literally, "to sound through," or "to make a loud, continuous, or pervasive noise."[22] The first meaning of *persona* was the mask that actors wore and through which they spoke; from this came a second meaning referring to the character being represented in a drama (English-language publications of plays traditionally list the "Dramatis Personae," that is, the characters of the drama). The term could also mean the role played by a person in life or the actual being of an individual; in a legal context *persona* could refer to an individual involved in a case; the word could also attribute personality to an abstraction or a personification.[23] Roman Stoics developed a theory of roles or *personae*, which functioned to identify certain "normative reference-points in rational moral choice," a framework that strongly influenced Cicero.[24]

The corresponding Greek term was *prosopon*, literally, "before the eyes." The primary meaning of *prosopon* was the face or visage; it could refer to one's look or countenance; this term also referred to an actor's mask, accenting the visual position of the mask in front of the face. The word could also mean a person, including the sense of a legal personality.[25] Both *persona* and *prosopon* could refer in various contexts either to masks or to roles played or to individual humans. "Persona" in contemporary English can still refer to the image or role that an individual presents to others in a particular context.

The Christian Trinitarian and Christological debates in the fourth and fifth centuries C.E. profoundly transformed the meaning of *persona* and *prosopon* and influenced all later Christian reflection.[26] For the third-century writer Sabellius, who denied any internal distinction in God, *prosopon* referred to the different

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[22] *Oxford Latin Dictionary*, ed. P. G. W. Glare (Oxford, UK: Clarendon Press, 1982), 1357.

[23] *The Classic Latin Dictionary* (Chicago: Follett Publishing Co., 1931), 410; *Oxford Latin Dictionary*, 1356.

[24] Christopher Gill, "Personhood and Personality: The Four-*personae* Theory in Cicero, *de Officiis I*, in *Oxford Studies in Ancient Philosophy*, vol. VI, ed. Julia Annas (Oxford, UK: Clarendon Press, 1988), 176. See also Gretchen Reydams-Schils, *The Roman Stoics: Self, Responsibility, and Affection* (Chicago and London: University of Chicago Press, 2005), 93.

[25] *A Greek-English Lexicon, compiled by Henry George Liddell and Robert Scott* (revised with supplement: Oxford, UK: Clarendon Press, 1996), 1533.

[26] Lewis Ayres, *Nicaea and Its Legacy: An Approach to Fourth-Century Trinitarian Theology* (Oxford, UK: Oxford University Press).

roles that God plays in relation to humans, variously as Father, Son, and Spirit, analogous to a human actor playing various roles in a drama. A century later, in response to Christian critics who challenged him concerning the status of God the Father, Gregory of Nazianzus rejected the application of the terminology of either substance or accident; instead, Gregory defined the meaning of person in the Trinity in terms of a relation. From this point on, for the later Catholic and Byzantine Orthodox traditions, a Trinitarian person is neither a substance nor an accident but rather is a relationship. Gregory of Nazianzus's breakthrough flowed into Augustine's reflections on the human person as created in the image of God according to the relationships of *memoria, intelligentia, et voluntas* (memory, understanding, and will). Augustine described his reflection on his identity as a labor (*Confessions* 10.16.25).

The ancient sources for understanding the dignity of the human person in relation to the quest for justice are far broader than the explicit Latin and Greek concepts of *persona* and *prosopon.* Separately from discussions of the meaning of *prosopon*, ancient Greek thinkers stressed the necessity of *epimeleia heautou* (in Latin, *cura sui*)*,* that is, "the care of self." From Socrates to Hellenistic philosophers to early Christian authors, many ancient thinkers anticipated modern personalist philosophers in viewing human identity as a dynamic project to be fashioned, or in Augustine's term, as a labor. Studying this trajectory, Michel Foucault found that *epimeleia* involves much more than mere attention to oneself, for the term "also always designates a number of actions exercised on the self by the self, actions by which one takes responsibility for oneself and by which one changes, purifies, transforms, and transfigures oneself."[27] The ancient philosophers generally supposed that knowledge of the truth demanded a transformation of the self through a conversion.[28]

Complementing the spiritual exercises for the care of self, the Stoics developed a theory of natural law that would be crucial for modern understandings of human rights. The Stoics believed that the natural law pervades the cosmos and is common to all humans; they stressed that humans have a responsibility to live according to their reason, which corresponds to the universal natural law. However, Stoics did not develop from this a theory of human rights. Susan Ford Wiltshire rightly comments: "We strain to see in Stoicism a basis for a belief in individual rights. […] Self-sufficient individuals act in accordance with nature, but nature owes them nothing back. Certainly nature has not endowed them with 'unalienable rights.'"[29] Nonetheless, Wiltshire continues, the Stoics prepared for

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[27] Michel Foucault, *The Hermeneutics of the Subject: Lectures at the Collège de France, 1981–82*, ed. Frédéric Gros, trans. Graham Burchell (New York: Palgrave Macmillan, 2005), 11.

[28] Ibid., 15–17.

[29] Susan Ford Wiltshire, *Greece, Rome, and the Bill of Rights* (Norman and London: University of Oklahoma Press, 1992), 16–17.

later theories of human rights in three ways: (1) by identifying persons not in terms of their city but rather in terms of the cosmos; (2) by stressing "the individual as a moral agent"; and (3) by developing the understanding of natural law as a measure for human decisions (17).

Cicero incorporated Stoic ideas on the universally valid natural law into the Roman legal world, assuming that Roman law was coequal with the natural law. For Cicero and his contemporaries, it was unthinkable to appeal to the natural law as a basis for revolution against Roman law, but modern readers in later centuries would see the relationship differently. Wiltshire acknowledges that Roman jurisprudence did not accord the individual "any absolute value simply by virtue of being a human being" (28). Nonetheless, it made a major step in developing the notion of a universal natural law: "While Roman law contains only the seeds of a theory of individual rights, there could be no such rights at all apart from a prior commitment to the rule of law. That is what Romans confirmed for the world, dignified and ameliorated by the humane claims of Stoicism" (29). Ambrose of Milan combined the Stoic notion of natural law with the Law of the Old Testament, paving the way for medieval Christian theories of natural law that drew from both pagan legal wisdom and also the Jewish heritage (Wiltshire, 32–33).

The ancient Mediterranean reflections on the dignity of the human person and social justice set in motion a process of critical reflection upon social, economic, and political relationships that continues to the present day. From Maat in Egypt to Wisdom in Israel to the natural law of the Stoics, belief in a universal order of justice embedded in creation challenged successive societies to reflect on the uses and abuses of power, especially in relation to the poor and the vulnerable. These principles are not simply part of our past but continue to challenge us today. As Hans-Georg Gadamer argued, classic works have the power to transcend their original context and to speak directly to later ages across all the differences of cultures, politics, and religions, exerting a demand for attention and at times for change.[30] Even though succeeding ages and different cultures may understand the demand for justice in very different ways, there is a restless ongoing movement in the quest to respect human dignity and shape a more just society, a movement powerfully by ICESCR and *Centesimus Annus* expressed. Precisely because no society has ever perfectly achieved justice, the task continues in ever-changing circumstances. According to the written records that have come down to us, the call for justice sounded first in Africa. It echoes still.

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[30] Hans-Georg Gadamer, *Truth and Method*, trans. revised by Joel Weinsheimer and Donald G. Marshall (2nd, revised ed.; New York: Crossroad, 1989).

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Les origines antiques méditerranéennes de la dignité de l'homme

Résumé

Le Pacte international relatif aux droits économiques, sociaux et culturels de l'ONU et *Centesimus Annus* sont les héritiers d'une longue tradition de réflexions sur la justice et le monde. Quant à la discussion sur les fondements théoriques des droits de l'homme, il importe de rappeler la valeur de justice dans les traditions de sagesse antiques méditerranéennes dans lesquelles puisent les époques y succédant. En sortant de différents points de vue, les penseurs de l'Égypte, de l'Israël et de la Grèce antiques confirmaient l'existence de l'ordre moral de la justice dans le monde qui a servi de base à la reconnaissance de la dignité humaine et à la condamnation des souverains terrestres abusant de leur pouvoir. La réflexion du christianisme primitif concernant l'essence de la Sainte Trinité et de l'identité de Jésus-Christ a joué un rôle décisif dans la formation de la compréhension de la personne humaine et dans la préparation des voies à des réflexions ultérieures.

Mots clés : sagesse de l'Égypte, sagesse de l'Israël antique, stoïcisme, Sainte Trinité

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Le radici antiche mediterranee della dignità umana

Sommario

La *Convenzione internazionale sui diritti economici, sociali e culturali* delle Nazioni Unite e la *Centesimus Annus* sono le succeditrici di una lunga tradizione di riflessioni sulla giustizia e sul mondo. Tra le discussioni sui fondamenti teorici dei diritti umani è importante ricordare il valore della giustizia nelle tradizioni antiche mediterranee sapienziali da cui attingono le epoche che seguirono. Partendo da diversi punti di vista, i pensatori dell'antico Egitto, di Israele e della Grecia confermavano l'esistenza di un ordine morale di giustizia nel mondo che dava i fondamenti per riconoscere la dignità umana e per condannare i sovrani terreni che abusavano del proprio potere. La riflessione paleocristiana riguardante l'essenza della Santa Trinità e l'identità di Gesù Cristo ebbe un ruolo decisivo nel formare la comprensione della persona umana e nella preparazione delle strade alle riflessioni successive.

Parole chiave: saggezza dell'Egitto, saggezza dell'antico Israele, stoicismo, Santa Trinità