
Paul, the Stoics and human rights¹

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Abstract

Two recent arguments trace the genealogy of human rights back to either Paul on the one hand or the Stoics on the other. First, Crossan and Reed (2004) suggest that although Paul intended his egalitarian vision and program for Christian communities in the first place, his wish that all humanity should convert to a Christian world of egalitarian justice would logically imply a basic continuity with the ideals of universal human rights. Secondly, the classicist Richard Sorabji (2002) considers whether the concept of human rights is to be found in the Stoic ideas of oikeiosis and natural law. My purpose will be to relate these two archaeological arguments, in the light of recent comparisons between Paul and the Stoics, and to hermeneutically problematize the discourse with reference to Hannah Arendt's perplexities on human rights.

"How should we live?" someone asked me in a letter.

I had meant to ask him

the same question.

(*Szyborska, from The people on the bridge, in*

View with a grain of sand)

1. Using Hannah Arendt to frame the question

Shortly after the UN had adopted the Universal Declaration of Human Rights in 1948, Hannah Arendt published, as Christoph Menke (2007:739) puts it in a recent article, "a scathing critique of the recent attempts to reanimate the idea of human rights as political foundation (Arendt 1949)." Her main objection, in "'The Rights of Man': What are they?" (1949) (German title "Es gibt nur ein einziges Menschenrecht") and in "Die Aporien der Menschenrechte" (1955) (English title: "The perplexities of the Rights of Man"), was that the idea suffered from a "lack of reality" and was just too abstract to be actualized. I emphasize, from Arendt's criticism of the concept of human rights, three points that will guide me in my effort to compare the Stoics and Paul as antecedents of modern human rights.

First, Arendt (2000:39) argues, human rights are not “independent of history, ... ‘inalienable,’ ‘given with birth,’ ‘self-evident truths’” that can be deduced from some kind of pre-political, universal or essential human nature, as the 18th century American *Declaration of Independence* and the French *Déclaration des droits de l’homme* would claim. They are instead to be seen as invented or created or constructed by humanity itself in the course of its contingent political history. They are, in short, “qualities that individuals grant each other,” which consist of a “reciprocity of actions, ... whereby individuals reciprocally grant each other rights in the public sphere [eg, rights of freedom of speech and equality]” (Balibar 2007:732-734). “We are not born equal,” Arendt insists, “we become equal as members of a group on the strength of our decision to guarantee ourselves mutually equal rights” (Arendt 1949, in Menke 2007:745).

Hence, secondly, of all the human rights that we human beings have invented there is one single right that constitutes the formal basis of and condition for all the others, namely the right to belong as a citizen to a specific political community, whether a nation-state,² or better, a federation of states.³ Without this institutional or systemic right all the others would fail to materialize. They would be nothing but “nonsense upon stilts,” to use Bentham’s well-known pragmatic phrase, as can be seen from the fate of refugees who are left stateless, ie without citizenship of any state that can actually defend their rights (cf Menke 2007:742-744).

Thirdly, this fundamental political right must most crucially be constructed by continuous critical activism, by the constant revolution of the marginalized to work towards inventing a new cosmopolitics that will liberate humankind to a better life. For Arendt, as Balibar (2007:730) aptly summarizes her radicality, “‘an-archy’ [lies] at the very heart of *archè* itself.”⁴ A democratic politics can be permanently recreated only “out of its internal dissolution,” ie by “‘dissidence’ – particularly in the modern form of civil disobedience as the criterion of a legal institution that makes it possible to establish reciprocity.” For stateless refugees this would mean, as Arendt (1943) argues in her essay “We refugees,” not the acceptance of their fate as passive victims, but engaging in an active, non-violent struggle to obtain “the right to have rights,” ie to become equal citizens who fully belong to an organized political community. Politics is not only determined by those who hold power, but also by the little people themselves who act.⁵ Heuer (2007:1162) summarizes the point well: For Arendt, refugees should rather than depend on charity organizations, instead “take their affairs into their own hands,” since “charity could only come after justice is done.” “What is then required,” according to Arendt, “is ... political action by the refugees, [since] it is these subjects rather than professional politicians who are inclined to bring about new action” (Heuer 2007:1171). What would

therefore be sorely needed today are initiatives taken by and for the marginalized themselves, like “demonstrations by illegal immigrants ..., NGOs and migration organizations” (Heuer 2007:1171).

2. The content of modern human rights

Before we turn, in the light of these three concerns raised by Arendt, to a comparison of the Stoics and Paul as predecessors of modern human rights, we need to be clear about the content of the rights whose neglect would indeed destroy the human (cf Balibar 2007:728). What exactly is the content of these rights that should materialize for a member of a regionally delimited political community? Three generations of human rights may be broadly distinguished (cf Arendt [2000:33]; Ball & O’Gready [2006:16-19]; Ishay [2004:3-4]):

- from the 18th century Enlightenment's struggle to establish the rationality and independence of man, emerged the rights of political liberty, such as liberty of speech, conscience, and religion;
- the 19th century, due to the massive exploitation caused by the Industrial Revolution, witnessed the struggle for rights of social-economic equality, and
- the 20th century saw the postcolonial agitation for the right to cultural autonomy or self-determination.

At the basis of these notions lies the assumption of a form of justice that should be valid for all human beings (cf Fagan 2006), but one that would indeed require a constant struggle against systemic inequalities based on class, gender, ethnicity, religion or political oppression.

Let us now turn to a critical comparison of the Stoics and Paul, two ancient precursors of modern human rights, in the light of Arendt's problematization of these rights. In what ways do these forerunners anticipate modern human rights, and to what extent do they fail to address, or perhaps already begin to address, some of Arendt's concerns?

3. Stoic *oikeiosis* as antecedent of modern human rights?

In his article, “When was the idea of human rights invented, and do we need it?”, the classicist Richard Sorabji (2002) traces its genealogy back to the ancient Stoic concept of *oikeiosis* (familiarization / the extension of human attachment), but also notes a key difference between this idea and that of modern human rights. According to the Stoic teaching of *oikeiosis* the individual should, by way of rational argument, extend his concern for

himself in concentric circles until all humankind is eventually included. Antiochus of Ascalon in Syria (first century BCE) explains the concept concisely:

In the whole of morality ... there is nothing more brilliant, nor of greater extent than the association of people with other people, a kind of community and sharing of advantages and a real affection for the human race. It is born with us from conception, since children are loved by their parents, and the whole household is held together by marriage and offspring, and gradually spreads abroad, first through kin relationships, then marriage connections, then friendships, then relations of proximity, then to fellow-citizens and those who are allies and friends politically, and finally embraces the entire race. This attitude of the mind, which allots to each their own, and maintains this community of human association ... is called justice.

(Cicero, *De Finibus* V 65, in Annas 1993:316-317)

The key difference that Sorabji (2002) identifies between Stoic *oikeiosis* and human rights lies precisely in the Stoic emphasis on the mental and emotional attitude of other-concern rather than the actual satisfaction of basic human needs. The latter are relegated to naturally preferred indifferents (*adiaphora*), which the Stoic must indeed try his utmost to secure. If, however, he misses these targets, he should realize that they do not matter in themselves. What matters solely is the good character of the *cosmopolites*, who seeks to actualize them in the right way. "If we believe in human rights," however, Sorabji (2002) stresses, "we think it important ... that those with human needs should have those needs met. The satisfaction of human needs is precisely not a matter of indifference."

A second notion that is widely considered to have inspired the idea of human rights is that of natural law, which the Stoics understood to be written in the minds of all human beings and thus universally valid for all human beings solely on the basis of their shared rationality. "The true law," says Cicero, "is right reason in accordance with nature, unchanging, eternal, not different for different cities and times. It is one law, one ruler, and its author is God" (Sorabji 2002). It is indeed this idea of natural law valid for all nations that has via Christian thinkers influenced the 17th and 18th century's concept of human rights, and that Hannah Arendt has taken issue with so radically.

4. Pauline *agape* within Christian house churches as antecedent of modern human rights?

Now, if the Stoic concept of *oikeiosis* is insufficient to secure basic human needs and natural law can not – as Arendt has forcefully argued – serve as

the foundation of a universal morality, in what ways might Paul's vision and program possibly anticipate the idea of human rights and address, or fail to address, some of Arendt's concerns?

In comparing Paul with the Stoics Troels Engberg-Pedersen (2005:51) has argued that the Stoic concept of *oikeiosis* is very similar to Paul's concern within his Christian house churches for "treating one another with *agape* and putting the interests of others ahead of one's own." In both Paul and the Stoics, he maintains, we find a movement from the I's self-concern to the collective, altruistic we-concern. The only difference is that the cognitive change is occasioned by rational argument in the Stoic case, but by Christian faith in Paul's case. The basic point is, however, he insists, exactly the same. It would also be incorrect, he continues, to suppose that "the Stoic ideas are intrinsically abstract and of little relevance to person-to-person relations in everyday life, whereas Paul is precisely engaged with the latter" (Engberg-Pedersen 2005:54). He observes: "*if two or more Stoic wise people do live together (as of course they could), then ... they will be fully friends of one another, goodwill (eunous) towards each other, in good repute (eudokimoi) reciprocally and approving of one another (apodechomenoi).* There is nothing irredeemably abstract about that."

I do, however, think that Engberg-Pedersen does not appreciate a crucial difference between Stoic *oikeiosis* and Pauline *agape*, which is precisely foregrounded by recent political readings of Paul and extremely relevant to the question of Paul as precursor of human rights and Arendt's problematization of the issue of human rights. I take as exemplary of such a political reading Crossan and Reed's *In search of Paul: How Jesus' apostle opposed Rome's empire with God's kingdom* (2004). In it the authors imagine the following dialogue between Paul and themselves:

Do you think, Paul, that all men are created equal and endowed by their Creator with certain inalienable rights? *I am not speaking about all men, but about all Christians.* But do you think, Paul, that all people should be Christians? *Yes, of course.* And do you think, Paul, that all Christians should be equal with one another? *Yes, of course.* Then do you think, Paul, that it is God's will for all people to be equal with one another? *Well, let me think about that one for a while and, in the meantime, you think about equality in Christ.*

(Crossan & Reed 2004:234)

This fictive conversation emphasizes that Paul's primary concern was with the practice of egalitarianism *within* his Christian house churches in the first place, but it simultaneously hints at the continuity between his vision and program on the one hand and the ideals of universal human rights on the other. In what sense is their continuity?

The Paul that Crossan and Reed (2004) portray⁶ not only opposed the exploitation and oppression by the hierarchical imperial system of his time, but also established little cells of egalitarian house churches at grassroots level throughout the major cities of the Roman empire. He thus ignited a non-violent revolution against the empire by offering an alternative vision and implementing an alternative program of non-hierarchical sharing communities.

Instead of Caesar as Lord, Saviour and Son of God (*huios tou theou* translated *divi filius* typically on every Roman coin), he proclaimed Jesus as *Kurios, Soter* and *Huios tou theou*. Against the good news of Caesar's birth (*euangelia* on the Priene- inscription) stands the *euangelion* of his messiah Jesus. Instead of the expected arrival of and meeting with (*apantesis*) with Caesar, Paul announces to the Thessalonians that of Christ.

The content of Paul's alternative ideal is best summarized in Gal 3:28. He tells the house churches in Galatia that amongst them there should be "no longer Jew or Greek, ... slave or free, ... male or female," ie no hierarchies based on ethnicity, class or gender. The prominence of women in Pauline *ekklesiai* is indeed remarkable. Phoebe is a literate woman of means, who is a benefactor (*prostotes*) of the Christian community in Corinth and the carrier of Paul's letter from Corinth to Rome, where she is expected to circulate, read and explain it. Prisca is mentioned before her husband Aquila, and Junia is called a prominent apostle alongside her husband Andronicus (Rom 16; cf Crossan & Reed 2004:114). Indeed a far cry from the pseudo-Pauline Pastoral epistles, which instructed wives to be "silent in church and pregnant at home," as Crossan and Reed (2004:xiii) paraphrase their reversion to standard imperial codes.

The systemic injustice of slavery, so characteristic of Roman imperial society, is equally rejected by Paul. He tries, according to Crossan and Reed's reading (2004:109), to convince Philemon not only to receive his run-away slave Onesimus back as "brother in the Lord" (*en kurio*), but also to free him as "brother in the flesh" (*en sarki*) (Phlm 1:16).

Paul's condemnation of class discrimination is particularly clear from his stance on the humiliation of the poor at common meals in Corinthian house churches. The powerful few arrive first and enjoy the best food, leaving only the crumbs – as it were – to the poor majority who by necessity arrive late. The Lord's Supper (*kuriakon deipnon*), he argues, should not be like this, but should be an *agape* or share meal, in which the typical patronal hierarchies of imperial society are not replicated. It is not difference that Paul objects to, since diversity of members and functions is imperative to build the house churches. The problem is rather one of hierarchy, he explains in 1 Cor 12-14, of "superiority and inferiority, who is better than whom, who has the most important function, the best position, the best gift"

(Crossan & Reed 2004:345). His answer is that the body has many members, each with its own function, but with none more important than the others. They are equally important, equally dependent on each other.

Paul's sense of distributive justice is taken to be further evident from his collection for the poor in Jerusalem, which he explains to the Corinthians as all about the sharing of spiritual and material resources. "I do not mean," Paul says in 2 Cor 8:13-14, "that there should be relief for others and pressure on you, but it is a question of a fair balance (*ex isotetos*) between your present abundance and their need, so that their abundance may be for your need, in order that there may be a fair balance (*hopos genētai isotēs*)."

The master model to be imitated by his Christian believers, he insists, is that of the kenotic Christ of Phil 2:6-11 and the crucified Christ of 1 Cor 1-4. Instead of Rome's imperial paradigm of lording-it-over its subjects, the Christians in the Roman *colonia* of Philippi are to "empty themselves" by serving each other. Instead of the rich treating the poor with contempt, the powerful few in the Roman *colonia* of Corinth should follow the example of the crucified Christ and adapt to the needs of the many. This, Paul insists, is the kind of new life of the resurrection, that is to be made visible in the little house church at the corner of the block.

5. Conclusion

With Paul understood in this way,⁷ I maintain then, we encounter a worthy forerunner of human rights, particularly those second generation rights that emphasize socio-economic equality. We, furthermore, witness no mere abstract speculation as in the case of Stoic *oikeiosis*, but a serious attempt at the concrete realisation of egalitarian values at grassroots level by subjects of a political system of oppression and exploitation. We indeed witness a grassroots movement, a non-violent one, that "ignited a revolution and changed the ancient world" (Horsley & Silberman 1997), and that may still provide us with a model to inspire the implementation of those substantive rights whose neglect would indeed destroy the human.

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2. Without the nation-state human rights too would disappear, she argued. But, she further held, when the nation-state introduces laws that separate nation (based on one's birth) from state (based on all the citizens living within a particular territory) and defines citizenship narrowly on the basis of one's birth, some people will be left stateless / citizenless and so in effect lose their human rights too (cf Menke 2007:743). This constitutive paradox in Arendt's political thinking is appropriately foregrounded by Balibar (2007:733-7344): on the one hand "her idea of rights is indistinguishable from the construction of the human, which is the immanent result of the historical invention of (political) institutions [eg, the nation-state]," but on the other hand these "*same institutions* [eg, the nation-state] that create rights, or better said, allow individuals to become human subjects by reciprocally granting rights to each other, also *destroy* these rights, and thus threaten the human."

3. For a discussion of Arendt's plea for a European federal system, see Heuer (2007:1163-1164): "Arendt pleaded for the dissolution of the unity of nation, territory, and state as the basis of modern nation-states in favor of a state in the sense of a political space with political citizenship. Inherent in the nation-state, according to Arendt, there was always the danger of the nation overtaking the state ... as a folkish, current ethnic movement." But Balibar (2006) problematizes Arendt's proposed solution of a federation of states, arguing that the EU and USA have again been acting like the old nation-states by erecting new barriers to exclude refugees and immigrants (though not

totally, since these immigrants form “a necessary source of cheap and unprotected labour”).

4. Balibar (2007:734-735) notes that Arendt would not accept Aristotle’s definition of the perfect citizen as one who “knows how to give orders and take orders from others, *archein te kai archesthai dunasthai*” (*Politics* III, 1277a25), but would rather agree with the view of the Persian prince in Herodotus, who advocates “neither to take nor to give orders (*oute archein oute archesthai ethelô*, Herodotus III, 83, 8).” What Arendt supports is not anarchism as such, but rather the necessity of including “a notion of antinomy within the construction of the political – in this case, the definition of the citizen.” “*Without a possibility of disobedience,*” she would insist, “*there is no legitimate institution of obedience*” (Balibar 2007:735).

5. Agamben, in discussing Arendt’s “We refugees” in his essay “Beyond human rights” (1993), emphasizes that the figure of the refugee represents the central phenomenon to rethink politics today: “inasmuch as the refugee, an apparently marginal figure, unhinges the old trinity of state-nation-territory, it deserves instead to be regarded as the central figure of our political history” (:21). He concludes that “only in a world in which the spaces of states have been ... perforated ... and in which the citizen has been able to recognize the refugee that he or she is – only in such a world is the political survival of humankind today thinkable” (:25).

6. Crossan and Reed’s (2004) construct of the historical Paul is primarily based on the seven undisputed letters, ie 1 Thess, Phil, Phlm, 1 and 2 Cor, Gal and Rom. Acts is used with the utmost critical care as a source for the historical Paul.

7. Admittedly Crossan and Reed (2004) offer a portrait of Paul that is idealized. They do not discuss those who criticize the historical Paul for his views on class (“love patriarchy,” in Theissen 1982), gender (Wire 1990) and ethnicity (Mack 1995). For a survey of these critiques, see Strijdom (2001). My strategy in the present article was, however, not to engage in a debate with Crossan and Reed’s construct of Paul, but rather to use it in order to show how their reading of Paul could be related to the concept of human rights and its problematization by Arendt.