


## Article

# Augustine and Xunzi on Human Dignity and Human Rights: The Worth of Being Human and Its Entitlement to Institutional Measures for Protecting the Access to Human Flourishing

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**Abstract:** While some human rights theorists suggest that the universalistic project of human rights can be consistent only with an individualistic conception of dignity aligned with liberal regimes, there have also been some voices of discontent raised from Christian and Confucian thinkers in favor of incompatibility. I refer to the universalistic position of approaching cross-cultural human rights by focusing on Pogge's contextualistic universalism and Joas' universalistic emphasis on the sacredness of person. I show how it is possible to ground the religious foundation of human dignity on self-transcendence (Joas) and the institutional foundation on the capacity for the pursuit of a worthwhile life as flourishing (Pogge). This idea of dignity grounds human rights as the entitlement to institutional measures for securing the access to basic goods for human flourishing (Pogge). When reinterpreting Augustine and Xunzi in light of human dignity and human rights, I tackle two questions, following Pogge and Joas. First, I reinterpret Augustine and Xunzi by showing how human dignity rests on the relative worth of pursuing one's flourishing distinct from animals and the absolute worth of pursuing flourishing open for self-transcendence, which also entails different ranges of social conceptions of flourishing. I also tackle how this sense of dignity leads to the entitlement to institutional measures for protecting the access to basic goods for human flourishing as the issue of human rights.

**Keywords:** Human Rights; Human Dignity; universalism; flourishing; Thomas Pogge; Hans Joas; Augustine; Xunzi; Christian–Confucian dialogue

## 1. Introduction

As the U.N. Declaration of Human Rights suggests, human dignity and human rights are interrelated to each other when promoting freedom, peace, and justice. “Recognition of the inherent dignity and of equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace” (UN General Assembly 1948). Without giving any detailed account, the Declaration merely associates human rights with human dignity. Howard and Donnelly tackle this issue as they show human dignity and human rights presuppose a specific conception of liberal regimes. “The conceptions of human dignity in their social and political aspects, express particular understandings of the inner (moral) nature and worth of the human person and his or her proper relations with society” (Howard and Donnelly 1986, p. 802). In contrast, “human rights ... in the strong sense of entitlements that ground particularly powerful claims against the state that each person has simply as a human being” (Howard and Donnelly 1986, p. 802). A sense of the inner worth of the person envisions the person's proper relation to society, which can ground or underlie a notion of entitlement to making a claim against the state. However, for Howard and Donnelly, only a conception of dignity closely aligned with a particular type of politically liberal regimes can

ground a proper sense of human rights (Howard and Donnelly 1986, pp. 801–17). While most of the communitarian forms of regimes fail to satisfy human rights due to their flawed conception of the worth of the individual, it is only liberal regimes that can satisfy this requirement (Howard and Donnelly 1986, pp. 814–17). It exemplifies a strong universalism that only liberal regimes and the conception of dignity resting on them can secure human rights adequately. However, as specified below, there are alternative approaches to reconstructing the universal claim of human rights that can embrace particular, culture-specific conceptions of dignity and their implied views of entitlement to fair treatments. Howard and Donnelly's view on human rights marginalizes any other culture-specific accounts than secular liberal institutional values.

There have been many voices of discontentment against human rights aligned with allegedly liberal presuppositions in various religious traditions. Undeniably, the comparative ethical grappling with human rights and dignity is most vibrant in Confucian interpretations. Various Confucian criticisms question the normative status of human rights for their inherently western, individualistic presuppositions while emphasizing the Confucian priority of society over individuals in order to overcome the so-called American individualism (Rosemont 1988, pp. 167–82; Rosemont 1998, pp. 55–64). As much as there are “incompatibilists” denouncing individualistic human rights discourse, there are “compatibilists”, such as Chan, who do not fail to note some compatibility without disregarding the uniqueness of Confucian position (Chan 2012, pp. 87–100). He finds individualistic concerns in classical Confucian materials as well as underscores the Confucian motif of the common good and the government's protective and fair treatments on people, not an individual's claim for rights (Chan 2012, pp. 87–100). Those compatibilists agree that a minimum level of dignity calling forth “humane treatment” or “institutional mechanism” demands the supply of “basic goods” or “basic rights” and opportunities for cultivating the worth of humaneness, in order to prevent the degradation of human dignity (Zhang 2000, p. 321; Tiwald 2012, p. 247). Whether incompatibilists (Rosemont) or compatibilists (Chan), they hold that the Confucian conception of rights rests on the priority of the community over individuals when it comes to the issue of human rights. While Rosemont characterizes it as “basic rights stem[ming] from membership in a community” (Rosemont 2004, p. 59), Chan also takes it as “protecting people's interests” based on “the public or communal good” and the priority of the community over individuals (Chan 2012, p. 92). In this context, Xunzi is one of the most important figures on par with Mencius for both sides trying to retrieve the foundational viewpoint of classical Confucianism, when they disagree less on reading Xunzi than on reframing his view. For Rosemont, Xunzi sets a paradigm alternative to modern Western liberalism, as Xunzi suggests the state's obligation to provide “many goods and services” for “the well-being” of disadvantaged people as right social treatments, not resorting to a liberal model of “autonomous individuals” (Rosemont 2004, p. 61). For Chan, although Xunzi has a concern for fair treatments of individuals, Xunzi's position on human rights suggests an institutional “device to protecting people's fundamental interests” who have “an inner moral worth” but “not in the possession of rights”, or not suggesting individuals' “capacity to make right claims” (Chan 2012, pp. 94–95). Despite some disagreement on individualism and rights between the compatibilist and the incompatibilist position, the Confucian conception of human dignity and human rights focuses on the institutional treatment for providing basic goods and moral self-cultivation suitable to human dignity.

Some contemporary Augustinian ethicists recently problematize modern human rights discourses and liberalistic presuppositions. In their view, the emphasis of “subjective, individual rights” in human rights discourses ignores the issue of right order to be guided by the divine law, while justifying property rights and mere individual freedom of choice (O'Donovan 1996, pp. 64–65; O'Donovan 1998, p. 248; Milbank 2009, pp. 1–2). John Milbank supposes that the true human rights (*ius*) would be “the sacredly objective *ius*” consisting in the right ordering of created reality. This objective conception of human rights should replace the commitment to individual rights and its allegiance to the violent power of the modern liberal states with the non-violent, harmonious collective ordering of the church over the whole society (Milbank 2009, p. 43). Although other Christian ethicists such as Gregory and

Weithman try to find some compatibility between Augustinian civic virtues and political liberalism, they do not address the question of human rights (Weithman 1991, p. 475; Gregory 2008). While there are only few Augustinian voices of human rights, there are recent interests in Augustine's concept of human dignity and the image of God (Puffer 2017, pp. 65–82).

Given this shared grappling with human dignity and human rights, it is worthwhile to engage with a comparative ethical analysis of human dignity and rights in Augustine and Xunzi. This project continues the thread of Confucian–Christian dialogues that cut across comparative philosophy, the comparative philosophy of religion, and comparative religious ethics. Choosing specifically Augustine and Xunzi does not mean that they are the only thinkers representing Christianity and Confucianism. As is noted above, Xunzi drew attentions from many discourses on Confucian human rights just as Augustine was regarded as one of the most important sources in the voice of discontents on the modern liberal secular paradigm of human rights discourses. In addition, throughout the history of Confucian–Christian dialogues, Augustine and Xunzi were the two most important figures along with Mencius and Aquinas. While continuing the history of comparison on evil in Augustine and Xunzi (Schwartz), evil in Augustine and Mencius (van Norden), and evil and spiritual exercises in Augustine and Xunzi (Stalnaker), this comparison takes a much more constructive step by taking a universalistic position (Schwartz 1985, p. 298; Stalnaker 2007; van Norden 2001, pp. 313–36). Referring to some recent universalistic accounts of human rights and dignity, I address how both traditions can be reconstructed to contribute to the process of incorporating the normative principles of human rights and dignity into their culture-specific conceptions without failing to do justice to their particular positions. This hope rests on a hermeneutic project that interprets influential traditions and their normative orientations in light of present normative concerns and theoretical elaborations while reflecting on the relevance of their moral reflections (Schweiker 2005, pp. 3–9). This hermeneutic task of reframing ancient thoughts in terms of the normative concerns for human rights aims at contributing to “transform[ing] religious communities from midwives to mothers of human rights”, as Witte urged the importance of this task (Witte and Green 2011, p. 16). In addition to this comparative ethical project, the present inquiry follows the footstep of the Confucian–Christian dialogues performed in the philosophy of religion. It tackles the issue of transcendence in value-experiences that grounds dignity and imbues the respect for rights. It grounds human dignity on “an ultimate concern for human values” (Berthrong) or the transcendence of value emerging from “the center of the self” (Neville), while situating this comparative ethical project within the existing thread of Christian–Confucian dialogues (Berthrong 1994, p. 170; Neville 2000, pp. 152–54).

To unravel intricate issues entangled with this constructive comparison, I take the following procedures. First, trying to search for a theoretical model for comparison, I examine how Thomas Pogge's universalistic, institutional approach of human dignity and human rights gives a good candidate for it, while revisiting Hans Joas' view on the sacredness of the person sheds light on human dignity. This theoretical frame: (1) reveals that human dignity rests on the human capacity for the pursuit of value and self-transcendence; (2) grounds a certain social conception of flourishing that calls for the entitlement to institutional measures for protecting the access to human flourishing from harms; and (3) entails the access to basic goods for flourishing. Second, referring to this frame, I examine how Augustine and Xunzi can be reinterpreted and reconstructed so that they can resonate with the contemporary concern for human rights and dignity. Finally, while engaging with actual comparisons, I show how their seeming similarities entail fundamental differences that demand contextual, culture-specific approaches in defining human dignity and specifying the contents of rights without denying universalistic orientations.

## 2. Methodological Frames of Human Rights and Human Dignity for Comparison

MacIntyre's emphasis on incommensurability has been influential in the comparative philosophical project on Augustine and Mencius (van Norden) and the overall discussion of human rights in the Confucian tradition (Angle). MacIntyre's emphasis on the incommensurability of traditions implies

that “the applicability of certain of the concepts in the one scheme of belief” does not hold in “the other scheme”, suggesting “no sufficient common standards” for adjudicating between rival positions (MacIntyre 1988, pp. 351, 380). Based on this insight, Stephen Angle, as addressing human rights, traces the developmental history of the Confucian tradition that retains its emphasis on society as the source of rights throughout its distinctive historical progress when interacting with other stimuli from the Western sources (Angle 2002, pp. 2–36, 50–62). Applying MacIntyre’s idea to his comparison of Augustine and Mencius, van Norden focuses on how Augustine’s account of evil has some incommensurable points that Mencius’ conceptual resources cannot explain (van Norden 2001, pp. 333–36). However, to address exigent normative issues that would practically demand a pursuit of grounding universalizable norms without leading to a unilateral imposition, there should be a strong inter-traditional positioning that MacIntyre’s intra-traditional perspective would refuse to take. An inter-traditional positioning strives for constructing shared normative visions by trying to move between different traditions in light of normative concerns and suitable moral theoretical reflections, in so far as it is possible to minimize any possible interpretative distortions of both *comparanda*. A comparative reconstruction can relate to the universalistic paradigm of human rights that touches on human dignity, entitlements to flourishing and institutional measures, as developed by Nussbaum, Pogge, and Joas. This project has its own valid grounds for resonating with the constructive readings of Augustine and Xunzi, given that the Augustinian scholarship and the Xunzi scholarship in common have addressed dignity and flourishing.<sup>1</sup>

Sen and Nussbaum develop universalistic visions that define human rights as an issue of human flourishing cross-culturally, which is to be rendered due for human worth or dignity and its entitlement to promoting the individual capability to choose and act (Nussbaum 2011, pp. 62–63). What cuts across “capabilities approaches and human rights” is that “all people have some core entitlements just by virtue of their humanity, and that it is a basic duty of society to respect and support these entitlements” (Nussbaum 2011, p. 62). Addressing human rights as the demand for a society to promote human flourishing, Sen suggests the maximal actualization of individual capabilities to set up freely one’s own set of functions (Nussbaum 2011, p. 70; Sen 1993, pp. 32–34). Similarly, Nussbaum emphasizes political interventions for promoting fixed lists of central capabilities (Sen 1993, p. 70). Their approach tends to be universalistic. For Nussbaum, the suggestion for central capabilities is a core universal value for human flourishing that serves as a key criterion for determining any possible conception of justice, fair terms of social relation. Those lists of central capabilities are universally valid for defining a worthwhile way of human life as grounded on human dignity. The universal value of promoting capabilities involves institutional approaches such as the economic consideration of income levels and utilities for the well-functioning life and the constitutional concern for protecting lists of central capabilities (Nussbaum 2011, pp. 42–46; Sen 1993, p. 70).

This universalistic posture presupposes that other non-liberal religious-cultural traditions should share the same emphasis on promoting individual capabilities for freedom to choose and to act in

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<sup>1</sup> Tu Wei Ming framed the Confucian idea of human rights in terms of human flourishing beyond mere survival, even though he does not specifically deal with Xunzi (Tu 1998, pp. 297–99). Joseph Chan pays attention to the Confucian case of human rights as an issue of developing humanity or *ren* in all dimension of personal, social life, even though he does not explicitly use the term human flourishing (Chan 1999, pp. 232–37). Specifically, when it comes to reading Xunzi and its implication to human rights discourse, there has been some trend of reading Xunzi’s thought in terms of human flourishing. While Rosemont Jr. focuses on the paradigm of “maximal security and minimal happiness”, with emphasis on the question of social control, Philip Ivanhoe rightly notes that Xunzi’s concern for the universal flourishing of humanity and nature is attainable through harmonious control of desires (Rosemont 2000, pp. 1–30; Ivanhoe 1991, pp. 309–22). Since the picture of Xunzi’s social thought was revised in light of cultivation for “universal harmony and flourishing” (Ivanhoe) and came to be set in comparison with Augustine in terms of religious-moral cultivation of human nature (Stalnaker), there emerges a room for comparing Augustine and Xunzi on the issue of socio-political institution protecting human flourishing.

In a similar vein, reading Augustinian thoughts in terms of eudaimonism and the question of human flourishing is remarkable in the current trend of Augustinian studies. James Wetzel’s historical exposition reveals that Augustine still maintains a Stoic conception of eudaimonia and flourishing with his Christian emphasis on the participation in the Trinity (Wetzel 2008). Jennifer Herdt’s work also supports the eudaimonistic reading of Augustine (Herdt 2008).

“their deep structures” (Nussbaum 2011, p. 103; Sen 1993, p. 98). Despite Nussbaum’s universalistic expectation, the individualistic, optimistic bent of this universalism imposes a unilateral frame on other non-liberal traditions. Its individualistic position assumes that fostering a certain set of capabilities depends on the individual’s deliberation of practical reasoning. Its optimism presupposes creating capabilities itself as a sufficiently normative goal without considering unintended adverse outcomes of enhancing self-directing, autonomous capability. It is not likely that traditions in non-western cultures can follow such a normative direction without any interpretive conflicts. Therefore, I turn to another universalistic model that underscores the institutional intervention for protecting the access to flourishing, as conceived socially not merely individually, from possible harms and underdevelopment.

To complement limitations of Nussbaum’s capability theory, I suggest Thomas Pogge’s institutional, paternalistic approach as a good theoretical candidate for a methodological frame for this comparative project. His theory defines human rights as the culture-specific institutional measures for fair treatments in securing the access to alleged goods to all affected persons qua humans. “The postulate of a human right to X is tantamount to the demand that, insofar as reasonably possible, any coercive social institutions be so designed that all human beings affected by them have secure access to X” (Pogge 2002, p. 46). Pogge identifies the term X with human flourishing as a “worthwhile life” (Pogge 2002, pp. 28–29). A “worthwhile life” is not only about “the personal value”, “a life being good for the person living it” and “the ethical value”, “a life being worthy or ethically good”, but also the social-institutional conception of a good life (Pogge 2002, pp. 28, 36). The issue of human flourishing for each person is to be defined not solely by each’s practical reasoning on what one values as worthwhile, as Nussbaum does, but also by the institutional conception of human flourishing (Pogge 2002, p. 37). Human rights are concerned with the institutional demand that any coercive social institution should be designed to secure to affected persons the access to flourishing on the basis of the entitlement of being human (Pogge 2002, p. 52). The access to some basic goods for flourishing leads to our conception of justice, which is the institution’s fair treatment of affected persons in terms of the access to flourishing.

Pogge’s contextualistic universalism, which is neither “monistic universalism” nor “dogmatic contextualism”, attends to different moral conceptions and justifications in different contexts while constructing a universal conception of the minimal criteria of justice or just treatment of persons for human rights (Pogge 2002, p. 110). There should be “a single, universal criterion of justice” in critically configuring any mistreatment of human rights, which, however, allows room for “a significant diversity of national, institutional schemes and ways of life” (Pogge 2002, p. 40). Pogge designs a case of the universal criteria of justice in a very thin, modest, non-exhaustive way without losing its normative implications, in order to allow for diverse culture-specific expressions and their maximal visions beyond some minimal core-conceptions of flourishing. The universal criteria of justice work on “a thin conception of human flourishing” which concerns itself with basic instrumental goods for flourishing, thus inviting diverse institutions with their autonomous cultural backgrounds to develop their own conceptions (Pogge 2002, p. 42). The criteria of justice are to be modest, in the sense that they search for a “solid threshold compatible with an international diversity of institutional schemes” (Pogge 2002, p. 42). The universal criteria of justice should be non-exhaustive to allow diverse social institutions to build up more substantial criteria according to their committed cultural values (Pogge 2002, p. 42). The universal, thin criterion of justice that the society observes in protecting the access to human flourishing defines what constitutes the minimal access to securing basic goods necessary for human flourishing, while not denying diverse sets of culture-specific pursuits of construing human flourishing. Minimal justice as a way of treating a person in such a way to allow some access to basic goods for flourishing is the question of universal human rights. “A complex and institutionally acceptable core criterion of basic justice might best be formulated in the language of human rights” (Pogge 2002, p. 50). Human rights to some basic goods serving flourishing involve the institutional demand that any coercive institution needs to be designed in such a way to secure the access to such goods serving one’s personal and institutional value-laden pursuit of flourishing (Pogge 2002, p. 52). The universal



criteria of minimal justice correlate to the universal conception of human rights, which calls for the entitlement to institutional measures for securing the access to minimal goods for human flourishing and its value of worthwhile life.

While formulating the criteria for basic justice in securing basic goods for flourishing, Pogge suggests the ethical worldview as the primary basic good, through which each person shapes her own ethical, personal value of flourishing (Pogge 2002, p. 52). Second, Pogge suggests a subset of the access to basic goods such as the liberty of conscience, political participation, and the formation of associations, which addresses the entitled good for living one's social life according to one's orientation (Pogge 2002, p. 52). Third, Pogge suggests another subset of the access to basic goods such as physical integrity for subsistence, the freedom of mobility, economic participation, and basic education, which provide the basic conditions for realizing one's personal, ethical values (Pogge 2002, p. 52). Any coercive social institution ought to respect the person's value-oriented pursuit of flourishing according to the universal criteria of minimal justice. Therefore, it needs to secure the access to these basic goods such as ethical worldview, value-laden socio-political participation, and physical, economic, and educational activities. These thin descriptions of the access to basic goods should serve as the minimal core around which diverse culture-specific accounts of flourishing are to be constructed.

Pogge's institutional approach raises the institutional demand for promoting access to human flourishing of each person entitled to human flourishing. A more profound question is whether there should be a religious foundation of the dignity of the person and socio-political entitlement to fair treatments. Pogge's institutional approach to human dignity does not aim at pointing to the sanctity or inviolability of the dignity of the person. It only entails a normative reference through which a given institution can correct its mistreatment of flourishing entitled to its members qua humans. Nevertheless, this normative reference of dignity entitled to fair institutional treatments entails implicitly the status of sanctity or sacredness that can exercise a normative force over the state. At this point, it is worthwhile to turn to Hans Joas, who directly addresses the sanctity of human dignity and its religious dimension within his frame of universalism, focusing on constructing universalism amidst cultural particularities, as Pogge does. Hans Joas gives a historical analysis of the historical dynamics of institutionalizations that attributed sacredness to the dignity of the person. While taking an "affirmative genealogy" to describe the development of treating persons institutionally as the reform of penal systems and the institutionalization of human rights/dignity, Joas tackles the process of "sacralization", in which the value of the person comes to be "sacred" and "institutionalized in law" (Joas 2011, p. 5). Similar to Pogge, who considers human dignity and rights as the entitlement to fair institutional treatments, Joas' affirmative genealogy traces how the sacred concept of human rights has incurred the institutional improvement of treating persons with the growing sense of sacredness.

Joas suggests how the sacredness of the person expresses human worth by analyzing the person's value-experience, just as Pogge relates to the pursuit of value to flourishing. Pogge grounds human dignity on the person's orientation to flourishing to be defined by one's personal and ethical values and institutional conceptions. Likewise, Joas grounds the sacredness of personal dignity on the concrete personal, social experience of value. Shifting the locus of "a sacred core of every human being" from the soul or rational self-reflection, Joas shows how the sacred locus of personal dignity is found in "value-constitutive experiences" (Joas 2011, pp. 153–54). Those foundational experiences that constitute one's value orientation are "experiences that may give rise to an affective attachment to values rooted in moral universalism" or "experiences of self-transcendence" (Joas 2011, p. 154). Addressing such value-constitutive experiences of self-transcendence, Joas gives a further elaboration. Such experiences make us see something beyond "the factuality of mere existence" and discover all given instances of life as transcending the horizon of the self through "a reciprocal gift-giving" in ordinary social interactions (Joas 2011, p. 159). It is undeniable that Joas centers on the Judeo-Christian conception of self-transcendence, which does not address other non-theistic traditions. However, resonating with Joas' pragmatist view of transcendence, Robert Neville, who also relies on the pragmatist concern for reframing Confucianism, suggests a similar concept in addressing a Confucian

case of transcendence. Although not using the concept of gift, Neville similarly suggests that the Confucian sense of transcendence takes place through “guiding one’s interactions by the aesthetic, moral, valuational sensitivities of the center” in one’s multi-layered relationships and exercises of social, ritual, communicative behavior (Neville 2000, pp. 152–53). If focusing on the sacredness of dignity grounded in value-constitutive self-transcendence and concrete social interactions, we can see Joas’ view, which fits with Neville’s Confucian concern, provides the religious foundation for the worth of flourishing and its entitlement to institutional protections. In addition, this double aspect, the religious and the institutional, sheds the light on the comparison of Augustine and Xunzi, as much as Pogge’s account of does.

I refer to Joas’ grounding of dignity on self-transcendence in one’s pursuit of value and Pogge’s concern for dignity as the capacity for pursuing flourishing defined by institutional values and one’s choice. Based on their concepts, I suggest that human dignity is the worth of one’s capacity for pursuing a worthwhile life conceived by oneself and institutions, of which sanctity rests on self-transcendence. As Joas and Pogge in common suggest, this capacity for pursuing one’s flourishing, which is conceived by one’s social-institutional values and one’s own pursuit open for self-transcendence, is entitled to claiming the institutional respect and protection in providing the access for basic goods serviceable to this pursuit of flourishing.

### 3. Human Dignity and Its Entitlement to Institutional Measures for Protecting Human Flourishing in Augustine and Xunzi

By referring to Pogge and Joas, I show that it is possible to provide the religious foundation of human dignity in the human pursuit of a worthwhile life as flourishing, which grounds human rights as the entitlement to institutional measures for securing the access to basic goods for human flourishing. Pogge’s contextualistic universalism and Joas’ universalistic aspiration resonate with a comparative project that aims at construing a cross-cultural thin moral universalism with a deep sensitivity to culture-specific variations of multiple traditions (Twiss 1998, pp. 37–46; Waltzer 1994, pp. 2–5). This comparative inquiry tests whether the above-mentioned moral universalistic frame of human rights and dignity is serviceable to reconstructing the ethical thoughts of Augustine and Xunzi, while allowing for culture-specific, contextual expressions.

#### 3.1. Human Dignity and Human Capacity in a Relative Sense and an Absolute Sense

Revisiting Joas’ grounding of dignity on self-transcendence and Pogge’s suggestion for defining dignity as a matter of capacity for pursuing one’s worthwhile life in social institutions, I address how dignity consists of self-transcendence and the capacity for pursuing flourishing in human society. I interpret Augustine and Xunzi by focusing on human dignity rooted in the human capacity that is to be esteemed and respected not only for its relative worth of pursuing human flourishing distinct from other animals but also for the absolute worth of pursuing one’s flourishing to be found in self-transcendence.

For Augustine, human dignity rests on the image of God, which is primarily concerned with rational nature but points to the human pursuit of self-transcendence to the supreme good. The rational faculty of human nature is worthwhile as this worth is not only established on the comparison with animals in a relative sense but also is grounded on its relation to the divine wisdom of God in an absolute sense. On the one hand, human worth or dignity is construed in a relative sense, as its worth resting on reason is evaluated in and through its comparison with animals. For him, the whole humanity “should be assessed (*aestimandus*)” as esteemable, based on “what holds the principle place in man and which distinguishes him from the beasts” (Augustine 1991a, p. 186). On the other hand, this aspect of human worth, which is in reason, points to the image of God as the locus of orienting one’s love to the highest value of the supreme good in an absolute sense. “The rational substance (*rationalis substantia*) was made through and to the likeness (*similitudinem*)” while bearing its sacred aura of bearing the transcendent point of reference (Augustine 1991a, p. 186). This likeness of rational nature is oriented “toward the image of the Trinity (*ad Trinitatis Imaginem*)” (Augustine 1991a, p. 187).

The image of the Trinity is the fundamental point of reference that explains the most concrete function of memory, will, understanding, and gives a primary sense of unity and orientation in pursuit of the supreme good, which is the highest value of all (Augustine 1887, p. 188). In the City of God, Augustine notes how this image of God, which is closer to God in human nature (*natura*) than any other created things, “needs to be perfected (*perficiendam*)” in its absolute sense (Augustine 1998). It addresses natural or intrinsic “capacity for loving God” (Puffer 2017, p. 69). Although the doctrine of the original sin implies the collective impairment of human nature, Augustine also underscores “the healing and correction of the nature which has become vitiated and depraved” (Augustine 1998, p. 605). Human nature equipped with its innate divine capacity for perfection opens up the absolute level of dignity despite its impaired situation, which surpasses the human capacity of reason and its relative dignity over animals.

Augustine’s double ways of grounding dignity in a relative sense and an absolute sense open up two-layered visions of actualizing the worthwhile human capacity for flourishing, which have a broad range of scale. On the one hand, the minimal actualization of the worthwhile human capacity in a relative sense is concerned with “the power by which the human surpasses the cattle”, or “the reason and the intellect (*ratio et intellectus*)” “which we have and they do not have” (Augustine 1991b, p. 76). On the other hand, the maximal actualization of the worthwhile capacity for transcendence in an absolute sense is about cultivating one’s virtues according to the highest moral, spiritual principles. Reinterpreting the human power of controlling animals allegorically as “the mastery over all the affections and emotions of our soul by temperance and modesty”, Augustine suggests that this worthwhile locus of the image of Trinity be “nourished” according to “the knowledge of the finest rational and moral principles of eternal life” (Augustine 1991b, p. 79).

Different from Augustine, Xunzi does not directly ground the relative dignity on the innate rational capacity, nor establishes the absolute dignity on the innate potentiality for divine reality in human nature. First, the relative dimension of human dignity consists in how humans can form the collective ordering of social cooperation by restraining their ego-centric, myopic pursuits of profit and disorderly tendency ingrained in human nature. Different from Mencius who supposes that human nature is good (*xingshan* 性善) for its emotional responsiveness (*qing* 情) laden with innate universal moral virtues (Mencius 1970, p. 125),<sup>2</sup> Xunzi views that human nature is evil for its emotional perturbation driven with chaotic, destructive impulses for profit. Human nature (*xing* 性) has the propensity for “a love of profit (*haoli* 好利)” coupled with “emotional perturbation (*qing* 情)” that incurs “aggressiveness and greedy tendencies (*zhengdu* 爭奪)”, “violation of social distinctions (*fanfen* 犯分)”, and “throwing [of] the natural order into anarchy (*luanli* 亂理)”, as finally leading to violence (*bao* 暴) (Knoblock 1988–1994, vol. 3, pp. 22–23). In this context, Xunzi locates human worth in the human capacity for the collective power of ordering social activities through role divisions and moral principles, distinct from other animals, which implies a relative sense of dignity. In his ontological pyramid, “humans are the noblest being in the world (*gui* 貴)”, given that humans possess distinctively the power to organize society (*qun* 群) and role-divisions (*fen* 分) on the basis of the shared sense of moral principles (*yi* 義), though sharing vital force, animal life, and even wisdom with inorganic matters, plants, and animals (Knoblock 1988–1994, vol. 2, pp. 103–5). Human dignity is expressed in the social capacity for concerted social activity, which involves proper role-divisions and harmonious cooperation.

In addition to the relative dignity of the social capacity for concerted collective actions distinct from animals, humans have a higher sense of dignity resting on the holistic, cosmic self-transcendence to resonate with cosmic creativity in an absolute sense, which is not grounded on human nature but on the extra-ordinary level of self-cultivation. Xunzi argues that those ancient sages and kings that instituted this system of social distinctions are “the most basic benefit of Heaven and Earth”, thus

<sup>2</sup> (Mencius 1970, p. 125); Mengzi, *Mengzi*, IV.A.6.



deserving to “be prais[ed]”, “secur[ed]”, and “esteem[ed]” (*gui* 貴) as the “foundation of Heaven and Earth (*tianxiazhiben* 天下之本)” (Knoblock 1988–1994, vol. 2, pp. 123–24). This dignity as esteemed for cosmological co-creativity pertains to sages and gentlemen while it does not rest on an inborn nature but on the open-ended possibility for self-transcendence to be actualized through conscious efforts of self-cultivation, which is open to all. While sages (*shengren* 聖人) “invented ritual principles and precepts of moral duty (*liyi* 禮義)” as well as “laws and standards” with conscious efforts (*wei* 偽), gentlemen (*junzi* 君子) follow “the Way of ritual principles and moral duty (*daoliyi* 道禮義)” (Knoblock 1988–1994, vol. 3, pp. 151–52). The dignity correlated with the capacity of sages has a holistic, cosmological, and absolute dimension. This dignity rests on the cosmological status of humans’ co-creativity through rituals and moral principles. “Heaven and Earth are the beginning of Life. Ritual and moral principles are the beginning of the order. The gentleman is the beginning of ritual and moral principles. . . . The gentleman provides the organizing principle for Heaven and Earth. The gentleman is the triadic partner of Heaven and Earth” (Knoblock 1988–1994, vol. 2, p. 103).

While Augustine reveals two-layered visions of actualizing the worthwhile human capacity for flourishing within human nature, Xunzi suggests his own version of two-layered visions of actualizing the worthwhile human capacity in a relative sense and an absolute one, which is grounded not on human nature, but on effortful cultivation. Actualizing the two-layered worthwhile capacity consists not only in ordering one’s uncultivated nature through conscious efforts of ritual and moral principles but also in departing from it to participate in cosmological realities through purification. On the one hand, the minimal actualization of the worthwhile human capacity, which secures a minimal degree of realizing the relative dignity, consists in cultivating the overall system of social order that imbues civic morality and restrains egoistic impulses through moral, political institutions. While restraining profit-seeking impulses, aggressiveness and greed, and violence, the whole social order needs to resort to “the transformation of teachers and laws (*shifazhihua* 師法之化)” and “ritual and moral principles (*liyizhidao* 禮義之道)” to cultivate the collective sense of “courtesy and deference” (Knoblock 1988–1994, vol. 3, pp. 22–23). On the other hand, the maximal actualization of the worthwhile capacity, which aspires for meeting the absolute dignity, is achieved through the sagely self-cultivation of purifying one’s inner state of mind enough to participate in cosmic creativities. With a sense of fulfilling the Triad (*can* 參) of Heaven, Earth, and Humanity, there is a moral psychological state of cosmic participation that can be developed with human efforts. When the sage “purifies (*qing* 清) this heavenly control”, he rectifies and restores the unitary power of reflective concentration on sensations, heavenly emotions, heavenly faculties, and nutrition and order. While establishing the heavenly vocation, the sage is equipped with “the heavenly emotions (*tianqing* 天情)”, “the heavenly faculties (*tiangong* 天宮)”, and the “heavenly control (*tianjun* 天君)” of five faculties through “the emptiness of heart” and the heavenly nutrition (*tianyang* 天養) of consuming natural resources.<sup>3</sup> While the minimal actualization of the worthwhile capacity in its relative dignity hinges on creating a harmonious social order and ordering collective emotions over against uncultivated nature, the maximal actualization of the capacity in its absolute dignity rests on sages’ ongoing self-cultivation for cosmic transcendence through purification.

### 3.2. Social Conception of Flourishing and the Entitlement to Institutional Measures of Protection

Just as both Augustine and Xunzi conceive of the two levels of dignity as the capacity for pursuing human flourishing in its relative and absolute sense, they both suggest how a society conceives of different ranges of flourishing that correspond to the different levels of dignity. Corresponding to these two ways of actualizing human capacity that constitute dignity in an absolute sense and a relative sense,

<sup>3</sup> Although Knoblock translates Tian (天) as by nature or natural, I translate it as literally as possible in order to note the cosmological aspect of his position. (Knoblock 1988–1994, vol. 3, p. 16).

there are two different social conceptions of human flourishing that would demand the institutional measures for protecting the access to it.

For Augustine, human flourishing is primarily about attaining the harmony and peace between parts and the whole. No matter whether it is the case of the body, irrational creatures, rational beings, or human social entities, does the whole universe strive to attain a certain level of tranquility of order whereby various parts are arranged into a harmonious whole (Augustine 1998, pp. 938–40). Those oriented to the supreme good have their social conception of the maximal flourishing or the good life as the enjoyment of the supreme good, the true fellowship of harmony and peace united under the love of the supreme good (Augustine 1998, pp. 938–40). Those oriented to the enjoyment of one's sense of power as self-love have their social conception of the good life defined by their own self-centricity, which opens up turmoil, disorder, and internal division, while, nevertheless, trying to attain some limited level of peace and order for their functions (Augustine 1998, pp. 938–40).

Between these two contrary conceptions of flourishing, there is an ambiguous, intermixed area of living together, which demands a complicated sense of institutional measures for protecting the access to human flourishing. Although this maximal ideal of flourishing belongs to those of the heavenly city oriented to the supreme good, they need to be concerned with maintaining a relative degree of flourishing by collaborating on lesser, temporal goods for a peaceful life with those of the earthly city committed to the value of self-centric power. They are intermixed with each other, only to be separated at the end of history (Augustine 1998, pp. 48–49). Just as those belonging to the church's institutional pursuit of maximal flourishing are entitled to use "things necessary for the support of this mortal life" for the enjoyment of eternal peace, those of the earthly city are entitled to "attaining the things which belong to this mortal life" through "cooperation of men's wills" (Augustine 1998, pp. 945–47). The socio-political institution of the earthly city needs to concern various pursuits of temporal goods and negotiation for a provisional state of harmony among diverse pursuits, while those of the heavenly city seek the maximal level of flourishing by utilizing this provisional, relative flourishing (Augustine 1998, pp. 947–48). A human person that is a psycho-somatic being embedded in her society needs to be protected from any severe degree of disintegration, in such a way that her own bodily integrity, agential integrity, and social cooperation can be maintained enough to sustain one's peaceful, orderly existence (Augustine 1998, pp. 938–40). Although Augustine criticizes his contemporary ideal of the republic for lacking the true consensus united by the love of God and being unjust in its depraved way of consensus, he thinks that it still has a relative degree of stable peace and harmony serviceable to the pursuit of maximal flourishing.

Corresponding to these ideas of dignity and cultivating human capacity, Xunzi suggests a broad range of the social conception of human flourishing. The human flourishing or "excellence (*pianshanzhidu* 扁善之度)" in general hinges on ordering one's life force and nurturing one's life (Knoblock 1988–1994, vol. 1, pp. 152–53). Ordering human life for proper flourishing is only attainable through ritual-moral principles derived from the socio-cultural conception of flourishing in various aspects of reality. It governs one's life-vitality, intention, and intellectual deliberation; then regulates housings and clothes, movement and residence harmoniously; and finally orders all behaviors in a graceful manner (Knoblock 1988–1994, vol. 1, pp. 152–53). Without this ordering of ritual systems, there would never be any well-functioning life of a person and her action as well as of a social unit, reaching from the family to the state (Knoblock 1988–1994, vol. 1, pp. 152–53). The socio-cultural system of ritual, moral principles as the social conception of ordering human life constitutes the life that flourishes for humans in the cosmos. Beyond this overall flourishing for the whole group, Xunzi envisages the maximal flourishing of sages and gentlemen, which demands the self-cultivation of ordering one's desire. Similar to Augustine, Xunzi knows that not all persons yearn for the vision of maximal flourishing while some of them are prone to oppress personal, social flourishing due to their myopic self-interest and disordered impulses. The social conception of the relative, collective flourishing of the group, as suggested in the system of rituals and moral principles, is instituted by sages who actualize the maximal level of flourishing in creating normative cultural values. "The sage

accumulates his thoughts and ideas. He masters through practice the skills of his acquired nature and the principles involved therein in order to produce ritual principles and moral principles and to develop laws and standards" (Knoblock 1988–1994, vol. 3, pp. 153–54). This maximal level of flourishing open to sages and gentlemen requires the sincere process of self-cultivation through learning the patterns of ritual, moral principles, while entitling them to intellectual, moral, political leadership not accessible to all people. The minimal level of flourishing rooted in the relative dignity of well-controlled social action needs to promise the flourishing of social harmony to the whole society as an organic entity and its members, which is not assessed in terms of each person's maximal flourishing but in terms of the whole society's orderly functioning.

Corresponding to the social conception of the flourishing, Xunzi suggests institutional measures for protecting the personal, social access to flourishing from diverse disorderly, disvalued ways of malfunctioning, while retaining the concern for the maximal flourishing of the whole society through role divisions. His account of institutional measures to protect the access to flourishing begins with his view of harms on flourishing due to uncultivated desires and the importance of artificiality or conscious efforts in ordering collective desires. As is noted above, the impulses for profit, if they remain uncultivated, engender many actual evils, while the conscious efforts of moderating desires are good. They generate not only personal evils such as the myopic preference for self-benefit, mutual struggles without deference (Knoblock 1988–1994, vol. 3, pp. 150–51) but also social evils such as robberies, promiscuity, the loss of morality, transgressing boundaries, and disarranging coherences, thus all resulting in violence (Knoblock 1988–1994, vol. 3, pp. 150–51). Xunzi argues that inborn desires that seek things "without limits" lead to "contention", chaotic "disorder", and exhaustions of resources or "poverty", which demands moral and ritual principles in response to disorderly evils (Knoblock 1988–1994, vol. 3, p. 55). The political institution and its cultural tradition, which are aligned with the system of rituals and moral principles, are concerned with ordering and regulating diverse desires to protect the access to human flourishing. The political institution, as represented by "ancient kings", "establishes the regulations contained within ritual and moral principles" in order to "apportion things, nurture the desires of men, and supply the means for their satisfaction" (Knoblock 1988–1994, vol. 3, p. 55).

### 3.3. *The Access to Basic Goods for Human Flourishing*

As human dignity retains human rights as the entitlement to the institutional measures for protecting the access to flourishing from social malfunctions, these institutional measures need to meet the requirement of securing the access to basic goods for flourishing. Augustine and Xunzi touch on the access to basic goods for the minimal flourishing, which is assessed by and open for the ideal of maximal flourishing. As Augustine views, basic goods are necessary for maintaining the minimal flourishing of temporal human life as the object of concern shared by the two cities while serving as the means for the maximal flourishing of enjoying the supreme good in the heavenly city. First, concerning the access to the good of ethical worldview, do the monotheistic belief, public rituals, and moral injunctions promote the maximal flourishing of "forsaking the world and dedicating their life to God", while protecting the minimal flourishing of the city from ongoing bloodsheds, constant struggles, and civil wars (Augustine 1953, p. 228). Second, with regard to the access to the good of political participation, the earthly city secures the "cooperation of men's wills for the sake of attaining the things which belong to this mortal life" for "an ordered concord of civic obedience and rule", while heavenly city "makes use of this peace" for eternal life without "hesitating to obey the laws of the earthly city" (Augustine 1998, pp. 945–47). Finally, when it comes to the access to the good of physical integrity and economic activities, the earthly city needs to secure material goods such as "light, speech, breathable air, drinkable water and whatever the body requires to feed, clothe, shelter, heal or adorn it" which are subservient to the pursuit of the heavenly peace (Augustine 1998, pp. 938–40). Augustine underscores the access to economic life that reflects the intrinsic value according to the divine order, as he condemns the polytheistic custom of relating gods to commerce, agriculture, construction, and

metallurgy, and the disordered ways of value-exchange such as a horse more expensive than a human slave (Augustine 1998, pp. 281–88).

Xunzi suggests the aspects of securing the access to basic goods that relate to those concerned with the minimal or relative level of flourishing without giving up the ideal of maximal flourishing. The access to the good of the ethical tradition, which covers the pattern of moral and ritual principles, is to be secured to the task of the harmonious ordering of desires of petty men as well as to those gentlemen and scholars aspiring for the maximal flourishing of sagehood. Second, with regard to securing the access to the good of socio-political participation, the king is responsible for assigning a proper post to each candidate according to “relative inner power”, while relegating a man of noble birth, if lacking virtuosity, to the commoner and assigning highest ranks to virtuous persons and proper posts even to disabled ones (Knoblock 1988–1994, vol. 2, pp. 74–76). Third, as for the access to basic goods for physical integrity and economic activities, sages instituted the tradition to “nurture the desires of men” against uncultivated desires for unlimited profits, as it moderates and refines the provisions of meat, rice, fragrances, metals and fabrics, rooms and chambers with various kinds of furniture (Knoblock 1988–1994, vol. 3, p. 55). Moderation through ritual principles not only facilitates the enhancement of productivity as “the overflowing of surpluses” but also the efficient system of labor divisions consisting of “knights and grand officers”, “hundred officials” “merchants and traders”, “craftsmen”, and “farmers”, which realizes the cosmic harmony of Humanity, Heaven, and Earth (Knoblock 1988–1994, vol. 2, pp. 121–22, 169).

#### 4. Conclusions

When reinterpreting Augustine and Xunzi in light of human dignity and human rights, I tackle two questions, following Pogge and Joas. First, I reinterpret Augustine and Xunzi by showing how human dignity rests on the relative worth of pursuing one’s flourishing distinct from animals and the absolute worth of pursuing flourishing open for self-transcendence, which also entails different ranges of social conceptions of flourishing. I also tackle how it leads to the entitlement to institutional measures for protecting the access to human flourishing as the issue of human rights, which involves protecting the access to basic goods for flourishing.

While locating the relative dignity of humans over animals in their rational nature, Augustine grounds human dignity in its absolute sense on the actual sacred capacity for relating to the image of the Trinity universally given in each individual, which is the triad of memory, will, and intellect. While situating the relative dignity of humans over animals in the power of concerted social actions, Xunzi grounds human dignity in its absolute sense only on sages’ capacity for relating to cosmic creativity, which requires the cultivation of inner faculties to participate in the cosmic triad of Heaven, Earth, and Humanity, though not intrinsically given but open for all. Augustine grounds human dignity on each individual’s actual capacity for reason and self-transcendence to the inner image of the Trinity embedded in human nature, though this nature is impaired through the original sin. With his critical view of human nature as the source of emotional perturbations and egoistic impulses, Xunzi grounds the relative dignity on the social cultivation of civic morality restraining uncultivated nature through moral-ritual principles, while confining the absolute dignity only to sages’ creative capacity to resonate with the whole cosmos.

Their views on human dignity lead to the social conceptions of the minimal and the maximal flourishing and the entitlement to the access to human flourishing. Augustine’s idea of dignity entails a broad scope of human flourishing, which ranges from the minimal actualization of maintaining the relative peace and consensus of the earthly city to the maximal flourishing of embodying the virtues of divine love and eternal peace in the heavenly city. Xunzi suggests a broad range of human flourishing, which, however, has a different emphasis. While proposing a relative level of flourishing in regulating collective desires to attain social order through moral, ritual principles, as proper for the relative dignity, he envisages the maximal flourishing of sagehood open only for those who cultivate their cosmic potentials to regulate social life in charge of these principles. There is a remarkable commonality

in both positions. Attaining social order and harmony is taken as a characteristic of the minimal flourishing deserved for dignity in a relative sense, whether it is grounded on persons' rational capacity to maintain temporal peace in society or the whole collective system of social divisions and hierarchy. Moreover, cultivating one's worthwhile sacred capacity for self-transcendence is the aspirant goal of the maximal flourishing deserved for dignity in an absolute sense. However, the significant difference lies in how those willing to hold onto the vision of maximal flourishing relate to those unwilling or unable to follow it for a limited level of flourishing. Augustine holds that the minimal or relative flourishing of society is an outcome of the compromise between the two different ways of collective desires and visions of flourishing. Xunzi views that different levels of flourishing among people constitute the maximal flourishing of the society in itself, if well-regulated, thus not a compromise, but an intended goal of the collective ordering of the moral-ritual principles over uncultivated desires.

With regard to the entitlement to the institutional measures for protecting the access to flourishing from social malfunctions, Augustine and Xunzi reveal different visions in the midst of shared concerns. For Augustine, the political institution needs to protect the minimal level of personal, social flourishing from disordered self-interest, domination, and social discord by allowing a compromising consensus on their shared context of temporal life. For Xunzi, the political institution is to protect the minimal level of personal, social flourishing from uncultivated desires, obsessions with self-interest, and exhaustions of resources through role-divisions and moral-ritual principles as the best possible option as it is, while restricting the maximal flourishing of sagehood to those few elites successful in self-cultivation.

Corresponding to their conceptions of the institutional measures for the access to flourishing, Augustine and Xunzi show their views of securing the access to basic goods. Both agree that the access to the ethical tradition is crucial for the relative flourishing of avoiding social disorder and the maximal level of promoting the shared religious orientation or educating a selected group of the bearers of the tradition. However, Xunzi suggests that there is the hierarchical order between those in charge of upholding the tradition for their excellence and those subject to it, while Augustine holds that there is the conflict and coexistence between those united in the shared truth and those pursuing false religions. Concerning the good of political participation, Augustine sets forth an ambivalent attitude to the good of political participation, which wavers between dissidence and cooperation, while Xunzi suggests an allegiance to a hierarchized structure of political participation that corresponds to one's level of merits and self-cultivation. Finally, concerning the access to the good of physical integrity and economic activities, both suggest providing access to the good of necessary materials with a certain ideal of flourishing, whether ritual-moral principles or the well-ordered love. While Augustine's view takes the well-ordered access to these physical goods and economic activities as an instrumental value for the love of God representing the divine order, Xunzi takes the well-regulated access as the end in itself, even taking the roles of sages and gentlemen as instrumental for the harmony of the whole society.

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