

# Artykuły

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## Plato and the Universality of Dignity<sup>2</sup>

### Preliminary remarks

Dignity is generally regarded today as a fundamental value across legal systems, both at the international and national levels. Although dignity is not a precisely defined concept, there is a general consensus on the qualities that dignity possesses. As something considered to be inherent to human beings<sup>3</sup>, dignity is not acquired by means of any human action, nor can it be lost as the result of any action, including the actions of its possessor. It is considered the source of all human rights<sup>4</sup>, which, in turn, provide criteria for determining

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<sup>3</sup> Preamble to the Universal Declaration of Human Rights, which begins: "Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world", Universal Declaration of Human Rights *adopted* 10 Dec. 1948, G.A. Res. 217 A (III), U.N. GAOR, 3rd Sess., U.N. Doc. A/RES/3/217A. Here the references to the characteristics of dignity are limited to a few selected documents defining the ideological basis of modern human rights law; see: M. Piechowiak, *What are Human Rights? The Concept of Human Rights and Their Extra-Legal Justification*, [in:] *An Introduction to the International Protection of Human Rights. A Textbook*, eds R. Hanski, M. Suksi, 2<sup>nd</sup>, revised edition (Turku–Åbo: Åbo Akademi University: Institute for Human Rights, 1999), pp. 3–14.

<sup>4</sup> Preambles to the International Covenants on Human Rights: "these rights derive from the inherent dignity of the human person", International Covenant on Economic, Social and Cultural Rights, *adopted* 16 Dec. 1966, G.A. Res. 2200 A (XXI), U.N. GAOR, 21<sup>st</sup> Sess., U.N. Doc. A/6316, 993 U.N.T.S. 3; International Covenant on Civil and Political Rights, *adopted* 16 Dec. 1966, G.A. Res. 2200 A (XXI), U.N. GAOR, 21<sup>st</sup> Sess., U.N. Doc. A/6316, 999 U.N.T.S. 171. Preamble to the Vienna Declaration and Programme of Action: "Recognizing and affirming that all human rights derive from the dignity and worth

the justice of laws. These criteria are considered to be given, objective and not relative; they are therefore not subject to the will of lawmakers, and provide a “shield” for minorities from the will of the majority<sup>5</sup>. Dignity is considered inviolable<sup>6</sup> and should never be sacrificed for the sake of other values – the possessor of dignity (his/her good) is an end in itself, an autotelic end and can therefore never be treated purely instrumentally. A very important consequence of recognising the inviolability of dignity is its impact on how we understand the relationship between the individual and the law and state: the aim of laws founded upon the recognition of dignity and human rights, and the subsequent aim of a state based on such laws, is the good of the individual.

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inherent in the human person, and that the human person is the central subject of human rights and fundamental freedoms, and consequently should be the principal beneficiary and should participate actively in the realization of these rights and freedoms (...); Vienna Declaration and Programme of Action *adopted* 25 June 1993 by the World Conference on Human Rights, U.N. Doc. A/CONF. 157/23.

<sup>5</sup> Vienna Declaration (1993), I.1: “Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Governments”.

<sup>6</sup> Charter of Fundamental Rights of European Union, art. 1: “Human dignity is inviolable. It must be respected and protected”, Charter of Fundamental Rights of European Union *proclaimed* 7 Dec. 2000, Official Journal of the European Communities 18.12.2000, C 364/01. On the universal (U.N.) level of the international protection of human rights, point two of the Proclamation of Teheran (1968) recognizes the inviolability of these rights and the inviolability of dignity as the source of these rights. This is indirectly acknowledged here: “The Universal Declaration of Human Rights states a common understanding of the peoples of the world concerning the inalienable and inviolable rights of all members of the human family and constitutes an obligation for the members of the international community”, Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968, U.N. Doc. A/CONF. 32/41 at 3. Cf. Basic Law for the Federal Republic of Germany (Grundgesetz für die Bundesrepublik Deutschland), *adopted* 23 May 1949, art. 1: “(1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority. (2) The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world”. print version as at: October 2010, translated by Ch. Tomuschat and D.P. Currie (translation revised by Ch. Tomuschat and D.P. Kommers in cooperation with the Language Service of the German Bundestag). The Constitution of the Republic of Poland (Konstytucja Rzeczypospolitej Polskiej), *adopted* 2 April 1997, art. 30: “The inherent and inalienable dignity of the person shall constitute a source of freedoms and rights of persons and citizens. It shall be inviolable. The respect and protection thereof shall be the obligation of public authorities.” (Dziennik Ustaw (Journal of Laws), No. 78, item 483), trans. A. Pol and A. Caldwell, [in:] *Polish Constitutional Law: the Constitution and Selected Statutory Materials*, eds. E. Gierach and P. Chybalski, Chancellery of the Sejm: Warsaw 2009, p. 26.

Thus, individuals are not meant to serve the state and the law, but rather, the state and the law are meant to serve the individual.

As something inherent to, and thus, inseparable from human beings, dignity is considered to be universal – all human beings are born equal in dignity<sup>7</sup>, regardless of culture, regardless of time, regardless of level of development, physical or mental ability, or any other mutable human qualities. This universality of dignity provides the basis for the universality of human rights<sup>8</sup>.

It is something of a paradox that recognition in the law of the inherent nature of dignity and the universality of people's entitlement to it is accompanied in contemporary culture by the widespread acceptance of cultural relativism – the belief that values are a “product” of a given culture rather than being something which exists objectively. If we adopt such a point of view, we ought to acknowledge that as an axiological foundation of the legal system, dignity is also a product of the culture of a given time and place and that the attribution of certain characteristics to it is thus not based on a recognition (knowledge) of reality. Dignity therefore cannot be considered as objectively existing. The assumption that dignity is conditioned by culture inevitably leads to its conceptual “disenchantment” and where it is viewed from such a perspective, an inherent dignity simply does not exist and the concept of dignity is empty. At best, the inherence and universality of dignity could be considered as legal fictions, a convenient tool for constructing legal systems. However, one consequence of this would be a repudiation of the universality of human rights, meaning the promotion of their protection could justifiably be considered a manifestation of cultural imperialism.

If the concept of dignity, as it is used in modern law, expresses something inborn and not created by culture, then those aspects of human existence that are fundamental to it in terms of the proper treatment of others and the relationship between individuals and the state would have also been considered in the past, especially in philosophy and by the greatest philosophers in particular. An important argument in favour of recognising the cultural relativism and fictional nature of the legal concept of dignity is the claim that dignity as a reason for non-instrumental treatment was recognised only in modernity

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<sup>7</sup> Universal Declaration of Human Rights (1948), art. 1: “All human beings are born (...) equal in dignity and rights”.

<sup>8</sup> Vienna Declaration (1993), I, 1: “The universal nature of these rights and freedoms is beyond question”. Cf. Convention on the Rights of Persons with Disabilities, *adopted* 13 Dec 2006, G.A. Res. 61/106, Annex II, U.N. GAOR, 61st Sess., Supp. No. 49, at 80, U.N. Doc. A/61/49, Preamble, c).

and that its concept was a product of philosophical thought specific to this period<sup>9</sup> – particularly that of Immanuel Kant, who is generally considered the father of the concept of dignity as it is used today in the language of law and jurisprudence. This claim, however, proves not to be true. It is relatively common knowledge that reflections on dignity were present during the Renaissance in the tractates of such authors as Gianozzo Manetti and Giovanni Pico della Mirandola. It is more rarely observed that a well-developed concept of human dignity, including its recognition as the basis for personhood, had already been developed in the Middle Ages<sup>10</sup>.

For establishing the universality of dignity, it would be significant if reflections on the concept, or on what today is expressed (understood) through it, could be found in some of ancient philosophy's most precious gems – the writings of Plato. Reflections on Plato as someone who contributed to the understanding of the dignity of a person in a positive way and not only by providing a contrasting totalitarian framework, seem, however, to be absent today in academic discussions about the universality of human rights and their foundation in universal dignity. One of the reasons for this state of affairs is that Plato is nowadays often seen – thanks largely to Karl Popper – as a totalitarian ideologue, as someone who provides justifications for the view that the individual is meant to serve the state, rather than the state serving the individual. Plato is therefore seen as rejecting a fundamental thesis upon which the recognition of human dignity as being universal is grounded<sup>11</sup>. In his dialogue *Republic*, Plato writes that

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<sup>9</sup> However, it still would be inconclusive, since one could argue that the development of culture leads to the creation of better intellectual tools (concepts, ideas) for understanding reality and from the lack of these tools one cannot infer that reality itself does not exist.

<sup>10</sup> For a comparison of the philosophical conceptions of dignity proposed by Kant and Aquinas, see: M. Piechowiak, *Auf der Suche nach einer philosophischen Begründung der Würde des Menschen bei Thomas von Aquin und Immanuel Kant*, [in:] *Würde – dignité – godność – dignity. Die Menschenwürde im internationalen Vergleich*, eds C. Baumbach and P. Kunzmann (München: Herbert Utz Verlag, 2010), pp. 289–319.

<sup>11</sup> See: K.R. Popper, *The Open Society and Its Enemies*, vol. 1: *The Spell of Plato*, 5th ed. (1966), (Ewing, New Jersey: Princeton UP, 1971). Popper's book was widely criticised by historians of philosophy. Among the most important of these critical monographs are G.J. de Vries, *Antisthenes Redivivus. Popper's Attack on Plato* (Amsterdam: North-Holland Publishing Company, 1952); J. Wild, *Plato's Modern Enemies and The Theory of Natural Law* (Chicago: University of Chicago Press, 1953); A.B. Levinson, *In Defense of Plato* (Cambridge, Mass.: Harvard UP, 1953). Popper's response to his critics can be found in the above-mentioned edition of *The Open Society*.

the law is not concerned with the special happiness of any class in the state, but is trying to produce this condition in the city as a whole, harmonizing and adapting the citizens to one another by persuasion and compulsion, and requiring them to impart to one another any benefit which they are severally able to bestow upon the community, and that it itself creates such men in the state, not that it may allow each to take what course pleases him, but with a view to using them for the binding together of the commonwealth<sup>12</sup>.

In accordance with the absolute subordination of the good of the individual to the good of the state, the state establishes aims that particular individuals specializing in such types of tasks are meant to carry out (ruling the state, defence, production), and each citizen

must be brought to that which naturally suits him –one man, one job – so that each man, practicing his own, which is one, will not become many but one; and thus, you see, the whole city will naturally grow to be one and not many<sup>13</sup>.

Was Plato really blind to dignity as a reason for a non-instrumental treatment of an individual? The purpose of this study is to examine the works of Plato from the point of view of the concept of dignity as it functions today, looking for elements of the modern concept of dignity in his philosophy. As it turns out, a number of such elements can indeed be found. Moreover, focusing on the issue of dignity fundamentally alters our reading of Plato's doctrine of justice, studies of which are usually based on analyses of his *Republic* and ones that generally emphasize the total subordination of the individual to the state.

Analysing the works of Plato in terms of its approach to the universality of dignity does not require that we search for concepts and related constructions that are identical to those used today, nor do we need to look for Greek terms that closely correspond to these concepts (one candidate would be the word 'ἀξία'). Neither would the universality of dignity and human rights be undermined by an acknowledgement that the specific usage of such terms and concepts is relative to a particular culture or time, as well as to the broader the-

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<sup>12</sup> Plato, *Republic*, 519e–520a, in: *Plato in Twelve Volumes*, vols. 5–6, trans. Paul Shorey (Cambridge, Mass.: Harvard UP–London: William Heinemann, 1969); the analyses presented in this paper are based on the text in Greek; English translations were selected on the basis of their accuracy in a given context and thus, fragments of the same dialogue are at times rendered in different translations.

<sup>13</sup> Idem, *Republic*, 423d, trans. Paul Shorey.

oretical contexts in which it occurs. It is sufficient to consider that the terms, concepts and theories we use at a given time and place are intellectual tools for recognizing and familiarizing something that exists in reality. In the work of Plato, we must therefore seek the constitutive elements of what comprises the concept of dignity today, taking into account the specific functions these elements fulfil in relation to this concept; e.g., in how they define the relationship between the individual and the state. Such elements can be considered an anticipation of the modern-day concept of dignity. If we recognize that concepts are culturally specific tools for understanding reality, it is reasonable to focus our analysis on dignity rather than on human rights. Since dignity is the source of human rights, the recognition of dignity is more fundamental than the recognition of human rights per se. As a result, it can be assumed that it will be easier to find anticipations of the concept of dignity than anticipations of the modern concept of human rights. A crucial question is therefore whether reflections on what today is expressed by means of the concept of dignity in relation to human rights law can be found in the works of Plato.

Plato was a systemic thinker, and in order to understand Plato's doctrine of the state, one needs to consider the broader systemic context. An attempt to understand Plato's doctrines of justice and the relationship of the individual to the state should not begin – as most such attempts do – with an analysis of works dealing directly with the state or the law. A better starting point, and one that will be used in the current analysis, is an early part of the speech of the Demiurge to the gods in *Timaeus*, one of Plato's later dialogues. This text is analysed here to identify Plato's viewpoint on the question of what quality positively and radically distinguishes certain creatures from other beings, and simultaneously provides a reason for treating these creatures in a radically different way than other beings that do not possess this quality. An analysis of *Timaeus* therefore indicates that Plato recognizes important aspects of the autotelic nature of certain creatures, not only of goods but also of human beings. This is reflected not only in his recognition of human beings as the essential purpose (aim) of the natural world, but also in his clearly expressed recognition that the purpose of the law and the state is the benefit of the individual; moreover, one of the principal objectives of law in this context is to lead to the equality of all members of a community. This study therefore includes a commentary on Plato's conception of justice, which, on the one hand, represents an extension of arguments in favour of an ancient anticipation of the concept of dignity and, on the other, one that indicates a line of argumentation for challenging the common perception of Plato as an ideologue of totalitarianism.

Plato's work can be seen to contain essential components of the modern concept of dignity, ones recognizing the unique proprieties of dignity. Plato also discusses what dignity is, an issue that even today – despite the widespread recognition of many of dignity's features – is hard to reach consensus on. This particular issue, it may be argued, is important for establishing a line of continuity in our thinking about dignity and human rights in today's culture. Thus, unless we have an answer to the question of what is dignity, we are powerless against the charge that the modern legal concept of dignity is an empty concept. Plato looks for dignity in the existential aspect of beings, in the particulars of their way of existence and not in the qualities they are endowed with. This allows dignity to be recognised therefore as the inherent source of all human rights, regardless of specific changeable characteristics of each human being.

## I. The Demiurge's speech in the dialogue *Timaeus*

### 1. Formal aspects of the text

The key text – split into smaller fragments to make it easier to analyse – is as follows:

when all gods had come to be, both the ones who make their rounds conspicuously and the ones who present themselves only to the extent that they are willing, the begetter of this universe spoke to them. This is what he said:

“O gods, works divine whose maker and father I am,  
whatever has come to be by my hands cannot be undone but by my consent.

Now while it is true that anything that is bound is liable to being undone, still, only one who is evil would consent to the undoing of what has been well fitted together and is in fine condition.

This is the reason why you, as creatures that have come to be, are neither completely immortal nor exempt from being undone.

Still, you will not be undone nor will death be your portion,  
since you have receive the guarantee of my will – a greater, more sovereign bond than those with which you were bound when you came to be”<sup>14</sup>.

<sup>14</sup> Idem, *Timaeus*, 41a-b, trans. D.J. Zeyl, in *Plato Complete Works*, ed. J.M. Cooper (Indianapolis–Cambridge: Hackett, 1997), pp. 1224–1291. See: M. Piechowiak, *Przemowa Demiurga w Platońskim „Timajosie” a współczesne pojęcie godności* [*The Demiurge's speech in Plato's "Timaeus" and the Contemporary Concept of Dignity*], [in:] *Abiit, non obiit*.

An analysis of the above passage needs to be prefaced with some introductory comments concerning the place of the analysed text among the works of Plato. First, it should be noted that the dialogue *Timaeus* is one of Plato's later works and is considered one of his most important and mature works. Secondly, certain formal aspects of the speech of the Demiurge need to be specifically addressed. In reading Plato, we have to consider the formal choices made by the author, such as who expresses particular views. In the above fragment, we have to take into account the fact that Plato puts these words into the mouth of the creator of the world, who is certainly considered to be a being of special excellence (the problem of how he is related to the idea of good can be left aside here). He is speaking to the gods, whom he has created, and it is relevant that the addressees of his speech are conspicuous by their excellence – in intellect, as well – because this means it is possible to speak to them about difficult subjects in a straightforward manner. These are clear signs on the formal level that the statements made by the Demiurge are considered by Plato to be particularly weighty. Of course, Plato's story about the Demiurge's speech is itself formulated as a myth; however, the issue of the functions performed in Plato's works by the myths he relates is a separate issue, a wider discussion of which is not possible here, nor – it would seem – necessary. Plato himself provides a succinct statement about this issue in the dialogue *Gorgias*, where Socrates comments on the telling of a myth, saying to the sophist Callicles:

Possibly, however, you regard this as an old wife's tale, and despise it; and there would be no wonder in our despising it if with all our searching we could somewhere find anything better and truer than this<sup>15</sup>.

The analysed fragment of the Demiurge's speech is not addressed to humans, but to more perfect beings – gods who are to help the Demiurge in forming the world, including the formation of human beings endowed with a mortal body. The analysis here will focus on a general question that concerns more than just humanity: what, according to Plato, determines the specific, qualitatively superior position of certain beings, which carries with it consequences of a normative nature requiring special, privileged treatment for these beings. Moreover, one can posit it is also important to identify in what way this treatment is special.

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*Księga poświęcona pamięci Księdza Profesora Antoniego Kościa SVD*, eds A. Dębiński a. o. (Lublin, Wydawnictwo KUL, 2013), pp. 655–665.

<sup>15</sup> Plato, *Gorgias*, 527a, [in:] *Plato in Twelve Volumes*, vol. 3, trans. W.R.M. Lamb (Cambridge, Mass.: Harvard UP–London: William Heinemann, 1967).



## 2. Complexity and immortality

To reconstruct the reasoning used in the analysed portion of the Demiurge's speech, one needs to start with the statement that all things which are comprised of elements ("bound") can be broken down ("is liable to being undone"), and thus in themselves are not immortal. If considered from a systemic perspective, this leads to the conclusion that in Plato's philosophy all things are complex, except for the idea of good, which may be equalised with the idea of unity. All things that are created or born are complex – even the gods are not "exempt from being undone"<sup>16</sup> and therefore, are not indestructible or immortal.

The statements analysed here – it would seem – are generally underappreciated. On their basis it seems that Plato's arguments for the immortality of the soul as discussed in the literature (including textbooks), most of which are contained in the dialogue *Phaedo*<sup>17</sup>, are deemed inconclusive by Plato himself – they may offer comfort to those facing death and provide guidance to those in search of answers, but they are not proofs in the full sense of the word. The human soul is a created thing, it is "born", it is complex, so in itself, it is neither indestructible nor immortal. In terms of their complexity and the consequent lack of indissolubility that is vested in the very nature (internal structure) of being, all beings are alike – gods, people and the world of things.

## 3. Dignity as existential perfection

One may ask what is special about the addressees of the speech. In terms of their genesis, what is special is that they were created (formed) directly by the Demiurge. Do these beings, however, possess in themselves something that would provide a reason for referring to them or treating them in a special, privileged way? Plato explains that what is created directly by the Demiurge, is "well fitted together and is in fine condition" – *καλῶς ἀρμοσθὲν καὶ ἔχον εὖ*. Instead of "well fitted together", a more apt translation would be a word-for-

<sup>16</sup> Plato, *Timaeus*, 41b.

<sup>17</sup> On its similarities to what is eternal and unchanging, based on internal unity; on the rule of the soul over the body; on the kinship to what is divine and the opposition to what is mortal – *Phaedo*, 78b-80b; on the analysis of the nature of the soul as the principle of life – *Phaedo*, 105c, *Phaedrus*, 245c; on inborn knowledge and anamnesis – *Phaedo*, 95c-d; on the claim that the soul cannot be destroyed by an evil proper to it (injustice) – *Republic*, 609a-611b.

word translation of καλῶς ἄρμωσθῆν – “beautifully harmonized”<sup>18</sup>. Why this particular phrase? Is the harmonizing of the parts directly related to being “in fine condition” (ἔχον εὖ) a fundamental matter? Is this more than just an issue of the aesthetic values that ought to be respected and protected?

To understand the essence of the matter, we have to look at the context of the overall system. In the dialogue *Republic*, the idea of good is the highest idea, something qualitatively more perfect than anything else: “the good itself is not essence but still transcends essence in dignity and surpassing power”<sup>19</sup>. The symbol of good itself is the Sun – “The sun, I presume you will say, not only furnishes to visibles the power of visibility but it also provides for their generation and growth and nurture though it is not itself generation”<sup>20</sup>. Plato thus considers the idea of the good to be the source of existence: “the objects of knowledge not only receive from the presence of the good their being known, but their very existence and essence [καὶ τὸ εἶναί τε καὶ τὴν οὐσίαν] is derived to them from it”<sup>21</sup>. With the aid of Plato’s so-called unwritten teachings, it is possible to reasonably identify good with unity<sup>22</sup>. Good is total unity, and in granting unity, we grant being, thereby granting existence and life. Granting existence means granting unity, according to the basic intuition that unity is the basis of existence, because what has no unity does not exist, it breaks down and ceases to exist<sup>23</sup>. “Beautiful harmonization” and “in fine condition” are the basis of unity, and thus of perfection in the order of existence – the more something is internally united (more harmonized), the more it exists.

Thus, if dignity becomes associated with unity based on internal harmony (“beautiful harmonizing”), then dignity proves to be a special property belonging to the order of existence. Attributing dignity to a thing first and foremost

<sup>18</sup> W.R.M. Lamb translates this as “fairly joined together”; taking into account the importance of beauty and harmony in Plato’s philosophy, a word-for-word translation seems the most accurate.

<sup>19</sup> Plato, *Republic*, 509b, trans. Paul Shorey.

<sup>20</sup> Ibidem.

<sup>21</sup> Ibidem.

<sup>22</sup> E.g., the testimony of Aristoxenus (Aristoxenus, *Elementa Harmonica*, II, 39,8–40,4); Aristotle (*Nicomachean Ethics*, 1095a-b; *Metaphysics*, 987b-988a, 1091b; *Eudemian Ethics*, 1218a); see: A. Incampo, *Sul fondamento della validità deontica. Identità non-contraddizione* (Bari: Giuseppe Laterza Editore, 1996), pp. 91–139; on the unwritten teaching of Plato see e.g. K. GAISER, *Platons ungeschriebene Lehre* (Stuttgart: Klett-Cotta, 1998); T. Szlezák, *Reading Plato*, trans. G. Zanker (London: Routledge, 1999).

<sup>23</sup> See: A. Incampo, *Sul fondamento della validità deontica. Identità non-contraddizione*, pp. 91–139, esp. 93, 110.

expresses something about how that thing exists, and not about what it is like. Existence and the manner of existence encompass all things that exist in a certain way and thus encompass all the traits of a given individual. If dignity thus understood is ascribed to human beings, then the special quality related to dignity is acquired by everything that is within a human being, both what is biological and what is psychological or spiritual. Such an approach shapes an ontological framework, which allows for an explanation of why human rights protect not only what is specific to human beings, such as being free and rational, but also potentially all aspects of a human being.

#### 4. Prohibition on instrumental treatment

A particular form of internal perfection based on internal unity and the manner of existence that accompany it are the reason for the special treatment of those who possess it, as Plato writes: “only one who is evil would consent to the undoing of what has been well fitted together and is in fine condition”<sup>24</sup>. The Demiurge himself is good, or even – if he is identified with the Platonic idea of good – good itself<sup>25</sup>. For this reason, it is impossible for him to ever want to destroy the possessor of dignity. Moreover, the Demiurge emphasizes that the addressees of his speech will never be destroyed. Thus, the reason for special treatment is always present – in the language of today, it is innate or inherent. Further, this reason can be described as a particular unity of being, a particularly perfect way of existence, a beautiful internal harmony or – simply – as dignity. One can also argue that since dignity is understood as existential perfection, this perfection is radically inherent (inseparable), and is independent of any particular quality or qualities and the manner in which an individual acts. Therefore it is impossible to lose dignity without losing one’s very existence.

It should be emphasized in this context that the prohibition on destroying a possessor of dignity is absolute in the sense that it was formulated with

<sup>24</sup> Plato, *Timaeus*, 41b, trans. D.J. Zeyl.

<sup>25</sup> For a different view, see: G. Reale, *History of Ancient Philosophy*, vol. 2: Plato and Aristotle, trans. J.R. Catan (Albany: State University of New York State, 1990), p. 114: “the Platonic God is ‘he who is good’ in the personal sense, whereas ‘the Idea of the Good’ is the Good in the impersonal sense”. G. Reale (op.cit., pp. 113–114) refers to the statements from *Timaeus*, that the Demiurge is “the best of intelligible beings” and “the best of causes” (*Timaeus*, 37a; 29a). In the light of the problem of dignity and immortality warranted by the will of Demiurge, this is not convincing – to be a source of immortality which is based on unity, the Demiurge himself has to be a source of unity and as such has to be unity as the idea of good.

a view to achieving goals that go beyond the good of the possessors of dignity themselves, such as the good of the state or the cosmos as a whole. The possessors of dignity are an end in themselves, although this does not exclude the possibility that such entities are essential for the whole of the universe to be perfect and that, in this sense, they benefit the whole<sup>26</sup>.

The statement that destroying a possessor of dignity (of unity based on a beautiful internal harmony) would be the act of one who is evil is true not only for the Demiurge, but is universal – no being, in so far as it is good, would want to threaten the existence of a possessor of dignity. From a systemic point of view, according to Plato, being good is the duty of all that exists – striving for existence is striving for an internal unity which is equal with goodness). A general prohibition can therefore be formulated against the destruction of beings endowed with dignity. In other words, whenever such an entity is the addressee of such an action, one has to bear in mind that – regardless of their individual characteristics, as the result of dignity itself (internal structure) – it has a right to its own existence, which should always be respected in these actions. This idea is in line with the personalistic norm as formulated today, regarded as a simple consequence of dignity. As Immanuel Kant writes,

man and generally any rational being exists as an end in himself, not merely as a means to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end<sup>27</sup>;

and in consequence –

So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as means only<sup>28</sup>.

## 5. Human beings and the gods

The Demiurge's speech is addressed to the gods. How far do the findings about their excellence apply also to human beings? In the dialogue *Timaeus*, Plato writes that in creating the universe, the Demiurge himself creates a particle that the gods will use to create a human being. This particle is immortal because it

<sup>26</sup> See: Plato, *Timaeus*, 41b-c; Plato, *Laws*, 903b-e.

<sup>27</sup> I. Kant, *Fundamental Principles of the Metaphysic of Morals*, pp. 64–65 (428), trans. T.K. Abbott (New York: Cosimo, 2008).

<sup>28</sup> I. Kant, *Fundamental Principles...*, 66 f. (429).

is created directly by the Demiurge and so possesses the same excellence that is the very reason for gods being immortal. Plato's Demiurge says to the gods:

And to the extent that it is fitting for them to possess something that shares our name of 'immortal', something described as divine and ruling within those of them who always consent to follow after justice and after you, I shall begin by sowing that seed, and then hand it over to you. The rest of the task is yours. Weave what is mortal to what is immortal, fashion and beget living things. Give them food, cause them to grow, and when they perish, receive them back again<sup>29</sup>.

Later in the dialogue, Plato writes,

Now we ought to think of the most sovereign part of our soul as god's gift to us, given to be our guiding spirit. This, of course, is the type of soul that, as we maintain, resides in the top part of our bodies. It raises us up away from the earth and toward what is akin to us in heaven, as though we are plants grown not from the earth but from heaven. In saying this, we speak absolutely correctly<sup>30</sup>.

There is no space here alas, to address further Plato's concepts of the individual or the soul<sup>31</sup>. What is clear is that this particular element in us, created directly by the Demiurge, gives character to the whole person – "raises us up away from the earth"<sup>32</sup>.

Plato thus sees a qualitative difference between human beings and other entities in the natural world, with the essence of this difference lying in the fact that other living things (plants<sup>33</sup>) were created by the gods for human beings, who comprise their aim. At the end of the story about the creation of human beings, Plato writes in *Timaeus*:

Of necessity, however, it came about that he lived his life surrounded by fire and air, which caused him to waste away and be depleted, and so to

<sup>29</sup> Plato, *Timaeus*, 41c-d, trans. D.J. Zeyl.

<sup>30</sup> Idem, *Timaeus*, 90a, trans. D.J. Zeyl.

<sup>31</sup> See: L.P. Gerson, *Knowing Persons: A Study in Plato* (Oxford: Oxford UP, 2006).

<sup>32</sup> The argument in favour of the immortality of the soul based on the will of the Demiurge and Plato's own questioning of the conclusiveness of the arguments formulated in *Phaedo* are overlooked by Gerson in his monograph *Knowing Persons*; nor are these problems mentioned in the chapter devoted to *Phaedo* (pp. 50–98), or in his analyses of *Timaeus* (pp. 239–250).

<sup>33</sup> In his story, Plato speaks only of the creation of plants by the gods – animals are generated of people; see: Plato, *Timaeus*, 90d-92c.

perish. The gods, therefore, devised something to protect him. They made another mixture and caused another nature to grow, one congenial to our human nature though endowed with other features and other sensations, so as to be a different living thing. These are now cultivated trees, plants and seeds, taught by the art of agriculture to be domesticated for our use. (...) All these varieties were planted by our masters, to whom we are subject, to nourish us<sup>34</sup>.

In relation to the universe, human beings are therefore seen to be an essential element for the perfection of the whole and, in this sense, are for the good of the whole<sup>35</sup>. However, as in the case of the gods, acceptance of the thesis that the purpose of the creation of human beings is the perfection of the whole does not preclude the thesis that their existence is an aim in itself, a result of their particular perfection. It should also be noted that the relationship of humans to the whole of the universe is essentially a different question from that of their relationship to the law and the state.

## II. The individual in relation to the law and state

In light of the above analysis, one may opine it is easy to support an interpretation of Plato's texts on the state and law in which both are ultimately subordinated to the good of the individual, rather than the individual to the good of the state. The following statement from *Laws* should be considered a key statement by Plato for defining the relationship between human beings and the state:

Now the fundamental purpose of our laws was this, – that the citizens should be as happy as possible, and in the highest degree united in mutual friendship<sup>36</sup>.

The first aim of the law is the happiness of the citizens, the second – alongside it – is friendship; the latter element is related to the issue of equality and will be discussed in a later section. Like the law, the state plays a fully subordinate role to the development of the individual:

<sup>34</sup> Plato, *Timaeus*, 77a, 77c, trans. D.J. Zeyl.

<sup>35</sup> Idem, *Timaeus*, 41b-c: "There remain still three kinds of mortal beings that have not yet been begotten; and as long as they have not come to be, the universe will be incomplete, for it will still lack within it all the kinds of living things it must have if it is to be sufficiently complete", trans. D.J. Zeyl; see: Plato, *Laws*, 903b-e.

<sup>36</sup> Idem, *Laws*, 743c, [in:] *Plato in Twelve Volumes*, vols. 10 & 11, trans. R.G. Bury (Cambridge, Mass.: Harvard UP–London: William Heinemann Ltd., 1967 & 1968).

whatsoever be the way in which a member of our community – be he of the male or female sex, young or old, – may become a good citizen, possessed of the excellence of soul which belongs to man, whether derived from some pursuit or disposition, or from some form of diet, or from desire or opinion or mental study, to the attainment of this end all his efforts throughout the whole of his life shall be directed; and not a single person shall show himself preferring any object which impedes this aim; in fine, even as regards the State, he must allow it to be revolutionized [ἀνάστατον], if it seems necessary, rather than voluntarily submit to the yoke of slavery under the rule of the worse, or else he must himself quit the State as an exile: all such sufferings men must endure rather than change to a polity which naturally makes men worse<sup>37</sup>.

The weight of the words in this quote is all the greater given the fact that these are the words of a Greek for whom the state remained an important element in defining their identity as an individual. It is difficult to find a clearer expression of the view that the state is in service to individuals – their development, and not the state's existence, is clearly the highest value in society – there are situations where it is even better for one's own state to be destroyed<sup>38</sup> and for a citizen to be forced into exile.

One might at this point note that the passages cited from *Laws* and *Timaeus* are among Plato's late works, in which he changed his views presented in the dialogue *Republic* on the objectives of the state and the law, as well as the

<sup>37</sup> Idem, *Laws*, 770 c-e, trans. R.G. Bury.

<sup>38</sup> The original text translated above “allow it to be revolutionized” is considered to be incomplete (see: *The Laws by Plato*, edited with introduction, notes etc. by E.B. England, Vol. 1: Books I–VI (London: Longmans, Green & Co., 1921, pp. 601–602). The term ἀνάστατον might be better translated as “desolated”. The essence of the passage is that the state ceases to exist – as in the aftermath of a revolution. This is in accordance with the statement that in some situations, the proper solution is to be exiled, to leave the state – for exiles, the state actually does cease to exist for them as their state. The examples Plato gives are also correct from the point of view of acknowledging happiness and friendship as the aims of law. It is difficult to be fully acknowledge as correct the classic Renaissance translation proposed by Marsilio Ficino: “Pro patria praeterea, si necesse sit, mori paratus sit antequam velit aut eversam videre civitatem iugoque servitutis subiectam a peioribus gubernari, aut fuga ipsam deserere” (in: *The Laws by Plato*, E.B. England, Vol. 1, 602), which George Burges translates as “he will at length even die for a state, rather than be willing to support the yoke of slavery, should there appear a necessity for it to be overthrown, and to be under the rule of worse men, or to quit it a not-state by flight”, *The Works of Plato: A New and Literal Version*, by G. Burges (London: Henry G. Bohn, 1852), Vol. V, 222; in the original text there is no reference to dying for one's homeland.

relationship between the individual and the state. However, bearing Plato's doctrine of dignity in mind, the traditional interpretation of the *Republic* as a dialogue expressing the idea of the total subordination of an individual to the state can be easily revised. According to Plato's intentions, this dialogue is meant primarily to be about justice of the individual, not about the state – the “ideal” state is constructed as a model of the individual's soul, and is meant to help the reader understand justice as the highest perfection of the individual<sup>39</sup>. This issue certainly deserves more detailed study, but the present discussion must be confined to an indication of some general lines of interpretation. First, the closing statement of Plato's thought experiment involving the construction of a model state needs to be treated seriously:

And this, Glaucon, turns out to be after all a kind of phantom of justice – that's also why it's helpful – the fact that the shoemaker by nature rightly practices shoemaking and does nothing else, and the carpenter practices carpentry, and so on for the rest<sup>40</sup>.

Plato here explicitly distances himself from an idea that had been central to his description of the model of the state – the performance by each individual of only one single action is merely a phantom [εἶδωλον] of justice.

Plato's Socrates continues:

But in truth justice was, as it seems, something of this sort; however, not with respect to a man's minding his external business, but with respect to what is within, with respect to what truly concerns him and his own. He doesn't let each part in him mind other people's business or the three classes in the soul meddle with each other, but really sets his own house in good order and rules himself; he arranges himself, becomes his own friend, and harmonizes the three parts, exactly like three notes in a harmonic scale, lowest, highest and middle. And if there are some other parts in between, he binds them together and becomes entirely one from many, moderate and harmonized. Then, and only then, he acts, if he does act in some way—either concerning the acquisition of money, or the care of the body, or something political, or concerning private contracts<sup>41</sup>.

It should be emphasized that the cited passage begins with Socrates' words “but in truth”; Glaucon, his partner in the dialogue, responds by saying: “Socrates,

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<sup>39</sup> Plato, *Republic*, 368b-369a.

<sup>40</sup> Idem, *Republic*, 443c, trans. A. Bloom.

<sup>41</sup> Idem, *Republic*, 443c-e, trans. A. Bloom.



(...) what you say is entirely true"<sup>42</sup>. Distancing himself here from viewing justice in the performance of just one type of activity, Plato describes a righteous individual as one who "act[s] in some [443e] way – either concerning the acquisition of money, or the care of the body, or something political, or concerning private contracts"<sup>43</sup>.

The manner in which Plato described the objectives of the real state before he began his construction of an "ideal" state as a thought experiment also needs to be seriously considered:

a city, as I believe, comes into being because each of us isn't self-sufficient but is in need of much. (...) when one man takes on another, for one need and another for another need, and, since many things are needed, many men gather in one settlement as partners and helpers, to this common settlement we give the name city<sup>44</sup>.

Importantly, it can be seen that nowhere in the dialogue does Plato consider modifying this objective of the state.

The subordination by Plato of the state to the good of the individual can also be inferred from *Gorgias*, for instance, when Plato characterises politics not as an art that refers to the state, but as an art that "has to do with the soul"<sup>45</sup>, and consists of two components – legislation, which serves healthy souls, and penal justice (Plato calls it simply "justice"), which serves ill souls. In comparing legislation and penal justice with gymnastics and medicine, he states that these four elements "always bestow their care for the best advantage respectively of the body and the soul"<sup>46</sup>. In the same dialogue, the subservient role of the law and the state to the individual is clearly visible in Plato's doctrine of criminal justice. The purpose of punishment is not primarily the restoration of an abstract order of values or order in the state, but the good of the offender, for whose soul punishment is a kind of cure<sup>47</sup>.

<sup>42</sup> Idem, *Republic*, 444a, trans. A. Bloom.

<sup>43</sup> Idem, *Republic*, 443d-e, trans. A. Bloom.

<sup>44</sup> Idem, *Republic*, 369a-c, trans. A. Bloom.

<sup>45</sup> Idem, *Gorgias*, 464b, trans. W.R.M. Lamb.

<sup>46</sup> Idem, *Gorgias*, 464c, trans. W.R.M. Lamb.

<sup>47</sup> Idem, *Gorgias*, 478d-e, 480a, trans. W.R.M. Lamb; see: M. Piechowiak, *Plato's Conception of Punitive Justice*, [in:] *Universality of Punishment*, eds. A. Incampo and W. Żelaniec (Bari: Cacucci, 2015), pp. 73–96; M.M. MacKenzie, *Plato on Punishment* (Berkeley–Los Angeles–London, University of California Press, 1981).

In terms of the lines of interpretation relating to the issue of dignity, attention needs to be paid to the fact that Plato does not attribute this particular excellence to the state. Neither the state as a whole nor any of its elements were directly created by the Demiurge. Thus, it cannot be regarded as an end in itself. In Plato's eyes, the state does not warrant having a place assigned to it in his descriptions of the universe (when he considers the elements which are important for its perfection), not to mention assigning it a special place<sup>48</sup>.

### III. Equality

From the point of view of the special internal structure underlying the particularly perfect manner of existence of souls created directly by the Demiurge, and from the point of view of the basic responsibilities toward such beings (to wish them the permanent existence), there can be seen to be a fundamental equality. There is either such a particularly perfect manner of existence (an internal harmony) or there is not; there is no place for more or less. The fact that a human being always remains for Plato a special entity, whose individual good must be born in mind, is clearly visible in the Platonic doctrine of the law, the aim of which is not only the happiness of citizens, but also friendship<sup>49</sup>. Friendship is possible between equals, as noted in a saying Plato cites – “equality produces amity”<sup>50</sup>; it is equality in terms of moral perfection that represents the perfection of humanity, which in the language of today – can be seen in terms of its integral personal development.

Further, the lack of equality is a fact:

slaves and masters will never make friends, nor will worthless and worthy to whom equal honour is awarded for equal treatment results in inequality when it is given to what is unequal unless given in a due measure and both those two false relationships are the fruitful sources of civic discord<sup>51</sup>.

Recognising happiness and friendship as the aims of the law is also a recognition of the attainment of equality as a goal, which is a necessary condition of friendship. In view of the Platonic doctrine of the transmigration of the soul, the achievement of this goal can be considered from the perspective of both

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<sup>48</sup> Plato, *Timaeus*, 41b-c; see: Plato, *Laws*, 903b-e.

<sup>49</sup> Idem, *Laws*, 743c.

<sup>50</sup> Ibidem, 757a.

<sup>51</sup> Ibidem, trans. E.B. England.

multiple generations and successive incarnations of the soul<sup>52</sup>. However, we need to recognize that even in today's state of inequality, we have to consider how each individual is limited in his or her potential level of development. This is clearly evident when Plato writes about the treatment of slaves and those who are underprivileged:

Proper treatment of servants consists in using no violence towards them, and in hurting them even less, if possible, than our own equals. For it is his way of dealing with men whom it is easy for him to wrong that shows most clearly whether a man is genuine or hypocritical in his reverence for justice and hatred of injustice. He, therefore, that in dealing with slaves proves himself, in his character and action, [777e] undefiled by what is unholy or unjust will best be able to sow a crop of goodness, – and this we may say, and justly say, of every master, or king, and of everyone who possesses any kind of absolute power over a person weaker than himself<sup>53</sup>.

### Conclusion

The above analyses, it may be seen, support the assumption made in the modern-day reflexion on human rights, proposing that dignity is something inherent to each human being. Plato has, surprisingly, a lot to say on this subject. It is difficult not to see a clear convergence between the contemporary legal concept of dignity, which is recognised as the source of human rights and Plato's reflection on perfection, which reflects qualitative differences between certain beings and the world of things. Plato offers here an answer to the question "what is dignity?" According to him it is existential perfection, grounded in a particular perfect manner of being, based on a special internal unity of being. Since existential perfection encompasses a given individual as a whole, including all of their features, it provides a suitable basis for formulating proposals about respecting all the elements required for the overall development of the possessor of dignity, which is inseparable from existence, for without dignity, the individual cannot exist. Consequently because dignity is primary to particular individual characteristics, it does not depend on their acquisition or loss, which provides a foundation for an equal – independent of any special

<sup>52</sup> Cf. e.g. Plato, *Laws*, 904e: "as thou becomest worse, thou goest to the company of the worse souls, and as thou becomest better, to the better souls; and that, alike in life and in every shape of death, thou both doest and sufferest what it is befitting that like should do towards like", trans. R.G. Bury.

<sup>53</sup> Plato, *Laws*, 777 d-e, trans. R.G. Bury.

features – concern for the existence of all entities possessing dignity. Plato's approach thus allows for the formulation of principles requiring us to treat each person as an end in themselves and to prohibit the treatment of persons in a purely instrumental manner. If dignity is situated in an existential aspect of being, the problem of personal development becomes a problem of "to be" and not "to have", and it cannot be adequately approached with economic categories.

Plato's reflection on dignity (on known as dignity in our day and age) provides a new approach to the interpretation of his teaching on justice and the state. It can be argued therefore that if an individual exists as an end in themselves then, of course, the state exists for the individual, and not the individual for the state. Such an approach allows for a new reading of the dialogues *Republic* and *Gorgias*, which appear to express the view of the ancillary role of the state in relation to an individual. The main aim of the law and the state, it can therefore be argued, is the happiness of the members of the political community and their personal development. Recognising that friendship is the second principal aim of laws, Plato puts equality of all members of the political community on the agenda.

### Summary

An important argument in favour of recognising the cultural relativism and against universality of dignity and human rights, is the claim that the concept of dignity is a genuinely modern one. An analysis of a passage from the Demiurge's speech in *Timaeus* reveals that Plato devoted time to reflecting on the question of what determines the qualitative difference between certain beings (gods and human being) and the world of things, and what forms the basis for the special treatment of these beings – issues that using the language of today can be described reasonably as dignity. The attributes of this form of dignity seem to overlap with the nature of dignity as we know it today. Moreover, Plato proposes a response both to the question of what dignity is like, as well as the question of what dignity is. It is existential perfection, rooted in a perfect manner of existence, based on a specific internal unity of being. Dignity is therefore primordial in regard to particular features and independent of their acquisition or loss. Plato's approach allows him to postulate that people be treated as ends in themselves; an approach therefore that prohibits the treatment of people as objects. Both the state and law are ultimately subordinated to the good of the individual, rather than the individual to the good of the state.

**Keywords:** Plato, immortality, dignity, human rights, universality of dignity, universality of human rights, equality, totalitarianism

### Streszczenie

Istotny argument na rzecz relatywizmu kulturowego i przeciwko powszechności godności i wynikających z niej praw człowieka, oparty jest na poglądzie, że godność uznana została dopiero w czasach nowożytnych. Analiza fragmentu mowy Demiurga z Platońskiego dialogu *Timajos* ujawnia, że Platon rozwinął refleksję nad czymś, co stanowi o jakościowej różnicy między pewnymi istotami (bogami i ludźmi) a światem rzeczy, i co jest podstawą szczególnego traktowania tych istot, a co językiem współczesnym zasadnie można określić jako godność. Zbieżna jest charakterystyka tej godności z charakterystyką przyjmowaną współcześnie. Co więcej, Platon daje propozycję odpowiedzi nie tylko na pytanie, jaka jest godność, ale także na pytanie, czym jest godność. Jest ona doskonałością egzystencjalną, ugruntowanym w szczególnie doskonałym sposobie istnienia, opartym na szczególnej wewnętrznej jedności bytu. Jako doskonałość istnienia ogarnia ona cały byt, wszystkie jego cechy; jest nieoddzielalna od bytu (jest przyrodzona i niezbywalna). Jako pierwotna wobec partykularnych cech, jest niezależna od ich nabywania lub utraty. Platońskie ujęcie pozwala w oparciu o ujęcie godności formułować postulaty zbieżne z formułowanymi dziś dyrektywami nakazującymi traktować osoby jako cele same w sobie i zakazującymi traktowania osób w sposób czysto instrumentalny, przedmiotowy. Okazuje się, że – zdaniem Platona – jednostki nie wolno traktować czysto instrumentalnie dla dobra państwa; zarówno państwo, jak i prawo są podporządkowane dobru jednostki.

**Słowa kluczowe:** Platon, nieśmiertelność, godność, prawa człowieka, powszechność godności, powszechność praw człowieka, równość, totalitaryzm

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