

# Fundamental Rights and Duties in

# CORONAVIRUS

## PANDEMIC TIMES

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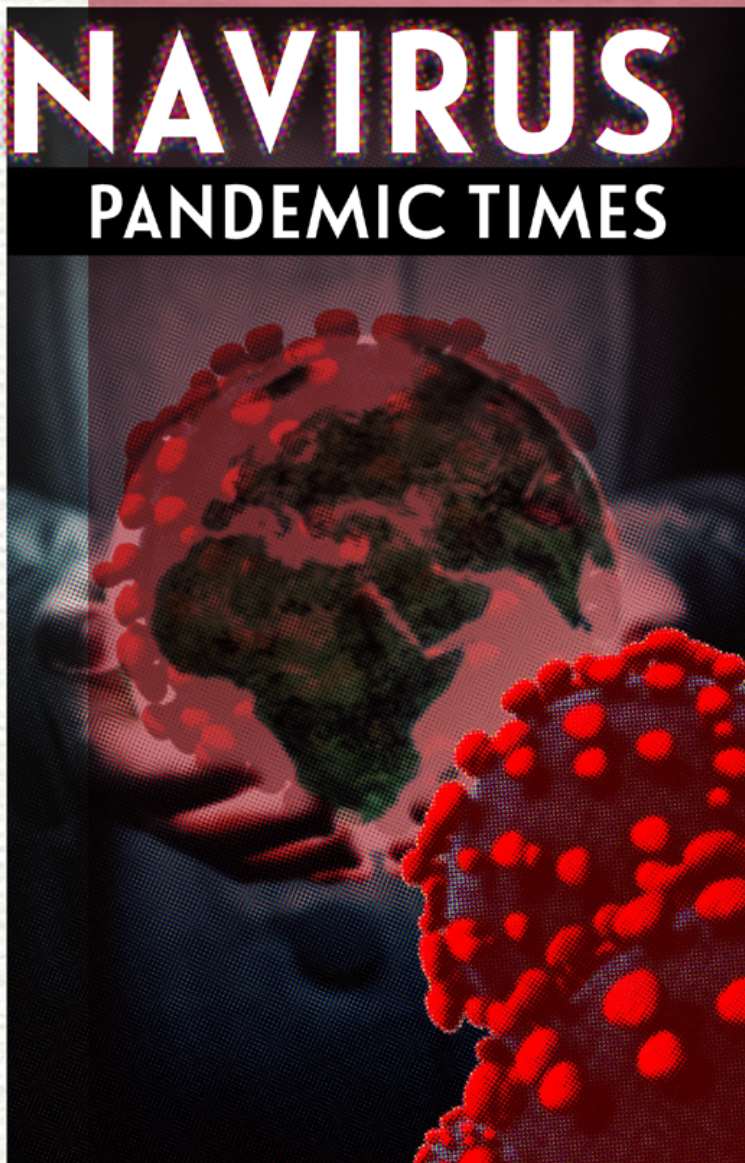
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## 3

# Illness, social isolation and tragedy in Sóphocles' *Filoctetes*: why did the greeks trust the care with the vulnerability of our lives to the friendship and justice? <sup>[1]</sup>

ANTONIO SÁ DA SILVA

WELLITON DA SILVA SANTOS

*CONTENTS: 1. Introduction; 2. Philoctetes: A token (among others) of the human life fugacity and the precariousness of our happiness projects; 3. Plato's accusation towards poets' scaremongering: knowledge and justice prevent the nature and the future unpredictability; 4. Justice, Friendship, community and its soothing for human misfortunes: what would Aristotle say about the pandemic and other uncertainties? 5. Final regards; 6. References.*

## 1. Introduction

As a rule, the United Nations (UN) countries constitutional canons acknowledge the citizen's right to healthcare and give this responsibility to the State. Our Founding Charter, for instance, counts on an entire section on this subject (Articles 196 to 200). The infraconstitucional legislation otherwise, specifies how this right is to be exercised, which includes

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1. T.N.: Translated by members of the Voluntary translation of informative materials related to COVID-19 project, offered by NUPEL / UFBA and supervised by professors MA. Daniel Vasconcelos, Dr. Lucielen Porfirio, and Dr. Monique Pfau. Translators: Jéssica de Jesus Costa Gama Soares and Vinicius Ferreira Alves. Abstract translated by Ana Beatriz Almeida. Translation revised by Alisson Alves Santos.



sanctions for the disobedience of the State obligation. Nonetheless, the recurring issue is: where does the first commandment come from? In other words, where does the fundamentals of such constitutional determination (which stops everything from being merely a deliberate legislative act, contingently summonable even in the occasion when this duty vanishes from the constitution with an adequate quorum or with another Constitutional Assembly) come from?

No one ignores that our liberal inclination, restricted by European post-liberal philosophy<sup>[2]</sup> influences the way we usually base our political-social-constitutional structure: as a social contract in which the grantor's and the grantee's rights and duties are previously established within the limits of equality and responsibilities<sup>[3]</sup>. Nevertheless, we still dare to consider fragile such foundations in modern times, as not even the heralds of modern-Illuminism seem convinced that the freedom of contract is the ultimate *ratio* of the political community. In fact, if we pay close attention to only two of the important theorists of contractualism, Locke and Rousseau, we will have enough information to place under suspicion two presuppositions which the modern State would collapse without: human self-sufficiency and the mutual advantage of contractors.<sup>[4]</sup> For

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2. On the origins of liberal State and its passage to social State, see BONAVIDES, Paulo. *Do Estado liberal ao Estado social*. 9. ed. São Paulo: Malheiros, 2007, *passim*.

3. In this sense, unlikely the pre-modern thinking, in which law is a presupposition of an order that precedes the will itself, in modern contractualism the legislator take the place of demiurge, from whom all things start and find their sense. In Hobbes, where the social contract derives from that law of reason which imposes to everybody the duty to seek peace, it results in a mutual agreement where each individual give up their right to all things, as well as overcoming the state of permanent war among them (HOBBS, Thomas. *Leviatã ou matéria, forma e poder de uma república eclesiástica e civil*. Tradução João Paulo Monteiro e Maria Beatriz Nizza da Silva. 2. ed. São Paulo: Martins Fontes, 2008.). In Locke, where this contract is an expedient through which the citizen, depriving themselves of their natural freedom, establishes a civil freedom, as they join other citizens to live comfortably together, enjoying their property and protecting themselves against non-signatories to this covenant (LOCKE, John. In: *Dois tratados do governo civil*. Tradução Miguel Morgado. Lisboa: Edições 70, 2006.). In Rousseau, where the social pact is a tool to resist everything that harms the preservation of all humans' state of nature it forms a conjoint moral body in order to each individual keep their original freedom possessed. (ROUSSEAU, Jean-Jacques. *Do contrato social: princípios do direito político*. Tradução Edson Bini. Baurú: Edipro, 2000.). In Kant, the contract is an assumption for a universal legislating will and because of that it obliges citizens within the state (KANT, Immanuel. *Fundamentação da metafísica dos costumes*. Tradução Paulo Quintela. Lisboa: Edições 70, 2009).

4. NUSSBAUM, Martha C. *Frontiers of justice: disability, nationality, species membership*. Cambridge: The Belknap press of Harvard University Press, 2007. Our inclusion of the author in this paper doesn't include another presupposition she lists, the equality, since we believe that it is not specific to modern law, and it was decisive for the emergence of law Roman jurisprudence as well.

Locke, we can see it because he suggests that the contractual motivation is the vulnerability of the individual in the state of nature<sup>[5]</sup>; for Rousseau, because he denounces our miseries in the state of nature<sup>[6]</sup>.

The constitutional placement of the right to health is crucial in a moment of humanitarian crisis such as the one we are experiencing because of a pandemic with still unknown consequences. Considering the broad debate that the pandemic has raised and the (quite plausible) well-discussed hypothesis that law needs to be brought closer to the humanities, our purpose here is to arrange, albeit briefly, a discussion on the challenges of the moment. To begin with, we could mention Hippocrates, since his medical writings discuss a possible relation between knowledge and tragedy: According to him, scientific knowledge must not be underestimated, as he understands that the lack of it would lead the treatment of patients to randomness<sup>[7]</sup>. Then, to deepen the discussion, we can reflect on one of the most successful Greek tragedians, Sophocles. His theatrical play discussed here offers rich material for reflections, which dialogs with Aristotle and Plato, both meaningful interlocutors for this debate.

Philoctetes, an outstanding Greek warrior who sailed to Troy against Helen's kidnapping, was bitten by a snake when he unwarily touched Chryses' altar. Thereby, he contracted an incurable disease<sup>[8]</sup>. The misfortune that struck him (*ἀνανγκαια*, *anangkaia*) prohibited him from the right he thought he had to a successful life, although he was the heir of a powerful arrow, given by the god Heracles to defeat his foe. The Greeks, then, bothered by his whining, which disturbed both the worship and the

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5. LOCKE, John. Do governo civil, cit., p. 241.

6. ROUSSEAU, Jean-Jacques. *Emílio ou Da educação*. Tradução Roberto Leal Ferreira. 3. ed. São Paulo: Martins Fontes, 2004.

7. HIPÓCRATES. A medicina antiga. In: PEREIRA, Maria Helena da Rocha. *Helade: antologia da cultura grega*. 7. ed. Coimbra: Faculdade de Letras da Universidade de Coimbra, 1990, p. 226.

8. The classists work with a few variations of this mythology character. The edition used here is the one given by Sophocles and probably staged in the year 409 b.C. It presents no loss of any important reference to be targeted in the Iliad by Homer, founding text of our western tradition: SÓFOCLES. *Filoctetes*. Tradução Josiane T. Martinez. Campinas: Programa de Pós-Graduação em Linguística do Instituto de Estudos da Linguagem da Universidade de Campinas, 2003.

troop's rest, left him in Lemnos in the solitude of an uninhabited island.

The narrative challenges us to consider the different (and to some extent inevitable) human vicissitudes as the vulnerability of our lives is a recurrently denounced theme by tragedy playwrights, and it exposes our happiness projects to unexpected events that occur throughout our lives, whether led by Destiny (τύχη, tyche), or caused by uncontrolled events. The major example at this moment is the fact that, perhaps, after World War II, no episode has affected humanity as touchingly as the pandemic of a virus which its lethality, as declared by medical and health organizations, research entities, international agencies and governments, will be of great proportions due the insidious way it affects health services.

The approximation between the tragedy's horror and the distress provoked by the coronavirus is believed to be quite plausible, as we will clarify later. Perhaps because of the lack of scientific knowledge on the origination, propagation and control of this virus; or because the health system is not sufficiently accessible for the whole population in this scenario of massive contagion; or even because political, economic and social planning does not provide enough peace for the population in these difficult times... the way , so far, unpredictable — and the world style as well, with its still quite unknown substances and laws, always unpredictable, always catching us unaware... how the pathological agent entered our lives denounces the mortality that makes us all equal in a human level, and how we constantly pretend not to be aware.

The following text presents some clues about the relation between tragedy (widely discussed in literature and classical philosophy) and the achievement of our happiness projects powered by genuine friendship, political planning and juridical supervision. The first topic will briefly explore the concept of tragedy on the social and the private life, a subject

the theatrical play chosen here is a good representation. The second topic briefly introduces the complex Plato's ethical-scientific project, that denounces the supposed resignation of the poets with the amorality of the gods and the determinism that rules the natural world. The third topic tries to introduce how Aristotle recognized that a happy life depends a little on Randomness (*καίρως*, *kairos*): it can either bring unforeseen misfortunes or friends to help us in bad situations. To this end, Aristotle does not renounce his thoughts that knowledge and political actions are capable of, at least, reduce the Moira's (*μοῖρα*, *moira*) power of distributing arbitrarily each one's part.

## 2. PHILOCTETES: A TOKEN (AMONG OTHERS) OF THE HUMAN LIFE FUGACITY AND THE PRECARIOUSNESS OF OUR HAPPINESS PROJECTS

Compared to other literary genres, tragedy shows a considerable difference between excellence and true happiness<sup>[9]</sup>. The coronavirus phenomenon reminds us Horace's warning that Misfortune (*fatum*) does not choose people in particular<sup>[10]</sup>: our own Fate shows us that this new virus does not spare doctors, athletes, religious, young, and even wealthy people. In this sense, Sophocles' theatrical play is rather outstanding, clearly presenting the frailness of human's life: after having his future ruined by an apparently insignificant creature and considering the attributes of his arrow as well as his handling skills, the hero warns his friend Neoptolemus about the fugacity of the power:

But now, since I have found a man as escort both and messenger,

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9. ARISTÓTELES. *Poética*. Tradução Ana Maria Valente. Lisboa: Fundação Calouste Gulbenkian, 2004, 1453a13-25; 1453b14-1454a2-3.

10. HORACE. *Odes*. In: \_\_\_\_\_. *Odes et Épodes*. Traduction François François Villeneuve. Paris: Société d'Édition "Les Belles Lettres", 2002, Book II, III.

have pity on me and grant salvation, since you have seen how mortal life is so ordained that evil luck must follow good. The man whose life is innocent of suffering must be aware of misery, and so must care for his own life, if fortunate, to save himself from ruin unforeseen<sup>[11]</sup>

The play is focused on three main characters: Philoctetes, an experienced warrior blessed by the god Heracles with one of his most powerful arrows; Ulysses, king of Ithaca whose bravery and sagacity outstood in the war; and Neoptolemus, one of many young men who aspired glory (δόξα, doxa) but had a special mission (for the Greeks, he would better fit in the arrow stealing mission). It begins when the expedition was still in course and Philoctetes, bitten by a snake, becomes a nuisance, gets socially banished and proscribed from his assets, including the ones that would allow him to get back home. The only thing he had left was his arrow, which helped him survive (miserably). All in all, Philoctetes was deprived from all necessary things that a happy life requires: health, speech, family, homeland, and friends.

However, ten years later, due to the revelation that Priam's fortress could not be broken without Heracles' arrow, again the tricky (utilitarian, perhaps) Ulysses, besides having no scruples, created a plan to fool Philoctetes, take his weapons and leave him in the misery again. In this plan, Neoptolemus, Achilles' son, and Philoctetes' dear friend, became the most suitable person for the hoax, since he would win Philoctetes' trust more easily. The boy resisted at first (lying seemed not that virtuous), but the king of Ithaca convinced him to follow the plan stating that the end justifies the means<sup>[12]</sup>, and that lying is not a bad thing as long as there are fruitful results to accomplish a project<sup>[13]</sup>. Therefore, Neoptolemus went

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11. SOPHOCLES. *Philoctetes*, cit., 500.

12. Here, see WHITE, James Boyd. *Heracles' bow: persuasion and community in Sophocles' Philoctetes*. In: *Heracles' bow: essays on the rhetoric and poetics of the law*. London: The University of Wisconsin Press, 1985, p. 26.

13. SÓFOCLES. *Philoctetes*, cit., 109.



on his trip, and, when he found Philoctetes, he began the snare by saying that he returned to take him back home and cure his wounds.

The fact is that, when Neoptolemus reflected on how Philoctetes trusted him and became hopeful (even after ten years of solitude and injustice) and when he thought of the fate-human condition that we all have, he returned the arrow to its owner<sup>[14]</sup>. Not even Ulysses' rage, who severely threatened the emissary with the applicable punishment for war crimes, discouraged Neoptolemus to go back on taking part of the ambush. After saving his king from a venomous arrow that would be shot by Philoctetes and even after accepting Heracles' advices, Neoptolemus fulfills the promise that seemed to be appropriate in that alarming situation of misfortune: take his friend back to his homeland, cure his wounds and take part, right next to him, of the final combat where the Greeks left victorious.<sup>[15]</sup>

Nowadays, the chorus' social commotion due to the pandemic has been heard worldwide, however, the approximation of this narrative with the one represented in classical theatre demands, first of all, to answer the following question: are we really facing a tragic event? Jaeger states that there is no universal concept to define the word "tragedy", although it is possible to observe and highlight its fundamental traits according to original sources. He sees that the chorus' clear and vivid ecstatic representation of suffering through chants and dances and the introduction of several speakers became a full representation of a human Destiny. In this sense, it embodied the long-lasting religious problem, the mystery sent to human by the gods. In this sense, we believe that not only Philoctetes is hit by the pain and failure of his own happiness project, experiencing the horror of a scene in which Aristotle sees the features of tragedy (of which we will see

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14. Ibid., 1286.

15. Ibid., 1409.

below), but also the many coronavirus' victims – who were squandering healthiness and making several future plans in a very recent past. Both deserve the well-known Achilles' alleviation against everything that makes us powerless before the things we can neither foresee nor avoid: the gods, who by mere whim, allow the fear of the future to torment us and unpleasable surprises to happen, while they live a comfortable life.

In fact, the inexorability of a human's Destiny and the precariousness of our projects for a successful life are the raw material that tragedians use, thus, for the Greeks and, later, for the Romans, the success or failure of the moral agent does not totally depend on what he or she does: Depends, above all things, on the place where the strands, woven in the wheel of Fortune, are placed in the moment of this agent's birth . In this manner, Pereira states that on one hand, the lesson of humility from tragedies, recognized in the gesture of those who know their places in the world, is crucial for a happy life, and on the other hand, pride (ὕβρις, hybris) should always be avoided, since the insolent is confronted with an exterior power that is opposed to their will . As Aristotle would magnificently point out, the distinction from a human event to a natural fact is that the latter is held by an order of Necessity (φύσις, physis) while the former is oriented by the quasi-logical Necessity (πράξις, praxis), and in this sense, only a certain scope of freedom and choice for the agent prevails .

However, would this pandemic phenomenon be enough to be qualified as a tragedy if we take into account the social, economic, legal and administrative effects? Not before analyzing other issues. First of all, according to Aristotle – the creator of this concept in our tradition – a tragic event is one that occurs to a human who is not guilty of the things that happen. The spectator, then, thinking of the possibility that this may happen to him or her due to the fact that s/he is also a human being, feels

terror and compassion for the damned . It is also not enough to just accept the whims of a Moira who works, restlessly, weaving the atrocious Destiny of our lives. It was majorly against this fact that Plato's academic building was raised and that is the reason to begin questioning whether or not the tragedy is the cause of our suffering.

### **3. Plato's accusation towards poets' scaremongering: knowledge and justice prevent the nature and the future unpredictability**

In Brazil and in other countries, we see that there is a war declared by part of the Brazilian society against the press, under the argument that media is the sole responsible for the Brazilians' despair about the emergence of coronavirus. According to this part of the society, there would be no reasons to be scared, one stating that this disease is made up, another saying that the medication Hydroxychloroquine is able to heal patients even without any scientific evidence on its effects. The real motives behind this anti-scientific crusade cannot be proved, especially because it is going towards an opposite direction than the one taken by medical-health authorities, researchers, and worldwide agencies. Thus, we can certainly say that being enraged with the narrative of a humanitarian tragedy, which is empirically verified, does not leave a minimally plausible argument left. Today we witness the journalistic narrative getting disqualified and science debauched, while in classic Athens, Plato disdained the poets, but he confronted them with a scientific discourse .

It is already known that the Socratic intellectualism has weakened throughout the centuries. Despite Plato's beliefs, history proved that the scientific progress does not necessarily imply better life conditions . Aristotle himself, Plato's most important disciple, questioned the relation between to know and to do the right thing ; However, standing against the poets'

common sense that dignified the passions (πάθος, pathos), he esteemed the intellectual reason and universalized the scientific knowledge (ἐπιστήμη, episteme). Aristotle did it in an act of good faith in order to eliminate, or at least reduce, the sphere of unpredictability and the damages it causes. On his whole work, we find the most rigorous attempt to fight problems of contingency and uncertainty, which answers the original Greek question: how to find happiness (ευδαιμονία, eudaimonia) in a world that we cannot really control .

In effect, Plato's academy sought to recover the metaphysical-rational unity of Nature (φύσις, physis) that has been dissolved by the sophistry , as well as to find a satisfactory answer to the practical conflict issue raised by the tragedy . The list of charges against the poets, found in Republic, would end up expelling all poets from the ideal city . The purpose was the fulfillment of an extensive and rigorous study program by the aspirants of any form of magistracy. The anti-tragic theater that Plato's drafts takes place from a sincere conviction: the emotions, seeded by the traditional education, (παιδεία, paideia) whose poets were teachers, disturbs the pupils' intellect, preventing them to access the good itself and the truth that comes from it. In other words, poetry causes us to be dragged by the sympathy movement of our feelings , that is, it stimulates the worst features of ourselves and, because of it, cannot offer an adequate moral guide to the City (πόλις, polis). As Socrates said to Ion, poets are not serious persons: they are incapable of saying anything by means of art or science; they irresistibly submit themselves to the delusion that the gods instilled in them .

Plato's scientific ambition, resulting on the prerogative of the philosopher king to conduct public businesses, happens when there is a strong optimism regarding man's power to build their happiness project

in the world. Several situations can be described such as the human's fascination or their inventive engine (*δαίμων*, *daimon*) – which was some kind of “Greek Illuminism”, as Reale says – the spectacle of creation and the progress of humanity – enthusiastically and eloquently narrated by Protagoras in the platonic dialog , as well as the subsequent discussion, which shows not only that for the first time the possibility of a public reason is systematically defended in the western tradition , but show as well the objective that Protagoras has in mind. Protagoras meant to encourage the young people of Athens, birthplace of future leaders of the polis, not to bow down to people's common sense and to poets' statement that life is subjected to the arbitrariness of Destiny and the contingency of our lives. In this manner, he faces the practical-deliberative problem, which is taken as a calculative knowledge or as a numbering science . As Jaeger states, such knowledge would eliminate this source of errors and settle our lives down on strong foundations . Perhaps it is an excessive confidence on human's self-sufficiency, of which Aristotle would ponder about, as we discuss in the next section.

#### **4. Justice, friendship, community and its soothing for human misfortunes: what would Aristotle say about the pandemic and other uncertainties?**

We would probably think that we are, in fact, invulnerable if we looked at Plato without the poets' counterpointing. We could send the ominous ones home, including Sophocles, who exposes our weaknesses and dependency on friends in *Philoctetes*. Aristotle, the most accomplished of Plato's disciples, was responsible for showing that even if well-intentioned, the happiness aspired by his teacher was not evident at all, as a human life is not like a god's one . As he warns, the moral and intellectual faculties allow us to aspire to a happier life without unforeseen events such as the



ones experienced by Philoctetes, and even by the thousands of people infected by the coronavirus in a few days. Only the gods, however, can enjoy this stability all the time . For the mortals, our public and private lives mean to work every day in order to handle this contingency.

Aristotle's starting point, which is evident in Nicomachean Ethics along with his other moral works, is that we are not self-sufficient. A fully happy life depends, besides studying, political planning and adequate performance of the judiciary, on some level of Luck (τύχη, tyche) . In this sense, he dissociates himself from Plato's metaphysical idealism, discussing his moral tradition, whose members share feelings of human misery and the obligation to avoid flirting with the dangers. In that sense, not only the poets (tragedians and lyrical poets, such as Archiloco, when he displays the power ephemerality , and epic poets, such as Homer, when he suggests the irrevocability of Moira's decree , etc.), but also historians (such as Herodotus, when he claims that Croesus' opulence was useless , and Plutarch, when he claims that Phocion's failure was due to disasters during his government ), and politicians (such as Demosthenes, when he encourages Athenians to seize the opportunity in space and time that Chance (καιρός, kairos) forces us to make political choices , etc.) provided important research material to Aristotle. His missions, however, were to find a balance between Destiny's resignation in some individuals and intellectual pride in others.

For Aristotle, if we do not have good Fortune, happiness slips through our fingers and this applies specifically to those who are absurdly ugly, lowborn, friendless and heirless, as they cannot, in fact, be happy and similarly, this applies to those who have good Fortune but do not use it or are already dead . After all, in our isolated lives at home as much as Philoctetes' social isolation in Lemnos, it would become unbearable if we

could not count on friends. Thus friendship (φιλία, philia) might be more useful than justice (even if it is the greatest virtue for Aristotle ), whereas among true friends justice is disposable, even righteous people need friends . Moreover, friendship and care are Aristotle's political theory and conception of justice mainstays: the necessities that cannot be provided individually are what brings the foundation of the political community . Apart from the intellectual self-sufficiency defended by Plato's happiness project, this lack of external goods instills harmony and unites citizens around a political project .

The Greeks were as aware of Fortune's instability in their personal lives as they were in their public lives. With their best precautions, their purposes were to avoid that a political tyche ended up ruining the City. In other words, magistrates and citizens had to neutralize natural disasters and other occurrences caused by idleness, selfishness and human wickedness . At this point, we agree that coronavirus, as a pathological agent, finds a parallel in the arbitrariness pointed by the tragedians. The pandemic, however, as an uncontrolled spread phenomenon, does not have resemblance with the Aristotelian tragedy concept: it lacks in guilt absence, hence suppression measures can limit its spreading and similarly, administrative and political planning can mitigate the harm that the pandemic has brought and will bring to our society.

We cannot stress enough that, for Aristotle, the purpose of the State and justice is no more than the providence of a better life for people. From this precaution comes his belief that the political activity is somehow a second life that we all should experience (βίος πρακτικός, bios praktikos). The individual who lives alone is either a god or a beast , says Aristotle, as no one in their right mind would accept everything that is good for the cost of loneliness. As a political animal (ζώων πολιτικόν, zoon politikon) ,only

in polis will happiness really flourish. Justice here plays a leading role for the City: either by punishing citizens' offenses in a rigorous way and re-establishing the order or by distributing to the citizens their share of the available community's goods (proportional to their power and needs). The City may also demand from its citizens their duties towards the community (proportional to their capabilities) .

## 5. Final regards

We have shown that the current humanitarian crisis, due to COVID-19, is similar to the one presented in *Philoctetes* by Sophocles: therein, the hero is struck, by a sheer whim of his Destiny, by an incurable disease, culminating in his social isolation. Likewise, thousands of people have been (and will be) victims of a natural agent, maybe morphologically ignoble, but pathologically ravaging to the point which medical and health authorities recommend a radical lockdown. Both narratives have in common the insidious way in which the evil seizes its victims.

The idea of analyzing *Philoctetes* was, indeed, an opportunity to understand how the poets enticed their audience to contemplate, even before law, philosophy, general sciences, etc., the extent of our freedom to plan our lives and seize Misfortune's (τύχη, *tyche*) power. The tragedy condemns the anthropomorphic gods' amorality devoid of empathy towards our problems, as we have seen in *Achilles*, in the 5th century b.C. Greece was remarkably driven by philosophy, enlightened by the public discussion of citizens' daily life problems, which strengthened stakes on human domain over Nature's adversities. The fascination for Nature, also observed in another play written by Sophocles (with some diffidence ), allowed meaningful advances in all spheres of knowledge, such as the public life. Plato's rebuke to settling over tragedy's horrors, portrays our argument; however, we do recognize an intellectual intrepidity in it.

Plato's deep dissent towards Athenian democrats and his eloquence against poetic education, did not dissuade his main disciple, Aristotle, from offering a conciliatory response between the schools. Concerned to a wealthy life free of surprises, Aristotle relates happiness with the immersion he makes into his tradition, listening to all of those who experienced their projects becoming subject to Destiny's irrationality. His lectures also help to understand the current issue from two perspectives. Firstly, by reasoning with poets, Aristotle admits a meaningful discrepancy between being good and dodging a sinister in life. Secondly, by portraying the failure of someone apparently invulnerable, he exposes Fortune's lack of predilection. Therefore, the narrative of Philoctetes being taken out of combat and getting socially isolated approaches to our contemporary one, when we witness doctors being struck by coronavirus.

We acknowledge that Aristotle makes an interesting synthesis of Greek's practical thinking, which is relevant since the current pandemic forces us to reflect on the concepts of a successful life. Thus, we believe that there are two possible conclusions here. The first is that once shrouded by a humanitarian crisis of unpredictable proportions, we are defied to acknowledge our limits, the boundaries and the risks that we are exposed to all the time. We know that the Greek hero faces a permanent tension to achieve excellence (*ἀρετή*, *arete*) in an adverse world. In this sense, Philoctetes has fears such as the risk of being insolent (*ὕβρις*, *hybris*), the risk of urging to be like the gods; Ulysses' ten years of mishaps, and the attempt of going back home after insulting Poseidon is indeed paradigmatic: although his insult was explained by the pressure he was facing, in a war which the god's side were doubted, his atonement did not hold any guilt. It has never seemed reasonable to rely on self-sufficiency, be it physical, intellectual, political, etc.

The second one is a corollary of the first and filled with ramifications. Considering that, for Aristotle, a smooth and stable life is the utmost desire, but only the gods can have it . Hence, due to our need of goods external of the soul which, most of the time, are unreachable, we may crave for some security, even though our beatitudes are only human . Taking the lessons learned with tragedy in a serious way (which seems inevitable because even Aristotle himself acknowledged poetry's philosophical dimension ) demands to consider the contested statement extracted from common sense which allows tragedy to sustain any manner of social or natural determinism. We are on the side of those who have a positive perspective of this narrative genre. Given the ordinariness, the Greek hero acknowledges the limits of his actions but seeks the life he finds worth fighting for .

Iliad's chant IX portrays the brave Achilles warned by the goddess Tethys, his mother, that he was vulnerable, and she was waiting for him in Priam's house; He decided, however, to go ahead since he was aware that his glory was waiting for him there and returning home meant enjoying a lengthy life but then plunge into oblivion. The choir's reproach towards Agamemnon (Aeschylus) was not for Iphigenia's sacrifice, but for not withstanding Artemis' arbitrary imposed order enough . The utmost authentic gestures seen these days on balconies and houses around the world are the applauses to healthcare professionals for their bravery on fighting against the coronavirus' pandemic. Both patients and professionals rightfully resemble the well-known characters from the classic theatre: those who fight eagerly and dangerously even in adversity to defeat it . In this sense, we have to witness Destiny and its irrationality, as that character in Satyricon (Petronius): "There was no torch to light the way for us, as we wandered around [...]" .

Aristotle gave us a perception on political community's insight that sees the resistance of scarcity as a positive space as well as the future



uncertainty through discussion and political, administrative, juridical planning, etc. Seneca would not endorse Medea to compliment the public agents' magnitude, i.e., to protect citizens against Fortune's arbitrariness. Thus, poet's and journalists' bad news about the pandemic, instead of provoking uneasiness and outrage, should make us more careful, keeping things from getting worse. There is nothing wrong with our lack of control or with our weaknesses, obtuseness and lack of personality. This is not a sin, although it is difficult for some to face such humiliation.

Certainly, after the social and economic disturbance caused by coronavirus, citizens and nations shall engage on a discussion about the impact of State in people's life. This includes old dichotomies such as socialism and capitalism, east and west, nationalism and globalism, etc. They all must be rethought. Like a return to the classical theatre, now we have to learn that pain has an undeniable moral dimension. We will see that the boundary between excellence and Disgrace is extremely dim and, when Disgrace presents itself (and it always does), only friendship and care can give us some comfort. We should comfort each other as the blind Tiresias and the boy did. The most prepared nations, which invested on education, universal healthcare, revenue distribution, social services and welfare, will certainly inspire those which are still under predatory economical systems and politically authoritarianism.

The jurists also seem challenged by Philoctetes here, in this moment of self-isolation. We ask ourselves if we should take part on this to eliminate or at least reduce our common vulnerability. Above all, we should revisit our juridical education, maybe not uncritically joining those who see the humanities as a place where all the evils are purged, but acknowledging the opportunities that arts and literature give us to imagine a variety of worlds, beyond our life limitations. The analysis of Philoctetes can help on juridical education as it presents the continuum among language,

personality, community and person; all vital elements to those who lives, as White says, in a “culture of argument”; maybe we can perceive how unsympathetic we have been towards social and natural victims of Chance, invisible and dehumanized victims such as Philoctetes . Notwithstanding, we are living on artificial islands that we made through the wicked economy arrangements and political arrays that we have just got used to.

It is true that Sophocles challenges us to think, as professors, about the kind of jurists that we are graduating and the kind of world we are shaping. Such challenge is also displayed in the forum: the play asks us who we have become throughout our lives . We may have been enticed by Ulysses’ eloquence to the point where we cannot hear Kant’s pleas to treat people as an end, not as a mean . We may have also chosen Neoptolemus’ humility by looking back at our decisions and obligations when they confront justice. The confidence that Achilles’ son gives us to protect citizens from arbitrary dangers is not minor in such uncertain times.

Omission towards the obligation of protecting victims is not the only risk, social services usurpation is likely to happen in social disruptive times. In this sense, the western political tradition, after Plato and Aristotle, enhanced its institutions giving politics the duty of planning the future and to law-court the duty of solving past controversies . The latter certainly recognizes the importance of each service on public sphere, taking the ship captain’s metaphor to explain the reasons of existence and the work methodology of politicians and jurists: Each one guide their boats with knowledge acquired throughout their own lives, which is enough in case a setback compromises their navigation plans, thus being able to take the best decision in a moment of contingency, without deviating the community values required by their positions.

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