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Is Barbarism the Specific Essence of the Human Kind?

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Abstract: *The main scope of the paper is to analyse the concept of barbarism as a key feature of humankind regardless of historical evolution. The approach we propose is a theoretical philosophical analytical one. We will start by discussing barbarism as the specific essence of mankind since ancient times and then move to the deconstruction of the concept under the pressure of human rights in the context of human bio-enhancement. The discussions focus on the fact that freedom becomes a sum of freedoms in the context of law, but while the law comes defends individual and the collective freedoms, it must also be interpreted in the context of the Kantian categorical imperative. However, freedoms viewed through the lens of the natural law and the social contracts presuppose two completely different paradigms. The conclusions are that, if for the current human individual, the meaning of freedom is given by civil and political rights, because of the bio-enhancement technology, the human species could talk about a greater freedom of action or, on the contrary, about a form of large-scale social control.*

Keywords: *barbarism; transhumanism; philosophy; bio-enhancement.*

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Introduction

The concept of bioenhancement has recently entered the specialized language and relates to the techniques that help humans to increase their capabilities (Nistor, 2017). The technique and the technology have evolved and developed, so that nowadays an individual can "create" other individuals with certain physical and moral characteristics.

Talking about life, about man and about the theological and philosophical significance of this concept means analyzing the human being from several perspectives: the philosophical, medical and psychological perspectives (Sandu & Terec-Vlad, 2016). The human life and the meaning of life can be interpreted from several viewpoints, especially when talking about the artificial intelligence, the medically assisted human reproduction, the embryo, the foetus, the rights and obligations (Apostu, 2016; Huidu, 2019). In this context, can one state that the human being is a perfectible individual? According to some, the answer is positive, from a theological perspective, as well as from a philosophical, anthropological, medical and biological perspective. The perfection/perfectibility relates not only to the human bio-enhancement, but also to how we understand living our lives on earth. From a Christian perspective, the Holy Fathers consider that through fasting man can defeat the physical passions as well as those of the soul, so he could be perfectible and reach a state similar to the one lost because of the ancestral sin. Also, man has always tried to resemble the divinity and the proof of this is the Jewish writings about the anthropomorphic creature called the Golem, about various political leaders who tried to build empires or rule over them for 1000 years, such as the Nazi leader Hitler, but also about new discoveries in medicine and technology.

In this time and age, the human being is increasingly trying to postpone his death time, with current technologies implying the mind transfer which, it is assumed, will be possible to be achieved in the next half century. The ideas that will be presented in this work bring to the fore the human barbarism and the way in which man tries by all means to acquire the eternal life, this under the circumstances of the use and abuse of power and technology.

The barbarism – the specific essence of the human kind since ancient times

God created man in his image and likeness, and He also gave him life. In the pure state and before eating from the forbidden fruit, the first people were like angels, created in the likeness of God, devoid of passions

such as: pride, cunning, deceit, fornication, murder, and so on. But, once expelled from Paradise, people fell both physically and morally, the first crime in the history of humanity being that of Cain who, having been overcome by *envy*, killed his brother, Abel. We start from the idea that once expelled from paradise, the first people were given *free will*, that is, the power to decide on what is good or bad, but also how they decide to act according to how their conscience dictates (the morality).

Man's downfalls and lack of morality are obvious throughout the Old Testament as well as in the New Testament: in the Old Testament: Sodom and Gomorrah; in the New Testament: The trial and killing of Jesus. We have highlighted these two examples that we will analyse from the perspective of the barbarian man, of the way in which the moral decay of man leads to his death, but also in the way in which Jesus Christ was judged – here we will bring to the fore the judicial errors in that process.

Sodom and Gomorrah depict us a society where the debauchery and the moral and physical decay of man was the starting point for which God destroyed that city. This shows the moral decay of man who indulged in worldly pleasures, ignoring the fact that man was endowed with the distinction between good and evil and that he was created in the likeness of God. Such behaviours are frequent in the holy books (and also condemned). These events raise questions as well as those related to the earthly justice and the legal norms obvious in the legislation of that time.

The ideas about how trials were conducted in the earlier periods raise a number of questions for us today about how the magistrates of those times interpreted the alleged facts, how the prosecutors made the accusations and the evidence that was brought to their attention. There were many judicial errors throughout time. Among them the most obvious are: the trial of Socrates, the trial of Jesus and so forth. It is more than obvious that Socrates' trial was an unfair one, his murder being considered one of the worst mistakes of democracy. It is better than known that there was an early form of democracy in Ancient Greece. Socrates - considered to be the philosopher who wrote nothing - used the force of argument to expose the sophists; he used inductive reasoning and universal definition (Copleston, 2008). His ideas are reflected in the "Nicomachean Ethics" (Aristotle, 2012) where the philosopher from Stagira brings to the fore the following: "Every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good; and for this reason the good has rightly been declared to be that at which all things aim" (Aristotle, 2012).

Another aspect brought to the fore that highlights the human nature is the vice, a term put in antithesis to that of virtue. Considering these

aspects, it is emphasized that: "the ultimate object in metaphysics is the divinity, and in the Nicomachean Ethics Aristotle does not explicitly include the religious attitude that is contained in the definition of the ideal life in the *Eudemian Ethics*" (Copleston, 2008, 129). Regarding the trial of Socrates, the first charge was not precisely defined and as the second charge was that of corrupting the youth: he was "sentenced to death by a majority of 60 to 6 by a jury consisting of 500 or 501 individuals. It was then his duty to propose an alternative punishment, and it would have been a good idea to propose a sufficiently substantial one. If Socrates had proposed exile, this alternative to the death penalty would have been accepted without question. However, Socrates proposed as his own "reward" to be fed by Prytaneus, after which he agreed to propose a small bribe – and all this without any attempt to influence the jury, as it was customary, by bringing the tearful wife or children to the court. The jury was offended by Socrates' haughty behaviour and he was sentenced to death by a larger majority than that which had found him guilty" (Copleston, 2008, 65). The trial of Socrates proves that he was sentenced to death simply for the accusation that he had perverted the youth; hence the fact that in this case the citizens of Athens at that time did not possess the qualities of a virtuous man as Socrates wished them to be. As we mentioned before, the killing of Socrates has proven over time to be one of the biggest mistakes of democracy.

A second famous trial is that of Jesus, by which we will continue to demonstrate the human barbarism. In the last decade of the 1st century B.C., the One who would lay the foundations of Christianity was born. Many details about these events are found in the Gospels, written after the death and the resurrection of Jesus. The name Jesus is "the Greek equivalent of the Hebrew Joshua, which means "God the saviour"" (Dumitrescu et al., 2019). "Christ" is the translation of the Jewish term "messiah", meaning "the messenger of God" (Dumitrescu et al., 2019). Originally the term was used to "designate" the descendants of David; later it was considered that God would send the Messiah "as a sign of the divine establishment on earth" (Dumitrescu et al., 2019) thus justifying that God's messenger could remove the Roman rule. The ideas he preached caused concern at the time, especially among the Jews, as well as the Pharisees and Sadducees (Dumitrescu et al., 2019). Considering that at that time the priests were analysing what was good or bad based on the Old Law of the Old Testament, the One who declared himself to be the messenger of God would arouse a series of revolts regarding the domination of the people who until that time was submissive. Certainly, it was not desirable for the people of that time to follow the Messiah. In order to achieve their goal, the elders

of the city raised the issue of the capture, the trial and the sentence of Jesus to death. It is quite obvious that by assessing their chances of continuing to rule the state of Israel, the priests, along with the army decided to take the measure of providing justice on their behalf, but carrying only about their welfare.

The coming of the Messiah on earth was prophesied by Joel, Amos and Hosea who bring to the fore the fact that the future kingdom will be formed under the leadership of David, from the people of God; this kingdom is rather a spiritual or moral community. Also, the prophet Isaiah (Old Testament, 1. The Pentateuch, Isaiah, 11.1; 9.6) depicts the Messiah coming through an unusual birth and his messianic activity consisting in serving the salvation of people. The Prophet Micah is contemporary with Isaiah, who relates to the fact that the future king of Israel will come from Bethlehem and will have an eternal origin: "And he shall stand and feed in the strength of the LORD, in the majesty of the name of the LORD his God; and they shall abide: for now shall he be great unto the ends of the earth.. And He will be our peace" (Micah 5:4). Jeremiah and Ezekiel more concretely describe the future Kingdom, as well as the prophet Daniel, who shows with more historical precision the time when the Son of God will come to earth. It appears from these that not only the time when the Messiah will come to earth is predicted, but also the services he will bring to mankind (Archimandrite Silvestru, 2001). In addition to this, at that time the historical indications showed that a political coalition was made between the East and the West, and the holy books of the Jews were translated into Greek. This is evident in the writings of Plutarch, but also in Plato's dialogue Alcibiades II where Albiacides and Socrates debate the uncertainty of the sacrifice to the gods: "Socrates: You had better wait until we find out how we should behave towards the Gods and towards men"; "Alcibiades: And how long must I wait, Socrates, and who will be my teacher? I should be very glad to see the man"; "Socrates: It is he who takes an especial interest in you. But first of all, I think, the darkness must be taken away in which your soul is now enveloped, just as Athens in Homer removes the mist from the eyes of Diomede that He may distinguish between God and mortal man. Afterwards the means may be given to you whereby you may distinguish between good and evil. At present, I fear, this is beyond your power" (Plato, 2021, 121).

The most famous process in history can be viewed from several perspectives: legal, political and spiritual since (God) "He has put thoughts of the forever in man's mind, yet man cannot understand the work God has done from the beginning to the end" (Old Testament. 1. The Pentateuch,

Ecclesiastes 3:11). From a simplistic perspective, the events describe to us are the condemnation of an innocent Being who was abandoned by his friends, sentenced to death (the death sentence is seen today as a violation of the fundamental human rights), who was crucified and subjected to unimaginable torments; the trial of Jesus Christ is relevant especially to a judge – the one who dispenses justice – from the perspective of his inner struggles, the ethical or moral dilemmas he faces, of his character and integrity – and a litigant, waiting to receive justice. However, such beliefs were in contradiction with the everyday deeds of the citizens.

The trial of Jesus is the most controversial topics even today. Relating to old writings, the Bible and such, the specialists in the field of law, the philosophy of law and ethicists, still debate the way in which Jesus was tried and sentenced to death: "the four gospels present the arrest, the trial and the execution of Jesus Christ in minute details; (The New Testament (2015); Matthew 26:47-68, 27:11-46, Mark 14:53; 15:1-37, Luke 22:54, 63-65, 23:1-46, John 18:12-40; 19:1-30). The humanly tragic condemnation has concerned everyone for 2000 years. The question from which the various findings made by theologians, jurists and philosophers start is the following: "what did Jesus do to be condemned to such a violent death?" The Evangelist John describes it: "Then they led Jesus from Caiaphas unto the hall of judgment. And it was early, and they themselves went not into the judgment hall, lest they should be defiled, but that they might eat the Passover" (Rudnean, 1932, 3).

It is important to point out how the trial took place and who were Jesus' judges; therefore, the judges were: "Irod Antipas – the governor of Galilee; Pontius Pilate – governor (Roman) of the province of Judea, with civil, criminal and political jurisdiction; Annas – head of the Sanhedrin (for 25 years); Caiaphas – The then sitting leader of the Sanhedrin and Annas' son-in-law" (Tec, 2019, 1). "Pilate was the 5th Roman governor or "procurator of Judea and Samaria - he probably came from Pontia. Historians characterize him as an inflexible character of harshness and special arrogance" (Rudnean, 1932). However, the important aspects to specify are: Judas' testimony about Jesus, Pilate's testimony about Jesus and Jesus' testimony about himself.

The religious trials of that time, especially the trial of Jesus were the subject, in the opinion of legal experts, of a series of procedural flaws: "the arrest during the night time, the judgment during the night time, very short deadlines, the lack of defence of the accused person, the place of the sentence delivery" (Tec, 2019, 1). As far as the details highlighted above are concerned, it was noticed that what was later known as the trial of Jesus, was

subject to a multitude of flaws, which, nowadays, would lead to the "condemnation of the judges". It is worth stating that the theorists in the field of law and theology believe that Jesus was sentenced to death because he was "a nuisance".

The human rights in the context of the human bio-enhancement

The trial of Jesus, like the trial of Socrates, was the most famous trials in history. As they were debated over time by jurists, theologians and philosophers these processes are the most controversial in the human history. These flaws point out that the mankind should stop repeating these mistakes. We have brought to the fore the killing of Abel and the trial of Jesus to highlight the barbarism since the ancient times. The duality of man, the subjective interpretation of good and evil leads us to state that the human nature has not changed, on the contrary, man, through his actions, produces more harm than before: the lack of responsibility towards the environment, the illegal cutting of forests, the destruction of ecosystems, the use of new technology and science to create weapons of mass destruction, the creation of artificial intelligence, the creation of totalitarian systems, the mass murder etc. Nowadays, we can state that man is still barbaric, because his actions harm both the environment and his fellow men.

When we talk about the right to life, we bring to the fore the Art.2 of the European Convention, emphasizing "the right to life is a supreme right of the human being, the respect of which is the very condition for the exercise of the other rights, "the supreme value on the scale of human rights on the international level" (Selejan-Guţan, 2018). Unlike the theological perspective and including the philosophical perspective, in the field of law there is a series of controversies, the difficulty of interpretation starting from "the absence of a clear definition from a scientific (medical) point of view of the beginning of life" (Selejan- Guţan, 2018, 89): "the life of a human being begins at birth or conception" (Selejan- Guţan, 2018, 91)? Given the absence of clear regulation, the consequences can be quite serious, in terms of the use of new technologies for the manipulation of the human embryo, artificial fertilization, experiments on human embryos or genetic manipulation (Selejan-Guţan, 2018). In addition to the right to life, an important aspect is related to the genetic heritage of the person as well as to the legal status of the human embryo: "The Council of Europe has already embarked on this path: a recommendation on genetic engineering states that the right to life and to human dignity (art. 2 and art. 3 of the Convention) implies the right to inherit genetic characteristics without undergoing any

genetic manipulation" (Selejan- Guţan, 2018, 98). The cases encountered especially in the European jurisprudence highlight a series of moral and legal problems: the *Evans v. UK case from 2006* (ECHR, 2007), the *Pretty v. UK case from 2002* (ECHR, 2002), etc.

When we talk about the new technologies we must keep in mind the sanctity of life and the human being, as it is highly important that scientists do not manipulate the human genome for illegal, immoral purposes. The phrase "human rights" was imposed after a long process of "settling down" of the political, legal, moral and religious values promoted over time in various historical stages. In every society, man, through his means, kept fighting for power, creating in an almost continuous manner masters and slaves, although political thinkers and philosophers have always supported the idea that everyone should enjoy certain rights and to enjoy the freedom of mind and action.

Before bringing to the fore article 2 of the European Convention for human rights, it is imperative to emphasize that it is based on a series of documents developed over time, such as: "Declaration of the Rights of Man and Citizen" (French National Constituent Assembly, 1789); „Bill of Rights" (1st United States Congress, 1791); "Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field" (1864); "Hague Convention (II) with Respect to the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land" (1899); "Hague Convention IV with Respect to the Laws and Customs of War on Land (with annexed regulations)" (1907); "Covenant of the League of Nations" (League of Nations, 1919); "The Treaty of Versailles" (1919). The conception of these documents had in mind man, with his rights and liberties; as a "bio-psycho-social" being, man is defined according to the field (law, psychology, philosophy, etc.), just as is freedom.

The freedom – where to?

In order to protect the human being, the law is a "mediating court" between "the freedom contained in the genetic nature of the human being and the constraint imposed by the functionality of the social system, between the "natural law" and the "positive law" (Tătulescu, n.d.). It is common knowledge that history has taught us a series of lessons that must not be forgotten and which concern the establishment of totalitarian/authoritarian regimes. The creation of authoritarian/totalitarian legislative systems "in contempt of the life and liberty of the citizen"

(Tătulescu, n.d.) led to the sacrifice of individual rights under the pretext of the common good or the individual good (the latter masked by specific strategies of manipulation and oppression) (Tătulescu, n.d.). The international involvement of states has led to the creation of documents where man, his rights and freedoms are placed above all. However, the human rights and freedoms are limited by the "social contract"; Jean Jacques Rousseau (2016) gives us an overview of the natural state of man, bringing to the fore why people gave up absolute freedom for a limited freedom. Philosophically speaking, the limits of the individual freedom extend to where it meets the freedom of another. The social contract is a theory of the state, the rationale being that of inequality among people and which "imposes" an "implied consent". Prior to this contract, the individual had an "unlimited liberty", but which could at any moment be "superseded" by the power of the most powerful? This "tacit pact" involved the alienation of the absolute freedom, man acquiring a "constitutional positive freedom" which ensured him, first of all, a greater life expectancy, and secondly, the "private property".

The issue of freedom invites debate, not only philosophical or ethical and moral, but also from the perspective of law or other sciences that have taken shape and developed with the emergence of new technologies that have the whole human individual at the centre of its research. The freedom is, if we could say so, a concept specific to the socio-political area, being defined as "negative freedom" and "positive freedom" (Berlin, 1996). "I am free [...] to the extent that no individual or group of individuals intervenes in my field of activity. In this sense, the political freedom is only the space within which a man can act without others preventing him. If others prevent me from doing what I might otherwise do, I am not entirely free; and if this area is restricted below a certain limit, I may be said to be constrained, or perhaps even enslaved [...]. Coercion involves the deliberate intervention of other human beings within the space in which I could, under normal conditions, act. [...]. By being free in this sense I mean being exempt from any external interference. The wider this area of non-interference, the wider my freedom" (Berlin, 1969, 118).

Isaiah Berlin (1966) points out that within the negative freedom it is the directly acting human factor that creates certain limitations. People act to achieve their goals and their actions are deliberate. The problem that arises within negative freedom relates to consequences, but also to a mode of coercion as a form of absence of alternatives. "Have not men had the experience of liberating themselves from spiritual slavery, Or slavery to nature, and do they not in the course of it become aware, on this occasion,

of the existence in them, on the one hand, of a dominant self, on the other, of a me dominated? This dominant self is identified, in many ways, with reason, with my 'higher nature', with the self that projects and longs for full but distant satisfactions, with my 'real', 'ideal' or 'autonomous' self, or with ' what is best in me'; he is then contrasted with irrational impulse, with uncontrolled desires, with my 'lower' nature, with the pursuit of immediate gratification, with my 'empirical' or 'heteronomous' self, ready to let itself be carried away by any breeze of desire or passion , a self that must be strictly disciplined in order to be raised to the height of its 'true' nature" (Berlin, 1996, 32).

The idea expressed by Isaiah Berlin relates to the following aspect: What am I master of? The negative freedom explains the limits of accepting the state intervention in the life of the individual, in the sense that if freedom is restricted, then the number of choices that the individual can make at a given time is restricted. Freedom is determined by the number of possible choices acceptable or not, but also by the options available. In this context, not all elections should have the same status, because some elections are more important than others. For some citizens, freedom of speech is more important than freedom of choice. On the other hand, not all restrictions on possible choices are negative freedom violations, since as Isaiah Berlin states, only restrictions that are imposed by other people can affect our freedom. So when we bring political freedom to the fore, restrictions on what we can do are not seen as obstacles to freedom because other people limit our freedom. Limitations on individual actions may be caused by our human nature, which is not relevant to political freedom – which is a matter of power relations between individuals and the state.

However, in certain cases, the freedom is restricted when one is forced to do something; But, nowadays there are some problems that cannot be the result of limiting individual freedom as highlighted by Isaiah Berlin. In these conditions, we are talking about the poverty. Although the poverty blocks many aspects of the individual's life, there are situations in which this condition is not determined by the person in question. Poverty can be caused by a number of factors such as sociological, meteorological, etc. Whether or not poverty could be considered a limitation of negative freedom depends on the causes that determined the poverty itself (Berlin, 1996).

The positive freedom brings to the fore a series of controversies such as the coercion and the freedom that the citizen obtains through the perspective of laws is limited. However, Berlin's answers regarding the positive freedom allow for totalitarian interpretations, in the sense that people can be "forced to be free" (Iliescu, 2002).

Conclusions

The freedom becomes a sum of freedoms in the context of law; the law comes to defend individual and the collective freedom, together with the universality of the Kantian categorical imperative. However, the freedom viewed from the perspective of the natural law and the social contract presupposes the approach of two completely different directions from each other. At present we cannot say that the individual is completely free neither that the freedom of each of us is endless. In the context of the new bio-enhancement technologies, freedom involves a series of specific limitations, just as the freedom of the current human species involves limitations (as expressed in the specific literature of law and philosophy). In fact, there is a possibility that the meaning of the term freedom is different from one human species to another.

If for the current human individual the meaning of freedom is given by civil and political rights, within the bio-enhanced human species is it possible to talk about a greater freedom of action or on the contrary, about a form of mind control? These are questions that the techno-optimists and the techno-pessimists are trying to answer to, given the research that is being carried out and that targets the whole man. These aspects imply many questions about the way in which man can manifest himself in the world, because the meaning of the term freedom invites many debates about what we are allowed to do and what we are not allowed to do. In the following, a series of understandings of the concept of dignity will be outlined, which will cover both the philosophical and the legal perspective.

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