ANTHROPOLOGICAL PROBLEMS
IN THE HISTORY OF PHILOSOPHY

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Legal Roots of Christian Anthropology

Purpose of the article is to reconstruct the legal sources of Christian anthropology. **Theoretical basis.** The methodological basis of the article is the understanding of the fundamental foundations of Christian anthropology in the context of Roman legal understanding. **Originality.** From the point of view of the Christian religion, man is a dual being: his body is part of the material world, but his soul is not from this world, he is born directly from God. The transcendent origin of the soul gives it the right to communicate with God, but this right can be realized only with the help of the Church, which is seen as the "bride of the Lamb" and the mystical "body of Christ". Interpretations of the essence of church organization correlate with the principles of organization of the Roman community. The principle of universal priesthood correlates with the idea of "post-Tarquinian democracy", recognizing the people of Rome as the supreme bearer of the empire of Jupiter; catholicity – with the idea of the senate as a meeting of the most deserving leaders of the community; apostolic succession – with the institution of republican magistrates, who even though received their power from the community, but through "consultations with the gods" (auspices). In essence, Christian dogmatism is Roman law applied to the Middle Eastern religion; the Bible was interpreted as a legal document, and theologians acted as lawyers. **Conclusions.** In the ancient Churches (Catholic, Orthodox, Armenian, Coptic, etc.) the ideal of Roman law was realized as the right of impersonal law, standing outside and above the individual. The latter has no ontological value, it is a "servant of God", but the union of men into the mystical "body of Christ" makes the latter empowered to represent God on earth and to act on his behalf. The Renaissance paved the way for the Reformation, in which a powerful "Greek" ("philosophical") lobby declared itself. Despite the fact that many leaders of the Reformation had a personal dislike for philosophy, they were spontaneous philosophers, believing themselves entitled to interpret the will of God independently, regardless of the authority of the councils. They were strict rationalists who only changed the object of their reason: if the ancient Greeks tried to comprehend the world rationally, the Protestants set themselves the goal of rationally comprehending the Book. Ultimately, the main question of Christian theology is the question of man's attitude to God, and the differences between the anthropological systems within Christianity are the options for answering this question.

Keywords: Christian anthropology; transcendent; Roman law; soul; the essence of man; Church

Introduction

About 120 years ago, a German philosopher informed the European public about the "death of God". The progressive public received the news with enthusiasm, the conservative one – with indignation. However, both the enthusiasm and the indignation were too sluggish to organize at least one decent bonfire. Be that as it may, the birth of God is associated with more dramatic events.

Although conceptually the New Testament is a logical continuation of the Old one, Christianity is so different in its external forms and internal content from Judaism that if it were not for common mythological plots, the genetic relationship of these two religions would seem unlikely to an outside observer.

However, no matter how different the theological concepts of Judaism and Christianity were, their anthropological models differed even more. And the Roman law played a significant role in these differences. How did the Roman code get into the Christian matrix?

Analysis of publications commencing the solution of this problem

On the relationship between early Christianity and the Jewish diaspora, see the work of Ross Shepard Kraemer (2020), but it should be borne in mind that most Jewish contemporaries of Flavius Josephus practiced various kinds of silence, testifying to the world around them (Asiedu, 2019). Issues related to the relationship between the Christian Church and the Roman Empire have been addressed by many authors, starting with Eusebius of Caesarea (Eusebius, 1926, 1932, 1999), who is considered the "father of church history". The works of this author, like the works of many of his followers, are intended to glorify the early Church; in most cases it is not a question of objectivity or historical authenticity. Nevertheless, Eusebius' Church History had a tremendous influence on the formation of Christian culture, and the author himself adapted classical historical works for a new "nation" of Christians with a special theo-political vision (Hollerich, 2021). Much more balanced is Edward Gibbon's study "The History of the Decline and Fall of the Roman Empire", which has long been the best scholarly work on the history of ancient Rome; it has not lost its relevance today. It is also worth mentioning Jacques Le Goff's (2005) "Civilization of the Medieval West", which contains interesting observations on the foundations of the Christian worldview.

There are many other works by ancient and modern authors who have written on various aspects of church history and the Christian worldview, but I have not been able to find works that address the influence of Roman law on Christian theology and related anthropological models. My hypothesis is that this influence (not just at the level of legal practices, but at the level of worldviews) was not just significant, but decisive for the development of the Christian doctrine of man.

Purpose

The purpose of the article is to reconstruct the legal sources of Christian anthropology.

Statement of basic materials

In 410, an Visigoth army led by Alaric invaded Rome and looted it. St. Jerome (1933) wrote: "My voice sticks in my throat, and, as I dictate, sobs choke me. The city which had taken the whole world was itself taken; nay, it fell by famine before it fell by the sword, and only a few of the citizens survived to become captives" (p. 462). The same event prompted Aurelius Augustine to write a treatise "De Civitate Dei", in which, for the first time, the "city of the earth" and the "city of God" were clearly contrasted, from which, in particular, it followed that the capture and even destruction of the former did not harm the latter.

However, Augustine only explained what, to one degree or another, was understood by all who had at least some acquaintance with Christian teaching: the Church and the Roman state are completely different worlds, different realities. For the Empire, the meeting with the Church became fatal, but for the Church this meeting did not go unnoticed as well. And the imperial legacy was very specific, which will be discussed below.

Modern man is descended from ape, man of former cultures has a divine origin. If we undertake to study the history of a nation, we will find a god near his pram who shows a special

sympathy for him. The character of God, his militancy, peace, the breadth of his interests, etc., largely determine the character of his subjects. If today the conversation about man can be conducted as if the heavens were empty, then the ancient man appears only in the company of his gods (Kostruba, 2020). Building relationships with the heavens, man determined his essence; since the forms of relations were different, the essence of man in different cultures was not identical.

The Romans did not let the gods get bored, who had to not only enjoy worship, not just sanctify the existing order with their authority, but also *answer the questions*. They are strong, but not omnipotent, they do not have a plan to reorganize the world, and therefore in the human mind there is no gap between what is and what is due habitual for subsequent eras. Existence is due if people do not forget to consult with the gods and do not abuse their freedom. As Marcus Aurelius noted, the good for a man is what corresponds to his nature, and as a social being, he is a citizen of two cities: his homeland and the whole world. What is beneficial to these two cities is also good for the individual (Marcus Aurelius, 2013, VI.44). Thus, Roman paganism did not provide for social nonconformism, and therefore the Romans would find the proposal absurd to renounce the homeland, family, personal happiness, etc. *in order to* please the heavens.

The only serious sacrifice was demanded by Vesta from her priestesses, who refused to marry until the age of forty and took the vow of chastity. By the way, the violation of this vow was considered a state crime, punishable by the death penalty of both the Vestal herself and her lover. However, this was almost the only restriction for the priestesses of Vesta, whose service was very honourable, the Vestals had many privileges and for a long time they could only be representatives of noble Roman families.

The Roman gods were the patrons of the community, establishing services for them both in gratitude for their former cares and in the hope of further protection and help. The Romans treated the gods with reverence, but without subservience. Perhaps they would interpret the phrase "servant of God" as "slave at the temple"; Jupiter, Mars, Minerva were leaders, not slaveholders. Also, the Greeks, who regarded Athens as the ruler of Attica, did not give this fact direct meaning: the gods take care of people, but do not give orders.

Judaism in this sense was the opposite model, where different aspects of society and human life are conditioned by numerous and detailed religious precepts. Such a strange concept for classical Antiquity would have remained the lot of the closed people who divided it, if Christianity had not inherited from it the idea of *direct divine rule*, reaching its most odious form in those doctrines which – from Augustine to Calvin – denied free will completely.

However, the denial of free will for most Christians remained exotic, because casuistry like that of Luther could not overshadow the "innate" legal maxim: only the legally capable persons are subject to trial. But even soft versions of Christianity, which allow free will (the abuse of which breeds sin; this concept is intended not so much to explain the world as to *justify* the Creator, whose work is too far from perfect), still limit it to private cases, leaving God the right of general direction of the world.

For the pagans of Greece and Rome, man was weak, but still a co-author of the gods, in some cases even reaching divinity, and Christianity postulates the slavish status of man, whose freedom (if it exists) only spoils the divine creation. And here are the fundamental differences in anthropological models. If the Romans were the creators of their history and life, who only periodically consulted with the gods, then the Christians could not practically make a difference to the world.

While accepting that God is unchangeable, one should also accept that his commandments must always be the same, because the commandments are an expression of the *unchangeable* will. If the will of God is always the same, then the question is only in the possibility of its adequate comprehension and the ability to follow it. However, in reality the situation is a bit more complicated.

The immutability of the will corresponds very badly to its freedom. Interesting in this regard are the arguments of Anselm of Canterbury, who, according to Michael Barnwell, explains his notion of free will in terms of three different concepts: 1) special definition of free choice as the ability to preserve the justice of the will for its own sake, 2) self-determination and 3) the principle of alternative opportunities. The American researcher notes that despite all the efforts of Anselm and his followers, the relationship between these concepts remains problematic (Barnwell, 2018). It turns out that God is deprived of the right to both self-determination and alternative opportunities, being in this sense a being less free than humans and angels.

Moses and Isaiah did not read Plato, but the Fathers of the Church did read, even if they did not always risk confessing this sin. And they did what the Jewish prophets could not dream of in a nightmare – they caught God and locked him in a world of philosophical abstractions. Although most Christian thinkers emphasize the absolute freedom of God, who, unlike the Platonic Demiurge, is not limited by any necessity, external needs, etc. (Karamanolis, 2021, pp. 130-131), in fact, Christian theologians make God hostage to a decision once made, denying him the right *to change his mind* (Halapsis, 2016, pp. 72-73). Accordingly, man's relationship with heaven acquires a different character.

The gods of the Greeks and Romans were part of this world, the Christian God is transcendent, and it follows that God does not depend on the laws of this world. Taking Hesiod's (2006, pp. 116-117) version as a basis and combining it with modern cosmological theories, we get that the Greek gods appeared some time after the Big Bang, and their power is localized in space (the birth of Gaia from Chaos was, in fact, the first theogonic event). The existence of life on distant planets today does not seem unbelievable, and if there is life somewhere, especially intelligent, then, continuing the line of Hesiod, we must assume that they have their gods there. One can even assume the existence of gods on lifeless planets, whose leisure is not associated with watching the script turns of the series, which is set by mortal and intelligent beings. Concern for the world of the pagan gods is understandable, for our world is their world too.

But if we use the Bible as a source of information about heaven, we will come to the conclusion that God could not have emerged from the Big Bang, he was on the other side of reality and, most likely, it was he who arranged this event. Man in such optics turns out to be a dual being. On the part of the physical body he is a part of the material world and depends on its conditions, but on the part of his immortal soul he is a being not of this world, because the soul proceeds directly from God.

This division into, in Descartes' words, res cogitans and res extensa, has always been characteristic of Christian theology. The soul does not obey the laws of physics; accordingly, the actions of the soul cannot be determined by material conditions, and sin arises from its free choice. As a transcendent being (on the part of the soul), man has the unique gift of communion with God and following his commandments. Neglecting this gift, the fascination of the soul with bodily pleasures and vices, turns man away from God.

However, it is not only God and human souls that are transcendent. As spiritual beings, the angels of God are also transcendent, as are the Devil and his angels. The soul can communicate

not only with God and his angels, but also with the representatives of the infernal world, and the latter can be successfully disguised as messengers of heaven. Among the pagan gods, it was a sign of bad manners to pretend to be someone else and to deliberately mislead mortals, but demons do not have such prejudices. By the way, the idea of passing pagan gods off as demons was a strong move of St. Augustine. And this is not just a propaganda plan that allowed all pagans to be declared devil worshipers overnight. He did not dare to deny in the spirit of D. Hume the miracles performed by pagan gods, because the miracles of Christian saints were hardly much more authentic, but to call them the intrigues of the Devil, committed for turning people away from the True God was quite ideologically advantageous. It was enough for a pagan to witness a miracle to consider it as the will of heaven, Christians were deprived of such an opportunity – neither personal spiritual experience nor contemplated miracles in themselves proved anything.

Here, as an analogy, we can take the Internet. If I am interested in normative documents, I look for them on verified government websites, if in news – then on the websites of reputable news agencies, which value their reputation and will not publish unverified data. If I see the headline of some sensational news published on a resource unknown to me, probably I will not even spend my time reading it.

However, even believing in someone's fake, I, in most cases, will lose little, unless that I look silly in the eyes of others. But if the future of my immortal soul is at stake, then I should be extremely careful. The transcendence of the soul is its access to the spiritual "Internet", but in it, in addition to divine "sites", there is a huge number of infernal "sites", most of which mimic the divine ones, subconsciously misleading their "readers" and bringing them to sin and death. That is why it was so important to identify "verified sites" that provide reliable and edifying information.

The Greeks and Romans did not think about controlling this "Internet", formalizing the cult, but not formalizing the faith. For the common good, it was necessary to perform cultic actions aimed at demonstrating their reverence for the gods, but as for the reasoning about their essence, origin, etc., then different points of view were allowed, up to the worship of other gods. Only open atheism was not welcomed.

But the Jewish prophets tried to take control of the spiritual realm, citing the will of the One God, who categorically does not accept competition from those who, in theory, should not be – other gods, and this line was continued by other Abrahamic religions. Moreover, if Jews and Muslims blocked only pagan "sites", then Christians also added to the block list the Christian resources that "misunderstand" the Holy Scriptures.

The presence of different interpretations of Christian teaching is not surprising at all; after all, the text of the Bible gives it a reason. What is more surprising is the intolerance with which Christian theologians accepted any opinion that did not coincide with their own. As Edward Gibbon noted,

> Even admitting, without hesitation or inquiry, all that history has record-
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> ed, or devotion has feigned, on the subject of martyrdoms, it must still be
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> acknowledged, that the Christians, in the course of their intestine dissen-
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> sions, have inflicted far greater severities on each other, than they had

experienced from the zeal of infidels … The number of Protestants, who

were executed in a single province and a single reign (referring to the

Netherlands during the reign of Charles V – A. H.), far exceeded that of

the primitive martyrs in the space of three centuries, and of the Roman

empire. (Gibbon, 2001, p. 173)

What was the reason for this?

There are phrases in the New Testament that can be interpreted in terms of intolerance of heresies. For example, Paul wrote in the Epistle to Titus, "A man that is an heretick after the first and second admonition reject; knowing that he that is such is subverted, and sinneth, being condemned of himself" (Titus 3: 10-11), or in Galatians: "But even if we or an angel from heaven should preach to you a gospel contrary to the one we preached to you, let him be accursed. As we have said before, so now I say again: If anyone is preaching to you a gospel contrary to the one you received, let him be accursed" (Gal. 1:8-9), etc. However, firstly, "disgust" and "curse" mean a refusal to communicate, and not the need for physical forms of persuasion, and secondly, "to preach a gospel contrary to the one we preached" is a very vague expression, from which the criteria of "heretical" do not follow. If the Holy Scripture described everything unambiguously, then people who assert the opposite things would turn out to be heretics "automatically". But the fact is that there are too many ambiguities in the Bible that give rise to different interpretations. The same Paul wrote elsewhere, "For there also must be factions among you, that those who are approved may be revealed among you" (1 Cor. 11:19).

In Paul's day, the Jewish community was not united; but even though the Sadducees, Pharisees, Essenes, and other religious groups disliked each other, they did not require their members to physically exterminate or forcibly "correct" competitors (terrorist groups like the Sicarii not counted). Probably, when instructing members of the Christian community, the apostle simply meant refusing to associate with heretics, and so, apparently, his correspondents understood this as well. But the Roman affair gave the new religion completely unexpected features.

One of the most important components of the Roman ontological project was the *legal consciousness*, which was basically religious in nature: laws are sacred because they are consistent with higher powers, and remain so until they conflict with the will of heaven. The Romans needed to consult the gods regularly to make sure that the community did not abuse its collective imperium, thus preserving the *pax deorum*. And it was *auspices* that allowed to maintain constant contact with Jupiter.

The Christian religion did not presuppose auspices. God expresses His will irregularly, and does so in various ways — through signs and through individuals. But Christians did not have professional interpreters of signs (like augurs), nor did they have clear criteria for defining true prophecies, distinguishing them from fantasies or "demonic obsessions" ("Believe not every spirit"). Therefore, there is always room for doubt as to what exactly is considered the will of God. Roman (to a lesser extent – Greek) gods communicated with their followers regularly, clearly demonstrating their pleasure/displeasure with their actions. The Christian God, on the other

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hand, refrained from regular communication, and the messages he sent to his followers from time to time were far less unambiguous, sometimes admitting directly opposite interpretations.

However, Christians needed to know that their actions were in accordance with the will of the Most High, especially since the stakes here are completely different. The most that an angry Jupiter could do is to deprive a person of life, which in fact meant its reduction by several years or decades. But the Christian God can condemn to *eternal torment*, which is much worse than premature death, and can give *eternal life* in paradise, which, of course, is much preferable to wandering in the kingdom of Pluto. Christian theologians sought to establish God's will most accurately in order to be sure of the correctness of their own path.

The problem could be solved in two ways – philosophical ("Greek") and legal ("Roman"). The trust of the Greeks in reason, from which philosophy was born, adjusted to a philosophical interpretation of the originally non-philosophical ("madness for the Greeks") model of the world.

Perhaps one of the most profound attempts of this kind was made by Origen (2013), who considered the text of the Bible with regard to the problem of communication between the Almighty Creator and his weak creation (hence the idea, partly gleaned from Philo, of different levels of understanding of Scripture). While deciphering biblical symbols, the Alexandrian monk was interested not so much in the mysteries of the universe as in the ethical issues of Christian theology that were of practical significance. If Pythagoras and Plato used the idea of the transmigration of souls as a component of the *theory of knowledge*, the Christian thinker Origen solved the *theological-ethical problem* with its help. By introducing such an element into his model, he succeeded in combining the idea of God's *Justice* with the idea of his *Mercy*.

This concept proved to be unclaimed by the Church. Perhaps Origen's doctrine was not insane enough to be taken for truth, perhaps it was too humanistic to quell the wrath of the holy fathers; it is even more likely that the doctrine of universal salvation ran counter to the church's business model. Be that as it may, Origenism was rejected.

We find a less elegant, but still quite humanistic model in Pelagius. If Origen's works are at least partially preserved, then the texts of Pelagius have not reached us. Nevertheless, we know that the latter considered man by nature to be a good creature, recognizing the possibility of his independent salvation; Christian teaching provided only help and an example.

In contrast to Pelagius, who believed in the salvation of good pagans and unbaptized infants, Saint Augustine put forward the idea of the saving role of the Church, which, giving its members *a chance* to be saved, *guarantees* hellish torment to those who do not belong to them. It is noteworthy that both Origen and Pelagius did not try to turn their concepts into church dogmas, considering them as intellectual research that does not harm the foundations of faith (Savelyuk, 2020). Origen was interested in the problem of reconciling Justice and Mercy, and he used the doctrine of apocatastasis as an ad hoc hypothesis, while Pelagius was embarrassed by the fact that even Christians leading an unrighteous and disgusting lifestyle a priori have incomparably greater chances of salvation than the worthy, honest and good pagans.

The defeat of Origenism and Pelagianism is very significant. These two teachings ("heresies") were "Greek" models in spirit – not only rationalistic, but also humanistic. Augustine's conception, which in its own way logically connected the immortal Palestinian religion with the principles of *imperial citizenship*, proved to be much more favourable to the Church; it was "Roman" and legal (Bazaluk, 2020).

The Roman citizen was a member of the spiritual community, a representative of the people of Rome. Since the bearer of the Jupiter's imperium was the entire Roman people, the last plebe-

ian was involved in it, which gave the opportunity to enjoy the privileges of citizenship, in particular – *ius civile* applied only to Roman citizens (Richardson, 2015, p. 48). It was only natural for Augustine that those who were not "citizens" of the City of God did not receive the grace inherent in the latter.

Since Origen's version of universal salvation was not accepted, the question of the relationship between Justice and Mercy took on a different meaning. The Church has recognized that although Christ is the Saviour of all mankind, the Acts of the Atonement do not extend to much of the latter. Controversy erupted over the personnel of this "damned part". Because the act of salvation is entirely dependent on God, theologians almost never risked guaranteeing salvation (the promise of paradise to the crusaders or the practice of selling indulgences did not receive canonical formalization), but the holy fathers were not at all embarrassed in identifying those who, under no pretext, could not be saved.

There were, however, exceptions. The Legenda Aurea popular in the Middle Ages (collection of legends and lives of saints written around 1260 by Jacobus de Varagine) among others, contains the story of how the prayer of Pope Gregory the Great saved the soul of the pagan emperor Trajan. However, from the theologians' point of view, even Almighty God found it difficult to admit a pagan to a Christian paradise, so a theological controversy erupted over the accompanying details of this event (Le Goff, 2005, p. 207). Some theologians went even further, broadly understanding the ninth attribute of the Lord: God knows not only what is, was and will be, but also what could be: "the potential modes of the verb could extend into eternity: Hercules dwells in heaven beside Ulrich Zwingli because God knows he would have observed the ecclesiastical year, but He is also aware that the Hydra of Lerna would have rejected baptism and so has relegated the creature to outer darkness" (Borges, 2000, p. 134).

Yet, the question of the posthumous existence of the souls of Trajan and Hercules had a purely speculative meaning, as far as the opportunity to change the future for still living people opened up unprecedented prospects. One phrase of Christ ("Truly, I say to you, whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven" (Matt. 18:18)) gave the heirs of the apostles the most powerful instruments of spiritual authority, the power of which was not immediately realized. When Christianity spread among Roman intellectuals, they gave it a completely Roman interpretation: the Christian Church took the place of the Roman community, the "given" to the Romans imperium of Jupiter was replaced by the grace of Christ received by the Church, and the servants of the latter became the stewards of this grace, just as magistrates were the bearers of a civil imperium.

In this context, intra-Christian conflicts also become understandable, in which, under the pretext of a dispute about the most abstract things (for example, a dispute about the Procession of the Holy Spirit that had not the slightest practical (moral) value, which became one of the formal reasons for the Great Schism of 1054) was a struggle for the right to be considered the true Church, the struggle for the right to be the legal representatives of Almighty God, and hence the struggle for the right to control his creation.

Originality

From the point of view of the Christian religion, man is a dual being: his body is part of the material world, but his soul is not from this world, he is born directly from God. The transcendent origin of the soul gives it the right to communicate with God, but this right can be realized only with the help of the Church, which is seen as the "bride of the Lamb" and the mystical "body of Christ".

It would not be a great exaggeration to say that the controversy over the interpretation of the above phrase of Christ was one of the key points defining the history of the Church. Whom did the Nazarene mean when he said "you"? All Christians (the principle of "universal priesthood"), the apostles and their heirs (the idea of "apostolic succession"), the collective will of the most worthy (the idea of the metaphysical authority of the councils, especially the ecumenical ones, legitimized by the invisible participation of the Holy Spirit) or the special status of the vicars of St. Peter? All this correlates with the principles of the organization of the Roman community. The principle of universal priesthood correlates with the idea of "post-Tarquinian democracy", recognizing the people of Rome as the supreme bearer of the empire of Jupiter; catholicity – with the idea of the senate as a meeting of the most deserving leaders of the community; apostolic succession – with the institution of republican magistrates, who even though received their power from the community, but through "consultations with the gods" (auspices). The latter line quite logically leads to the First Vatican Council, which decided to consider the Pope infallible *ex cathedra*, which, in fact, means giving him the status of a lifelong bearer of the "imperium", used by him, on behalf of God and the Church, in the same way as the emperor disposed of the imperium on behalf of Senate and people of Rome. In essence, Christian dogmatism is Roman law applied to the Middle Eastern religion; the Bible was interpreted as a legal document, and theologians acted as lawyers.

Conclusions

All religious systems, one way or another, stipulate the questions of the posthumous existence of the soul. In many of them, the arisen interpretations differ from each other, and even the presence of a dominant trend does not at all indicate a like-mindedness. However, one can hardly find a religion in which controversy over interpretations (dogmas) reached such a degree of irreconcilability, as in the case of Christianity.

It would seem, since the will of God (as well as his essence) is incomprehensible, any opinions should be taken only as more or less reliable versions, and the dispute about them should be recognized as a pointless exercise. Besides, the reflections on salvation, the essence of the Trinity, etc. in no way negate the *practical* actions that Christ called for.

However, the doctrine was transformed into an organized *structure* – the Church, and Constantine the Great demanded from the Christian leaders an unambiguous Symbol of Faith, because if the "divine imperium" is interpreted broadly, it also changes the exposure of the problem. Then it turns out that the Church itself (in the person of its clergy) receives the power to determine the prospects for both posthumous existence and, in a broader sense, the nature of the divine world order. Claiming to be the exponent of the will of the Most High, the Christian Church actually declared the right to *participate* in Creation. Since the bound (loosed) on earth is "automatically" confirmed by heaven, theological disputes cease to be hypothetical speculations, but become *affirmative decrees*. The struggle between interpretations takes on the meaning of a struggle for the right to dispose of the "imperium".

In the ancient Churches (Catholic, Orthodox, Armenian, Coptic, etc.) the ideal of Roman law was realized as the right of impersonal law, standing outside and above the individual. The latter has no ontological value, it is a "servant of God", but the union of men into the mystical "body of Christ" makes the latter empowered to represent God on earth and to act on his behalf. The Renaissance paved the way for the Reformation, in which a powerful "Greek" ("philosophical") lobby declared itself. Despite the fact that many leaders of the Reformation had a personal dis-

like for philosophy, they were spontaneous philosophers, believing themselves entitled to interpret the will of God independently, regardless of the authority of the councils. They were strict rationalists who only changed the object of their reason: if the ancient Greeks tried to comprehend the world rationally, the Protestants set themselves the goal of rationally comprehending the Book. Ultimately, the main question of Christian theology is the question of man's attitude to God, and the differences between the anthropological systems within Christianity are the options for answering this question.

REFERENCES

Asiedu, F. B. A. (2019). *Josephus, Paul, and the Fate of Early Christianity: History and Silence in the First Century*. Lanham, MD: Lexington Books/Fortress Academic. (in English)

Barnwell, M. (2018). Self-determination vs. Freedom for God and the Angels: A Problem with Anselm's Theory of Free Will. *The Saint Anselm Journal, 14*(1), 13-32. (in English)

Bazaluk, O. (2020). Origen's and St. Augustine's Ideas on Education. *Studia Warmińskie, 57*, 129-141. DOI: https://doi.org/10.31648/sw.6010 (in English)

Borges, J. L. (2000). *Selected Non-Fictions*. New York, NY: Penguin. (in English)

Eusebius. (1926). *Ecclesiastical History: Books 1-5* (K. Lake, Trans., Vol. 1). London: William Heinemann. (in English)

Eusebius. (1932). *Ecclesiastical History: Books 6-10* (J. E. L. Oulton, Trans., Vol. 2). London: William Heinemann. (in English)

Eusebius. (1999). *Life of Constantine* (A. Cameron & S. G. Hall, Trans.). Oxford: Clarendon Press. (in English)

Gibbon, E. (2001). *The History of the Decline and Fall of the Roman Empire* (V. N. Nevedomskiy, Trans.). Moscow: OLMA-PRESS. (in Russian)

Halapsis, A. V. (2016). Miracles and the Perfection of Being: The Theological Roots of Scientific Concepts. *Anthropological Measurements of Philosophical Research, 9*, 70-77. DOI: https://doi.org/10.15802/ampr2016/72235 (in English)

Hesiod. (2006). *Theogony. Works and Days. Testimonia* (G. W. Most, Trans.). Cambridge, MA: Harvard University Press. (in English)

Hollerich, M. J. (2021). *Making Christian History: Eusebius of Caesarea and His Readers*. Oakland, CA: University of California Press. (in English)

Jerome. (1933). *Select Letters* (F. A. Wright, Trans.). London: William Heinemann. (in English)

Karamanolis, G. (2021). *The Philosophy of Early Christianity* (2nd ed.). London: Routledge. (in English)

Kostruba, N. (2020). Concept "Religion" in the Consciousness of Young People: Psycholinguistic Analysis. *Psycholinguistics, 27*(1), 164-180. DOI: https://doi.org/10.31470/2309-1797-2020-27-1-164-180 (in Ukrainian)

Kraemer, R. S. (2020). *The Mediterranean Diaspora in Late Antiquity: What Christianity Cost the Jews*. New York, NY: Oxford University Press. (in English)

Le Goff, J. (2005). *La civilisation de l'occident medieval* (V. A. Babintsev, Trans.). Ekaterinburg: U-Faktoriya. (in Russian)

Marcus Aurelius. (2013). *Meditations, Books 1-6* (C. Gill, Trans.). Oxford: Oxford University Press. (in English)

Origen. (2013). *On First Principles* (G. W. Butterworth, Trans.). Notre Dame, IN: Ave Maria Press. (in English)

Richardson, J. (2015). Roman Law in the Provinces. In D. Johnston (Ed.), *The Cambridge Companion to Roman Law* (pp. 45-58). Cambridge University Press. DOI: https://doi.org/10.1017/cco9781139034401.006 (in English)

Savelyuk, N. (2020). Ego States and the Image of God in Personal Prayer: Psycholinguistic Analysis. *Psycholinguistics, 27*(1), 219-236. DOI: https://doi.org/10.31470/2309-1797-2020-27-1-219-236 (in Ukrainian)

LIST OF REFERENCE LINKS

Asiedu F. B. A. *Josephus, Paul, and the Fate of Early Christianity: History and Silence in the First Century*. Lanham, MD : Lexington Books/Fortress Academic, 2019. 351 p.

Barnwell M. Self-determination vs. Freedom for God and the Angels: A Problem with Anselm's Theory of Free Will. *The Saint Anselm Journal*. 2018. Vol. 14. Iss. 1. P. 13–32.

Bazaluk O. Origen's and St. Augustine's Ideas on Education. *Studia Warmińskie*. 2020. Vol. 57. P. 129–141. DOI: https://doi.org/10.31648/sw.6010

Borges J. L. *Selected Non-Fictions*. New York, NY : Penguin, 2000. 580 p.

Eusebius. *Ecclesiastical History* / trans. by K. Lake. Vol. I: Books 1–5. London : William Heinemann, 1926. 592 p.

Eusebius. *Ecclesiastical History* / trans. by J. E. L. Oulton. Vol. II: Books 6–10. London : William Heinemann, 1932. 265 p.

Eusebius. *Life of Constantine* / trans. by A. Cameron, S. G. Hall. Oxford : Clarendon Press, 1999. 414 p.

Гиббон Э. *История упадка и крушения Римской империи* / пер. с англ. В. Н. Неведомского. Москва : ОЛМА-ПРЕСС, 2001. 704 с.

Halapsis A. V. Miracles and the Perfection of Being: The Theological Roots of Scientific Concepts. *Anthropological Measurements of Philosophical Research*. 2016. No. 9. P. 70–77. DOI: https://doi.org/10.15802/ampr2016/72235

Hesiod. *Theogony. Works and Days. Testimonia* / trans. by G. W. Most. Cambridge, MA : Harvard University Press, 2006. 308 p.

Hollerich M. J. *Making Christian History: Eusebius of Caesarea and His Readers*. Oakland, CA : University of California Press, 2021. 332 p.

Jerome. *Select Letters* / trans. by F. A. Wright. London : William Heinemann, 1933. 510 p.

Karamanolis G. *The Philosophy of Early Christianity*. 2nd ed. London : Routledge, 2021. 295 p.

Kostruba N. Concept "Religion" in the Consciousness of Young People: Psycholinguistic Analysis. *Psycholinguistics*. 2020. Vol. 27. No. 1. P. 164–180. DOI: https://doi.org/10.31470/2309-1797-2020-27-1-164-180

Kraemer R. S. *The Mediterranean Diaspora in Late Antiquity: What Christianity Cost the Jews*. New York, NY : Oxford University Press, 2020. 517 p.

Ле Гофф Ж. *Цивилизация средневекового Запада* / пер. В. А. Бабинцев. Екатеринбург : У-Фактория, 2005. 568 с.

Marcus Aurelius. *Meditations, Books 1–6* / trans. by C. Gill. Oxford : Oxford University Press, 2013. 308 p.

Origen. *On First Principles* / trans. by G. W. Butterworth. Notre Dame, IN : Ave Maria Press, 2013. 493 p.

Richardson J. Roman Law in the Provinces. *The Cambridge Companion to Roman Law* / ed. by D. Johnston. Cambridge University Press, 2015. P. 45–58. DOI: https://doi.org/10.1017/cco9781139034401.006

Savelyuk N. Ego States and the Image of God in Personal Prayer: Psycholinguistic Analysis. *Psycholinguistics*. 2020. Vol. 27. No. 1. P. 219–236. DOI: https://doi.org/10.31470/2309-1797-2020-27-1-219-236

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Юридичні коріння християнської антропології

Метою статті є реконструкція юридичних джерел християнської антропології. **Теоретичний базис.** Методологічною основою статті є осмислення фундаментальних основ християнської антропології в контексті римського праворозуміння. **Наукова новизна.** З точки зору християнської релігії, людина виявляється двоїстою істотою: її тіло є частиною матеріального світу, але її душа не від світу цього, вона народжується безпосередньо від Бога. Трансцендентне походження душі дає їй право спілкуватися з Богом, однак реалізувати це право можна тільки за допомогою Церкви, яка розглядається як "наречена Агнця" і містичне "тіло Христове". Трактування сутності церковної організації корелюють із принципами організації римської громади. Принцип загального священства – з ідеєю "посттарквінієвої демократії", що визнає народ Риму вищим носієм імперія Юпітера, соборність – з ідеєю сенату, як зібрання найбільш заслужених лідерів громади, апостольське спадкоємство – з інститутом республіканських магістратів, які хоч і отримували свою владу від громади, але за допомогою "консультацій з богами" (ауспіцій). По суті, християнський догматизм – це римське право, застосоване до близькосхідної релігії; Біблію тлумачили як юридичний документ, а теологи виступали в ролі юристів. **Висновки.** У стародавніх Церквах (Католицької, Православної, Вірменської, Коптської та ін.) був реалізований ідеал римського права як права безособистісного, що стоїть поза і над окремою людиною. Остання не має жодної онтологічної цінності, вона є "рабом Божим", проте об'єднання людей у містичне "тіло Христове" робить останнє повноважним представляти Бога на землі й виступати від

ANTHROPOLOGICAL PROBLEMS IN THE HISTORY OF PHILOSOPHY

його імені. Епоха Відродження відкрила шлях Реформації, в рамках якої заявило про себе могутнє "грецьке" ("філософське") лобі. Незважаючи на те, що багато вождів Реформації мали особисту неприязнь до філософії, самі вони були стихійними філософами, вважаючи себе вправі самостійно трактувати волю Бога без огляду на авторитет соборів. Вони були суворими раціоналістами, які лише змінили об'єкт застосування свого розуму: якщо античні греки намагалися раціонально осягати світ, то протестанти ставили собі за мету раціонально осягати Книгу. В кінцевому рахунку, основне питання християнської теології є питання про ставлення людини до Бога, а відмінності між антропологічними системами всередині християнства полягають у варіантах відповіді на це питання.

Ключові слова: християнська антропологія; трансцендентне; римське право; душа; сутність людини; Церква