

A classical painting depicting two figures in a landscape. On the left, a man in a red and blue robe with a white turban stands holding a sword. On the right, an older man with a long white beard, wearing a brown robe, holds a scroll. They are standing in a wooded area with trees and a distant landscape under a cloudy sky.

Philosophical Studies Series

Georgios Anagnostopoulos
Gerasimos Santas *Editors*

Democracy, Justice, and Equality in Ancient Greece

Historical and Philosophical
Perspectives

 Springer

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Preface

The idea of editing a collection of essays on the issues explored in the present volume was conceived by the editors while co-teaching a graduate seminar on political justice and political equality and inequality in Plato and Aristotle. Both of these great authors studied and raised critical questions about the basis of the political egalitarianism of the ancient Greek participatory democracies, an egalitarianism that was much stronger than that of modern representative democracies. They also wondered about the economic inequalities that existed in the democracies of their time alongside the absolute political equalities in those democracies. Both thinkers sought to discover or invent what they thought were better constitutions and political communities—even ideal constitutions or cities, be they best possible or second-best possible. In the process of doing so, they had to deal with questions of distributive justice: how and on what basis to distribute—equally or unequally—political offices and socioeconomic goods, and how to address the problems of faction, political disunity, and civic instability. Our realization that the presence of inequalities in democracies today is still strong led to the idea of a collection of essays, by historians and philosophers, on ancient Greek democracy, justice, and equality, in the hope that some valuable lessons about equality and inequality in contemporary democracies could be learned from the democratic experiment in ancient Greek cities.

As a first step, we organized a 2-day conference in 2015, in which historians and philosophers debated vigorously these themes and questions. We thank all the scholars who made presentations or participated in the discussions, including Paula Gottlieb, Monte Johnson, David Keyt, Deborah Modrak, Josiah Ober, Terry Penner, Christof Rapp, Christopher Rowe, Nicholas Smith, Claire Taylor, Robert Wallace, and Charles Young. We also thank Dorothea Frede, Catherine McKeen, and Fred Miller who, although unable to attend the conference, contributed to the project by submitting papers to this volume. Our idea of this collection could not have been realized without the contributions of all these scholars. We are most grateful to them for accepting our invitation to be a part of the project and for responding promptly to our many requests. It has been a pleasure working with all of them. We also want to thank Mr. Brian Tracz for his invaluable assistance in the copy editing of all the

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La Jolla, CA, USA
Irvine, CA, USA

Georgios Anagnostopoulos
Gerasimos Santas

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Terry Penner has written mostly in defense of a Socratic means-end ethics, a Socratic psychology of action, and a Platonic metaphysics (*The Ascent from Nominalism*)—all such arguments being designed to avoid any reliance on the anachronistic, and arguably falsifying, notions of entailment and propositions, due to Aristotle and Frege (see Penner 1988, against Frege on sciences concerned with what people *believe*; his 2005, against Sachs on Plato's failing to meet Thrasymachus'

challenge in the *Republic*; and his continuing opposition to the supposed *descriptions under which* people are supposed to desire things).

Christopher J. Rowe is Professor Emeritus of Greek at Durham University, to which he moved in 1995 from the H.O. Wills Chair of Greek at Bristol. His works include a translation of and commentary on Plato's *Statesman* (1995), *The Cambridge History of Greek and Roman Political Thought* (edited with Malcolm Schofield, 2000), *Plato's Lysis* (with Terry Penner, 2005), *Plato and the Art of Philosophical Writing* (2007), the new Penguin translation of Plato's *Republic* (2012), and *Plato: Theaetetus and Sophist* (Cambridge Texts in the History of Philosophy, 2015). He is currently the series editor of *Philosophia Antiqua* (Leiden) and working on a new edition of the text of Aristotle's *Eudemian Ethics*.

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Abbreviations of Aristotle's and Plato's Works

Aristotle

An.	On the Soul (de Anima)
Cael.	On the Heavens (de Caelo)
Cat.	Categories (Categoriae)
Const. Ath.	Athenian Constitution
EE	Eudemian Ethics (Ethica Eudemia)
NE	Nicomachean Ethics (Ethica Nicomachea)
Met.	Metaphysics (Metaphysica)
Poet.	Poetics (Poetica)
Pol.	Politics (Politica)
Rhet.	Rhetoric (Rhetorica)

Plato

Grg.	Gorgias
Men.	Meno
Phd.	Phaedo
Phdr.	Phaedrus
Prt.	Protagoras
Rep.	Republic
Smp.	Symposium
Tht.	Theaetetus
Ti.	Timaeus

Chapter 1

Introduction



Georgios Anagnostopoulos and Gerasimos Santas

Abstract Ancient Greek democracies, especially the one that flourished in Athens in the fifth and fourth centuries, were highly participatory—all decisions were directly made by the citizens (qualified males) themselves—and egalitarian—every citizen had an equal political share. This kind of democratic structure, considered by many a revolution in political thought and practice, appeared in the ancient Greek world after many centuries during which city-states were ruled by kingships, aristocracies, oligarchies, or tyrannies—all of them forms of ruling that extensively restricted citizen participation and were strongly non-egalitarian. Democrats defended equal political shares among citizens by appealing to proportional distributive justice and taking as the relevant merit for distribution freedom, in which all citizens were supposedly equal. But even the most advanced of ancient democracies accepted many serious inequalities—in political participation (women and other groups were excluded from having any political share), in freedom (not everyone within a city-state was equally free), and especially in resources and wealth (many citizens were poor)—even though democracy itself may have been a catalyst for economic growth and for moderating wealth inequalities. The essays in this volume examine ancient debates about democracy, justice, and equality/inequality and often point to contemporary debates about these issues in present-day representative democracies.

Keywords Economic equality and inequality · Freedom · Justice · Political equality and inequality · Participatory democracy

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The political structure commonly referred to by the phrase “ancient Greek democracy,” primarily associated with Athens, is considered by most to be an extraordinary achievement in the development of political thought and practice. According to Ober, its establishment constituted a kind of revolution by which a form of government that was stable and long lasting was born, and in which all the citizens ruled without an overt or cryptic ruling elite.¹ In the view of Raaflaub, “The democracy that existed in Athens roughly from the middle of the fifth century was a remarkable system, unprecedented, ‘unparalleled in world history’ ... exhilarating, capable of mobilizing extraordinary citizen involvement, enthusiasm, and achievement, enormously productive and at the same time potentially greatly destructive.”² The most revolutionary or remarkable features of Athenian democracy were (a) that every citizen had an equal share in some political offices and an equal opportunity in the remaining ones and (b) that all decisions pertaining to the state were made by the citizens directly, either through their participation in the assembly, of which every citizen was a member for his life-time with an equal vote, or through the council, the court juries, and the numerous committees to which citizens were elected or appointed by lot (for a detailed discussion of Athenian democratic institutions, see Aristotle, *Athenian Constitution*). This kind of equality in holding office and direct participation of citizens in making all the decisions in public affairs seems to have no parallel in any other political structure.

How did such a conception of a system of governance come to be? The origins of Athenian Democracy are still debated, with many seeing its beginnings in Cleisthenes’ reforms near the end of the sixth century. But a different explanation has been offered by Ober, who has argued that the origin of democracy lied with the people themselves:

the signal event in the history of democracy was the Athenian uprising against the Spartans in 508/7, that this event defined the nature of Athens’ subsequent democratic reforms, and that the primary historical agent was the Athenian demos, acting on its own initiative and without aristocratic leadership.³

While the question of who is right on this matter cannot be answered or even discussed in the present context,⁴ it is clear that all sides agree that the type of democracy which flourished in Athens in the fifth and fourth centuries arose at a particular time and rather late in the development of the Greek world. Historical evidence, partly from Linear B writings, indicates that almost as far back as a millennium before democracy appeared, Greek states during the Minoan and Mycenaean periods were governed by complex political systems. These systems were not democratic. In order to see more clearly the significance of the features democracy introduced in government, especially its insistence on equality in holding office and

¹ Ober (1999, p. 5).

² Raaflaub, “Introduction,” in Raaflaub et al. (2007, p. 3). The phrase “unparalleled in world history” in the quote from Raaflaub is from Hansen (1999, p. 313).

³ Ober (1999, p. 53).

⁴ See the several essays on the origins of democracy in Raaflaub et al. (2007).

the direct participation of all citizens in decision-making, it might be useful to look at how these non-democratic states justified the exclusion of most citizens from any share in ruling or participation in the decision-making processes.

Our oldest significant documents about political structures in the Greek world are the Homeric epics. According to Homer, the Greeks participating in the expedition against Troy lived in political communities. In such communities, authority was exercised by a single person, usually a king, although he did consult with some prominent members of his community. Aristotle, writing centuries after Homer, is of the same opinion: the earliest political communities were ruled by kings (*Pol.* I.2 1252b18, III.15 1280b7). The consultation took place in something resembling an assembly (*agora*), in which presentation and discussion of differing and competing views often took place and advice was given.⁵ Some historians are doubtful that the kinds of kingships Homer describes were in existence among the Greeks who sailed against Troy;⁶ instead, they think that such kingships were the prevalent political structure of Homer's own time and continued to exist in subsequent periods. In the Homeric kingships, the exercise of authority by an individual was usually connected to his possessing, either exclusively or to a higher degree than others, one or more qualities that set that individual apart from the rest of the members of the community—such as strength, courage, battle-fighting skills, cunning, wisdom, and leadership. Those exercising authority were thought to be superior (unequal) in some respect or other to those who did not. The political structure of communities governed by Homer's kingships institutionalized real or perceived inequalities among their members; it presupposed that the members were unequal in those respects that are relevant to ruling. So Agamemnon, the acknowledged leader of the many Greek kings sailing against Troy—each one of them claiming excellence or superiority in some quality or other when compared to the members of his own community—claims, and is recognized by the others, to be more kingly or princely than any of the other prominent leaders (*Iliad* IX 160).

The major political arrangements that subsequently developed in the Greek world—aristocracy, oligarchy (plutocracy), and tyranny—were similar to the kingships at least in this respect: in each one of them a single person or a group of persons that was superior (unequal) to the others ruled or claimed it was entitled to rule. This may not be obvious in the case of tyrannies, since some were established and continued to exist by force—a kind of superiority. But others came into being by general acceptance of the superiority of some individual and his descendants, and, as Aristotle reports, some tyrannies remained in power for as long as a century (*Pol.* V.12). But in the case of the other two political arrangements, it is much easier to discern the respective qualities in which those ruling were superior to those who were excluded from having any share in it: the term *aristocracy* makes explicit the quality in which those ruling in it were superior to those that did not—virtue or excellence—and oligarchy was always understood to be the rule of a few citizens superior in wealth. Once again, particular inequalities are institutionalized in

⁵ See, for example, the selection of passages on the Homeric state in Rhodes (2007, pp. 11–21).

⁶ See Rhodes (2007, pp. 11–12).

specific political structures, with those who are, or claim to be, superior to others in some quality claiming that they are entitled to hold all political offices, and frequently succeeding in doing so. The vast majority of the citizens, unequal to the few virtuous or wealthy, were excluded from having any share in ruling or participating in decision-making. Ultimately, the virtuous and the wealthy viewed their respective entitlement to hold all political offices and exclude those members of the community who were unequal to them in virtue or wealth as following from distributive justice. As Aristotle tells us, the aristocrats and oligarchs share the same concept of distributive justice—proportional equality on the basis of some merit. However, they disagree about the relevant merit, with the aristocrats insisting on virtue as the merit and the oligarchs on wealth.

According to Aristotle, democrats also appealed to justice for their “revolutionary” position, and they shared the same concept of distributive justice. However, they again held a view about the relevant merit for distributing offices that differed from both the aristocratic and oligarchic positions (*Pol.* III.9, *NE* V.3 1131a). So, what is democratic justice and what is its basis? How does democratic justice secure political equality for all the citizens? Does it address any inequalities beyond the distribution of political offices?

The democratic basis was freedom, in the narrow sense of not being a slave and being a native rather than an alien. Freedom in this sense was determined by citizen birth: one was a citizen and free if one or both of one’s parents were citizens. But though the citizenship could be thus expanded or contracted, freedom was the same for all: all citizens were equally free, they had equal freedom, and they consequently had equal political rights. This equality was most direct and most participatory in the dominant institution of the Assembly: every citizen was a member for life and every citizen had exactly one vote. The lesser institutions of the Council and the Jury Courts also had political equality, but it was indirect. Since not every citizen could be a member of either at the same time, equality took the form of equal rotation in office for all citizens over a life time in the Council and selection by lot for the Jury Courts, in which every citizen had an equal probability of selection over a lifetime. Unlike the Assembly, the Council and the Courts were representative, but only because they had to be, and still preserved equality and participation of citizens. In their invention and choice of institutions, the democrats were very clever in maximizing egalitarianism.⁷

To appreciate how strong this political equality was, we can compare it with the political equality of modern representative democracies in which nearly all offices are representative. In modern systems, instead of citizens themselves making political decisions, they elect representatives to make them. As a result, political equality is diluted in many different ways. Good examples of different dilutions are the United States Senate (where every state has two votes no matter how many citizens it has), and the House of Representatives (where every congressional district has only one vote though the number of citizens can vary).

⁷Keyt (1991, p. 245).

Ancient Greek participatory democracies thus made far greater demands of their citizens than the modern representative democracies. The ancient citizen had to make decisions about the good of the city as a whole, such as the issues of peace and war; the modern citizen has to make choices about whom to elect to make such choices. So, even if we grant the democratic equality of freedom among the citizens, the standard of freedom as the basis for office becomes highly debatable, especially in view of the historical tradition and practice of awarding office, or agreeing to such awarding, on the basis of some superiority, whether of wisdom, bravery, or wealth. In this context, the “revolution” of Greek democracy becomes even more amazing, requiring the belief that an average Athenian farmer was as fit to decide war and peace as Miltiades, Themistocles, or Pericles.

Ancient Greek democracy also prized freedom in a far stronger sense, the freedom to do as one pleases with his life, perhaps above equality. And this freedom too was distributed equally among all the citizens. One citizen’s freedom was limited only by the same and equal freedom of other citizens, it was served by the equal distribution of offices that have the power to constrain such freedom, and it was constrained by the justice of punishment which forbids us from harming others. In ancient participatory democracies, freedom and equality went hand-in-hand, possibly with equality serving freedom.

But in the ancient Greek democracies, these two equalities of political office and of freedom went together, almost universally, with two significant and pervasive inequalities. The political equalities, best exemplified in the above three institutions, were limited to citizens, and citizenship was limited to male adults one or both of whose parents were citizens. Slaves were present and of course excluded—a considerable population—and so were resident aliens. Even more important, women were excluded from participation in office, nearly an equal population to men. Similar but more graded inequalities existed for freedom to do as one pleases: slaves had no significant freedom of any kind, being treated as property which could be bought, sold, inherited and bequeathed. Resident aliens had some freedom of lifestyle, and women some freedom within the domestic domain.

The other kind of inequalities we find prevalent in ancient Greek democracies are economic inequalities, inequalities in wealth (e.g., land, improvements, factories, movable goods), and inequalities in income and wages. These could be considerable in both wealth and income. The two kinds of equality (of political office and of freedom) were demanded by democracies—indeed, one can say that these equalities defined ancient democracies. But this demand for equality did not extend to the economic domain; the democracies were tolerant of economic inequalities, though there is now evidence that as the democracies’ economies grew, these inequalities decreased. It seems that justice in democracies was seen as compatible with economic inequalities, even great ones, so long at least as certain procedural constraints were observed in economic transactions, such as voluntary participation and the absence of fraud. The philosophers of the period, certainly the major ones such as Socrates, Plato, and Aristotle, discussed extensively the participatory democracies of their day. They did not fail to observe some of their “anomalies,” such as their mixture of significant political equalities and economic inequalities,

nor fail to criticize the democratic notion of freedom to do as one pleases, which they thought borders on anarchy. And they tried to discover or invent constitutions which they thought were superior to the democratic constitutions.

All the papers in this volume—by an assortment of historians, classicists, and philosophers—discuss in critical and constructive ways these various equalities and inequalities associated with ancient Greek democracies, as well as the ideal constitutions philosophers and others proposed in their efforts to create political and economic arrangements they took to be better than the ones provided by the ancient democracies.

In the first paper, Josiah Ober examines the relations between Athenian democracy and economic growth as well as the effect the latter had on economic inequalities. According to Ober, the characterization of the world of the ancient Greek city states as relatively poor and economically static has been refuted by recent advances in Greek economic history. The Greek world grew dramatically, compared to other pre-modern societies, both in population and per capita consumption from the age of Homer to that of Aristotle. By the fourth century BCE, at the height of democracy, the city-state ecology was densely populated and median consumption was well above bare subsistence. Athenian income inequality can be measured approximately using income and population estimates from late fourth century BCE. Ober's paper argues that, at least in Athens, economic growth was accompanied by historically low levels of income inequality. Both economic growth and low inequality are explained by the development of citizen-centered political institutions. Growth, inequality, and institutions were important parts of the historical context in which Plato and Aristotle wrote, and attending to that context may elucidate some aspects of Greek political philosophy.

Claire Taylor discusses a number of questions related to the ones Ober examines in his paper and presents additional data and arguments in support of the claim that ancient democracy played a major role in economic development and mitigation of wealth inequalities in the ancient world. More specifically, her paper explores the relationship between participatory democracy and poverty in democratic Athens. Drawing on recent debates within Greek history and the social sciences, it examines the relationship between the economic prosperity of Athenians and their democratic system, with particular emphasis on the role of direct democracy in the amelioration of poverty. Social scientists have frequently argued that democracy has a greater chance of success in wealthier polities, an idea which appears to have some application to the ancient world: Athens, for example, was undoubtedly affluent, had experienced long-term economic growth, had high wages, and enjoyed robust democratic institutions. Taylor examines prevailing Athenian ideas about poverty prior to the Athenian democratic experience in order to determine how participatory democracy can be used as a tool for social flourishing to empower, enrich, and improve the capabilities and well-being of the poor. The paper argues that direct democracy was the principal way by which poverty was mediated (for citizens) and, at the same time, one of the key factors by which poverty was reproduced (among non-citizens) in Athens.

In his contribution, Christopher J. Rowe scrutinizes one of the most famous criticisms of democracy, that of Plato who claims that democracy is “an attractively anarchic and colorful regime, it seems, one that accords a sort of equality to equals and unequals alike” (*Rep.* VIII 558c2-4). He raises three questions in particular: (1) What precisely is the criticism of democracy in Plato’s remark? (2) What kind or kinds of equality and inequality matter for Plato? As all sides agree, he is interested in proportional equality more than he is in its arithmetical counterpart, so that true equality, for him, will always turn out to be a kind of (arithmetical) inequality. (3) Inequality in what? Plato undoubtedly thinks the good and wise deserve a greater share in power just because they are good and wise. Does he also think, as some have claimed, that the wealthy also deserve a greater share just because they are wealthy? The answer proposed by Rowe to this last question is a clear “no”: even if Plato holds wealth to be a good of some sort, the possession of an unequal share of it—despite what may be suggested, *prima facie*, by the presence of property classes in the *Laws*—is not, and is not even a part of, the reason for giving the wealthy an unequal share of power. Finally, Rowe proposes in his essay that, if goodness and wisdom are indeed for Plato the only good(s) actually relevant to the distribution of power, and if—as he seems to hold—true goodness and wisdom belong only to gods, then there will be a case for saying that, even for Plato, the supposed arch-enemy of democracy, democracy (in however limited a form) turns out to be the only possible outcome, whether under non-ideal or under ideal conditions.

In his essay, Terry Penner addresses how, if at all, the thought of Socrates bears on the question of various forms of inequality in a democracy. He focuses on two forms of inequality that are deeply prejudicial to the good of certain ethnic groups, the impoverished, and poorly educated of all ethnicities. First, there are gross inequalities, correlating inversely with wealth, in educational opportunity. These inequalities are but the preview of a second set of gross inequalities: those in rates of incarceration across the population. In the first part of his paper, Penner discusses the harm these inequalities do. In the second, longer part of the paper, he raises a different question as to the basis on which the harm of imprisonment is done. Starting from the Socratic-style question “What is punishment anyway?” one is led immediately to the prior question “What is an intentional action anyway?”—since the law only finds punishment appropriate to actions where the agent intends the harm for which he is charged. The latter is a point Socrates makes in his trial replying to the charge that he is guilty of corrupting the young. Did Socrates, if guilty, really know *just what it was that he was doing*? Penner argues that in our adversarial criminal justice system—badly as it functions anyway for the above-mentioned sub-populations—that question is always to be definitively decided, and the decision as to what a suspect intended is to be settled simply by choosing between what the prosecutor *says* about what the suspect intended and whatever the suspect is articulate enough to say within the indecipherable bounds of this legal environment. But he thinks it may surely be doubted that either party *really* understands what the intention was with which the suspect acted. He suggests that either party’s account is likely to be grossly inadequate, and that both sides need to work a lot harder to answer the question of where the action *sub judice* fits into the

suspect's life as a whole. Penner claims that what is called for is a little Socratic recognition of our ignorance about the most important matters in a person's life, and he argues for this thesis by contrasting two competing kinds of answers to the question of the nature of intentional action. One answer is given by the proponents of what he calls the Under-the-Description Theory (e.g., by Anscombe and Davidson); the second is provided by the psychological theory of intentional action called Socratic Intellectualism (provided that this theory be properly understood). He concludes that a first priority for the good of all of us, including those we poorly educate and those we incarcerate, is the kind of back-and-forth conversation about matters of the human good directed at understanding where lie the best *means* available to the student or prisoner to the *end* of the maximum available balance of good over harm for students and prisoners and those they care for—as well as for those prisoners have harmed (if actually guilty). According to Penner, this last intellectual ideal—of coming to see the best means to the end of the individual's good over the rest of his life—is the understanding that, for Socrates, is the Virtue, or Human Goodness, that is Knowledge.

In their joint contribution, Catherine McKeen and Nicholas Smith examine and offer an interpretation of one of Plato's proposals for minimizing faction, a frequent and undesirable condition often thought to be caused by many types of inequality. According to them, Plato recognizes faction as a serious threat to any political community (e.g., at *Rep.* 462a9-b2). The *Republic's* proposed solution to faction relies on bringing citizens into a relation of *omonoia* (like-mindedness). On the dominant line of interpretation, *omonoia* is understood along the lines of “explicit agreement” or “consensus.” Commentators have consequently thought that the *kallipolis* (Plato's ideal city in his *Republic*) becomes resistant to faction when all or most of its members explicitly agree with one another about certain fundamentals of their political association—for example, they agree regarding who should govern in the *kallipolis*. Instead, McKeen and Smith argue that *omonoia* in Plato's political philosophy has been under-analyzed and misunderstood. Relying on evidence from Plato's *Alcibiades I*, they show that rendering *omonoia* simply as agreement results in confusion about how expertise, political friendship, and civic unity are compossible in a well-ordered political community. In their view, Plato refines and adds philosophical depth to the concept of *omonoia* in the *Republic*. They argue that *omonoia* is a relation of psychological “like-mindedness” that obtains among members of different occupational classes in a political community. A community is rendered resistant to faction, then, when its members are, in some significant way, psychologically alike. Additionally, while Platonic *omonoia* can naturally be expected to result in substantive agreement among citizens, they argue that Platonic *omonoia* does not consist solely in agreement.

Gerasimos Santas' paper focuses on Plato's treatment of equalities and inequalities in his ideal constitution/polis of the *Republic* and the second best constitution of the *Laws*. Plato was aware of the equality and various inequality solutions to the problem of distributing political offices, the burdens of defense, careers, property and wealth, and income. In his best city-constitution of the *Republic*, Plato rejected participatory democracy's solution of equality of political offices, as well as solu-

tions of inequality of offices on the basis only of courage or only of wealth or on force. He opted for a proportional inequality of all social careers, including ruling, defense, and provision of goods and services on the basis of inborn inequalities in intelligence, spirit, and ability for the arts and appropriate public education, because he thought that only in this way would the city function best. In the economic domain, he opted for a more radical inequality, the abolition of private property for rulers and defenders, on the ground that private property would create conflicts between the rulers and the ruled and even within the ruling class. For the farmers and craftsmen, he proposed economic floors and ceilings on the basis of what they needed, and no more, to do their jobs well. Santas argues that later, in the *Laws*, Plato discusses a second best city and constitution, and he now opts for some fundamental, democratic-like equalities in political offices, institutions, and the distribution of land, though these are mixed with some measured and moderate inequalities in some offices and movable goods. Here Plato seems to think that the very great political and economic inequalities of his best city would create faction too difficult to assuage or overcome, since he now cites repeatedly the avoidance of faction as the main reason for the equalities in offices and land, as well as for the avoidance of great inequalities. At the same time, he also argues that the second best city can be governed well with lesser knowledge of justice and the good. This lesser knowledge is not strict Platonic knowledge of Forms and the Form of the good, but true reasoned belief about the goods of the soul, the body, and property in that teleological order, as his Socrates proposed in the *Gorgias*. And far more citizens could have access to this lesser knowledge. According to Santas, nearly all solutions Plato discusses—equality, proportional inequality, economic floors and ceilings, distance between the best off and the worst off—find an echo in modern solutions of the distribution of similar advantages and burdens.

Georgios Anagnostopoulos critically examines Aristotle's treatment of equalities/inequalities in his ideal constitution primarily from the perspective of his theory of distributive justice and the kind of complete political ideal he aims to articulate. He begins by identifying the different types of inequalities Aristotle supposes to exist—for example, natural/inborn, acquired, and social inequalities—and highlights Aristotle's conviction of the pervasiveness of serious inequalities among individuals and groups. Yet in Aristotle's ideal constitution and polis, citizens are equal with respect to their natural capacities to rule and be ruled and with respect to their acquired virtues, characteristics the citizens possess to the degree necessary for performing the political functions of the polis well and for living the most choice-worthy life. It is clear that Aristotle's construction of his ideal constitution/polis proceeds by making ideal assumptions about human (citizens and non-citizens) and nonhuman (territory and other types of wealth) resources necessary for a polis. Anagnostopoulos reconstructs Aristotle's ideal assumptions about human and non-human resources and examines how, by relying on such assumptions, his theory of distributive justice, and the complete political ideal he aspires to delineate, Aristotle justifies an equal distribution of all political offices and resources to the citizens. While Aristotle rejects the democratic solution to the distribution of offices, his ideal assumptions regarding the equality of the citizens of his best polis with respect

to virtue lead him to a distributive outcome not different from what the democrats propose. Yet these same ideal assumptions, when taken together with claims about the characteristics of those performing all the work-related tasks necessary for the production of resources and wealth, lead Aristotle to dramatically narrow the scope of citizenship in his ideal polis. Anagnostopoulos notes the difference in the scope of citizenship between Plato's and Aristotle's ideal cities and raises some doubts as to whether the Aristotelian model for distributing resources is as efficient as that of Plato in the *Republic* in producing the necessary resources and wealth Aristotle's ideal polis needs.

Equality and freedom were the two concepts by which ancient democracies defined themselves. Yet Aristotle, who criticized democracy, says that in his favored aristocratic constitution all the citizens are free and equal. David Keyt says Aristotle did not wish "to surrender such rhetorically charged words as 'equality' and 'freedom' to his ideological opponents" and undertakes to show that Aristotle was able "to preserve a portion of these concepts signified by these terms for his own favored system." Keyt is able to show this easily for equality because Aristotle has a lot to say about it, and Keyt himself gives an analysis of Aristotle's concept of justice as proportional equality. This proportional equality is an equality of ratios and involves two other equalities: the equality of the persons (in some relevant respect) to whom distribution is made and the equality of the things (offices, security, wealth) distributed. Democrats, who Aristotle thinks accept the concept of justice as proportional equality, interpret the relevant respect to be free status and claim that all citizens are equal in free status. In contrast, aristocrats claim the relevant respect is ethical and intellectual virtue. Aristotle claims that in the very restricted full citizenship of his best constitution, all his full citizens are equal in virtue. Thus though the equality of ratios can be the same and so too the equality of offices distributed, the equality of persons is different. It is more difficult to make out the case that Aristotle has an aristocratic conception of freedom as distinct from the democratic conception of freedom to do as one pleases, since Aristotle says far less about it. Using a general analysis of freedom as a triadic relation involving an agent, a goal, and an obstacle (obstructing or disabling), Keyt does a search of Aristotle's uses of the term in the *Politics* and is able to piece together Aristotle's aristocratic conception of freedom. This conception includes both personal aristocratic freedom, an ethical state of guidance and ruling of reason over appetite, and a civic aristocratic freedom, which involves the city removing obstacles and enabling citizens to reach their best lives through ethical and intellectual education as well as provision of material resources for the exercise of virtue. In an interesting "Afterward," Keyt disputes Constant's influential conception of "the liberty of the ancients" as allowing "the complete subjection of the individual to the authority of the community."

The importance and complexity of the concepts of equality and inequality, as well as the variety of roles they play in Aristotle's political thinking, are explored in Deborah Modrak's essay. As she shows, the topic of equality comes up in a variety of contexts in Aristotle's *Politics* Book II to VII. The desire for equality with equals and superiority to inferiors seems to play an important explanatory role for Aristotle in determining the characteristics of the constitution of a state. Furthermore, this

desire for equality is a significant causal factor in constitutional change or stability. As is well known, Aristotle distinguishes between types of equality, numerical (arithmetical) and proportional (geometrical), and equality relative to some interest and unqualified equality. Aristotle appeals to his conception of equality in his explanation of the nature and types of democracy and oligarchy, in the differentiation of the three types of good (correct) constitutions—namely monarchy, aristocracy and polity—and their less-than-ideal (deviant) counterparts—namely tyranny, oligarchy and democracy—and in his analysis of political stability and constitutional change. Despite the complexity of his conception of equality and its political importance, Aristotle's detailed descriptions of actual constitutions and constitutional changes seldom mention equality. Modrak argues that it is left to the reader of Aristotle's political treatise to determine how the desire for equality is explanatory or which type of equality is realized in a specific constitution. She attempts to discover whether a coherent account of equality can be extracted, on Aristotle's behalf, from what he does say about it.

The topic of Aristotle's treatment of inequalities in wealth is explored in Paula Gottlieb's essay. She begins by pointing out that it is a mistake to suppose that inequality of income and wealth are a special cause for concern only nowadays; she shows that, perhaps surprisingly, equality and inequality of resources are issues addressed by the ancients, especially by Aristotle in his *Politics*. Gottlieb first discusses Aristotle's suggestion that equality of resources is a way of protecting the city from faction (e.g., *Pol.* V.3). She then proceeds to examine Aristotle's relatively neglected critique of Phaleas of Chalcedon's proposal for equal plots of land (*Pol.* II.7), arguing that Aristotle actually improves on Phaleas's ideas in his own proposal for a second-best constitution. She argues that in such a constitution, Aristotle avoids the hour-glass distribution of rich and poor that is a modern problem (*Pol.* IV.11), and she explores how Aristotle's proposal incorporates some aspects of his famous doctrine of the mean. In addition, she briefly discusses the question of resources in Aristotle's ideal city of the *Politics* and in his ethical works, speculating on why distributive justice in relation to wealth is not addressed in the passages of the *Politics* she discusses. Her piece concludes with some brief reflections on modern and ancient views about the place of ethics, especially of virtue theory, in political and economic theories.

In his contribution to the volume, Fred D. Miller, Jr., examines in detail and evaluates Aristotle's indictment of commercial democracy. Aristotle includes democracy among the deviant constitutions. Democracy, as he understands it, is not merely rule by the many but rule by a multitude lacking in virtue—a multitude whose members are seriously unequal with respect to virtue to other citizen groups. Democracy, according to Aristotle, takes different forms, but among the worst, he contends, is one like the Athenian democracy which numbers merchants among the citizens—occupations such as commerce and banking are inherently vicious. Consequently, the democracies in which the mercantile class is prominent are especially unjust, corrupt, and unstable. In his analysis and evaluation, Miller proceeds by identifying the basic presuppositions on which Aristotle's indictment of commercial democracy rests. According to Miller, Aristotle's argument against

commercial democracy ultimately rests on his theory of moral virtue. After setting forth the basic principles of Aristotle's theory of virtue, Miller considers how Aristotle applies them to common commercial practices. He then reflects on whether Aristotle would have arrived at similar conclusions about these practices if he had been acquainted with the basic principles of microeconomics. He concludes by considering the implication of this assessment for Aristotle's critique of Athenian democracy.

Dorothea Frede examines Plato's and Aristotle's responses to the gender inequalities of their societies, noting that Plato is commonly credited with a much more enlightened view concerning the equality of women and their political rights than Aristotle. Plato in the *Republic* assigns to women an equal status with men, while Aristotle denies such a status as a matter of principle. She argues, however, that it should not be overlooked that Plato's giving access to political offices in the *Republic* is not only limited to a select group of women. Rather, it is due to the special conditions of the life designed for the upper class in that work, conditions that no longer obtain in the *Laws*. She marshals the scattered evidence in the *Laws* and finds that in his second best constitution, Plato still improves considerably the legal, political, and social status of women in comparison with the existing norms. But he "falls from grace" in the *Timaeus*. If Aristotle supports the traditional view on the exclusion of women from politics, this is due to his conception of practical rationality, which explains the narrow limits he imposes on citizenship in general in his *Politics*. Frede disputes in detail the influential view that Aristotle thought "that women are by nature unable to control their emotions." And she makes a case that Aristotle, instead, thought that women have a "cognitive limitation of their ability to determine the human good as such," certainly the good of the city as a whole (which disqualifies them from ruling), and even their own good (which their husbands can determine in their benevolent rule of the household). She ends with an interesting explanation of why Aristotle thought this about women.

The issues of justice and equality in a democratic political structure discussed in the essays of this volume are as urgent for contemporary representative democracies as they were for the ancient participatory ones. The urgency was not lost on some far-sighted Athenians who saw the dangers major political and economic inequalities posed to the fledgling democracy of their city. Economic inequalities had made a large number of Athenian citizens slaves to wealthy lenders, and various requirements for holding office restricted the participation of many in political activity and threatened the stability of the democratic constitution. Solon and Cleisthenes moved expeditiously to propose and enact reforms that reduced inequalities and expanded equalities, thus strengthening democracy and making its institutions more just. If Ober is correct, the reformed institutions of Athens became more people-centered and democratic and contributed to economic growth, which in turn lowered economic inequalities. Undoubtedly, many kinds of inequality—like political, educational, and economic equality—continued to exist even when democracy had reached its highest point in Athens. Such inequalities seem to have never been completely eliminated from democracy, and there is little doubt they are more pronounced than ever in some democracies of our time.

Many contemporary representative democracies have experienced steady rates of economic growth in recent decades and attained extraordinary levels of wealth, but economic inequalities in them have not been lowered. On the contrary, the gap in wealth between the wealthy and the poor, and even between the wealthy and the middle class, has never been greater. The recent, ground-breaking work of Thomas Piketty on capital in the twenty-first century has exhaustively documented the phenomenal increase in wealth inequality in contemporary democratic societies. His analysis of the copious amount of data has led him to an explanation of this phenomenon in democracies in terms of the relation between the rate of return on wealth and the rate of economic growth. As a result, Piketty sounded serious warnings about the dangers this phenomenon poses.⁸ For such vast inequalities in wealth can bring about economic or political instability, and are likely to create or enhance inequalities of other kinds (e.g., in education, healthcare, or the exercise of political power), if measures are not taken to contain the enormous influence excessive wealth in the hands of the few can have. It can, for instance, nearly eliminate whatever equal opportunity is supposed to be available to each individual for having his or her voice heard, for shaping policy, or for being elected to office. In the eyes of many, it is not merely that the excessive inequalities in wealth that are undermining some aspects of contemporary representative democracies. Rather, these inequalities have already transformed some of them into plutocracies—rule by the wealthy for the sake of the wealthy. Perhaps the kinds of intervention undertaken and reforms enacted by Solon and Cleisthenes are urgently needed for some contemporary democracies and for the same reasons—major inequalities.

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⁸Piketty (2014, esp. chapter 8).

Chapter 2

Institutions, Growth, and Inequality in Ancient Greece



Josiah Ober

Abstract The characterization of the world of the ancient Greek city states as relatively poor and economically static has been refuted by recent advances in Greek economic history. The Greek world grew dramatically, compared to other premodern societies, both in population and per capita consumption from the age of Homer to that of Aristotle. By the fourth century BCE the city-state ecology was densely populated, and median consumption was well above bare subsistence. Athenian income inequality can be roughly measured using income and population estimates from late fourth century BCE. This paper argues that, at least in Athens, economic growth was accompanied by historically low levels of income inequality. Both economic growth and low inequality are explained by the development of citizen-centered political institutions. Growth, inequality, and institutions were important parts of the historical context in which Plato and Aristotle wrote. Attending to that context may elucidate some aspects of Greek political philosophy.

Keywords Democracy · Economy · Equality · Growth · Institutions

The causes and consequences of political and material inequality and its relationship to economic growth are central questions for historians, social scientists, and political philosophers alike.¹ Classical Greek social theorists, notably Plato and Aristotle, were much concerned with these issues—as their successors have been in the early modern and modern eras. The literature on Greek political theories of equality, to which the other papers in this collection contribute, is, however,

¹For a comprehensive survey of inequality in world history, see now Scheidel (2017). Some of the material in this chapter is adapted and updated from chapters 4 and 5 of Ober (2015a). Section 2.3 offers an abbreviated survey of results reported more fully in Ober (2017). I am indebted to Claire Taylor, Ian Morris, Walter Scheidel, Mirko Canevaro, David Lewis, Rob Fleck, Andy Hanssen, and Federica Carugati and to the organizers and participants in the UC San Diego conference for discussions and shared work in progress related to the issues addressed in this paper.

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relatively little concerned with the actual conditions of material welfare and inequality in the Greek world. Recent work on the development of the ancient Greek economy clarifies the material conditions under which classical political thought developed, and to which the classical philosophical tradition responded. While estimating rates of growth, urbanization, per capita income, wealth distribution, and so on will not explain either the richness or the direction of classical political philosophy, a consideration of these issues can help us to better understand the situation in which Plato and Aristotle (among others) wrote, the background conditions they expected their original readers to take for granted, and the kind of conditions they might have had in mind when they wrote both descriptively and normatively about equality, wealth, and social development.

This paper proceeds as follows: Section 2.1 sketches the basic story, as it is now understood by Greek economic historians, of the historical development of the Greek economy, and the economic level reached (at least in Athens and other advanced poleis) by the later fourth century BCE. Greek economic performance is compared with the performance of other premodern economies. Section 2.2 discusses material inequality in Greece, with special reference to Athens, again in comparison with other reasonably well-studied premodern economies. Section 2.3 sets out a hypothesis for explaining how fair institutions and competition drove relatively high levels of growth, while inequality remained relatively low. Section 2.4 tests the hypothesis against some more or less familiar facts about Greek history. Section 2.5 concludes.

2.1 Economic Growth and Comparative Performance

Compared to most other ancient societies, we have a lot of evidence for ancient Greek economic development from the archaic through the classical eras, and for wealth and income distribution in the age of Plato and Aristotle (fourth century BCE). The emerging picture is one of surprisingly high (by premodern standards) levels of extensive and intensive economic growth.²

The evidence for economic development remains patchy for the Greek world (with much of the direct evidence from Athens only) and there are relatively few other ancient societies for which there is ample evidence for economic development. Nevertheless, a substantial and growing body of data points to the Greek world as a likely outlier in premodern economic history. The era around 800–300 BCE appears to have been a remarkably vigorous and sustained period of economic efflorescence (the term is that of Goldstone 2002). This is particularly striking insofar as the Greek world remained highly decentralized throughout the era of efflorescence: by the age of Aristotle there were perhaps 1100 independent or semi-

²In addition to Ober (2015a), recent and important books addressing Greek economic growth in the classical era include Acton (2014), Bresson (2016), and Harris et al. (2015). Taylor (2017) addresses the questions of poverty and well-being in the context of income inequality in classical Athens.

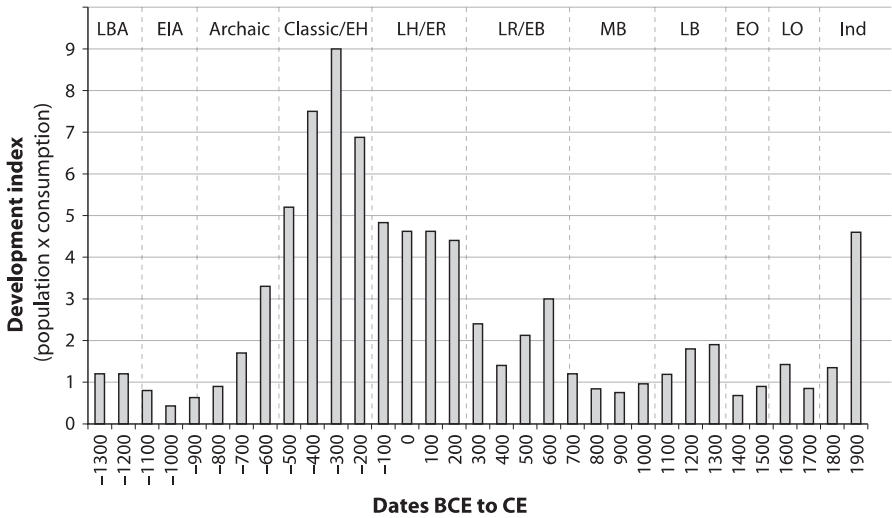


Fig. 2.1 Greece. Development index, 1300 BCE to 1900 CE (Population in millions × consumption in multiples of bare subsistence). (After Ober 2015a, figure 1.1)

independent poleis that were primarily or substantially Greek in culture. Economic growth cannot, therefore, be attributed to the productive and distributive effects attendant upon the centralization of large states or an empire. The ancient Greek case thus differs in its development trajectory from, for example, the Roman Empire, the Chinese Han Empire, or Europe from 1500 to 1800 CE.

In sum: From 1000 to 300 BCE, the population of the Greek world appears to have grown from a post-Bronze Age nadir of perhaps 330,000 to a peak in excess of 8,250,000. Meanwhile, median per capita consumption increased dramatically, probably roughly doubling over the period from 800 to 300 BCE. By the late fourth century, average per capita consumption for the Greek world was probably in the range of three times bare subsistence—and substantially higher in Athens (and perhaps other of the most advanced poleis). Discounting the “post collapse recovery era” of 1000–800, the per capita growth rate from 800 to 300 was perhaps 0.15% per annum, with an aggregate (population times consumption) annual growth rate for “core Greece” (the territory controlled by the Greek state in the nineteenth century CE) in the range of 0.6–0.9%. While meager by modern standards, this is outstanding when compared to most premodern economies. It compares favorably with the most dynamic European economies of the sixteenth to eighteenth centuries: England and Holland. My estimate of the level of Greek economic development, measured by the number of people (in core Greece) multiplied by per capita consumption, century by century from 1300 BCE to AD 1900, is illustrated in Fig. 2.1.³

The rate and level of urbanization is commonly employed by economic historians of premodernity as a proxy for economic growth. Based on plausible assumptions

³I have discussed the evidence for and literature on Greek economic growth in Ober (2010a, 2015a), with references cited. Key growth proxies were developed by Morris (2004).

about population density in intramural settlements, Mogens Hansen has suggested that about half of the population of late fourth-century Greece lived in intramural “urban” centers (Hansen 2006, pp. 26–29). Combining this figure with information on polis sizes suggests that about a third (estimate: 32%) of all Greeks lived in towns of 5000 persons or more: the standard for “urban” that is employed by many demographers studying premodernity. The Greek world of the fourth century BCE had a higher urbanization rate, overall, than the Roman imperial world of the first and second centuries CE, in which perhaps 12–15% of the population lived in similarly large towns. Rome’s urbanization rate was in turn substantially higher than that of England and Wales in the seventeenth century, or France in the eighteenth century.⁴ Classical Hellas was less urbanized than mid-seventeenth-century Holland (45%); but England and Wales reached classical Greek urbanization levels (and a similar number of urban residents) only in the first years of the nineteenth century. Modern Greece did not equal the fourth-century BCE urbanization rate until the 1930s. The picture does not change significantly when we use a more demanding standard of urbanization.⁵

Higher levels of urbanization correlate, historically, with higher incomes and economic intensification (Bloom et al. 2008), but not necessarily with improved health and welfare: rapid growth of urban populations has historically been associated with the spread of disease, and, as in nineteenth-century England and Holland, with squalid living conditions in crowded tenements. There is no evidence that these dismal conditions pertained in fourth-century Greek towns. While the data on change over time in the health of Greek populations are difficult to interpret, it appears from studies of human bones found in Greek archaeological excavations that the average life span of Greek men and women reaching adulthood increased substantially from the end of the Dark Age to the fourth century BCE. Based on the more recent analyses, the ages at death of individuals surviving childhood seems to have increased by about 10 years for both men and women over this period: from about 26 to 36 for women, and from under 30 to about 40 for men.⁶ The most recent isotopic analysis by Anna Lagia (2015) of skeletal remains from three cemeteries with classical, as well as Hellenistic and Roman, burials confirms that classical level

⁴Hanson (2017), the most complete and up-to-date survey, suggests higher rates of urbanization than earlier estimates of 10–11% by Wilson (2009, 2011). Premodern comparisons: Milanovic et al. (2011, table 1); see Table 2.2 below.

⁵The alternative demographic standard for measuring urbanization is the percentage of total population living in cities over 10,000. Based on de Vries’ (1984, p. 39, table 3.7) figures for European urbanization in 1600 (at the 10,000+ standard), Hellas was comparable to Holland (24.3%: 19 cities; de Vries 1984, table 3.1), which was the most urbanized part of Europe in 1600. Hellas was substantially more urbanized at the 10,000+ standard than any other European region in 1600: Northern Italy = 16.6% (30 cities); Mediterranean = 13.7% (101 cities); Europe overall = 7.6% (220 cities).

⁶Population growth leads to substantially lower living standards in most of the cities of Europe in 1500–1800: Allen (2001) and Deaton (2013, pp. 94–95). Disease: Scheidel (2007). Squalid conditions in the advanced economies of England and Holland: Kron (forthcoming). Greek life expectancy: Morris (2004, pp. 714–720), Kron (2005), and Reden (2007, pp. 388–390). Improved life expectancy for those surviving childhood: Morris (2004, p. 715, figure 2)

adult Athenian nutrition (measured by protein levels) was good, and better than in the subsequent eras.

In sum, by the late classical period, Hellas was relatively densely populated and urbanized. The number of Greeks who lived in urban areas was remarkably high by premodern standards. They lived in much bigger houses (Morris 2004), and in substantially healthier conditions than could have dreamed of either by their own distant ancestors, by Greeks in subsequent eras before the twentieth century, or by most people through human history.

2.2 Inequality

Political and economic development is often associated with growing inequality. In a recent book, the political scientist Carles Boix (2015) argues, following a broad consensus among historical anthropologists, that very small “stateless” societies of foragers are typically very equal in both political and material terms. Foraging societies were ultimately marginalized by the rise of large states. Political order, historically associated with the development of agriculture, radical increases in social scale and complexity, and the beginning of urbanization, led to inequalities that persisted, Boix argues, in most of the world until the Industrial Revolution. Boix’s theory is that economic development (agriculture, and much later industrialization) drives political development (centralized monarchies, and very much later democracy), rather than the other way around. He notes, however, that the culture of the ancient Greek city-states was in some ways exceptional in featuring strong forms of political republicanism and relatively robust growth (Boix 2015, pp. 134–139, 204–205). Boix ultimately dismisses the Greek case as a meaningful alternative path to development, claiming:

[P]erhaps most decisively, the *short duration* [italics added] of most republics meant that any economic advantage they might have had could not be consolidated and that it disappeared with their conquest at the hands of a monarchical power—Hellenistic Greece at the hands of Rome, late medieval Italy at the hands of France and Spain. (2015, p. 88)

If we put the beginning of exceptional Greek growth at about 800 BCE (discounting the “recovery era” of c. 1000–800 BCE) and the Roman takeover at about 200 BCE, we have a period of some 600 years of robust economic performance to explain. It is certainly true that ancient Greek growth was much lower than modern growth (by several orders of magnitude) and that it did not last indefinitely. But it remains the case that the Industrial Age has so far lasted for around 250 years. So it seems wrong, or at least very premature, to say that the Greek economic efflorescence was of “short duration” compared to industrial era modernity.

The evidence for relatively high levels of political equality among native males in many (although not all) Greek city-states is well enough known, and I will not rehearse it here. Political equality among native males was especially strongly associated with democracy, which is best documented for classical Athens. As I have

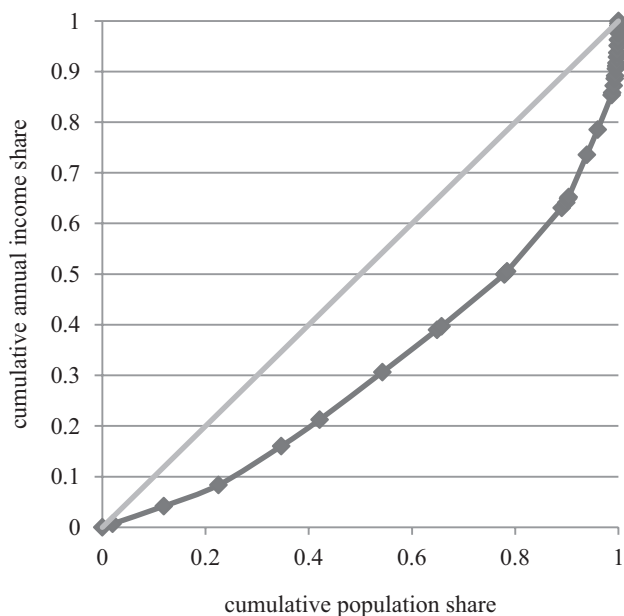


Fig. 2.2 Athenian income inequality (based on model in Ober 2016). Lorenz curve. Gini = 0.38

argued in detail, Athens was in some ways exceptional as a polis (very big, very high performing, with robust institutions that prove robust to exogenous shock) but in other ways was exemplary of the “citizen centered” and prosperous Greek city-states (Ober 2008). This is important, insofar as our evidence for wealth and income distribution is heavily concentrated in Athens.

Geoffrey Kron has attempted to calculate wealth distribution in late fourth century Athens by reference to the standard Gini Index: a coefficient (0–1) of inequality in a given population. The lower the Gini coefficient, the more equitably the good in question is distributed across the population (0.1 is very equal; 0.9 very unequal). The Gini coefficient may also be displayed visually by a Lorenz curve; the further the curve falls below a line describing a 45-degree angle (perfect equality), the greater the level of inequality (see Fig. 2.2). In Kron’s analysis, the good is total household *wealth*; I calculate the Gini for Athenian household *income* below.

Athenian private wealth was certainly not distributed with anything approaching perfect equality. Kron calculates that in late fourth-century Athens the richest 1% of the citizen population owned about 30% of all private wealth; while the top 10% owned about 60% of the wealth. This yields a Gini coefficient of 0.708. Kron compares this figure to the Gini wealth coefficients for several modern societies. The late-classical Athenian level of total-wealth inequality is roughly comparable to that of the USA in 1953–1954 (0.71). It is less equal than Canada in 1998 (0.69), but a more equal than Florence in 1427 (0.788) or the USA in 1998 (0.794). It is much

more equal than the USA or England in the early twentieth century (0.93 and 0.95 respectively; Kron [forthcoming](#)).⁷

Kron's conclusion on the comparatively (in historical terms) equitable distribution of private wealth among citizens in late classical Athens is consistent with estimates of landholding in Athens: Two independent studies by classical scholars concluded that about 7.5–9% of citizens owned about 30–35% of the land of Attica; some 20% owned little or no land. Excluding those at the top and bottom of the distribution, we are left with roughly 60–65% of the land being owned by about 70–75% of the citizen population (Foxhall 1997, 2002; Osborne 1992). Ian Morris (1998) points out that the Gini coefficient for a society with that pattern of landholding, which I calculate as about 0.48, is strikingly low in comparison to estimated distributions of land-holding for other ancient and medieval societies. Julián Gallego (2016) has recently calculated landholding inequality in late classical Athens (using eight rather than three wealth classes) at 0.441. Although the baseline Athenian figures do not tell us anything about some relevant factors affecting the value of land (e.g., distribution of especially productive land or financial encumbrances on landholdings), Morris is certainly right to conclude that “the basic point is clear: landholding among citizens was unusually egalitarian in Classical Athens” (1998, p. 36).⁸

Economists typically assess material inequality by measuring income. Although it is not possible to calculate an income Gini for all Hellas, on the basis of what I take to be a plausible model of wealth distribution for later fourth century Athens (Ober 2017), I estimate the income Gini for the whole of Athenian society (*including* slaves and resident foreigners) in the later fourth century to be 0.38.⁹ This is lower than the Gini estimate of 0.42–0.44 for the high Roman Empire, as suggested by the ancient economic historians Walter Scheidel and Steven Friesen (2009). Moreover, based on the relevant income distribution models, the shapes of the Lorenz curves for the two societies are quite different; the Athenian curve is illustrated in Fig. 2.2. The difference arises from the substantially larger Athenian population of persons who fall in the middle range, between the richest and poorest. The estimated Athenian income Gini is also substantially lower than relatively high-

⁷It is important to keep in mind that the overall Gini wealth index for Athenian society as a whole, including slaves and metics, would surely be substantially higher—I cannot say how much higher because I know no way to calculate wealth of metics or slaves. Wealth inequality, as measured by the Gini coefficient, is typically much higher than income inequality, considered below.

⁸As Claire Taylor has pointed out to me, Morris misreported the Gini coefficient as 0.382–0.386, whereas it is actually c. 0.48 (taking the figure of 9% owning 35% of the land). But Morris' general point remains valid. For example, in late eleventh century Song Dynasty China, an era in which real wages were higher and inequality was lower than in other periods in premodern Chinese history, the wealthiest 5% of the population is believed to have controlled 24% of the land and 34.3% of the population was landless, yielding a Gini coefficient of 0.50. Data from Liu (2015, pp. 127–133).

⁹The income and population model used here is described in more detail in Ober (2017). It attempts to nuance the model offered in Ober (2015a, table 4.8). The “optimistic” model developed there yielded an income Gini of 0.40.

Table 2.1 Summary of comparisons: Late classical Greek world, early modern Holland and England

Population density (persons per km ²)	Urbanization % (5000 standard)	Urbanization % (10,000 standard)	Per capita income (wheat wage liters)	Inequality extraction ratio %
Greek world 4th BCE: 44	Greek world 4th BCE: 32	Greek world 4th BCE: 20–24	Athens 5th–4th BCE: 9–16	Athens 4th BCE: 49
Holland 1651: 45	Holland 1651: 45	Holland 1600: 24.3	Holland 16th–18th CE: 10–17	Holland 1561: 76
England 1688: 44	England 1688: 13			England 1688: 57

For source data, see Ober (2015a, chapter 4, 2017)

performing early-modern European economies (Scheidel and Friesen 2009, pp. 84–85).¹⁰ Furthermore, the income distribution model is based on documentary evidence for Athens in the fourth century BCE which suggests that pay rates for unskilled labor, measured in liters of wheat per day, were very substantially (3.7–4.6 times) above the level of bare subsistence. These Athenian pay rates are comparable to pay rates in early modern Holland and much higher than other known ancient and medieval societies (see Table 2.1).¹¹

The estimated income distribution table for Athens allows us to calculate estimated consumption as a multiple of subsistence for the entire population of Athens. Athenian mean per capita income is estimated at 0.032 Talents per year, which, when translated (per above) into a multiple of bare subsistence, means that a median family consumed at about 4.5 times subsistence (4.5S). This in turn allows us to measure inequality in Athens in a way that is in some respects more useful than the simple Gini coefficient.

The economist Branco Milanovic and his collaborators have developed a new metric for premodern inequality, the “Inequality Extraction Ratio” (IER), which measures the percentage of actual extraction of surplus (above the subsistence minimum) income within a given society by that society’s elite as a percentage of *maximum feasible inequality*. If elites extract beyond the level that would leave the rest of society at below a “1 × subsistence” (1S) level—the “extraction possibility frontier”—the poorest will die from deprivation. As Milanovic et al. (2011) demonstrated, relatively high levels of inequality, and close approaches to the possibility frontier are common in premodern societies. As in the Gini inequality coefficient, a lower score means less inequality. The median of the Milanovic, Lindert, and Williamson study group is an IER of about 75% (see Table 2.2). Based on my income/population model, Athens’ IER is about 49%, a long way from the possibil-

¹⁰ By way of early modern comparisons, Milanovic et al. (2011, table 2) report the income Gini for Tuscany in 1427 = 0.46; Holland in 1561 = 0.56; England and Wales in 1688 = 0.45; France in 1788 = 0.56.

¹¹ See Ober (2015a, especially chapter 4) with the literature cited therein. Premodern comparanda: Scheidel (2010).

Table 2.2 Inequality
extraction ratio (% of
maximum feasible inequality)

Preindustrial average	77
Athens late 4th century BCE	49
Roman Empire 14 CE	75
Holland 1561	76
France 1788	76
England and Wales 1688	57

(All data, save for that from Athens, from Milanovic et al. 2011)

ity frontier. Because Athens combined relatively high rates of consumption (above subsistence) with relatively low income inequality (measured by the Gini coefficient), it is a low outlier among premodern societies in terms of the Inequality Extraction Ratio—lower than England and Wales in 1688 and much lower than most other societies measured in Milanovic, Lindert, and Williamson’s collection of case studies.

This result is consistent with the evidence for relatively low wealth and land-holding inequality, cited above, and with Lagia’s (2015) isotopic analysis of the classical-era remains of (presumably) elite and non-elite individuals in three ancient cemeteries in Attica. Lagia found not only that nutrition in the classical era was very good overall, but that the level of nutrition (measured by protein intake) did not vary significantly among elite Athenians, ordinary urban residents, and (presumed) slaves buried in the mining district in south Attica. By contrast, analysis of Bronze Age and Medieval human burials show stark differences in elite and non-elite nutrition.

As noted above, Athens was in some ways exceptional in the world of the city-states, but there is reason to believe that Athens was *not* a strong outlier in the Greek world in respect to its relatively egalitarian distribution of wealth and income. House sizes can be employed as an indirect proxy of both consumption and inequality. Ian Morris has demonstrated that, based on the archaeological evidence, archaic/classical Greek settlements were never characterized by a few mansions and many huts. Rather, across the entire half-millennium from 800 to 300 BCE, the distribution of Greek houses tends to cluster around the median house size. The size of larger houses (the top quartile in floor plan) failed to diverge markedly from that of smaller houses (the bottom quartile). The size of larger and smaller houses grew more or less in lock step across the period: by 300 BCE, houses in the 75th percentile of the distribution were only about one-fifth again as large as those at the 25th percentile (that is, roughly 50 m² larger; Morris 2004, pp. 722–723).

A comparative survey of house sizes at Olynthos and other well-preserved Greek urban areas by Geoffrey Kron confirms this general picture: unlike (e.g.) nineteenth-century England, the distribution of house sizes at mid-fourth century BCE Olynthos describes a bell curve: most houses fall in the middle, rather than on the far left (tiny house) side, of the distribution. Overall inequality among house sizes at Olynthos was low. In later periods of antiquity, from the Hellenistic through Roman era, house sizes diverged (i.e., the Gini coefficient of inequality increased); by the late

Roman period, the difference in size between great villas and ordinary houses is immense (Kron 2014, [forthcoming](#)).¹²

In terms of inequality, as in terms of growth, Hellas appears to be an outlier in premodern history. Two other well-documented examples of substantial ancient economic growth that have been recently and carefully studied: Babylon in the sixth century BCE, and the Roman empire in the first century BCE through second century CE. In both cases, growth appears to correlate with high and increasing wealth and income inequality.¹³

2.3 A Theory of High Growth with Low Inequality

The following hypothesis purports to explain how and why a particular set of political institutions typical of the classical Greek world (especially, but not uniquely, manifest in democratic Athens) provided Greeks with good reasons to make choices that resulted in the Greek city-states growing relatively wealthy while inequality remained relatively low:

*Fair rules and fierce competition within a market-like ecology of states incentivized social and human capital investment and rewarded innovation, while lowering transaction costs.*¹⁴

Although it is not yet possible to prove this complex hypothesis rigorously, by excluding alternative explanations, I believe it explains more of the evidence surveyed above for robust and sustained economic growth with limited inequality than competing explanations, and more succinctly.

The high-level phenomenon of Hellas' wealth arose from the micro-level of more or less rational choices made by many social, interdependent, justice-seeking individuals. Efflorescence was not a result of central planning, nor did any Greek have the conceptual means to measure or to explain the phenomenon. Like the collective behavior of (e.g.) ant nests as quasi-organisms (Gordon 1999, 2010, 2014), classical Greek wealth was an emergent phenomenon. That phenomenon was shaped by social-evolutionary processes that tended to select functionally efficient rules in a highly competitive environment. Rules were made self-consciously by legislators, individually and collectively, in many individual poleis. But the process by which rules were selected and distributed across the ecology was outside the control of any individual agent. The "wealthy Hellas" effect arose from uncounted

¹²For Olynthos houses, Kron (2014, p. 129, table 2) estimates the Gini coefficient of inequality at 0.14, considerably lower than later Hellenistic and Roman era Greek cities. Compare Bintliff (2012, chapter 13).

¹³Rome: Scheidel and Friesen (2009). Babylon: Jursa (2010).

¹⁴List and Speikermann (2013) demonstrates that a methodological focus on individuals as choice-making agents (in the form of "supervenience individualism") is compatible with some forms of causal-explanatory "holism" in respect to considering institutions as collective actors. My two hypotheses assume that their compatibility thesis is correct.

individual and collective choices, but is not readily predicted by them. The political economy of the Greek polis ecology was an emergent phenomenon.¹⁵

Greek rule egalitarianism (relatively open and equal access to institutions) meant in practice that many adult males (and in some poleis, by the late fourth century, some non-citizens), rather than just a few elites, had equal high standing in respect to major institutions: to property, law, and personal security. They had more or less equal access to information relevant to the effective use of those institutions and to the information produced by institutions (laws, public policy). They were treated as equals by the public officials responsible for enforcing institutional rules. In sum, they expected to be treated fairly and their expectations were, on the whole, met. In an ideal rule-egalitarian society, all persons subject to the rules would be treated as equals. In the Greek world, those enjoying equal high standing were, in the first instance, the adult male citizens—although, in some poleis, including Athens, equal standing in respect to certain social and legal institutions was eventually extended beyond the citizen body.

Rule egalitarianism drove economic growth, first by creating incentives for investment in the development of social and human capital, and next by lowering transaction costs. A rule-egalitarian regime produces rules that respect individual equality of standing, as opposed to establishing a strictly equal distribution of goods. Yet rule egalitarianism has substantial distributional effects: equality in respect to rules pushes back against the extremes of inequality in the distribution of wealth and income that have been the norm for most of human history (Scheidel 2017). Rule egalitarianism may best be thought of as a limited form of opportunity egalitarianism. It is limited because equality of access and treatment is in respect to institutions and public information, not to all valuable goods. Of course someone committed to rule egalitarianism might *also* be an outcome egalitarian and/or a full-featured opportunity egalitarian—but the classical Greeks were neither. The key points are, first, that it is possible for a society to be committed, as the most developed states of classical Greece were, to equality for citizens in respect to rules governing standing without being committed to complete equality of outcomes or all social opportunities, and, next, that more equal rules tend to moderate extremes of wealth and income inequality through progressive taxation and limiting opportunities for rent seeking by the powerful.¹⁶

Rule egalitarianism is a major factor in lowering transaction costs (and thus in increasing the value of social cooperation) because inequality, in respect to access to information relevant to a transaction, or in respect to access to and fair treatment within the institutions potentially affecting a transaction, drives up transaction costs. Relevant sorts of information include, for example, the laws governing market exchanges; weights, measures, and quality standards; and the reliability of the cur-

¹⁵ Emergence and the relationship between micro-level and high-level phenomena: Petitot (2010).

¹⁶ My neologistic phrase “rule egalitarianism” (conceptually similar to what North et al. 2009 call “impersonality”) is modeled on the term “rule consequentialism,” commonly used by ethicists. The rule consequentialist focuses on social rules (as opposed to individual acts) that will maximize aggregate welfare (or alternatively, aggregate preference satisfaction).

rency in circulation. Institutions relevant to transaction costs include property rights, contracts, and dispute resolution procedures (Kehoe et al. 2015).

Social norms and rules that treat individuals as equals can have substantial effects on economic growth by building human capital—that is, by increasing both median individual skill levels and by increasing the aggregate societal stock of knowledge. Relative equality in respect to access to institutions (e.g., law and property rights) and the expectation of fair treatment by officials within institutions encourage investments by individuals in learning new skills and increase net social returns to the employment of diverse skills. It does so because norms and rules that protect personal security, property rights, and individuals' dignity lessen fear of the powerful.

When I believe that my person, property, and standing are secure (in that I have ready institutional recourse if I am assaulted, robbed, or affronted), I am less afraid that the fruits of my efforts will be expropriated arbitrarily by those more powerful than myself. In this case, I have better reasons to seek my fortune and to plan ahead. It is rational for me to invest in my own future by seeking out domains of endeavor in which I can do relatively better—that is, to seek a relative economic advantage through specialization. I also have a higher incentive to invest effort in becoming more expert within that specialized domain, insofar as I believe that there is a market for my sort of expertise—so that the return on my self-investment will have a good chance of being positive. Under these conditions, I will rationally choose to defer some short-term returns by spending time and energy gaining information and developing skills that I believe will enable me to do better in the long run.¹⁷

Rationally-chosen individual investment in human capital development can, in the aggregate, have powerfully positive economic effects through increasing societal levels of specialization and productivity. By investing in learning, each individual becomes correspondingly better at whatever endeavor in which he or she is engaged. Individuals who choose to invest in themselves, who have freedom to seek out different domains, and who have specific natural capacities (e.g., high intelligence) have reason to seek out those domains in which their capacities can be more effectively exercised. So, for example, an intelligent individual may pursue some sort of knowledge-intensive work rather than manual-labor-intensive subsistence farming. Societal productivity increases because greater specialization of economic function produces more diverse goods more efficiently and because workers in each specialized domain, having invested in gaining expertise, are individually more productive. If information about the quality of goods is widely shared, then better goods will be produced and exchanged at a lower cost, enabling more people to consume a diverse range of goods at a higher level.

Competition among individuals to create more high-value goods and services and to provide more valued public goods (and to be compensated accordingly with

¹⁷ There is, of course, a good deal of specialization in centralized hierarchies—the complex monarchical civilizations of, e.g., Mesopotamia, Egypt, and Persia, would have not been possible without specialists. Yet hierarchies are relatively inefficient in allocating specialist training to individuals across the relevant population based on aptitude and motivation.

pay and honors) is promoted by the even playing field created by fair rules equalizing access to institutions and information. Meanwhile, competition between states within a decentralized ecology of states creates incentives for cooperation among many individuals with shared identities and interests (as citizens or, e.g., “Athenians”). Competition also promotes innovation in institutions facilitating inter-personal and inter-state cooperation (alliances, trade agreements, federations). Innovation and cooperation, in the context of low transaction costs, encourage inter-state learning and borrowing of institutional best practices. As these practices are shared across an extensive ecology of states, each with high incentives for identification of comparative advantage, specialization, and exchange, there is a greater aggregate return to social cooperation. Competition drives growth when the competitors believe that the background rules governing their interactions are reasonably fair.

Rule-egalitarian incentives for human capital investment are provided by institutions that control individual risk without inflating moral hazard.¹⁸ All things being equal, people are more likely to make capital investments with potential upside benefits when the risk of downside loss is limited. If a non-elite family’s own resources are its only protection against catastrophe (e.g., famine, accidents resulting in loss of working capacity, or death of the head of family in war), “max-min” risk-buffering strategies (i.e., strategies that seek to maximize the chance of retaining a subsistence minimum) will preclude potentially risky capital investments that offer potential long-term gains. Along with the high rents imposed by landlords and rulers, the high cost of private risk insurance is a structural impediment to the growth of most premodern economies.

State institutions that insure citizens against potentially catastrophic losses enable individuals and families to invest more capital in enterprises with the potential for raising individual and aggregate welfare. Such policies raise the specter of moral hazard—that is, privatizing the gains of risk-seeking by distributing profits to the risk-taker, while socializing losses by requiring others to pay for gambles that fail. But if a risk-limiting insurance institution is properly designed (i.e., part of the loss is borne by the risk-taker), it serves an equalizing function that may have the effect of increasing aggregate welfare and lowering inequality. Aggregate welfare is promoted because the state, unlike a single family, can spread risk of famine, accident or death in war across a large pool. If the design challenge is met, the playing field is leveled because the stakes of embarking on a path of attempted self-improvement are lowered from potential disaster to survivable loss. And so the relatively poor man can reasonably afford to take a risk that would previously have been open only to a much wealthier man.

If high-benefit enterprises are available and the chances of success are better than even, and if the cost of risk insurance is underwritten in part by progressive taxation,

¹⁸ Bankruptcy laws that limit personal losses, and rules of incorporation that protect individual investors, are familiar modern examples. Patron-client relationships and voluntary associations (e.g., burial societies) provided alternative, civil society, routes to similar ends in some ancient societies.

the right policies will, over time, lead to more people advancing from relative poverty to middling status and thus to lower inequality. Although some risk-takers will suffer losses, and so their families will be poorer, and some producers will be negatively affected by paying higher taxes, the net effect is positive for overall economic growth.¹⁹

2.4 Greek History

The Greeks were not strangers to the idea of incentives and pursuit of rational self-interest, and they certainly understood the correlation between ambition, achievement, and equality of standing. When Herodotus sought to explain the breakout of Athenian military capacity after the democratic revolution of 508 BCE, he argued that “while [the Athenians] were oppressed, they were, as men working for a master, cowardly, but when they were freed, each one was eager to achieve for himself” (*Histories* 5.78).²⁰ If we are to judge by their literature, ancient Greeks had a solid “folk” understanding of how individuals make choices in light of strategic calculations of interests centered on expected utility and anticipation of others’ behavior. Although the Greeks lacked a general theory of prices and markets, the aggregate of rules protecting individuals from exploitation, and of many subsequent individual choices to invest in human and social capital, led to the emergence of a vibrant market-based economy, and the basic mechanisms were understood by Greek theorists.²¹

In the introductory section of Plato’s dialogue *Protagoras*, for example, a young Athenian citizen named Hippocrates (not the famous medical writer) expresses great eagerness to receive specialized training from the sophist Protagoras. Hippocrates’ boundless eagerness to learn something of value, and his willingness to pay for it, points to a culture of self-conscious investment in one’s own education. In Xenophon’s *Memorabilia*, Socrates urges a friend to recognize the human capital represented by the skills possessed by his female dependents and their motivation to

¹⁹Gallant (1991) assumes high levels of risk aversion on the part of ancient Greek subsistence farmers and suggests possible family risk-buffering strategies, based in part on evidence from subsistence farming in early modern Greece. But, if the arguments presented here are correct, the classical Greek economy was not predicated on the risk-aversion of families of subsistence farmers. Public insurance and risk: Burke (2005), Möller (2007, pp. 375–383), and Ober (2008, pp. 254–258). Mackil (2004) shows how which a somewhat similar risk insurance mechanism operated in some inter-polis relations.

²⁰This passage is discussed in more detail in Ober (2015a, chapter 7).

²¹Strategic calculation based on formal rationality in Greek thought: Ober (2009). Compare North et al. (2009), who emphasize the behavioral implications of individuals being treated impersonally in institutional contexts. Note that I assume here not only formal equality of standing, but also some degree of freedom of choice in respect to occupation. Obviously in practice the extent of free choice varied considerably, but it is the overall effect of differences in opportunities and incentives that produces the result of relatively greater investment in human capital. See also Ober (2012).

employ those skills: “everyone works most easily, speedily, best, and most pleasantly when they are knowledgeable in respect to the work” (Xenophon, *Memorabilia* 2.7.7–10; esp. 2.7.10).²² In the fifth and fourth centuries BCE and continuing into the Hellenistic era, the Greek world saw a spate of technical writing in a variety of fields: basic introductions to areas of expertise (like medicine, warfare, and public speaking) aimed at an audience eager to learn—and especially at potential students, like young Hippocrates, who might be willing to pay expert teachers in their drive to improve their own special skills.²³

Moving from thought to practice, it is uncontroversial to say that classical Greek society was characterized by historically exceptional levels of equality in terms of the access of native males to key public institutions. The norms and rules of Greek communities tended to treat native males as deserving of some level of standing before the law, association in decision-making, and dignity in social interactions. No Greek community was ever rule-egalitarian “all the way down”—women, foreigners, and slaves were never treated as true equals. But among native males, the level of equality was remarkable when compared to other premodern (indeed, pre-twentieth-century CE) societies. A turn to relatively stronger forms of egalitarianism in Greece began in the eighth century, and the general trend continued (although not without interruption) through the classical era.²⁴

In many classical Greek poleis, rule egalitarianism among native men was codified as citizen-centered government. In focusing on the citizen, Spartan-style citizen-aristocracy and Athenian-style participatory democracy may be regarded as strikingly different versions of the same general regime type. Some Greek communities were, in George Orwell’s memorable phrase, more equal than others. But even Greek oligarchies (Simonton 2017) were strikingly egalitarian by the standards of most other premodern societies. The constitutional development of individual polis communities was certainly not uniformly in the direction of greater equality of access and fair treatment for natives. Yet, with the increasing prevalence of democracy, the median Greek polis was *more* rule-egalitarian in the later fourth century BCE, at the height of the classical efflorescence, than it had been 500, 300, or even 100 years previously²⁵.

Along with providing citizens, and certain non-citizens, with institutionalized security against arbitrary expropriation, some Greek states encouraged investment by citizens in learning skills relevant to the provision of valuable public goods, notably security and public services (e.g., clean water, drainage, reliable coinage,

²² Whether the women themselves would have concurred with Socrates’ assessment, we cannot say.

²³ On the development of theories and practices of expertise in the Greek world, see Pyzyk (2015).

²⁴ Eighth-century egalitarianism: Morris (1987) and Ober (2015a, chapter 6).

²⁵ Greek egalitarianism: Cartledge (1996), Morris (1996), and Raaflaub (1996). Runciman (1990) emphasizes the historically remarkable level of Greek egalitarianism. Foxhall (2002, p. 218), by contrast, regards “substantial inequalities in landholding” as a “paradox” that “I have never been able to resolve in my own mind.” The paradox arises, of course, if one supposes that egalitarianism requires either equal outcomes or equal opportunities (measured by equal access to all valuable resources). But, per above, rule egalitarianism assumes neither.

honest market officials) that conduce to the general welfare. Public goods benefited all citizens and, in, some cases, all members of the community.²⁶ In Athenian-style Greek democracies, incentives, in the form of pay and honors, were offered for providing public goods through public service. The opportunity to perform public service was made readily available to all citizens by opening access to decision-making assemblies and by the use of the lot for selection of most magistrates and all jurors. At Athens, by the fifth and fourth centuries, incentives included pay for service as a magistrate, a juror, or an assemblyman. Incentives offered to citizens who gained the skills necessary to be effective providers of public goods included not only pay but also honors and sanctions. Those individuals whose service was deemed especially valuable by the community were rewarded with public proclamations and honorary crowns. Those whose service fell short, on the other hand, faced the potential of both legal punishment and social opprobrium (Hansen 1999, p. 314; Ober 2015a, chapter 9).

Greek “public insurance” institutions (best documented for Athens, but not unique to Athens) included grain price stabilization and subsidization (reducing the risk of famine), welfare provisions for invalids (reducing the risk of loss of work capacity), and state-supported upbringing of war orphans (reducing the risk of military service by heads of families). Taxes that supported risk insurance and provided other public goods (security and infrastructure improvement) were divided between indirect taxes on exchange and direct taxes on wealth. Wealth taxes at Athens (where, as usual, our documentation is best) fell on the elite. Redistributive wealth taxes were high enough to reduce inequality, but low enough to avoid dangerous levels of elite defection in the form of wide-spread tax avoidance or revolutionary agitation. Overall, Athenian state spending seems to have been in the range of 10–15% of Gross Domestic Income. This is not high by the standards of modern states, but it is very high by premodern standards of comparison.²⁷

Examples of economically valuable individual human capital investments in the Greek (and a fortiori Athenian) world that could plausibly have been promoted by rule-equality include literacy, numeracy, and mastery of banking and credit instruments. Other perhaps less obvious investments in human capital included military training, mastering various aspects of polis governance (e.g., rhetoric and public speaking, public finance, civil and criminal law) and individual efforts to build bridges across localized and inward-looking social networks.²⁸

²⁶ This sort of investment in political, rather than specifically economic, skills may be a driver of increased use of slaves and other forms of unfree labor (Scheidel 2008, pp. 115–123). On the other hand, Xenophon (*Memorabilia*. 3.4) points out that that certain skills required for success in private business affairs are also valuable for managing public affairs (see Sobak 2015). Public goods are in general non-rival (i.e., not a fixed quantity, so that that their use is not subject to zero-sum competition) and non-exclusionary (i.e., all relevant persons have free access).

²⁷ Athenian taxation and state finances: Ober (2015a, pp. 243–252, b). Fawcett (2016) is the most complete and up to date discussion of Athenian taxation. Other premodern fiscal regimes: Scheidel and Monson (2015).

²⁸ Numeracy: Netz (2002); banking and credit instruments: Cohen (1992); rhetoric and social networks: Ober (2008, chapter 4).

Fair rule regimes ought (all else being constant) to be more economically productive than rule-inegalitarian regimes. Moreover, the transaction cost benefit ought to increase if access is made more equal over time. In fact, Greek weights and measures were standardized in several widely-adopted systems in the archaic and classical periods. In the case of democratic Athens, access to information and institutions did become somewhat more open and equal, as the laws were increasingly standardized (e.g., in the legal reforms of 410–400 BC), better publicized (e.g. by being displayed epigraphically), and more efficiently archived. The Athenian state provided traders with free access to market officials and specialists in detecting fraudulent coins. Parties to certain commercial transactions were put on a more equal footing with the introduction of the special “maritime cases” in which resident foreigners, visitors, and probably even slaves had full legal standing (see Ober 2015a, chapters 6–9).

Continuous innovation is a primary driver of sustainable economic growth. The economist William Baumol emphasizes that societies dependent on stable regimes of rent extraction, rather than continuous innovation, face low and hard ceilings restricting growth. Today we often think of economically productive innovations as technological; improved energy capture (use of fossil fuels) was, for example, a major driver of the historically remarkable rates of economic growth enjoyed by some relatively highly developed countries in the nineteenth and twentieth centuries. The Greek world saw various technological advances in agricultural practices, manufacturing, hydraulic engineering, an mining.²⁹

Although the classical Greek world unquestionably benefited from these and other technological advances, technological development does not seem likely, on the face of it, to account adequately for the intensity and duration of the classical efflorescence. Technology is, however, only one domain in which continuous growth-positive innovation is possible. The Greek world was arguably a stand-out in its development of new public institutions that served to increase the level and value of social cooperation without resort to top-down command and control. Valuable institutional innovations were spurred by high levels of local and inter-state competition, and spread by the circulation of information and learning. Democracy and federalism are just two well-known and well-documented examples of institutional innovation that spread across the Greek world in the classical era and that are plausibly associated with higher levels of productive social cooperation and thus with economic growth.³⁰

Just as it is uncontroversial to say that the Greek world was, when compared to other premodern societies, comparatively egalitarian in its norms and formal rules, so too it is uncontroversial to say that the Greek world was characterized by high levels of competition. The competition among Greek communities could be a high-stakes affair, potentially ending in the loss of independence, loss of important

²⁹ Innovation and growth: Baumol (1993). Energy capture and growth: Morris (2010). Technology in the Greek world: Greene (2000), Oleson (2008), and Schneider (2007). Agriculture: Sallares (1991); industrial production: Acton (2014); mining and hydraulics: van Liefferinge et al. (2013).

³⁰ Federalism: Mackil (2013) and Beck and Funke (2015); spread of democracy: Teegarden (2014).

material and psychic assets, or even annihilation. The high level of competition between rivals placed a premium on finding effective means, institutional and cultural, to build and to sustain intra-community cooperation. One of the basic lessons that the fifth-century BCE Greek historian and political theorist Thucydides offers his readers (positively in Pericles' Funeral Oration in Book 2, negatively in the Corcyra civil war narrative in Book 3) is that communities capable of coordinating the actions of an extensive membership had a better chance to do well in high-stakes inter-community competitions.³¹

Social institutions can provide both incentives for cooperation and mechanisms for facilitating coordination, and classical Greeks were well aware of this potential.³² One result of endemic Greek inter-community competition was, therefore, a proclivity to value cooperation- and coordination-promoting institutional innovations—it resulted in a state that succeeded in developing a more effective way to capture the benefits of cooperation across its population gaining a corresponding competitive advantage vis à vis its local rivals. Notably, as has recently been demonstrated in detail, in the classical era many Greeks (and a fortiori the Athenians) had freed themselves from “the grip of the past” in that they were quite willing to embrace the positive value of novelty in many domains.³³

Greek communities readily learned from one another. Every new institutional innovation was tested in the competitive environment of the city-state ecology. Many innovations were presumably performance-neutral—that is, they had no significant effect on the community's comparative advantage in competitions with rivals. Other innovations would, over time, prove to be performance-negative. If, however, an innovation adopted by a given polis was believed to have enhanced that polis' performance, there would be *prima facie* reason for other poleis to imitate it.

There were, of course, many reasons for polis B *not* to imitate polis A's performance-positive institution. Most obviously, the new institution might be disruptive to polis B's existing social equilibrium, a disruption that would, among other undesired outcomes, result in a net loss of cooperative capacity. Classical Sparta was a case in point. The Spartan social system was overall resistant to disruptive innovation, which proved a disadvantage in the early phases of the Peloponnesian War (Ober 2010b, 2015a, chapter 8). Yet in other cases, the perceived chance to improve polis B's performance, and thus do better relative to its rivals, would be a sufficient incentive to adopt polis A's innovation. Even the Spartans eventually recognized the need to adapt; they did so by developing a substantial navy in the later phases of the Peloponnesian War.

Some innovations, such as the federal leagues of central Greece (Mackil 2013), were widely adopted across certain regions. Other highly successful innovations were adopted across the polis ecology. Widely (although never universally) adopted

³¹ High stakes of inter-state conflict: Ober (2008, pp. 80–84). Thucydides on Corcyra's civil war: Ober (2000); Thucydides on rational cooperation and competitive advantage: Ober (2010b).

³² Institutions and coordination: Weingast (1997); Greek awareness: Ober (2009, 2012).

³³ Greek embrace of novelty: D'Angour (2011), arguing against, especially, van Groningen (1953).

institutional innovations included coinage, euergetism, the “epigraphic habit” of inscribing public documents on stone, diplomatic arrangements, theater, and cult.

Of course not all Greeks, and not all Greek communities, were equally innovative or equally willing to emulate successful innovations developed elsewhere. But the Greek world overall saw what appears to be a strikingly high level of institutional innovation and emulation across the ecology of states over the 500 years from the beginning of an age of expansion in about 800 BCE to the classical peak in the late fourth century BCE. Major domains of institutional innovation include citizenship, warfare, law, and federalism. In the domain of state governance, both democracy and oligarchy were especially hot areas of institutional innovation and inter-state learning. And, ominously for the continued independence of the leading Greek poleis, interstate learning readily jumped from city-states to potentially predatory central-authority states through the medium of highly mobile Greek experts. Several such states were developing quickly on the frontiers of the Greek world in the fourth century BCE, an era in which expert mobility seems to have reached new peaks.³⁴

Within the city-state ecology, a regional hegemon might encourage or discourage adoption of a given institution. Oligarchical constitutions were required by Sparta of the approximately 150 states of the fifth-century BCE Peloponnesian League (Thucydides 1.19). Meanwhile, in the later fifth century, Athens imposed monetary and weight standards on the 300+ states of the Athenian empire.³⁵ Yet, as we have seen, there was no general central authority in the classical Greek city-state ecology to mandate when or how widely a given innovation was adopted across the ecology as a whole. The extended city-state environment thus operated as something approaching an open market for institutions. Opportunities for imitation were facilitated (transaction costs lowered) by the ease of communication across polis borders, which was in turn facilitated by the shared culture of the Greek world. Some impediments to institutional learning between modern nations, such as differences of language and religion, were much less salient in the Greek world.³⁶ Because this “market in institutions” favored the development and dissemination of more effective modes of social cooperation, Hellas grew wealthier.³⁷

³⁴ Interstate learning among democracies: Teegarden (2014). Among oligarchies: Simonton (2017). Institutional borrowing by non-Greek authoritarian states, especially in the fourth century, and role of mobile experts: Pyzyk (2015) and Ober (2015a, chapter 10).

³⁵ Athens’ imperial coinage policy: Figueira (1998) and Ober (2015a, chapter 8).

³⁶ For more on such modern impediments, see Laitin (2007).

³⁷ Innovative adaptations of the institution of coined money is a good case in point; for some particularly interesting innovations in this domain, see Mackil and van Alfen (2006).

2.5 Conclusions

The “fair rules and fierce competition hypothesis,” when tested against Greek history, goes a long way towards explaining how and why Hellas grew wealthy, while sustaining relatively low levels of inequality. Many (but certainly not all) Greeks and Greek communities benefited from higher levels of economic specialization and higher-value exchanges of goods and services in the context of relatively low inequality. The chance to gain greater payoffs—fame and honor as well as wealth—drove incremental improvements in existing domains and led innovators to pioneer new domains, while innovations spread readily across the ecology.

The same hypothesis helps to explain the efflorescence of high culture in the archaic and classical periods. That cultural efflorescence included new and influential forms of art and architecture, literature, visual and performance art, and scientific advances. It also included the emergence and spectacular flourishing of moral and political philosophy concerned (inter alia) with the relationship between equality and democracy. If the argument of this paper is correct, then the conditions in which classical Greek political thought emerged and to which it responded were, in part, a result of a conjunction of deep investment in human and social capital, low transaction costs, continuous competitive innovation and rational cooperation—all of which increased incentives to specialize, exchange knowledge, and learn. Insofar as specialization, knowledge exchange, and learning were exemplified by the activities of Plato, Aristotle, and their students, the development of Greek political thought can be regarded as a result of a distinctive ancient Greek path of social, political, and economic development.

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Chapter 3

Economic Inequality, Poverty, and Democracy in Athens



Claire Taylor

Abstract This chapter explores the relationship between participatory democracy and poverty in democratic Athens. It reviews Athenian ideas about poverty, and draws on recent debates within Greek history and the social sciences, in order to examine the relationship between the economic prosperity of Athenians and the democratic system, with particular emphasis on the role of direct democracy in the amelioration of poverty. Social scientists have frequently argued that democracy has a greater chance of success in wealthier polities: is this the case in Athens—a city that recent research suggests was affluent, had experienced long-term economic growth, had relatively high wages and robust democratic institutions? The Athenian experience is used to explore how participatory democracy can be viewed as a tool for social flourishing to empower, enrich, and improve the capabilities and well-being of the poor. However, although direct democracy was the principle way that poverty was mediated for some, it was also a key factor in the reproduction of poverty for others in Athens.

Keywords Democracy · Growth · Inequalities · Middle class · Poverty

For critics of democracy the rule of the demos was synonymous with the rule of the poor over the rich. Although democratic ideology emphasized civic unity, stability, and social cohesion among citizens, democracy was easy to elide as rule of the poor rather than as rule of the demos as a whole.¹ Indeed, this elision was particularly

This chapter is a shorter version of ‘Economic (in)equalities and democracy: the political economy of poverty in Athens’ in 2018, *Ancient Greek History and Contemporary Social Science*, edited by Mirko Canevaro, Andrew Erskine, Ben Gray, and Josiah Ober, 345–375. Edinburgh: Edinburgh University Press, 2018.

¹ Compare Thuc. 2.35–46 with Ps. Xen. *Ath. Pol.* 1.5

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visible as a polemical strategy born of anti-democratic criticism.² Economic inequality, therefore, plays an important role in the discourses (if not also the practice) of Athenian democracy.

Aristotle's views on economic inequality and its political consequences can be seen in the *Politics*. In his discussion of the *ariste politeia* of Book 4, in particular, he sets forward a constitution which seeks to overcome some of the difficulties that economic inequalities cause. Contrary to democratic regimes where the poor were in control, or oligarchies where the rich were, in his *ariste politeia* the *mesoi* dominate:

It is clear ... that the political community administered by the *mesoi* is the best, and that it is possible for those states to be well governed that are of the kind in which the *mesoi* are numerous, and preferably stronger than both the other two classes, or at all events than one of them, for by throwing in its weight it sways the balance and prevents the opposite extremes from coming into existence. Hence it is the greatest good fortune if the men that have political power possess a moderate and sufficient substance (*ousian*), since where some own a very great deal of property and others none (*methen*) there comes about either an extreme democracy (*demos eschatos*) or an unmixed oligarchy (*oligarchia akratos*), or a tyranny may result from both of the two extremes, for tyranny springs from both democracy and oligarchy of the most unbridled kind, but much less often from the middle forms of constitution and those near to them. (*Pol.* IV.9 1295b35-96a6)

This is a constitution that is based on equality and friendship. It is free from stasis, promotes stability, and although an ideal, it is the best type of constitution that is actually attainable by most cities. It is balance which is key to Aristotle's conception of good rule, and a *politeia* in which the *mesoi* were in control was considered the most effective barrier to poor governance (defined here as tyranny, in both a constitutional as well as a metaphorical sense). Even if this kind of constitution rarely occurs in reality, Aristotle argues, the *mesoi* had an important role to play in other *politeiai*—they make democratic regimes (*ai demokratiai*) more secure and longer lasting than oligarchies. In contrast, regimes where the poor are in the majority without the balancing effects of the *mesoi* do worse and, without this group, democracy as a political system becomes problematic.³

Aristotle's *ariste politeia* provides a good starting point for thinking about economic inequality, poverty, and democracy in cities like Athens. For Aristotle economic inequality is problematic for two key reasons: first, because it highlights the differing ability of citizens to devote time and resources to political activity, and second, because it creates (or is a symptom of) undesirable character traits among the members of the citizen body, and these are bad for the polity as a whole. The *ariste politeia*, therefore, is considered to be a way to solve these problems because it removes power from those who are unequal and gives it to those who are. He suggests that having a large 'middling' group of citizens is better than extremes of wealth and poverty.

² See discussion in Lenfant (2013).

³ *Pol.* IV.9 1296a13-18.

What I wish to do in this chapter is as follows: first, I will explore how Aristotle's discussion fits into a broader set of discourses on poverty in late fifth- and fourth-century Athens before examining how the structures and institutions of Athenian civic society might have affected economic inequality. Since one of Aristotle's key arguments here relates to the political importance of the *mesoi*, I will also explore the implications of recent research that argues that Athens was a society that was not characterized by a small wealthy elite and large numbers of poor citizens, but one in which there was (between citizens) relatively little economic inequality (that is, Athens was precisely a city with a "large middle").⁴

The broader series of questions I want to ask here revolve around the relationship between democracy and economic inequality. Within the social sciences this relationship has garnered considerable investigation, either by comparing democratic societies with authoritarian ones, or by examining how democratic institutions affect poverty. Some of this research can be linked directly back to some of Aristotle's ideas here, though of course filtered through modern political and social systems.⁵ There is continued debate about the nature of democratic stability in poorer countries, the relationship between democracy, economic growth, and inequality, and whether democracy is a good political system for the poor.⁶ Drawing on some of this work provides a means for us to reflect on the ancient evidence and to explore further the relationship between democracy, poverty, and prosperity in the ancient world.

3.1 Aristotle and the Discourses of Poverty

First, however, it is necessary to consider how Aristotle understood economic inequality. His discussion of the *ariste politeia* is revealing for how he characterizes the very rich, the very poor (*hoi men euporoi sphodra, hoi de aporoi sphodra*), and those in between (the *mesoi*).⁷ Throughout he contrasts these groups with one another, not however by placing those with property together (that is, the rich and the *mesoi*) as might be expected, but by comparing both the rich and the poor on the one hand with the *mesoi* on the other. The *mesoi* are virtuous in contrast to the rich, who suffer from *hybris* and resist being ruled, and the poor, who are evildoers

⁴Ober (2010, 2015). But see also Ste. Croix (1981, p. 72), who wonders whether Aristotle has Athens in mind in this section: Athens "surely had more *mesoi* than most Greek states," he suggests.

⁵See, for example, Lipset (1960), Barro (1999), and Krishna (2008). For further discussion of this literature and the role that the poor play in it, see the companion piece to this chapter in Canevaro et al. 2018.

⁶For example, Sen (1999), Ross (2006), Acemoglu (2008), Przeworski (2008), and Patriquin (2011), in addition to works cited in previous note.

⁷Although Aristotle uses the intensifier (*sphodra*) when he introduces his tripartite division (IV.9.3 1295b3-4), throughout the rest of the discussion they are referred to simply as *hoi euporoi* and *hoi aporoi*. As discussed below, these are fairly fluid terms.

(*kakourgoi*) and are incapable of ruling.⁸ Both the rich and the poor find it difficult to follow reason (*logos*), whereas the *mesoi* find it easy; both the rich and the poor are *poneroi* (the rich are *megaloponeroi* whereas the poor are, fittingly, *mikroponeroi*), whereas the *mesoi* are neither; the poor covet other people's property and the rich have theirs coveted, whereas the *mesoi* have sufficient and therefore do neither. In this way then, the impact of both the very rich and the very poor on politics is diminished and the *mesoi* are placed at the center of political society.

In the sense that this is a tripartite, rather than a binary, division of the citizen body, this picture contrasts somewhat with other views of wealth and poverty in Athens, but in other ways it is strikingly similar.⁹ Whilst the Athenian discourse on poverty frequently contrasts *penia* with *ploutos*, and/or *aporia* with *euporia* in a more-or-less dichotomous way (as does Aristotle sometimes), when Aristotle characterizes the poor here as lacking the necessary intellect or strength of character for political activity he reflects attitudes we see elsewhere. The Old Oligarch, for example, contrasts the *beltistoi* (with their "minimal wantonness and injustice") with the ignorance (*amathia*), disorder (*ataxia*), wickedness (*poneria*), and lack of education (*apaideusia*) of the demos. This, he makes clear in no uncertain terms, is due to their poverty (*penia*), a condition which made them also shirk the responsibilities of citizenship.¹⁰

Frequently the poor are portrayed in Athenian discourse as being beset by *endeia* (want) and *chreia* (need), lacking not only material goods, but also good character, continually dissatisfied, not in control of their appetites, and coveting the wealth of others.¹¹ In the law courts poverty is sometimes presented as an explanatory factor in criminal behavior, used both as a reason as well as an excuse for wrongdoing.¹² In this way we can see *penia* being used as part of a discourse to elicit sympathy from the jury, but at the same time it reinforces the idea that poverty shapes character, often in a negative way.¹³ Aristotle does not significantly depart from these views here.

Elsewhere in philosophical circles, poverty could be presented as a life-without-burden. Socrates, for example, was famous for being a *penes* himself, eschewing the trappings of wealth, and a number of philosophical schools followed forms of ascetic poverty.¹⁴ For Xenophon's Charmides, a prosperous life was marked by

⁸ Arist. *Pol.* IV.9 1295b6-12, 19-24.

⁹ See Ste. Croix (1981, pp. 71-6), Sinclair (1988, pp. 121-122), and Cartledge (2016, pp. 102-3).

¹⁰ Ps.-Xen. *Ath. Pol.* 1.3, 1.5. See also Hdt. 3.81.2 where Megabyzos is deeply critical of the moral and intellectual deficiencies of the demos or Din. 3.18, where Dinarchos implies (to a jury court) that the poor were more susceptible to bribery than others.

¹¹ See, for example, Ar. *Plut.* 534, *Eq.* 803-4; Pl. *Smp.* 203d; Dem. 18.257; Isoc. 8.128; Xen. *Symp.* 4.36, 42, *Mem.* 4.2.37-9. See further Rosivach (1991) and now Cecchet (2015).

¹² Lys. 7.14; Dem. 21.182.

¹³ See Rosivach (1991) and Cecchet (2013).

¹⁴ See, for example, Desmond (2006) on the Cynics. In a similar way the monasticism of late Antiquity swapped the "risks of common poverty" for a kind of "regulated poverty" (Patlagean, 1997, p. 20). Note also Pébarthe (2014) on Socrates' "poverty."

instability and excessive responsibility—political duties, personal theft, and blackmail—whereas poverty was not only freedom from these things, but also a high-minded pursuit in itself. It allowed him to sleep well and pay no taxes.¹⁵ In the *Oikonomikos*, Socrates points out to Kritoboulos the great number of expectations placed on him because of his wealth—he needs to perform expensive sacrifices, entertain people lavishly, and pay liturgies frequently.¹⁶ That he is considered to be “rather poor” by Socrates as a result of this, as well as an object of pity, implies that these expectations are a burden which not being rich removes.¹⁷ However, these discussions are not about the experience of poverty *per se*, but poverty as a philosophical construct. It is a metaphor for constraint, a lack of freedom, or restrained appetites, and it takes its shape by being contrasted with luxury, softness, or uncontrolled gain.

Although wealth and poverty are frequently contrasted with one another, precisely what constituted rich or poor is up for debate, contextually variable, and subjective. So, wealthy speakers in court, like Demosthenes in his case against Meidias, could contrast his opponent’s wealth with that of the disenfranchised Straton of Phaleron (“a poor man (*penes*) ... but altogether decent (*chrestos*)”), but he could also do the same, incredibly, with himself as foil to Meidias’ riches.¹⁸ Poverty and wealth are therefore fairly fluid categories that are not always neatly tied in any close way to economic realities but are deeply rooted within relative social positions and perceptions of moral behavior.

Aside from the moral character of the poor being unsuited to the demands of political activity, economic inequality was viewed by Aristotle as a practical problem that was related to the appropriate use of time and/or leisure.¹⁹ The poor were, by definition, those who did not have the requisite leisure to devote themselves to politics in the way that was necessary for the best running of the state. Political pay provided one answer to this problem, but Aristotle was critical of the way that this shaped politics.²⁰ This, he argued, was like a “water jar with a hole in it” controlled by demagogues and therefore reminiscent of the slave-master relationship he criticizes in his description of the *ariste politeia*—the demos are dependent on the distributions and the demagogues in control of them. A preferable course of action was to distribute surplus revenue from the *euporoi* to the *aporoι* in order for the poor to buy land or use as capital for a business. Poverty relief, however, was not Aristotle’s purpose here. His aim was to re-categorize the poor to fall outside of the civic body, to cut off the day-to-day income of those who relied on the distributions from the Assembly and law courts in order to convert these groups from hired laborers (bad

¹⁵ Xen. *Symp.* 4.29-32.

¹⁶ Xen. *Oik.* 2.5-8.

¹⁷ Xen. *Symp.* 4.36, 42. See also Xen. *Oik.* 2.2, 4. On the obligations of wealth see Roubineau (2010).

¹⁸ Dem. 21.83. Compare Dem. 21.112, 133. Demosthenes, of course, was one of the wealthiest men in Athens. See Davies (1971, pp. 113–139). On the rhetoric of wealth in the speech: Ober (1994).

¹⁹ *Pol.* IV.4 1291b25-8; IV.5 1292b28-9; VII.8 1329a1-3.

²⁰ *Pol.* VI.3 1320a29-b4.

citizens) into farmers or traders (good citizens).²¹ Self-sufficiency is therefore at the heart of the plan; his aim is to “improve” democratic regimes by modifying the economic activities of the demos. The best form of democracy for Aristotle, after all, was the agricultural sort where the farmers stayed on their farms and minded their own business.²² Practical difficulties and moral deficiencies overlap here.

Although equality lies at the heart of Aristotle’s *ariste politeia*, he is not concerned at achieving it through the alleviation of poverty nor does he mention how cities might seek to increase their body of *mesoi*. In Book 2 of the *Politics*, he is deeply critical of Phaleas’ proposal to redistribute property to ensure equality.²³ It is therefore not directly an economic, as opposed to a political, argument that he has in mind. In general, Aristotle is not particularly sympathetic to the poor and tends to see their role in politics either as disastrous or as unwelcome. As he states in his description of the fourth (and worst) kind of democracy, too much leisure for the *plethos*—specifically the poorer parts of it (the *aporoí*)—is a bad thing.²⁴ Consequently, they rule in their own interests rather than in the interests of the polis, and start acting like a “tyrannical form of monarchy”—exactly the concerns he hopes his model constitution will address. Sidelining the *mesoi*—that is, not having a *politeia* based on equality and balance—will result not only in tyranny, but the rule of the rich (“unmixed oligarchy”) or the rule of the poor (“extreme democracy”).

Aristotle was, therefore, troubled by the participation of the poor in politics. He viewed them as a group who ruled in their own interests yet did not have sufficient time or leisure to develop the ethical and moral virtues necessary to running the city well.²⁵ This view is echoed by other ancient critics: the poor were ill-informed, poorly educated, and not to be trusted.²⁶ However, the political institutions of Athens were filled with *penetes*, if not exclusively, then certainly in large numbers,²⁷ and Ober (2008, 2013) has demonstrated how expertise can be developed, and decisions made, within these institutions, that is among those who would have been described as “poor.” We should, therefore, question those arguments that assume the poor are incapable because these seem to be rooted in anti-democratic ideologies.

Whilst the time/leisure barrier seems to be a common-sense argument based on practicalities, it rests (at least in part) on the assumption that poor people provide poor support for democracy—precisely the “poor are morally-deficient” arguments that characterize so much anti-democratic thought. To what extent, though, did the necessities of subsistence shape political activity in Athens? The key questions we need to ask here are as follows: were the political institutions constructed to allow the poor to serve? And were the poor so poor that they were prevented from accessing

²¹ Keyt (1999, pp. 219–220).

²² *Pol.* VI.2.1 1318b10–17.

²³ *Pol.* II.4 1266a39–1267b22.

²⁴ *Pol.* IV.5 1293a4–8; IV.4 1292a18–19. See also *Pol.* IV.9 1296a18 where their involvement is described in terms of *kakopragia* (failure).

²⁵ *Pol.* III.5 1279b8–10.

²⁶ See for example Hdt 3.81.1–2, 82.4; Ps.-Xen. *Ath. Pol.* 1.5.

²⁷ Xen. *Mem.* 3.7.6; *Prt.* 319c–d.

them? The answer to the first question is almost certainly “yes”: there were many opportunities for political activity (inside and outside formal institutions), pay was provided for lots of different types of service, and many duties were shared with others, but were often not time-demanding.²⁸ Citizens could dip in and out of paid service (military as well as political) as and when they needed.²⁹

The answer to the second question is a bit more complex. There is perhaps a question of degree which is relevant here: one may be poor in the sense of not being rich, but not be destitute for example, or one may be destitute, or approaching it, for relatively short periods (though perhaps not all) of one’s life. On the other hand, if each day brings a struggle to feed oneself or one’s family, serving on a jury (or whatever) might not be a priority. The difficulty here is that if recent research is correct to see a slow, but steady, improvement in living standards over the archaic and classical periods, the too-busy-subsisting argument has less traction.³⁰ This is not to say that there were no poor people in Athens (this is certainly not the case), but the lives of much of the citizen population were (on this model) not shaped, or not shaped exclusively, by the daily battle to find enough to eat.

There are also, of course, degrees of participation and Athenian political institutions were well-structured to take advantage of, or provide opportunity for, precisely this fluidity—the Assembly was large, though could never hold the entire citizen body at once, the principles of office rotation and sortition assumed one citizen was individually interchangeable with another, one need not travel to the city to be politically active. If we use the ancient criticisms of democracy as a guide, we are led to suspect that the obstacles of time/leisure were overcome, at least to some degree, because large numbers of citizens who were categorized as poor were participating in one way or other—and, according to Aristotle at least, dominating politics. The fact that there is frequent elision between the *demos*, the many, and the poor in Athenian discourse also implies that this was the case.

What’s more, recent research has shown the political culture of Athens to have been remarkably broad, especially if the extra-institutional political landscape is taken into account: the agora, for example, provided a space for discussion and debate, non-demesmen residents of demes like Rhamnous took part in decision-making of the body, voluntary associations provided commensality (and other concrete resources) for citizens and non-citizens alike.³¹ These spaces were frequented by diverse groups and whilst pay was not provided for all of these activities it does suggest that we should also look outside formal institutions to understand how poverty and politics might overlap.

Fundamentally we should not automatically assume that the poor cannot or do not take part in community life—that they do not have the time or leisure to do so—or that their contributions are somehow not as good. Study after study of

²⁸ See Pritchard (2013).

²⁹ See, e.g., Markle (1985) and Sinclair (1988, pp. 121–122).

³⁰ Morris (2004), Saller (2005), and Ober (2010, 2015).

³¹ See Osborne (1990), Vlassopoulos (2007), and Gottesman (2014). Outside Athens see Constantakopoulou (2015).

poverty research in the modern world shows that even the most chronically poor experience spells in which the most severe hardship can be compensated for with relative success and that they are no less committed to the “life of the community” as those who are better off, though they might express this in different ways and on different timescales.³² The seasonal variability of farming tasks in Athens provided relative slack times which create opportunities for participation, business could be left with slaves for a morning, or attendance at the Assembly or on a jury could take the place of a day of casual labor (and might well have paid better). As we see in Aristotle’s discussion, non-participation in politics made the poor not different to, but the same as the rich: both were concerned more with their personal fulfillment than with the community as a whole.³³ This implies that viewing the poor in materialist terms is only half of the story—it is what they seek to value that is important—and they, like the rich, value the wrong things. It assumes different motivations drive the behavior of the poor than others, de-socializes the experience of poverty, and even arguably de-humanizes the poor themselves. Time and leisure might well shape the ability of the poor to be involved in politics, but we should be cautious about simply dismissing them wholesale from political life as a result of this because doing so, effectively, reproduces the anti-poor attitudes that we find in the ancient sources.

3.2 Poverty and the Poor: Problems of Definition

It is clear thus far that how we define poverty (that is, who is categorized as being “poor”) is central to understanding economic inequality and it is useful on this question to look not only to the ancient literature, but also to modern poverty research. Nowhere does Aristotle outline what “very rich” and “very poor” mean in clear economic terms: these are relative categories defined primarily in terms of behavior. The “very poor” are aligned with slaves (they are too willing to “submit to rule of a servile kind”), whereas the “very rich” are condemned for their luxurious living.³⁴ He does view the rich as those with property, and elsewhere as those who serve the polis with their wealth, but the poor are not necessarily without it—they have nothing (*methen*) in the *ariste politeia*, but not in other parts of the *Politics*.³⁵

³² See papers in Addison et al. (2009) and literature cited there. See also the literature on gendered poverty: for example, Jackson (1998) and Razavi (1999).

³³ Insatiability: *Pol.* II.4 1267b4–11: “the baseness of human beings is a thing insatiable, and though at first a *diobelía* is enough, yet when this has now become an established custom, they always want more, until they get to an unlimited amount; for appetite is in its nature unlimited, and the majority of mankind live for the satisfaction of appetite.”

³⁴ *Pol.* IV.9 1295b19–22.

³⁵ *Pol.* III.5 1279b19–20, IV.9 1296a2. See also Ste. Croix (1981, pp. 71–72) and Markle (1985, p. 268).

The *mesoi*, by contrast, are “equal and alike” (*isos kai homoios*), have “moderate and sufficient” property, and as a result are least likely to overly desire, or shun, power.

This is a pattern we find elsewhere in Athenian literature; in general poverty and wealth are constituted in moral terms and seen as binary, though fluid, categories. In Aristophanes’ *Ploutos*, for example, Penia herself might be the “vilest of deities,” a hideous old woman, pale and frightening,³⁶ but wealth also inspired wickedness, neglect of the gods, and greed, and was only given to the immoral.³⁷ Chremylos jokes about being flea-bitten, having rags as clothing, little food or fuel, and little furniture, which seems to imply that these are external markers of poverty.³⁸ However, the goddess Penia immediately retorts that this is not *her* way of life, but that of *Ptocheia*. The life of the *penetes*, she argues, is “thrifty and hard working,” whereas a *ptochos* in contrast “has nothing.”³⁹

What is clear from this play, as well as elsewhere, is that *penia* and *ptochēia* were often fairly sharply distinguished, but it does not seem to be the case that Aristotle was thinking of *ptochoi* in contrast to the *mesoi*.⁴⁰ Nowhere in the *Politics* does he use the term. In fact, in Athenian literature of this period, *ptochoi* are always outsiders, ideologically kept apart from the citizen body: in tragedy they are always aristocrats-in-disguise,⁴¹ whereas in oratory the term is used to articulate problematic social mobility.⁴² *Ptochoi* are never depicted in visual culture outside of a mythic context, and even this is not common.⁴³ Aside from Plato’s desire to expel *ptochoi* from his ideal polis, they were not outlawed or prevented from congregating in certain parts of the city and no actual surviving law mentions them.⁴⁴ The *penetes* by contrast are not socially isolated in this way.⁴⁵

³⁶ *Plut.* 422-4. For Penia as vile see also Eur. *Archelaos* F 248; Theog. 267-70, 351-4. On the language of wealth and poverty see Coin-Longeray (2014a, b).

³⁷ *Plut.* 502-4, 1112-6, 398-400 respectively.

³⁸ *Plut.* 535-47. See also the various jokes about poor quality food, hunger, and stinginess in comic drama (though note also that many of these fragments are preserved by Athenaeus which may give a skewed perspective on the frequency of such jokes).

³⁹ *Plut.* 548-54. See also discussion by Roubineau (2013, pp. 16–18).

⁴⁰ On *penia* and *ptochēia* see the important discussions of Roubineau (2013) and Coin-Longeray (2014a). Markle (1985, p. 268) makes a similar argument with regard to Aristotle.

⁴¹ Aesch. Ag. 1270-4; Soph. *OC* 440-5 (see also *OT* 449-56), *OT* 1478-1513; Eur. *Hel.* 408-434, *Med.* 509-15, *Heraclid.* 314-20.

⁴² This can be used (i) as an insult, e.g., Dem. 18.131; (ii) as an example of political instability or the embezzlement of politicians, e.g., Dem. 3.29, 8.66, 10.68, 23.209, 62.53; Lys. 30.27; (iii) as an example of an absolute fall from a previous social position, e.g., Lys. 32.10. See further Roubineau (2013), Galbois and Rougier-Blanc (2014a), and Taylor (2017).

⁴³ Odysseus disguised as a beggar appears in a few examples but is not as common as scenes of Odysseus as a young, heroic man. Geras appears with Herakles occasionally (though of the six examples in the Beazley archive, none were found in Athens). See further Villanueva-Puig (2013) and Jacquet-Rimassa (2014) who discuss the meager evidence.

⁴⁴ *Laws* 936c. Rougier-Blanc (2014) associates *ptochoi* with *xenoi*, as both are defined by their wanderings (at least in the Homeric poems), arguing that the responses to them, and the liminal spaces they occupied within the city, were similar.

⁴⁵ See also Roubineau (2013).

The boundaries of poverty are therefore rather fluid and contextual. Historians can therefore debate who the “poor” were and what constituted “poverty” in material terms, but their answers are inevitably variable and contestable. If we follow the labor-leisure dichotomy, the “poor” are those who work for a living.⁴⁶ The problem is that this is a huge group of citizens—perhaps as many as 95% of the citizen body—who in all likelihood included large numbers who were not living at the borders of subsistence, and so would not be considered particularly “poor” in our eyes.⁴⁷ Should we follow Aristotle, then, in viewing the “poor” as those with no or limited property in contrast with the *mesoi* who had “moderate and sufficient” resources? The difficulty here is that we are given no sense of what “moderate and sufficient” might mean in practice nor how it might be calculated.⁴⁸ Presumably Aristotle would not consider the *penetes* to be part of this group, but some (many?) were indeed economically, and socially, rather successful. Where do we draw the line, then, between moderate and insufficient resources?

Is it better to view the “poor” as those who were scraping together a meager living, those who went hungry, or those who were destitute? One problem that arises here is that skeletal research shows that during the classical period dietary-deficient diseases were at their lowest in places like Athens, and whilst this does not mean that no-one ever went hungry, it does imply that subsistence crises were not widespread—at least compared with other times and places.⁴⁹ How do we find the poorest groups within our source material then?

As has become clear, defining poverty is central to understanding what it is, its effects on Athenian society, and the nature of economic inequality more broadly. The problem is, as Lenfant (2013, p. 48) has pointed out, that poverty encapsulates the very bottom of a wide spectrum of wealth in the modern world whereas *penia* was frequently seen in the ancient world as a contrasting position to *ploutos* and therefore encompassing a much larger proportion of the population.⁵⁰ We are left wondering—and debating—who should be categorized as poor and on what basis.

Problems of definition aside, what we can see from these difficulties is that the Athenians essentially understood poverty (of fellow citizens) in a relative, rather than absolute, sense. Relative poverty means not just that the Athenians recognized differentials in wealth (though this is important in itself), but that poverty is seen in relation to socially approved behaviors, customs, and lifestyles among society at large.⁵¹ As we have seen, the terminology used to discuss poverty is less focused purely on material wealth or the lack of it, but rather it is a comment on the relative social or moral position of specific groups. Working for a living characterized the

⁴⁶ See, for example, Markle (1985) and Sinclair (1988, p. 122).

⁴⁷ Compare the distribution models of Ober (2010) and van Wees (2011) for example. Even on van Wees’ more pessimistic model, a significant number of citizens are not living at the borders of subsistence.

⁴⁸ Robinson (1995, pp. 101–102) outlines some of the difficulties.

⁴⁹ Lagia (2015). For further discussion see Taylor (2017).

⁵⁰ See also Roubineau (2013, pp. 17–18).

⁵¹ Townsend (1979) and Lister (2004).

lives of the *penetes* rather than propertylessness, homelessness, or hunger *per se*. That this was (to some extent) behavior that was marked for disapproval (even if only by certain elites—there is strong evidence that the *penetes* did not see things in quite the same way), demonstrates that poverty was understood primarily in this way.

There is much less emphasis (perhaps because of the nature of the source material that survives and its concerns) on what modern poverty researchers call absolute poverty.⁵² This is poverty that results from a lack of basic needs fulfillment—food, shelter, and so forth. This does not seem to be what Aristotle had in mind when he talks of the lack of property of the poor however: *ousia* is not *trophe*. Ancient historians have, however, until recently tended to focus on absolute measures when discussing poverty in the Greek world.⁵³ The provision of, and commitment to, various doles and civic distributions (for orphans, the disabled, rations for soldiers, etc.) suggest that the Athenians recognized the importance of fulfilling basic needs, but the primary motivation for these was not to alleviate poverty but to reinforce civic bonds.⁵⁴ The poor who were not citizens never factor into the equation.⁵⁵ This group, however, were more at risk of being poor in an absolute sense.

Another way to think about poverty in the ancient world is to focus on what Amartya Sen would call capability deprivation (capabilities are defined as what one is able to do or to be with the resources available, to live a life one has reason to value).⁵⁶ This broadens poverty from being a measure defined against wealth or against the wealthy (i.e., the lack of wealth, the lack of virtue, the lack of leisure) to one that is rooted within a social context and shaped by social relations. Material resources, or the lack of them, are not ignored by viewing poverty in this way—quite the opposite—rather they are placed within a social context. Sen argues that democracy is both instrumental in providing people with expanded capabilities and constructive in that it provides the tools to respond to social problems (we might see the reorganization of the liturgical system in the 350s or the introduction of Assembly pay in this light). We might, therefore, consider the ways in which democracy both prevents capability deprivation and expands capabilities as well as how it might redistribute material wealth.

⁵² See the difficulty that some of the papers in Galbois and Rougier-Blanc (2014b) have with trying to locate this group of poor.

⁵³ See, e.g., Foxhall and Forbes (1982), Garnsey (1988), and Gallant (1991). Recent work by Roubineau (2010, 2012, 2013), Galbois and Rougier-Blanc (2014b), and Cecchet (2015) provide a welcome new direction.

⁵⁴ *Ath. Pol.* 24.3, 43.1, 49.4; *Lys.* 24. For discussion see Dillon (1995) and Roubineau (2012). See also *Pol.* IV.10, where Aristotle criticizes the poor for not wanting to fight unless provided with rations (*trophe*).

⁵⁵ Compare for example the advice of Ps.-Arist. *Oik.* 1344b1. on feeding slaves well; this is not done out of concern for the hunger of the slave, but out of a desire to make them work more effectively.

⁵⁶ Sen (1987, 1999). Sen's work also draws on Aristotle ideas about *eudaimonia* which was "theoretically a possible and viable individual option or social goal" for all (Cartledge 2009, p. 8), even if economic redistribution was "not a serious issue" (Raaflaub 1996, p. 155).

3.3 Democracy, Poverty, and Well-Being in Athens

In this section I want to move away from the discourses of poverty, rooted as they are within ideological categories that are frequently critical of both the poor and of democracy, and argue that Athenian democracy expanded the capabilities of its citizens and improved their well-being in a variety of ways. Research on participatory democratic institutions in the modern world has shown just this and allows us, despite the different contexts, to sketch out some ways in which this potentially could have occurred too in Athens. For example, participatory budgeting—a form of decision-making procedure developed in Porto Alegre, Brazil—allocates resources through community decision-making.⁵⁷ This shows how participatory aspects of governance not only empower citizens by giving them a voice in the decisions of their community, but also overcome collective action problems by mobilizing them to vote on decisions (and thereby put pressure on officials to turn the decisions into actions), improve well-being by redistributing public goods, and allocate more resources to poorer neighborhoods in targeted ways. It can also foster, or support, associational practices which generate social capital (this is important because the poor generally have fewer and weaker social networks than the rich) and create networks through which information can travel (serving both an educational and informational purpose).⁵⁸ There is evidence for many of these features at Athens.

Athenian society was characterized by many dense, interlocking social networks which provide examples of how capabilities might be expanded or constrained. These social networks functioned—together with the political institutions—as sites for the development of political consciousness, debate, or democratic knowledge: places such as the trireme, the deme, the voluntary associations, or the agora could operate as “schools of democracy” as well as venues for commensality, sociability, and religious practice.⁵⁹ These groups served to expand social capital often in very small (but significant) ways for those who were otherwise marginalized, and some of them provided access to material resources too.⁶⁰

The research on participatory budgeting in Brazil shows that participatory institutions empower poorer citizens to take decisions to help themselves and those like themselves.⁶¹ One might object to the empowerment argument along the lines that it does not put food on the table, but the types of decisions which the Athenian demos took were directly related to the lives of most Athenians (i.e., they are not far-removed from the consequences of them)—whether to go to war (and be paid for doing so) or avoid it, whether to pay for Assembly attendance, whether to ensure that the rich paid their liturgies, whether to vote honors for a Bosporan nobleman to

⁵⁷ Wampler (2012) and Touchton and Wampler (2014).

⁵⁸ On associations and social capital, see Putnam (2000).

⁵⁹ Strauss (1996), Vlassopoulos (2007), Ober (2008), and Sobak (2015).

⁶⁰ Taylor (2015, 2017).

⁶¹ For a similar, though critical, sentiment see Ps. Xen. *Ath. Pol.* 1.1.

encourage favorable terms in the grain trade (to ensure supply), and so on. Even Aristotle allows that the poor are central to the deliberative functions of democracy (as opposed to the office-holding functions of it) because, in his view, when they mixed with their betters, they would make good collective judgments.⁶²

In addition, material resources were redistributed, and public goods supplied, through mechanisms like political pay and liturgies, and although the fear of democratic critics was that the demos would fleece the rich, this does not seem to have happened.⁶³ As many others have pointed out, it does not seem to be the case that calls for economic redistribution were ever particularly on the table in Athens during the classical period which implies that there was no “crisis of social relations”; indeed there were many opportunities for the rich to get rich—and they did.⁶⁴ On the other hand, wealth-leveling mechanisms appear to have worked quite well: having ancestors who were trierarchs for example “reduces the odds of performing multiple trierarchies,” implying that excessive wealth was quickly tapped by the community at large, partible inheritance can (though does not always) function as a break on the concentration of wealth, and less well-off Athenians had the opportunity of gaining land if they moved overseas.⁶⁵ What’s more, the wealthy families of the fifth century are not the same, as far as we can tell, as those of the fourth century.⁶⁶ Together this implies that these redistributive functions worked tolerably well. Ideologically and practically, therefore, participatory democratic institutions not only served as a buffer to capability deprivation, but actively improve the well-being of those involved.⁶⁷

We can see this idea played out in a fragment of fourth-century comedy. Nikostratos (possibly the son of Aristophanes) put into the mouth of a character the following words:

ἄρ’ οἶσθ’ ὅτι τῆς πενίας ὄπλον ἡ παρρησία; ταύτην ἐάν τις ἀπολέσῃ, τὴν ἀσπίδ’ ἀποβέβληκεν οὗτος τοῦ βίου

Do you know that *parrhesia* is the armor of poverty? If a man loses that, he has tossed away the shield of life.⁶⁸

Whilst we do not know where the joke lies here, it is striking that *parrhesia* is seen (or even parodied) as a protective force to those who were poor, providing comfort

⁶² *Pol.* III.6 1281b35–40.

⁶³ *Rep.* 565a–b, 566a; *Isoc.* 8.13; *Xen. Symp.* 4.30–2; *Dem.* 10.45.

⁶⁴ See Ober and Hedrick (1996) and Raaflaub (1996).

⁶⁵ McGuire and Netting (1982) and Kaiser (2007). See also *IG I³* 46 (Brea decree with provisions for thetes), *Pol.* II.6 1270a15–b6 on the problems of Spartan inheritance (with Hodkinson 2000, pp. 65–112).

⁶⁶ Davies (1981).

⁶⁷ See also Ober (2008, p. 4): “participatory forms of democracy ought to expand the scope of human flourishing through the exercise of individuals’ political capacity to associate with others in public decision making”; Balot (2014, pp. 309–329) on *eudaimonia* being enabled through democracy.

⁶⁸ Nikostratos F 30.

as well as preservation.⁶⁹ In Saxonhouse's discussion of this central democratic concept, she describes it as mediating both hierarchy and shame.⁷⁰ This seems to place the poor right at the center of democratic life—in a positive way.⁷¹ Is this just another example of the (critical) elision between the poor and the *demos* we have seen above? This is possible of course, but there is another reading. The text also seems to imply that *parrhesia* actively prevents destruction; when *parrhesia* is taken away, the poor become increasingly vulnerable. Democracy is, on this reading then, a protective force.

The participatory aspects of Athenian democracy—in both formal and informal institutions—it seems, provided a buffer against the hurdles that poor citizens no doubt faced in their day-to-day lives. It allowed them to play a role in the deliberative functions of decision-making, have a voice in the provision of public goods as well as distribute resources better than authoritarian (or oligarchic) regimes, and through the institutions and extra-institutional landscape develop social networks and social capital. There were, however, limits. Athens was not a proto-welfare state, and the social values which emphasized helping friends and family who were in difficulty also left those without friends or family in a much more precarious position.⁷² The reality was that all those who received forms of public distribution did not do so because they were poor, but because they were citizens. The motivation for political pay, for example, seems to have been to provide honors (disabled veterans, orphans of fallen soldiers) or to reinforce civic identity, and provisions were based not on need but on status and/or service. In this way, such measures excluded as many groups as they included. Families, friends, and voluntary associations seem to have been expected to aid the vulnerable: elderly relatives, former household slaves, friends fallen on hard times. But strong social ties are needed for this to work, and frequently this is what the really poor lack.⁷³

Even if we suggest that these mechanisms prevented, or forestalled, capability deprivation for citizens, it is hard to escape the conclusion that they contributed, at the same time, to the reproduction of poverty for those excluded from them. If social networks could function as a way to enhance their participants' quality of life and improve their well-being, it also means that the social networks from which people were excluded (e.g., the *hetaireiai* groups), or through which they were oppressed

⁶⁹ See also *Ath. Pol.* 16.6: the (fourth-century) story of the farmer who speaks frankly to Peisistratos not realizing who he is. Aeschin. 3.2-4: "the speech of those who are best and the most moderate of those in the city has been silenced." Ps. Xen. *Ath. Pol.* 1.6: "Someone might say that they ought not to allow everybody (*pantas*) to make speeches and serve on the Boule, but only the cleverest and best. But in this too they are best advised in allowing the wicked (*poneroi*) even to speak." See further Saxonhouse (2006, pp. 89–90, 97).

⁷⁰ Saxonhouse (2006). If Saxonhouse is correct that *parrhesia* was "to uncover and thus to question what had been and to ignore the restraints of status," this would make the fragment deeply ironic. The question might then be taken to imply that the speaker is trying to persuade his interlocutor.

⁷¹ Saxonhouse (2006, p. 45): *parrhesia* is what is lost in the oligarchic revolution of the Four Hundred; it is "pervert[ed] ... for their own purpose" by the oligarchs.

⁷² Christ (2010).

⁷³ See, for example, the characterization of *ptochoi* as *apolis* and *aoikos*: Kloft (1988).

(slavery), would have done precisely the opposite. The disadvantaged have much less opportunity to develop networks of their own and therefore less access to the social capital by which they can improve their well-being. How, though, does Athens compare with other cities?

3.4 Democracy, Prosperity, and Inequality

One of the key debates within the social sciences is about the relationship between democracy, inequality, and prosperity. Democratic systems are shown to do better than authoritarian political systems at fostering economic growth, providing public services, and reducing inequalities. Researchers debate the extent to which democracy is successful in these areas, as well as the nature of the relationship and the direction the influence goes: does democracy promote higher standards of living or do higher standards of living provide a foundation for democracy?⁷⁴ Some of this literature draws explicitly on Aristotle's *ariste politeia*, arguing that there is a positive relationship between the size of the middle class and the extent of democracy.⁷⁵ Of course, much of this research focuses on representative rather than participatory institutions: the representative democracies of today have features which—for an ancient Greek—would be seen as oligarchic in that they rely mainly on elected forms of governance: citizens rarely decide policy, and there are de facto wealth qualifications for office holding. There are, however, some questions we can pose that arise from this research.

Given that recent research has argued that the Greek world in the classical period was flourishing after having undergone a long period of economic growth, one question we can ask is to what extent did this prosperity shape economic inequality within cities? During a sustained period of efflorescence from c. 800 onwards, the Greek world experienced a rise in consumption, the development of institutions, and improved standards of living across the board.⁷⁶ Athens, for one, became an affluent city with, it is argued, relatively low levels of both wealth and income inequality during this time; that is, it has been envisioned as a society with a “large middle” which acted as a stabilizing force and which lacked the extremes of wealth we see in other ancient societies.⁷⁷

Not all prosperous *poleis* were democratic (for example, Sparta), nor did prosperous cities which experienced periods of democracy, experience them as long as

⁷⁴ See, for example, Barro (1996, 1999), Siegle et al. (2004), Acemoglu (2008), and Patriquin (2011, 2015).

⁷⁵ Lipset (1960) and Barro (1999). Barro interprets Aristotle as meaning that “prosperity stimulates democracy.” For Aristotle, however, prosperity acted as a break on democracy (because democracy was rule of the poor), but too much prosperity was just as threatening as too little. See further discussion in Taylor (2018).

⁷⁶ Morris (2004, 2005), Bresson (2015), and Ober (2015).

⁷⁷ Ober (2010) and Kron (2011).

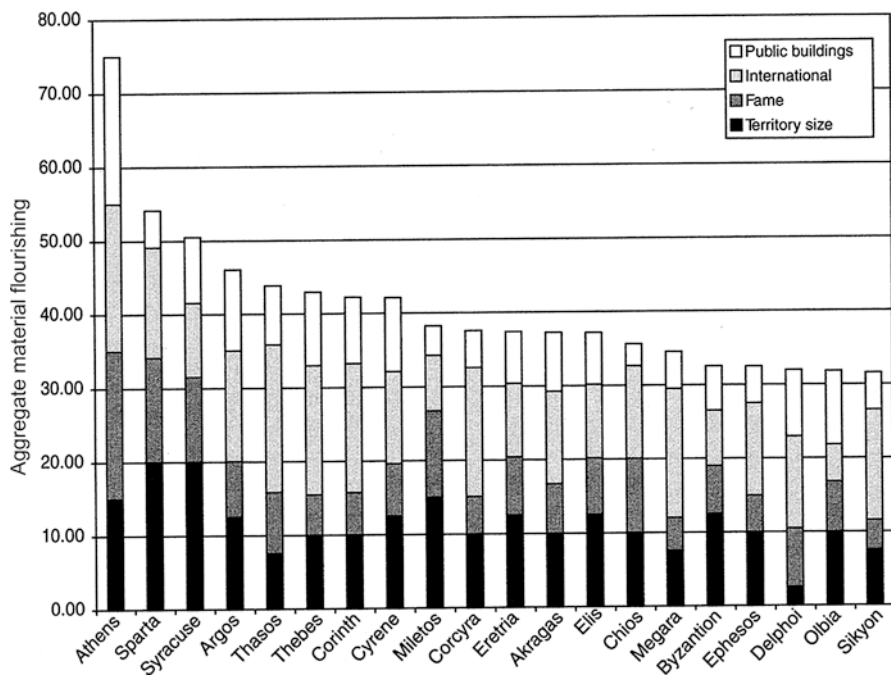


Fig. 3.1 Democracy and prosperity. (From Ober 2008, p. 47, figure 2.2: “Aggregate material flourishing of the 20 most prominent Greek poleis”)

Athens (for example, Syracuse), but one explanation for the historical trajectory of Athens, and in particular the relative wealth of the city, is related to its democratic institutions and civic culture.⁷⁸ Ober’s evaluation of this relationship uses the *Inventory of Archaic and Classical Poleis* to compare and to rank Greek cities according to territory size, international activity, public buildings, and fame, all of which (in combination) act as proxies for material flourishing. As a result of this ranking, he concluded that the most flourishing cities were more likely to be large and have moderately oligarchic or democratic constitutions rather than be under autocratic rule. Therefore, whilst he could not demonstrate that material flourishing was strongly connected to democracy per se, he did highlight that “generically republican constitutions,” based on broadly egalitarian ideas, performed consistently better than autocratic regimes.⁷⁹

However, it is also striking that among Ober’s “top 20” most flourishing poleis (Fig. 3.1), only three never experienced a period of democracy (Sparta, Chios, Delphi—and both Chios and Delphi are controversial additions to this list).⁸⁰ All of

⁷⁸ Ober (2008).

⁷⁹ Ober (2008, pp. 76–78, appendix A).

⁸⁰ Delphi: see Hansen and Nielsen (2004, p. 413) for discussion about the nature of Delphi’s constitution in the classical period and references. Chios: Hansen and Nielsen (2004, p. 1067): “in C5

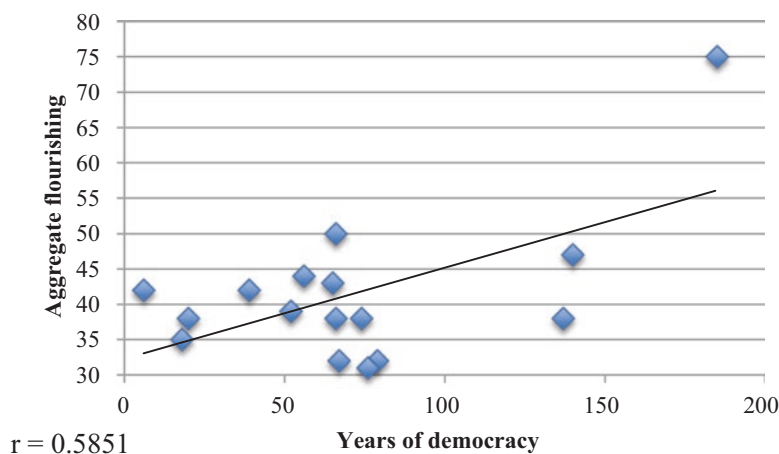


Fig. 3.2 Correlation of “aggregate material flourishing” and length of democratic experience

the others experienced spells of democracy during the classical period between 6 (Corinth) and 185 (Athens) years with an average of between 71.5 and 95 years.⁸¹ Indeed the length of the democratic episodes is reasonably well correlated with aggregate material flourishing in these cities, that is, the longer the period of democracy, the greater the flourishing (Fig. 3.2), which implies that regime choice might well be a factor in prosperity. The question therefore is: what is the nature and direction of this influence?

It is worth stating here that I am not arguing that democracy only developed in wealthy *poleis* (correlation is not causation), nor am I suggesting that material flourishing is only a characteristic of democratic cities—this is clearly not true and disguises a complex process of political and economic development.⁸² The changing landscape of the Greek world from c. 800 to c. 300 obviously did not result in the development of democracies in every polis—although the number of democracies did increase over this period—and Fig. 3.2 completely ignores the post-Alexander democracies of the Hellenistic world.⁸³ However it does raise the question whether there is a link between democracy and prosperity, and if so, how the prosperity of cities was distributed through the population: did democracy promote prosperity or

until 412, Chios appears to have had a moderate constitution which is not easily labelled as either a democracy or an oligarchy. ... [It] was then replaced by a much narrower oligarchic [constitution]. ... There is no decisive evidence to prove that the Chians reintroduced democracy in connection with their alliance with Athens. By 355 the Chian constitution was definitely oligarchic. ... When Alexander the Great decreed in 334–330 that the Chian constitution was to be democratic, a fundamental revision of Chian legislation was deemed necessary.”

⁸¹ Data from Robinson (2011, pp. 248–250); the range follows his “with high degree of certainty” and “lesser degree of certainty” categories.

⁸² Compare, e.g., Sparta and Athens. Other explanations include the development of a “middling” ideology, responses to tyranny, relationships with outside powers, local factors, and so forth, all of which have their critics.

⁸³ Increasing number of democracies over archaic and classical period: Teegarden (2014, pp. 221–236).

	Sparta Hodkinson (2000)	Athens Foxhall (1992)	Osborne (1992)	van Wees (2001)
Average size of smallest farm (ha)	1.75	5.5	1.5	1
Average size of elite farm (ha)	44.62	50	12	18
Multiplier	25	9	8	18

Fig. 3.3 Inequalities in Sparta and Athens compared

did increasing prosperity provide a foundation in which democracy could flourish?⁸⁴ Can we begin to answer this question, at least for Athens?

One way to do so is to compare the impact of poverty and inequality in democratic and non-democratic cities. If democracy and material flourishing are reasonably well-correlated, we might expect poverty and inequality to be worse in the latter than in the former. We can test this by looking at Athens and Sparta.

It has been suggested that the distribution of wealth and income in Athens was relatively egalitarian in the classical period, and although there were disparities, and although estimates using the Gini index vary, it is certainly the case that (a) the elite could have extracted much more than they did (that is there was the potential for much greater inequality) and (b) those who were poorest were—as far as we can tell—comparatively well paid and well nourished.⁸⁵ Ober estimates suggest “middling” groups outnumbered those living close to subsistence by between 2:1 and 5:1.⁸⁶ This is not to say that poverty did not exist in Athens—indeed we should absolutely emphasize the shortages, social isolation, and structures of constraint placed on different groups within Athenian society—but it also shows that Athens could have been much more unequal than it was.

How does this compare with Sparta? Hodkinson’s calculations of the average size of an elite Spartiate farm (44.62 ha) was about 25 times the size of a helot one once the helot dues were accounted for.⁸⁷ In comparison it is reasonable to estimate that the largest land-holdings in Athens were more in the region of ten times the size of the smallest and here small landowners did not have to give up any of their property in taxes, non-religious tithes, or other payments (Fig. 3.3).⁸⁸ Whilst there are some unknowns here and inevitably some disagreements (the extent of Athenian overseas landholding, or income derived from non-landownership, might be

⁸⁴ Compare Sen (1999, p. 147) with Patriquin (2015, pp. 5, 55, 78–9).

⁸⁵ Relatively egalitarian: Morris (2004), Kron (2011), and Ober (2015), but see also Foxhall (2007) and van Wees (2011). Elite extraction: Milanovic et al. (2007) and Ober (2015). Pay and nourishment: von Reden (2007), Scheidel (2010), and Lagia (2015). Further discussion in Taylor (2017).

⁸⁶ Ober (2010, 2014).

⁸⁷ Helot farm: $3.25 - 3.75 \div 2 = \text{approx. } 1.75$ ha left to work. See Hodkinson (2000, pp. 382–387). On helots as dependent poor (rather than state serfs), see Luraghi (2002).

⁸⁸ Foxhall (1992) and Osborne (1992). See also Ober (2015) who assumes the same ratio.

underestimated for example which would presumably stretch the gap between richest and poorest), it does nonetheless provide a useful point of departure. As far as we can tell, and even on the model with the greatest difference in extremes, the disparities of wealth in Sparta were considerably greater than those in Athens.⁸⁹

Disparities of wealth between richest and poorest are one thing, and we might argue over the details of these figures. However, the broad picture will remain the same—disparities of land-ownership/use appear to have been significantly greater in Sparta than in Athens. In addition, the plutocratic nature of Spartan society meant that being poor in Sparta had greater ramifications than it did in Athens. The fiction of Spartan egalitarianism has been shown to have little basis in reality, whereas disparities of wealth were all too present even within the citizen body.⁹⁰ The conspiracy of Kinadon, for example, is indicative of the social problems caused by the unequal distribution of wealth; that is, the ramifications of poverty were catastrophic in Sparta in a way which they had not been in Athens since the crisis which led to Solon's reforms. Although we can only guess at how the inferiority of the *hypomeiones* was configured (they only appear in this episode), it is reasonable to suggest that their status was related to their inability to pay mess dues, thereby falling out of the full duties of citizenship.⁹¹ Indeed, it has also been argued recently that the *homoioi* should be seen not as the full body of Spartiates, but a select, wealthy few who were entitled to hold office, which implies an even bigger gap between rich and poor.⁹² Rather than being built on citizen egalitarianism then, Spartan society developed institutions to exclude the poor, who effectively became the clients of the rich.⁹³

In Athens by contrast, political pay and other redistributive mechanisms broke the dependency of the poor on the wealthy.⁹⁴ Being poor did not directly result in the loss of citizenship, though it could affect the exercising of citizenship rights in various indirect ways. Euxitheos' father, for example, if we believe the story told in Demosthenes 57, was kidnapped and sold into slavery whilst fighting overseas and not able to return to Athens for years (time enough to allegedly develop a suspiciously "foreign" accent), presumably because neither he nor his family was able to find the resources to pay the ransom.⁹⁵ Non-payment of state debts could result in *atimia* and dishonor over generations, although in our surviving evidence many of these were incurred by those who were relatively wealthy to begin with.⁹⁶ Although the practice of debt-bondage might have continued in some form, selling citizens into slavery as

⁸⁹ For further discussion, see Taylor (2018).

⁹⁰ Aristotle notes the "democratic features" of Spartan society as a lack of distinction between rich and poor (*Pol.* IV.7 1294b19-32), but these differences certainly were present: see Hodkinson (2000). See also Alkaios F 360 on the poor in archaic Sparta.

⁹¹ Xen. *Hell.* 3.3.4-7. See Cartledge (1987, pp. 170, 178-179).

⁹² Ducat (2013).

⁹³ Lévy (2013).

⁹⁴ Millett (1989).

⁹⁵ Dem. 57. 18-19, 42. Whether or not this story was true, it must have had the air of plausibility to it.

⁹⁶ See, however, Dem. 21.83-97.

a result of debt had been banned in Athens since Solon.⁹⁷ Citizens in hardship therefore had some form of legal protection in Athens whereas in Sparta the reverse seems to be true—they effectively lost their citizenship.

Additionally, in Athens there appears to have been lots of opportunity for work, even if much of this was seasonal and/or piecemeal. The non-agricultural economy was well-developed, and specialization of jobs suggest (moderately?) plentiful employment opportunities and that Athens was a destination for economic migration. Those engaged in a wide variety of work were able to survive, or even to increase their material resources in visible ways.⁹⁸ Spartan ideology in contrast emphasized military training at the expense of other economic activities.

It is tempting to link this contrast with the different political systems, that is, to equate this picture of Athens with the success and durability of democracy. One might argue that Athens “worked” because the demos were not particularly poor and inequalities not comparatively great.⁹⁹ This would align with the idea common in development economics that economic growth supports an increase in democratic behavior—as people get richer, they have more time and more money to devote themselves to politics.¹⁰⁰ However, this explanation would fit Sparta (or any other Greek polis) just as well.

On the other hand, the participatory democratic institutions of Athens—and the social relations that these fostered—do seem to be important factors in expanding the capabilities and improving the well-being of those involved in them. It is hard to argue that features like political pay in Athens did not improve the economic well-being of large parts of the demos in very specific ways. What makes the difference here, perhaps, is the broad base of citizenship and the commitment to varying different types of participation. However, Athenian institutions (formal and informal) were also responsible for reproducing poverty for those barred, or otherwise excluded, from them. There were inequalities of wealth in Athens and regardless of how well Athens holds up in a comparative sense—we should not lose sight of this.¹⁰¹ We might conclude, therefore, that democracy was the principal way that poverty was mediated (for citizens), but it was also a key factor in the reproduction of poverty (for non-citizens) in Athens.

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⁹⁷ Harris (2002a).

⁹⁸ See for example, *IG II²* 10051; Agora I 7396. See Harris (2002b) on specialization.

⁹⁹ Patriquin (2015).

¹⁰⁰ Siegle, Weinstein, and Halperin (2004) and Krishna (2008).

¹⁰¹ Foxhall (2007, p. 32).

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Chapter 4

Plato on Equality and Democracy



Christopher J. Rowe

Abstract Democracy is “an attractively anarchic and colourful regime, it seems, one that accords a sort of equality to equals and unequals alike” (*Rep.* VIII 558c2–4). The present essay raises three questions in particular. (1) What precisely is the criticism of democracy here? (2) What kind or kinds of equality and inequality matter for Plato? As all sides agree, he is interested in proportional equality more than he is in its arithmetical counterpart, so that true equality, for him, will always turn out to be a kind of (arithmetical) inequality. But (3) inequality in what? Plato undoubtedly thinks the good and wise deserve a greater share in power just because they are good and wise; does he also think, as some have claimed, that the wealthy also deserve a greater share just because they are wealthy? The answer proposed to this last question in the following essay is a clear no: even if Plato holds wealth to be a good of some sort, the possession of an unequal share of it—despite what may be suggested, *prima facie*, by the presence of property classes in the *Laws*—is not, and is not even a part of, the reason for giving the wealthy an unequal share of power. The final proposal offered by this essay is that if goodness and wisdom are indeed for Plato the only good(s) actually relevant to the distribution of power, and if—as he seems to hold—true goodness and wisdom belong only to gods, then there will be a case for saying that, even for Plato, the supposed arch-enemy of democracy, democracy (in however limited a form) turns out to be the only possible outcome, whether under non-ideal or under ideal conditions.

Keywords Constitutions · Democracy · Equality · Ruling · Wealth

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4.1 Plato on Equality I: *Republic* VIII 558c2-4

In Book VIII of the *Republic*, Plato's Socrates treats of democracy along with other types of constitutions. The context is a description of a hypothetical decline from the hypothetically best type, represented by the city—the City Beautiful, Callipolis—that has been constructed in the preceding books, down through timocracy, oligarchy, and democracy to tyranny. Democracy comes about when there is fighting between rulers and ruled in an oligarchy and “the poor win, kill some of the other side, exile others and then give everybody who is left an equal share in constitutional power, public offices being mostly distributed by lot” (*Republic* VIII 557a2-5). It gives complete freedom to everyone to do as they wish (“or so it is said,” comments Adimantus: 557b7), even to the extent of permitting them their own choice of regime within the democracy (557d). In general, Socrates concludes, it seems it's “an attractively anarchic and colourful regime ... one that accords a sort of equality to equals and unequals alike (*isotêta tina homoiôs isoîs te kai anisoîs dianemousa*)” (558c2-4).

Gregory Vlastos describes this last clause as a “*tour de force* of epigrammatic compression.”¹ It certainly requires some unpacking. Vlastos' own comment on the passage runs:

[S]o much should be clear: Plato is saying that ‘equality’ (i.e., equal awards) should be given only to ‘equals’ (i.e., to those whose claims are equal). And since the democrats would be sure to retort, ‘But all citizens do have equal claims,’² Plato also expects the reader (who, presumably, has not skipped Book IV of the *Republic*) to understand him to be saying that the only relevant claims are those of merit (*aretê*)—excellence at the job for which nature has fitted one.³ If Plato is right (and there is nothing on which he has greater confidence in being right), then the rule of distributive justice which he takes to govern the democratic state—‘equality for all, be they equal or unequal in merit’—is viciously wrong.⁴

Everyone seems to agree with this reading of the lines in question⁵; or at any rate, it is hard to find anyone proposing to understand the passage in any but a broadly similar fashion. And after all, it sounds like just the sort of thing Plato *would* say (and seems to some to say elsewhere, i.e., in *Laws* VI 756e-758a).⁶ That is, it sounds just like what we should expect from someone as committed as Plato evidently is to the twin positions (i) that power must be concentrated in the hands of those who know, and (ii) that true knowledge, on the most important things, must be restricted at best to a few.

¹Vlastos (1981, p. 194).

²A footnote refers for this democratic sentiment to Athenagoras in Thucydides VI 38.5, along with Aristotle in *Politics* 1301a34.

³Vlastos' footnote: ‘Cf. the definition of *dikaïosunê* at 443ab ...’.

⁴Vlastos (1981, p. 194).

⁵See, e.g., Barrow (1975, pp. 106–107), Santas (2010, p. 159), and Wallach (2001, p. 378).

⁶A passage to which I shall cite more or less in full, and discuss, in Sect. 4.3 below.

If this reading is correct, however, it is at least interesting to note that it would probably be the only place in Plato where we find him attacking democracy in such a way. Karl Popper seems to notice this⁷:

[I]n the *Laws*, Plato summarizes his reply to equalitarianism in the formula: ‘Equal treatment of unequals must beget inequity’⁸; and this was developed by Aristotle into the formula ‘Equality for equals, inequality for unequals’. This formula indicates what may be termed the standard objection to equalitarianism; the objection that equality would be excellent if only men were equal, but that it is manifestly impossible since they are not equal, and since they cannot be made equal. This apparently very realistic objection is, in fact, most unrealistic, for political privileges have never been founded upon natural differences of character. And, indeed, Plato does not seem to have had much confidence in this objection when writing the *Republic*, for it is used there only in one of his sneers at democracy when he says that it ‘distributes equality to equals and unequals alike.’ Apart from this remark, he prefers not to argue against equalitarianism, but to forget it.

Summing up, it can be said that Plato never underrated the significance of the equalitarian theory,⁹ ... but that, in the *Republic*, he did not treat it at all; he attacked it, but not squarely and openly.

The present essay argues that Plato in fact never uses this “standard objection to e[g]alitarianism,” whether in the *Republic* or anywhere else. But it should be evident, I suggest, in any case that he would have had good reason for not having “much confidence” in it, as Popper puts it. While he apparently has little time for the idea that everyone is born equal,¹⁰ he clearly also thinks that any relevant differences between individuals—i.e., those that might justify an unequal distribution of power—will not be present in them naturally without extensive training and education.¹¹ In other words, it is at least not straightforwardly clear that Plato shares the view that “men ... are not equal, and cannot be made equal”; and in that case he cannot be making “the standard objection to e[g]alitarianism.”

It also tends not to be noticed that when seen properly in its context, *Republic* 558c3–4 (“accords a sort of equality to equals and unequals alike”) does not in any case even pretend to be the *general* statement, whether about egalitarianism or about democracy, that it will inevitably appear to be if quoted, as it usually is (and it is indeed highly quotable),¹² out of its proper context. Rather, it is a statement about

⁷Popper (2013, p. 92)

⁸This is apparently a loose paraphrase of Book VI 757a.

⁹That is, that everyone is naturally/born equal, which is attributed by Plato to his opponents, according to Popper, despite not being explicitly used by them.

¹⁰Thus, for example, the system of selection for membership of the upper two “classes” in the *Republic* presupposes significant differences in natural aptitudes. The point should not be pressed too hard, in light of what I take to be Plato’s continuing engagement with what has come to be called “Socratic” intellectualism; for intellectualism itself may well be fundamentally egalitarian in its implications. But these are topics for another occasion.

¹¹See, e.g., *Republic* 558a10–b7 (cited in full in note 20 below).

¹²Compare the maxim “Nothing is more unequal than the equal treatment of unequal people,” which towards the end of the last century seems to have begun being attributed, somewhat mysteriously (especially by elitist educationalists), to Thomas Jefferson—but might possibly be yet another example of what I claim to be the standard misreading of Plato, *Republic* VIII 558c3–4.

democracy as it has just been described, in the course of the preceding pages. Popper's treatment of the line, like Vlastos's own, omits a vital qualification: democracy is not being said to assign equality to equals and equals alike, *tout court*, but to assign "*a sort of equality*" to them (*isotêta tina*)—not, then, equality as ordinarily understood, which would be something like Vlastos's "equal awards," but equality of some special kind ("equality"). And to understand what this is, it is surely imperative that we look back at the way in which Socrates has been describing democracy up to this point, insofar as the clause under scrutiny actually forms part of a sentence that is explicitly summing up that description ("*So these will be the characteristics of democracy ...*; it's an attractively anarchic and colorful regime, it seems, according a sort of equality to equals and unequals alike"). The feature that is immediately picked up by the adjectives "anarchic" (*anarchos*) and "colorful" (*poikilê*) is that freedom, or license (*exousia*), is given equally to all to do what they want (*hoti tis bouletai*: "or so people say")—which by any account is a rum sort of equality for a society to assign to its citizens if, as Plato's picture of democracy proposes,¹³ there are no constraints on their behavior whatsoever. What sort of "freedom" will it be, if it permits them to do whatever they want regardless of the interests of the city, their neighbors, or themselves?

In other words, "equality" here needs to be understood in its context; and the same holds of the last part of the clause "to equals and unequals alike." Socrates has just been discussing three sorts of regimes—the ideal aristocracy represented by Callipolis, timocracy, and oligarchy, in all three of which inequality, albeit of different varieties, is a founding principle. In Callipolis it is an inequality of wisdom, aligned with military excellence and strength, under timocracy an inequality of military excellence and strength without wisdom, under oligarchy an inequality of wealth; inequality is also involved in the change from one regime to another, as, for example, the democrats ultimately win out because they are leaner and fitter than the indolent oligarchs (556c-e). Yet here is democracy assigning (a kind of) "equality" to everybody without regard to inequalities of any kind at all.

But democracy's allegedly "equal" treatment of equals and unequals has a still more immediate reference. "Doing as one wishes" has been illustrated by the following examples:

Thanks to the licence it gives its citizens [*sc.* to do as they wish: 557b5-6], [democracy] contains every kind of regime within it. Anyone who wants to put a city together, as we were doing just now, ought to visit a city governed by a democracy and pick out whatever kind of arrangement pleases him—it's like going to a universal store of regimes: you just make your selection, and found your city accordingly. ... The absence from this kind of city of any compulsion on a citizen to rule, even if he's qualified to do so,¹⁴ or to *be* ruled, either, if he doesn't want to, or to go off to war when there's a war on, or be at peace when everybody else is, if peace isn't what he wants; the fact that, if there's some law prohibiting him from taking office or sitting on a jury, he'll take office and sit on the jury anyway, if he feels like it. ... [And] haven't you seen people who have been condemned to death or exile

¹³ Or rather, caricature, or satire; as he knows perfectly well, no actual democracy, past or present, has ever operated like the one he has Socrates sketch.

¹⁴ Athenian democracy on the whole seems to have recognized the need to elect qualified *generals*, in particular (though with occasional, and disastrous, exceptions).

under this kind of regime, and yet still stay on in the city and move about in public—how someone like that can walk around like the returned ghost of a hero without anybody either caring or noticing? (*Rep.* VIII 557d2-558a8, trans. Rowe 2012a)

All these are examples of a disregard of what would normally count, and under (this) democracy still officially counts, as proper authority: a disregard, that is, of the difference between ruler and ruled,¹⁵ and of the necessary inequality between these. And the transition to tyranny occurs when

office-holders ... behave like ordinary citizens and ordinary citizens ... behave as if they were in office ... a father gets into the habit of behaving like a child ...; sons become used to behaving like fathers ... resident aliens are treated like citizens, aliens like citizens ... teachers fawn on their pupils, pupils despise their teachers[.] ... [F]reedom extends ... to the point where even those who've been bought in the market-place, men or women, are no less free than those who bought them; [not to] mention how equal and free wives become in relation to husbands, and husbands to wives ... [nor would anyone] believe, unless he saw it for himself, how much more freedom domestic animals have here than in other cities[.] ... [H]orses and donkeys are in the habit of parading the streets with total freedom and an air of importance, bumping into anyone they happen to meet if he doesn't get out of their way, and all the other animals become similarly puffed up with freedom. (*Rep.* VIII 562d6-563c10, trans. Rowe 2012a)¹⁶

Officers and ordinary citizens, fathers and children, teachers and pupils, citizens and slaves, men and women, humans and animals: all of them unequal relationships in any Greek city,¹⁷ under normal circumstances, but not in (this) democracy, as it declines and in its dying days.

My claim, then, *contra* Popper, Vlastos, and others, is that 558c3-4 is not to be understood as referring to democracy's neglect of that true equality that, for Plato, results from giving priority, and so unequal weight, to goodness and wisdom. It is not a remark, or "sneer," or "quip," about democracy in general,¹⁸ but about

¹⁵ Which, of course, in an ancient participatory democracy alternated to a far greater degree than they do in a modern representative democracy; "the ruled" may actually be "the rulers" next year, or even next month. Nevertheless, of course, the whole system depended on the maintenance of the distinction between "ruler" and "ruled"—and the survival of Athenian democracy, for example, for a good century and a half, in some form or another, is evidence of how well that system actually worked.

¹⁶ This continues: "And the net effect of all this, ... when it all comes together, is the sensitivity one readily observes in the souls of the citizens, which makes them angry and unable to put up with it if anyone tries to tie them down in the slightest respect. The final stage I think you'll recognize: a disregard for the very laws themselves, whether written or unwritten, to make quite sure nobody lords it over them, in any way at all" (563d3-e1).

¹⁷ Not, of course, men and women in Plato's beautiful city, but that city is not what is in question in this context.

¹⁸ Coming as it does just before the "terminal disease of a city," tyranny, in the list of constitutions in *Republic* VIII, and after oligarchy and timocracy, democracy may appear to be valued less highly than either of the latter two. That might tempt us to suppose that democracy's criterion for distributing power (or its lack of one) is being said to be worse than oligarchy's as well as timocracy's (timocracy, perhaps, being the first deviation from the best, might reasonably be expected to be rated higher). It will be one of the chief tasks of the following sections to establish what Plato thought about plutocracy. Meanwhile, I note that the order in which oligarchy and democracy are

democracy as described, caricatured, or satirized in the particular context of the discussion in Book VIII. This is a democracy that is inclined in the name of “freedom” to neglect even the sorts of inequality, between office-holders and ordinary citizens or rulers and ruled, that any society must rely upon in order to function at all, and ends up sanctioning the breakdown of any hierarchical relationship one cares to name.¹⁹

4.2 Plato on Equality II: What Kind or Kinds of Equality and Inequality Interest Plato? Equality and Inequality in What?

Popper’s/Vlastos’s reading of *Republic* VIII 558c2-4 does, however, have the singular virtue of drawing attention to the most important facts—or what I propose are such—about Plato’s attitude towards equality and inequality: namely, that the sole justifiable claim to differential, that is, unequal, distribution of power will be one based on superiority in excellence (*aretê*, “merit,” “virtue”), and that such inequality of distribution actually constitutes true equality in the human and political

discussed—given that aristocracy/the best must come first, timocracy second, and tyranny last—is likely to have as much to do with poetic/narrative convenience (see *Rep.* VIII 545d-e) as anything else. And as befits a caricature or satire, the whole treatment of democracy will be an account of *a* (possible?) democracy, even if it builds on features taken by the caricaturist/satirizer to be typical.

¹⁹ It may be objected, in defense of the Popper/Vlastos reading, that the very last feature of democracy Socrates mentions before his summing up is actually its lack of interest in excellence (Vlastos’s “merit”) when it comes to the question of the qualifications it looks for in politicians: “And the tolerance of the democratic city, its utter lack of meticulousness, its contempt for all those high-minded things we said when we were founding our city, about how only someone born with an utterly exceptional nature could ever become a good man, if from earliest childhood his play was not surrounded by beauty, and all his pursuits and activities likewise—how magnificently it tramples over all of this! It doesn’t care a bit what kinds of things a person did before he entered politics and started running things, and gives him respect on the sole condition that he declares himself well disposed towards the people” (*Rep.* 558a10-b7). (One might also call in aid the clause “even if he’s qualified to do so” at 557e2; though my note 14 is intended to block this). But the obvious response to this objection will be that timocracy and oligarchy “trample over all of this” no less than democracy does; they may care about the qualifications of their politicians, but not to the extent that they want them to be “good men.” If *Republic* 558c2-4 is supposed to be summing up the specific characteristics of democracy, it cannot be referring to its neglect of the criterion of excellence in particular (or rather, the need to *nurture* excellence: see text following note 10 above), though it will certainly not exclude excellence/merit (as the result of nurture).

sphere—“geometrical” equality, as Socrates famously calls it in the *Gorgias*,²⁰ and as the Athenian Visitor praises it in the *Laws*.²¹

But now in the context of the city actually constructed in the course of the *Laws*, this special sort of equality at first sight appears to be applied in relation to a whole range of claims, not just in relation to claims based on *aretê*:

It would be a fine thing if everyone entering the colony [i.e., the new city of Magnesia] had an equal amount in other respects too [i.e., as well as an equal allotment of land]. But since that is impossible, and one person will arrive with more money, another with less, then for a number of purposes, including equality of opportunities in the city, there must be unequal valuations, so that office-holding and taxes and distributions (*archai te kai eisphorai kai dianomai*) [may take account of] the valuation of each person’s worth not just by reference to excellence, his ancestors’ and his own, or degree of bodily strength or good looks, but also by reference to use of wealth or to poverty,²² [and the citizens] may receive honours and offices in a way that is as equal as possible to the unequal but proportional (*hōs isaitata tōi anisōi summetrōi de*) and so not fall out with each other. For these reasons they must be divided up into four groups, assessed according to wealth, and called first, second, third, and fourth, or labelled some other way, both when they stay in the same grouping and when they become richer instead of poor or poor instead of rich and each change to the property-grouping appropriate to them. (*Laws* V 744b1-d1, trans. Saunders, heavily modified)

Popper, indeed, used this difficult passage²³ as evidence that Plato was no enemy of plutocracy²⁴—an extreme version of Aristotle’s claim that Magnesia mixed democracy with (wealth-based) oligarchy rather than (as Plato claims, via the Athenian Stranger) monarchy with democracy, inclining rather to the oligarchic element.²⁵ One of the chief purposes of the present section of this essay will be to

²⁰ “Yes, Callicles, wise men claim that partnership and friendship, orderliness, self-control, and justice hold together heaven and earth, and gods and men, and that is why they call this universe an ordering (*kosmos*), my friend, and not an undisciplined state of disorder (*akosmia*). You seem to me not to pay attention to these things, even though you’re a wise man in these matters. You’ve failed to notice that geometrical equality (*hê isotês hê geômetrikê*) has great power among both gods and men, and you suppose that you ought to practice getting the greater share (i.e., when you do not deserve it, and so in contravention of the rule of geometrical equality). That’s because you neglect geometry” (*Grg.* 507e6-508a8, trans. Zeyl, modified).

²¹ See *Laws* VI 756e-758a.

²² Reading *penian* in c2. See below.

²³ The syntax of the second sentence of which is tortuous, as indicated by what has – on my reading – to be supplied (inside the two sets of square brackets) in order to make it into English or, for that matter, Greek.

²⁴ See Popper (2013, p. 571, note 20 to chapter 6).

²⁵ “The constitution proposed in the *Laws* has no element of monarchy at all; it is nothing but oligarchy and democracy, leaning rather towards oligarchy” (Aristotle, *Pol.* II 1266a5-7, trans. Jowett, modified), a claim that Aristotle goes on to explain in the following lines, ending with “Thus a preponderance will be given to the better sort of people, who have the larger incomes, because some of the lower classes (*hoi dêmotikoi*), not being compelled, will not vote” (1266a20-22). Not long before, however, he has suggested classifying Magnesia as a “polity”: “The whole system of government tends to be neither democracy nor oligarchy, but something of a mean between them, which is usually called a polity, and is composed of the heavy-armed soldiers” (*Pol.* 1265b27-9). See Sect. 4.5 below.

question whether Plato here, or anywhere else, treats wealth per se as constituting grounds for a person's being given a greater say or share in things.

I begin from a recent treatment of the *Laws* V passage that is more nuanced and more sympathetic to Plato than Popper's, but still seems to leave enough room for his criticisms to bite. Malcolm Schofield writes:

A notable example ... of the way the pragmatic project of Book 3²⁶ relates to the *Laws*' primary idealizing project is supplied by the Athenian Stranger's treatment of property. The idealizing project takes great pains to regulate the ownership of land, so as to ensure that (though communism is not enforced) there is as much equality in landholding, and in general in financial resources, as possible. Division between rich and poor remains for Plato as great a threat to a city as it did in the *Republic* (V 736c-738a, 739e-744a: cf. *Rep.* IV 421c-423a). But realism requires qualification of the ideal (744b-c).

Schofield then gives his translation of part of the passage (744b1-c2), accompanied by the following commentary:

Equality of landholdings did mean equality. 'Equalising' political opportunities means distributing them in *proportion* to property. A complex connection with virtue is made, notably through assessing *use* of wealth (or its opposite). ... [P]roportionality supports a highly complicated system of election to the city's governing council, albeit involving limited and indeed grudging use of the lot as well as arrangements designed (as Plato himself puts it) 'to confer high recognition on virtue, but less on those weaker in virtue and education' (*Laws* VI 757c). The objective as Plato sees it is accordingly *not* oligarchic. Because there is recognition of both virtue, doubtless taken to include wisdom, and the equality of the lot, which the Greeks associated with democratic freedom, the goal is something 'midway between a monarchical and a democratic constitution'. (Schofield 2010, pp. 24–25)

The difficulty I have with this analysis is that if equal distribution of "political opportunities" means distributing them "in proportion to property," as Schofield proposes, then it looks as if he thinks the Athenian is treating the possession of property as somehow necessarily going together with virtue (an oligarchic assumption if ever there was one). True, the Athenian will go on, some pages later, to say that recognition must and will be given to virtue²⁷; but the division into property-classes itself, despite the reference to the "use" of wealth, is explicitly based on the assessment of wealth, not of virtue: "For these reasons they must be divided up into four groups, assessed according to wealth."²⁸ Furthermore the purpose of the division into such groups is explicitly to permit "the use of wealth" (and/or poverty) to be taken into account in the distribution of offices (among other things), and it is not clear why, if "use of wealth" referred to virtue, such a purpose would require the institution of property-classes.²⁹

²⁶ Ernest Barker's title for Book 3 is "The Lessons of History," as Schofield reminds us.

²⁷ In *Laws* VI 756e-758a, a passage that explains the two different kinds of equality, arithmetic and geometrical, and indeed focusses the latter entirely on *aretê* (757c).

²⁸ That the four *timêmata* have exclusively to do with differences in wealth is shown by the rule for promotion and demotion between them (744d-e). But see further Sect. 4.4 below.

²⁹ The likelihood of a covert reference to *aretê* in the phrase "use of wealth" is also lessened by the fact that *aretê* has just been mentioned as a separate criterion ("[recognition must be given] not just to *aretê*, [a person's] ancestors' and his own ...").

Whether or not these objections to Schofield's interpretation are fair (I may well have misunderstood a reading so concisely stated), I believe that he has in any case underestimated the complexity of the passage. One question is about the Athenian's reference to "equality of opportunities" (b4–5). On Schofield's interpretation, he is already here talking about proportional equality (as he is explicitly doing later on in the same sentence), and the need to ensure that the rich get their proper though arithmetically unequal share of things. But I think he may also be talking about making sure—as he has already done through the equal distribution of land-holdings, as well as through the tight restriction that will shortly be imposed on the maximum amount of wealth permitted to any single household³⁰—that the extent to which the arithmetical inequality between richer and poorer will be recognized is kept within bounds.

The issues here are, first, how we read *kai dianomai* in b6, and second whether we read *penias* or, as I prefer, *penian* in c2.³¹ That is, is it "by reference to use of wealth and/or of poverty," or "by reference to (i) use of wealth and/or [by reference to] (ii) poverty"? On the first issue, Schofield allows *kai dianomai* to be swallowed by *archai* and *eisphorai*, translating "to ensure that offices and taxes are distributed on the basis of what someone is worth."³² It seems more reasonable, however, to take *dianomai* as "distributions," in the sense of distribution of "honors," or more generally of recognition, as in Book III³³ (696e–697c; see my suggested translation above: "so that office-holding and taxes and distributions (*archai te kai eisphorai kai dianomai*) [may take account of] the valuation of each person's worth").

As for the second issue (i.e., whether to read *penias* or *penian*), while the idea of a "use" of poverty is intelligible,³⁴ it is less immediately so than the idea of the use of wealth. The point of the reference to *use* of wealth is, I suggest, precisely to exclude wealth's being used per se as any sort of criterion—a move that the Athenian made in the very opening pages of the *Laws*: wealth only counts among human goods if accompanied by clear-sighted wisdom.³⁵ His point here in Book V, I suggest, has to do with "equality of opportunities" from both directions. The city's administration will take into account *both* wealth (properly used) *and* poverty, not giving too much to the relatively wealthy nor too little to the relatively poor. This is

³⁰ I.e., four times the value of an individual holding (V 744e). N.b. the careful phrasing in 744b7–8, 'when they become *richer* instead of poor or poor instead of rich ...': wealth and poverty, in Magnesia, are strictly relative categories.

³¹ The apparatus in the Oxford text is insufficiently informative to make it clear which reading is better supported by the manuscript evidence (both readings are found, and each has its supporters among editors); for the sake of argument I assume that the evidence will support either.

³² Ending a sentence here, and beginning a new one ('It is not just his personal virtues ... but use of wealth or poverty'), which has the effect of appearing to restrict 'worth' to financial worth.

³³ In Book III, property and wealth come last in the list of things a properly organized city will value).

³⁴ Schofield himself appears to read *penias*.

³⁵ See I 631c4–5. Given that the whole immediate context is about wealth and property, the sudden reference to *use* of wealth is surprising: one might have expected a reference to wealth and/or poverty pure and simple.

one reason why he states as the aim that the citizens should “receive honours and offices in a way that is *as equal as possible* to the unequal but proportional and so not fall out with each other”: it is to be a qualified proportionality, tempered by the need always to avoid that “greatest plague” in cities, the falling out of rich and poor.³⁶ In other words, he wants to avoid upsetting the poorer citizens as much as he wants to avoid upsetting the richer—although given that the balance from the latter’s perspective has already tipped against them through the equalization of land holdings (and the imposition of a maximum limit on wealth), the predominant emphasis in the present context is on what will assuage them rather than on assuaging their poorer counterparts.

Here is another striking feature of the passage (744b1-c3) that is passed over in Schofield’s account. A person’s worth (*axia*), the Athenian says (so far as one can understand him: again, it is a difficult, if not impossible, sentence to construe), is to be assessed “not just by reference to excellence, his ancestors’ and his own, or degree of bodily strength or good looks, but also by reference to use of wealth or to poverty,” and this assessment is to be the basis for the allocation of “honours and offices.”³⁷ Now clearly the reference to a person’s own excellence is unproblematic, and similarly the reference to ancestral excellence—the basis, presumably, of traditional aristocracies. But “bodily strength or good looks”? What sort of regime known to the Athenian ever assigned “honours and offices” on that basis? That he throws in strength and beauty so casually, as if they were on a par with *aretê*, whether family or individual, surely requires some explanation; as criteria they look only a mite less absurd than Socrates’ example, in the *Republic*, of using baldness or hairiness as a reason for stopping people from making shoes.³⁸ At least part of what the Athenian is doing, I suggest, is covertly indicating his actual view (and his author, Plato’s, actual view) of what the sentence is claiming to be a necessity.³⁹ It may be a necessity to take wealth into account in this particular case, because otherwise the new colonists, not used to anything else, will fall out: if they think they are worth more because they have more, then the legislator must take notice of that, in the interest of stability. But to use wealth, or indeed the excellence of a person’s ancestors,⁴⁰ as a qualification for honor and office is actually—so I take the Athenian/Plato to be hinting—as insupportable as it would be to use strength and good looks for such a purpose.

³⁶ See 744d3-4.

³⁷ For a similar, but significantly different, list of goods see *Laws* I 631c-d.

³⁸ *Republic* V 454c. It is also strange that he should mention strength and beauty, and ancestral *aretê*, as things to be taken account of (“... so that office-holding and taxes and distributions may take account of the valuation of each person’s worth not just by reference to excellence, his ancestors’ and his own, or degree of bodily strength or good looks ...,” 744b5-c1), when actually appearing not to take them into account at all. See Sect. 4.4 below.

³⁹ This sort of layering of meaning is not unusual in the *Laws*: for other worked examples, see Rowe (2012b, pp. 367–387).

⁴⁰ Strangely put before an individual’s own excellence in b7.

Here we come back to Schofield's "realism." Of course, as the Athenian says, "it would be a fine thing if everyone entering the colony had an equal amount," but that is not the way the world is. People will arrive with different amounts of wealth, he says, so we'll have to divide them up, or otherwise they'll start falling out. Nor is the division in any way a sham. A greater say will in fact be accorded to the higher property-classes in the process for choosing the membership of the ruling council, even if this is combined with a significant use of the democratic institution of the lot; so, for example, some offices can only be held by members of the highest property-class.⁴¹ A Magnesia without property-classes would presumably be more like the best society than the second-best it actually is (V 739a-e).

Nor is there any suggestion that, with the passage of time, and the bedding in of the state education system, they might fall gradually into disuse⁴²; why not is a question I shall discuss later.⁴³ But it is, I hope, clear enough, given the analysis above, that even in the *Laws* Plato shows little or no enthusiasm for the idea that wealth is in itself a qualification for political preferment. Socrates in the *Republic* does say that "(when everybody is trying to make money,) it's those who are naturally the most orderly (*hoi kosmiôtatoi*) that generally acquire the most wealth" (VIII 564e6-7), and there are echoes of the same idea in the *Laws* (e.g., V 742c-743c) and in the rules governing eligibility for certain offices. But this is hardly a ringing endorsement, if as seems likely "orderliness" is essentially a matter of being a stickler for precision in book-keeping and efficiency in making profitable use of resources. The wealthy oligarchs of *Republic* VIII are good at book-keeping, and at making money (at least, until things start going wrong), but it is their very single-mindedness about it that rules them out entirely, in Plato's book, as possessors of *aretê*. Part, if not the whole, of *aretê* is wisdom, and someone who treats wealth, and what comes with it, as an end itself already shows that he lacks the wisdom to make it a good, for him, at all.⁴⁴

Plato's default position on wealth and power, as on family connections and power, is surely the one Socrates announces with such passion in the so-called digression the *Theaetetus*:

When [the philosopher] hears an encomium for a tyrant or a king, it sounds to him like a herdsman of some sort, a swineherd, a shepherd, or perhaps a cowherd being called happy for the quantity of milk he gets from his cows; only in his eyes they have a more ill-tempered and treacherous animal to herd and milk—one that it takes all their time to handle,

⁴¹ VI 756b-e. At III 698b-e, the Athenian half-suggests a causal relationship between the existence of four functioning Solonian property-classes—prior to the rise of extreme democracy—and Athens' victory at Marathon; but ultimately he seems to place that victory rather lower in the list of human achievements than we might have expected. See Rowe (2016).

⁴² As did their Solonian counterparts in the Athens of the fifth and fourth centuries, when they gradually lost their relevance for office-holding, though not for military service (or for colonization: interestingly, following a decree of 450 colonists could only be recruited from the lowest two classes). See Hansen (1991, p. 45). But for the Athenian of the *Laws* that was a symptom of decline, not of improvement.

⁴³ See Sect. 4.4 below.

⁴⁴ See above all *Apology* 30b2-4, as well as Rowe (2007, chapter 1, section 1).

so that inevitably somebody like that becomes no less boorish and uneducated than ordinary herdsmen, only with a city-wall surrounding them instead of a mountain sheep-pen. Again, when he hears ten thousand *plethra* or even more being spoken of as an astonishing amount of land to own, it seems to him a quite tiny amount to speak of, accustomed as he is to gazing upon the whole earth. When people hymn family connections, counting someone as noble if he has seven generations of wealthy ancestors to boast of, it seems to him to be what only thoroughly dim and short-sighted people would praise; he puts it down to a lack of education and an inability on their part to keep their gaze fixed always on the whole, or to work it out that each and every person has had countless tens of thousands of ancestors and forebears, among which there will have been rich and poor and kings and slaves, non-Greek and Greek—many times ten thousand of each for anybody you care to name. When people pride themselves on a list of forebears going back twenty-five generations, and trace their line back to Heracles, son of Amphitryon, it appears to him a strangely petty sort of counting, and he laughs to think that they can't rise far enough above the vanity of their mindless souls to work out that it will have been a matter of pure chance what sort of person Amphitryon's own twenty-fifth ancestor was, and the twenty-fifth before that. (*Tht.* 174d3-175b4, trans. Rowe 2015)

It is hard to imagine a more scathing attack on the pretensions of the wealthy and well-connected; hard too to imagine anyone writing so powerful and beautiful a piece, and then going on—even in extreme old age⁴⁵—seriously to suggest, even as a second-best, giving power to the rich or the “noble” *because* they are rich or noble. Plato is as dedicated an enemy of plutocracy as the next person.⁴⁶

The claim advanced in the present section is that the key passage in the *Laws* (i.e., V 744b-d) contains nothing that contradicts this judgement; a passage to be discussed in the next section (VI 756e-758a) will positively confirm it.

4.3 Plato and Democracy I: *Laws* VI 756e-758a

The citizens who have been divided up into the four property classes will not themselves choose the officers of state in the first instance: they have only just come together, do not yet know each other, and have not yet been properly educated (*Laws* V 731d). So everything will be put in the hands of 37 Guardians of the Laws, 18 carefully selected from the city of Cnossus, which has oversight of the new foundation, 19 from among the settlers (752e-753a), and these will evidently appoint the officers until the city and its educational system are properly established. After that the citizens will be in charge, using—except in the case of military commanders—the system of property classes and a combination of election and casting of lots (755b-756e). This mode of selection (*hairesis*) is called a middle way (*meson*) between a monarchic and a democratic constitution (756e9-10),

which is what our constitution must always be, for slaves and slave-masters will never become friends, and neither will there be friendship if bad and good men are given equal

⁴⁵The *Laws* was, as everyone agrees, the last work of Plato's to be finished (if it was finished).

⁴⁶And, for someone who—as all Lives of Plato inform us—was himself a member of the Athenian aristocracy, remarkably uninterested in the claims of birth.

recognition, since equal things accorded to unequals would be unequal, were they so accorded without due measure. Constitutions become filled with dissensions from both these causes. How correct the old saying is, that ‘equality brings friendship’! It’s right enough and it rings true, but what kind of equality has this capacity is something that engenders much confusion. There are two equalities, both called the same but actually in many respects practically opposites to one another. The first equality, that of measures, weights and numbers, any city and any legislator would be able to bring in, by using the lot to regulate it in respect of distributions. But the truest and best equality is not one everyone can easily see—it is the way Zeus himself decides things (*Dios gar dê krisis esti*); for human beings, it always helps in small things, but in everything in which it does come to the aid of either cities or individuals it brings all and every good. What it does is to assign a larger share of things to the larger and a smaller to the lesser, giving to each in proportion to its nature; and nowhere more than in the case of honours (*kai dê kai timas ...*), giving larger honours to those with a larger share in excellence (*aretê*), while to those in the opposite condition in respect to excellence and education it gives what is appropriate to them, thus making a proportionate distribution. We maintain, in fact, that this is exactly what justice *is*, in the political sphere; which is what we should be aiming at now, Clinias, as we found the city we are now bringing into existence, looking to *this* equality. The founder of any other state, too, should look to this same thing when he frames his laws, not to a small group of tyrants, or a single tyrant, or force somehow emanating from the demos (*kratos dêmou ti*), but always towards the just, and this is precisely what we’ve described: the granting on each occasion of what is naturally equal for unequals. Yet on occasion, if it is going to avoid being involved in dissension in one part or another, every city will be obliged to apply these principles in a modified way—equity and toleration; hence the need for us to use the lot, to avoid the disgruntlement of ordinary people (*hoi polloi*), calling on god and good fortune to correct the effect of the lottery in the direction of what is most just. So though force of circumstances compels us to employ both equalities, we should employ the second, which demands good luck to prove successful, as little as possible. (*Laws* VI 756e10–758a2, trans. Saunders, heavily modified)

What is most striking about this passage, for present purposes, is that the second, or “proportional,” equality is introduced as giving recognition solely to inequality in *aretê*, with not a mention of wealth, poverty, or anything else.⁴⁷ True, given the division into property-classes, and the greater weight accorded to those in the higher classes, it might *prima facie* be tempting to treat the reference to “ordinary people” (*hoi polloi*) as bringing in the distinction between poorer/inferior and wealthier/better. But a closer reading immediately shows that this would be against the logic of the passage. “Ordinary people” are contrasted with those finally selected for office—specifically, the council of 360, chosen by a process that reduces the 180 elected by each of the property-classes to 90 from each. The council will then, year after year, include an equal number from each of the four property-classes, and all of the councilors, the Athenian proposes, will be superior in *aretê*. As we will be told in Book XII,

for all that ordinary people (*hoi polloi*) may themselves fall short of real *aretê* (*ousia arêtes*), they are disproportionately capable of judging between the bad and the good among their peers; even the bad have a spark of divinity in them, so that you’ll find very many even

⁴⁷ The *kai dê kai* in 757c3 might be said introduce some doubt on this point; my own view is that it merely marks the transition from the general principle to the specific—and only relevant—case.

of the very worst getting it right when they talk and think about which human beings are better and which worse. (*Laws* XII 950b5-c2, trans. Saunders, modified)

And after all, the Magnesian state will have done everything in its power, at least when the education system is fully up and running, to ensure that there are as few bad eggs in the city as there could possibly be. If even bad eggs, anywhere, can tell the difference between good and bad, then the educated citizens of Magnesia certainly can.

In other words, there is no trace in this key passage—key, because it is where Plato explains the principle, and use, of proportionate equality—of the use of wealth as a criterion. And this, I propose, is entirely in line with what is said elsewhere in Plato, whether in the *Laws*⁴⁸ or anywhere else. The only thing that ultimately counts, and is worth caring about, is the state of our soul; if it is in a bad state we shall be unhappy, and what we all want—the only thing we want—is happiness. In the *Laws*, however, that *aretê* is the end, or our chief end, is something for the most part taken for granted rather than argued. The overriding purpose of Magnesia is that its citizens should be as good as they can possibly be, and the limited but nevertheless real element of self-government that is permitted them is predicated on their being so (i.e., as good as they can be). That is what lies at the core of the claim, at the beginning of the long Book VI passage just discussed, that the system for the selection of officers in the city combines both monarchy and democracy.

The Athenian does not explain how we are to understand the reference to monarchy. The full answer will probably bring in law, with reason, and with god: the sort of law, based in divine reason, that will have devised the whole legislative structure of Magnesia,⁴⁹ and to which the Magnesian citizens will be “slaves.” The result will be a kingship of excellence,⁵⁰ installed through the laws and the establishment, through them, of an educated citizen body, capable of selecting the best. The democratic element that is said to be mixed in with the monarchical is plainly intended to be the use of the lot, which by assigning responsibility for the final selection to god and to chance serves to forestall any sense on the part of those not selected that they have been done down, and reduce any risk of popular revolution. Coincidentally, it also acts to prevent any takeover by individual or groups.⁵¹

⁴⁸ It's impossible to combine extreme wealth with goodness, the Athenian declares at V 742e, or at any rate wealth as ordinarily understood; money is by its very nature a means to an end, or ends—it is for the sake of caring for the body and, more importantly, for the soul (V 743d).

⁴⁹ See Rowe (2010a).

⁵⁰ That is, as opposed to tyranny. See 757d.

⁵¹ Compare the list in 757d3 of things the legislator is not to look to: “to a small group of tyrants [like the oligarchic grouping at Athens who came to be known as the ‘Thirty Tyrants’?], or a single tyrant, or force somehow emanating from the demos.”

4.4 Plato and Democracy II

There remains, however, one important question: if and when the citizens of Magnesia have been properly educated in excellence, why will the city still need to be divided into property classes? Why will its inhabitants not have been taught about the value of money, and so learned that having a lot of it gives one no privileged claim to a hearing?

One possible response will be to appeal once more to Platonic “realism.”⁵² Given what he thinks human nature is (the argument will go), the desire for money and profit will be simply ineradicable, so despite a thoroughgoing education a mechanism will still be needed to stop the acquisitive instinct breaking out and causing discontent among thwarted go-getters; they will accordingly need to be appeased, just like the “ordinary people” not selected for office in 757d–758a.⁵³ But the Athenian makes no such claim about human nature, that is, that the desire for money and profit is ineradicable, in the context of Books V–VI, despite (for instance) what might seem to be implied by the presently standard English translation of V 743e1–6, namely⁵⁴:

That’s what has made us say more than once that the pursuit of money should come last in the scale of value. Every man directs his efforts to three things in all, and if his efforts are directed with a correct sense of priorities he will give money the third and lowest place, and his soul the highest, with his body coming somewhere between the two.

This appears to suggest that the Athenian (and perhaps Plato) thinks the pursuit of money a natural human instinct. But what is actually said is

That is why we have said more than once that caring for money should come last in the scale of value. There being three things in all to which every human being directs his concern (*peri ha ... spoudazei*), third and last comes *concern for money directed in the correct way* (*hê tôn chrêmatôn orthôs spoudazomenê spoudê*), in the middle concern for body, and in first place concern for the soul[.]

where the “correct way” of being concerned with money has just been described: for the sake of body and soul and not for its own sake (743d–e).

That in itself already puts a strict limit on the pursuit of wealth, if it is to be correct,⁵⁵ and it might be one justification for aiming at the equalization of wealth and property (care of the body and the soul will presumably mostly come at the same price). But as we know, the Athenian also has his eye on the need to avoid dissension—the reason he gave for instituting property-classes in the first place, given that the colonists will arrive with differing degrees of wealth (it was to ensure that the citizens should “receive honours and offices in a way that is as equal as

⁵² See Sect. 4.2 above.

⁵³ With whom, presumably, they may very well overlap.

⁵⁴ That is, Trevor Saunders’s (in Cooper 1997), which I have been using, and modifying, throughout this essay.

⁵⁵ The *Laws* here is clearly applying familiar Socratic ideas, but in a new context: of the landed middle class rather than of the barefoot philosopher.

possible to the unequal but proportional and so not fall out with each other”: V 744c2-3). And such differences will continue to exist, since otherwise there would be no basis for allocation into different property-classes. It is easy to understand why this should be so: one citizen will leave more to the next generation than his neighbor does; or else one will extract more from his land-holding than another, either because he pays it more attention, or because he is just more efficient at managing. The latter cases in particular help to explain why the absence of recognition of differences in wealth might cause dissent: people who can justifiably attribute what they think of as their success in life to their own efforts will tend, and might reasonably be expected, to think that they deserve greater recognition for their achievement than those who they perceive as putting in less.

Crucially, what follows from this is that property-classes are both introduced and retained because of what people generally think, or rather of what Plato thinks they think: the Athenian and he think that the richer of his colonists will inevitably be upset if he does not appropriately recognize their difference from the rest. Property-classes are not a part of the fabric of the Magnesian state because Plato supposes that, other things being equal, greater wealth should be rewarded with greater power and influence. Rather, he introduces property-classes because these will be in accordance with the mindset of the colonists and the citizens of Magnesia. Hence, I propose, the mention of ancestral *aretê*, physical strength and good looks as other things the institution of property-classes is to take account of. The point is that wealthier people tend to *think* of themselves as nobler, stronger and better-looking as well as better off, so that the institution of property-classes will kill several birds with one stone. It may be silly of them to think like that, and I have no doubt that Plato thinks it thoroughly silly (as indeed it is)—just as he will think it silly for people to be disgruntled at not being selected for office. After all, they know that the basis of selection is *aretê*, they make their own selections on that basis, and if they continue not being selected, they know perfectly well why that is, and should try to improve themselves instead of getting cross.

So why will such attitudes persist, given the huge commitment of the Magnesian state to the education of its citizens? Because, I take it, mass education in *aretê* will never, in the Athenian’s judgement, produce the real thing. The fundamental argument for this proposal has been supplied by Richard Kraut,⁵⁶ and need not be repeated here. It is not that the *aretê* of the Magnesians is “spurious” (Kraut’s term)—

a mere façade, resting solely on the recognition of the value of virtue as a means to other ends. What would be the point of composing this vast depiction of a second-best city if the bulk of its population is in no way improved by its legal system, but merely exhibits a pseudo-virtue?⁵⁷

⁵⁶ Kraut (2010, especially section 7, “The Fragility of Magnesian Virtue”).

⁵⁷ Kraut (2010, p. 66).

It is, nonetheless, a second-rate sort of *aretê*, “based on right opinions and not genuine wisdom.”⁵⁸ It is apparently superior to the sort of *aretê* Socrates ascribes in the *Phaedo* to

the people who have practised the common (*dêmotikê*), civic (*politikê*) virtue, the sort that they call moderation, or justice, and that has come about from habit and practice and in the absence of philosophy and intelligence.

Cebes: How are these the happiest?

Socrates: Because the likelihood is that they arrive back [i.e., will be reborn] in some other civic-minded and gentle kind of creature, bees, perhaps, or wasps, or ants, or actually back again into the very same kind, the human one, and decent men are born from them. (*Phd.* 82a12-b8, trans. Rowe 2010b)

The Magnesians are better than these civic-minded citizens, not because they themselves have much in the way of “philosophy” or “intelligence,” at least about *aretê*, but because they have benefited from a systematic education imbued with the intelligence of the lawgiver, and because he has given them, in his preambles to the laws, at least a semblance of a justification of the code by which they live.

They are also superior to the Athenians who won at Marathon, as described at *Laws* III 698a-e, and for the same reasons. The Athenians at Marathon had only whatever sort of “education” they had absorbed from the decent laws they lived under—one of the main lessons being that they should subject themselves willingly both to their officers and to the laws themselves. Interestingly, they too had a constitution under which appointment to “certain offices” was based on four property-classes. The democratic element in the Magnesian constitution evidently does not lie just in its use of the lot, for the Book III discussion introduces Athens specifically in order to illustrate the difference between a decent, moderate democracy and an extreme one, the Athens of 490 representing the former. By the Athenian’s own reckoning, it seems (even if he does not say so), Magnesia’s broader organizational structure itself tends by historical standards towards the “democratic.” And by our lights it may even, in one limited way, seem more democratic than Solonian Athens. After all, the function of Solonian property-classes was chiefly to buttress the few against the weight of the many: the poor, the artisans, the landless. Magnesian property-classes perform an analogous function, but in a context where absolute poverty—represented at the extreme by the landless—has already been obliterated by the extraordinarily radical measure of the equal distribution of land: “extraordinarily radical,” that is, if one discounts the fact that it is predicated on the exclusion of the majority of the population (including artisans and the commercial classes) from holding land, and from citizenship, altogether.

⁵⁸ Kraut (2010, p. 58).

4.5 Plato and Democracy III

Plato, then, *pace* Popper, is no “plutocrat,” and he is no oligarch either. He has no inclination to suggest that societies should be run by the wealthy, nor do the wealthy come anywhere near to running Magnesia. There is some truth in Aristotle’s suggestion that the Magnesian constitution lies in the middle between oligarchy and democracy. But the fact that the Athenian prefers to treat it as combining democracy with monarchy—without mentioning oligarchy—suggests that he (/Plato), at least, does not count the accommodation reached with the wealthy, through the institution of property-classes, as compromising the fundamental equality between the citizens as a whole, that is, as symbolized but by no means exclusively constituted by the use of the lot. For Plato, Magnesia achieves a balance between richer and poorer, resulting in a sort of democracy that responds to the claims and pretensions of both sides. That difference neutralized, as it were, the citizens’ attention can be directed to the more fundamental difference between the good and the bad, the better and the worse, which comes under the heading of the “monarchical” (pushed scornfully aside by Aristotle because it has all too little to do with the Aristotelian notion of monarchy: the Magnesian constitution “has no element of monarchy at all”).

It would stick in the craw to suggest that Magnesia is any sort of democracy as we might understand it, and it is a moot point whether it really qualifies as a democracy as the ancients would have understood it, either. The citizens may be treated (more or less) equally, but the equality between them is predicated on the exclusion from citizenship of any but gentleman farmers, or as Aristotle says, the hoplites, which makes the same point. At the same time, and leaving aside such calculations, there remains one respect—for Plato, the most important of all—in which the city is *necessarily* equal: namely, that all its citizens will lack wisdom. The laws will imbue them with a sort of knowledge and excellence, and some will learn better than others. But none will be qualified to rule permanently over the rest, nor will the “demos.” Only the divinely or rationally-inspired law, the “monarch,” has the authority to do that. Magnesia is from this point of view *necessarily* democratic, if being democratic can be minimally described as a matter of giving all the citizens a (more or less) equal voice—even if that “voice” can, in the end, change little or nothing.

If Plato is not a plutocrat, neither does he advocate any sort of tyranny, even one of the intellect.⁵⁹ The philosopher-rulers of the *Republic* are, or so I claim, ultimately no more than stand-ins for the necessary rule of reason, just as the two lower classes in the *Republic* stand in, in their context, for the courageous and the moderate types we find in opposition at the end of the *Statesman*. These, in their turn, stand in for whatever groups are likely to be found in conflict in society, which the *Laws* treats first and foremost as the rich and the poor.⁶⁰ Reason has somehow to “weave” these together (to use the term introduced in the *Statesman*), and this can be done in a

⁵⁹ I refer here to Hannah Arendt. See Sheffield ([forthcoming](#)).

⁶⁰ An argument for the ambitious claims in this sentence can be found in Rowe (2011).

variety of ways: the *Republic* uses a functional approach, the *Statesman* intermarriage, the *Laws* property-classes. All of this reflects the challenge of dealing with the world as it is—a world dominated by ignorance. But what if the world were not like this, but better? Then we should be in the realm of the *Laws*' first-best, and ideal, and that would bring with it communism and full, unqualified equality. Of such an ideal Platonic society, we are given only brief glimpses, the first and most extended (though still extremely brief) in the second book of the *Republic*,⁶¹ others in the *Statesman*, the *Timaeus-Critias*, and *Laws*. But if we could reconstruct that absolutely ideal Platonic city, the chances are that it would be a community of the good and wise, all equally good and equally wise, and so presumably—in the context of a Platonic universe—all agreed about everything, or at least about everything important. If they could be regarded as the *dêmos*, and in this ideal case there might be no one else either to exclude or include, then they could also be said to exemplify “democracy” at the other end of the spectrum from the “democracy” caricatured in *Republic* VIII. A “democracy” of the wise, of which the city depicted in the *Laws*, in its democratic aspect, would be—again, to use Plato's terms—an inferior copy, to the extent that its shared wisdom and *aretê* were themselves simulacra of true wisdom and *aretê*.

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⁶¹ See Rowe (2017 and forthcoming), with the last four pages of Morrison (2007).

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Chapter 5

Inequality, Intention, and Ignorance: Socrates on Punishment and the Human Good



Terry Penner

Abstract I examine here a wide array of interlocking Socratic doctrines, especially as they show up in the ideas of Socratic Ignorance and the Examined Life (asking questions every day of others and of oneself)—along with such other Socratic claims as the following. First, that No one errs willingly. Second, that, in acting intentionally, everyone is always seeking their own greatest available good, given their present circumstances, where that greatest good is taken over the rest of their lives. Third, that those who don't see that harming others will not, over the rest of their lives, serve their own greatest good, deserve not punishment but instruction. I conduct this examination with my eye on two blatant contemporary inequalities across race and class. The first is that involved in differentially funding different schools and thereby shortchanging the ability of those of our children who need it most to work out better means to their own greatest good over the rest of their lives; the second is that across race, class, and educational background in our extensive incarceration practices. In the longest part of this essay, I argue that a principal philosophical presupposition of punishment practices can be shown to be well wide of the mark by the Socratic theory I explore here. This is the presupposition that there is some kind of philosophical justification—for example, in modern “under the description” theories—for the decidedly questionable view that we can almost always determine quite sufficiently what a person's intentions are for purposes of justifiably and usefully punishing supposed malefactors.

Keywords Action · Good · Harm · Ignorance · Intention · Punishment

.... the greatest good for any human being is to engage in those discussions, every day, concerning human goodness and all the other things you hear me in conversation about—examining both myself and others about them—while the un-examined life is not worth living. *Apology* 37d-38a (*Underlining mine*)

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... the law is to take to court those needing to be punished, not those needing instruction (*kolaseôs deomenous all' ou mathêseôs*). *Apology* 26a

In this essay, I consider, from a Socratic point of view, two forms of inequality in our present-day democracy. The first, which I shall treat more briefly, is that gross disparity in K-through-12 educational opportunity that we see across the population. That disparity is the indirect result of the notable inequalities in school funding between poorer and wealthier school districts. In the view of many in the wealthier classes, and therefore of their political servants, “we can’t afford to” fund education in poorer districts at the same level as we do the generally excellent schooling available in wealthier school districts. Accordingly, the more unequally we treat these districts, the less we shall meet the even greater need there is for an elementary and secondary education that makes the individual child number one, and the less we shall meet the need to be engaged both with (a) where the individual child is coming from and with (b) what literature, social studies, philosophy, and dialogue generally have to offer individual children as each frames ends and means for his or her life. So far, market-based democracies have shown an astonishing tolerance for this idea of the greater importance of saving the money of the wealthy over the education of *all* of our young people.

The second form of inequality of which I speak, and which will be central to the second half of this essay, is almost predictable from this inequality of educational opportunity—though high unemployment among the poor also contributes. I refer to the glaringly disparate rates at which different parts of the population are incarcerated in our criminal justice system. As with inequality of educational opportunity, there is an element of social class in this; but again, as with educational inequality, there is also an alarming racial element. In rate of incarceration, we have African Americans first, then Latinos, and then those of other ethnicities who are generally also of lower social class, and accordingly of lower educational attainment. These appalling social, and especially racial, inequalities in the USA seem plainly enough to have an element of social policy to them, given the shocking comparisons with incarceration rates in other countries.¹

But why single out just these two forms of inequality? I do so from what I regard as the perspective of the historical Socrates²—that outstanding historical figure virtually universally acknowledged to be the source of such dicta as that *Virtue is Knowledge*; that *No one errs willingly*; that *All desire is for the good*; as well as for two familiar, and quintessentially Socratic notions we discover in the speech

¹ In the USA, African Americans are five times more likely than whites to be incarcerated, Hispanics are more than twice as likely as whites. Even the rate at which whites are incarcerated in the USA is four times that for all prisoners in multi-ethnic France, according to Hochschild (2016, p. 32, citing Gottschalk 2016). Among young white high school dropouts in the US, 1 in 8 is incarcerated (Western and Pettit 2010). Incarceration rates in the USA are, generally speaking 10+ times the rates in the five Scandinavian countries, and are the highest of any large country in the world. See http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All

² See below Sect. 5.1.

attributed to Socrates in Plato's *Apology*: the notion of Socratic Ignorance and the notion that the unexamined life is not worth living.

In spite of the fact that claims about Socratic ignorance and the unexamined life have the status of classic Western platitudes, the importance to everyday life of these claims, as they show up within wider Socratic thought, seem to me to be drastically underappreciated in contemporary ethical thought—and, often enough, to be totally misunderstood, even within Socratic studies. Hence, for purposes of setting the context of my discussion of these two forms of inequality here, I devote the next few pages to some discussion of my own take on Socratic Ignorance and its relation to the *examined* life. I'll show how this Socratic Ignorance presupposes a certain minimal Socratic wisdom that is in certain ways comparable to the fallible deliverances of the sciences. I'll do all this against the background of various related ethical questions of everyday life that are part and parcel of such more abstract-looking Socratic inquiries as "What is Virtue anyway?" In addition to the classic Socratic doctrines universally attributed to Socrates, that *Virtue is Knowledge*, that *no one errs willingly* (that is, that no one acts mistakenly in pursuit of their own long term good, *except as a result of ignorance*), and that *all desire is for the good*, I shall explain Socrates' functional theory of all goodness and all good—not excluding human goodness and the human good. In this connection, I shall also discuss briefly a *prima facie* difficulty for the functional theory of human goodness and the human good: that its emphasis on the good of the individual can appear to make Socratic ethical theory no better than a doctrine of selfish interest. A related further Socratic doctrine of the psychology of action, widely known as "Socratic Intellectualism" will be introduced later.

With those observations about the historical Socrates in mind, I turn to the controversial historical question involved in my argument that the Socratic parts of Plato's dialogues do indeed emphasize our ignorance of where our good truly lies, as well as the implications of this ignorance for the need for the education of the young, and for the value (if any) of punishment.

I shall not discuss here the views of the mature Plato, who has no trouble whatever in incorporating punishment and other forms of conditioning into the education of the young and the reform of those we condemn, and for whom there are forms of *erring unwillingly* having nothing to do with ignorance—for example, errors due to irrational appetites.³ This done, I shall turn first to some general remarks on the relevance of Socratic doctrine to inequalities in the education of our children, and some remarks preliminary to the later, rather more detailed treatment of inequalities in punishment.

Finally, in the last two-thirds of this essay, I come to the bearing of this emphasis on our ignorance of our ultimate good to the topics of what intentional actions are, in the light of this ignorance; on our responsibility for what we have intentionally done; and on the use of punishment as a way of making us better and happier human beings than we would otherwise be, given our circumstances. This discussion will proceed via a kind of dialectic between what I take to be the Socratic view on the

³ See *Laws* 734b, 731c, 860D-863e, *Sophist* 227e-230e, *Timaeus* 86c-e.

one hand, and—as a test of that view—one of the best alternatives we have on this topic, namely, that descended from Frege (1892) and Anscombe (1958a). It is just this question to which the second epigraph to this essay addresses itself—to the effect that punishment is only deserved to the extent the suspect understood just what it was he was doing. The implicit Socratic question that this second epigraph points toward, I shall claim, is: what if *no one* understands just what he or she is doing? What if all actions caused by an agent's beliefs and desires presuppose uneradicated errors? What happens to the value of punishment, as opposed to education?

5.1 A Few Words on Socratic Thought Generally

Socratic Ignorance is the idea that whatever claims to knowledge we allow in other areas, in the area where the human good lies—even the human good in a single life such as one's own or that of a person one cares for—even the wisest person there is, namely, Socrates, knows nothing for sure. If Socrates also insists, cheek by jowl with this insistence on Ignorance, that *the unexamined life is not worth living*, one may at first wonder. If no one has the answers, what is the point of persistently *looking* for answers?

The misleading guise of the double negative in “the unexamined life that is not worth living,” especially when plucked out for its, by now, pop wisdom, may seem to paralyze rather than to prompt reflection. More important is the strong positive that lies behind the double negative, as we see it baldly spelled out in the first epigraph to this essay: that *the greatest good for any human being*⁴ is to ask questions, every day—examining others *and oneself*—raising such questions as *What is Human Goodness (or Virtue)? Is Virtue teachable? And if so, how? What is Courage? What is Sôphrosunê?*⁵ *What is Justice? What is Piety? What is Friendship?*

⁴On the “greatest good for any human being”, the first epigraph contains my translation of the actual words at 37e-38a, leading up to the dictum “while (*de*) the unexamined life is not worth living.” Here I translate the normally unemphatic *de* as *while* because I think that in this context, there is a stronger contrast intended with the clause that precedes this isolated *de* than one would normally expect. This stronger contrast is that between the unexamined life and that “greatest good for any human being” that, in effect, consists in the *examined* life—the life of Socratic questioning and examination of oneself and others. I only came to see the subordinate character of the double negative concerning the unexamined life thanks to Antonio Chu. The point is, amazingly enough, that the greatest good for any human being is engaging in these Socratic questions every day. I discuss this astonishing suggestion further in the main text.

Other points of translation: I translate *aretê*, usually translated “virtue” in such contexts as this one, as “human goodness”; *tous logous poieisthai* as “engage in those discussions”; and *diale-gomenou* as “in conversation about.”

⁵I do not find either of the usual translations “Temperance” and “Moderation” very satisfactory. The idea of *Sôphrosunê* is something like *maintaining one's good sense* (or *keeping one's head*) *in the face of temptation*.

What is the experience of being overcome by pleasure? and *What is Rhetoric* (the ability to win arguments by means of persuasion with *whatever works*)?⁶

But why does Socrates think that discussing these questions is of any earth-shaking importance? Aren't these kinds of question far too abstract for every-day examination?⁷ Surely, some will say, if *any* questions are needed, they will be particularized to particular people. They will be every-day questions about the good to be gained, in particular circumstances, by particular projected actions. These are the important questions, surely—whether they concern what actions one is oneself to undertake in the face of situations one confronts, or they concern what actions those one cares for are to undertake in such situations? How can Socrates' very general ethical questions be of any relevance to helping kids in school to get better at framing considered directions for their lives, if they don't address themselves to particular circumstances and particular projected actions?

These doubts about the importance of Socratic questions are well raised. But they have no force against what we see Socrates engaged in doing in his discussions. For in lots and lots of cases that we encounter in the dialogues, Socrates *is* raising these more particular-looking kinds of every-day questions *pari passu* with, and while employing, his more abstract questions. We can hardly think of the one kind of question without the other. Take Socrates' probing of Euthyphro's piety-oriented reasons for prosecuting his father (raising doubts, indeed, about conventional abstract preferences for public justice over looking out for members of one's family). Take his advising two fathers on choices of educational path for their sons, in the presence of the famous generals Laches and Nicias, each of whom has a one-sided picture of the lessons to be learned from the way the admirable Socrates lives. Take Socrates' implicitly and indirectly—but still plainly enough—questioning whether young Charmides will do well to follow the advice of his dangerous older cousin Critias (in a context positively echoing Critias' later attempts to gag Socrates and then to incriminate Socrates in Critias' own murderous behavior as one of the Thirty Tyrants). Again, take Socrates' question what the youths Lysis and Menexenus will best see in their friendship with each other (and with Socrates); his question whether young Hippocrates will do well to study with the famous sophist Protagoras, and whether Meno or young Polus *have* done well to study with the famous professor of oratory, Gorgias; his implicit question whether Alcibiades does well to turn away from Socrates; and his question whether, in the light of Socrates' ironic and sarcastic defiance in the face of his accusers at his trial, Crito would be doing well by Socrates, in arranging a subsequent escape from execution.

⁶The other questions here, besides "What is Virtue?" consist of my selection from other dialogues of such questions as initiate the discussions in those dialogues (*Meno*, *Laches*, *Charmides*, *Republic I*, *Euthyphro*, *Lysis*, *Protagoras*, *Gorgias*, and just below, the *Crito*, *Symposium*).

⁷I am grateful to Harry Nieves Barber for raising the kind of question I try to answer in this paragraph and the following two paragraphs, about the involvement of the general-looking questions Socrates mentions with those particular every-day questions about what an agent is to do that plainly *do* arise in everyday contexts.

As we see in these particular cases, such undoubted every-day questions are difficult to answer without introducing more general questions about connections between complex kinds of particular circumstances and kinds of goods. To take just two of these cases, Euthyphro is led to ask whether the pious is what it is because the gods love it, or the gods love the pious because it is pious. (Do the gods theoretically *create*, by fiat, what is moral and immoral?⁸ Are the moral and the immoral just a matter of what the gods please? Or do the moral and the immoral exist antecedently to the gods (or anyone else), so that they are themselves bound by it?) Again, Laches and Nicias are led to ask whether Courage is a form of knowledge or understanding.

In every case, I want to say, Socrates ties the immediate practical questions to his more general questions. It is because both kinds of questions are involved in decisions as to what to do, that Socrates is implicitly recognizing in his questions that any human agent is, every day, facing often difficult decisions as to what to do. We too, in our own lives, tend implicitly to recognize the importance of these paired kinds of questions. At least, the prudent will regularly feel the need to run such decisions as to what to do past a partner, a friend, or others whose judgment they trust. Here I speak of those partners, friends, or counselors who, luckily for some of us, turn out to function often as indispensable doubles of a Socrates in our lives.

Let me now make a few remarks about Socratic Ignorance, and how this notion goes together with the notion of the Examined Life. For, as already noted, it's not clear how these two notions *could* go together: if no one will ever *have* the knowledge of the human good that the examined life must surely be aimed at, why promote the examined life at all?

As I see it, Socratic Ignorance, stripped down to its bare bones, is the idea that Socrates' unsurpassed wisdom resides in a certain minimal—or, at any rate, minimal-seeming—knowledge that is embedded within a state of complete absence of sure and certain knowledge about the answers to the important questions of life.⁹ But just what *is* this minimal-seeming knowledge thus embedded, almost as a seed, within this state of ignorance? Clearly, it is the knowledge that Socrates himself doesn't have definitive answers to any of these questions that he asks every day. But is that all? Mustn't this minimal-seeming knowledge also be understood to include Socrates' ability to give a powerful argument that those self-confident politicians, poets, and artisans, who think *they* have such answers, actually *don't* have the answers? Hence, embedded within this self-confessed ignorance—one must surely also infer—resides also such understanding as is required to see through these latter

⁸While we do not see Socrates as in any way an enthusiast for morality, it is surely what Euthyphro is thinking of in connection with the gods. (*It's immoral to leave even a murdering slave to die. And it's morally irrelevant that the person you accuse is your father*).

⁹There is no room here to explore the—in every way—rich context in which Socratic Ignorance appears. Nor is there space to explore the manifold literary beauties and manifestations of dramatic irony that emerge in Socrates' preposterous—even blasphemous—distortion of what the god at Delphi has in mind in saying that *no one is wiser than Socrates*. See my "This man is dangerous: how Athenian moral conservatives were *right* about Socrates, without having the faintest idea why."

authorities who suppose themselves to know the answers to the important questions of life. And this is not yet to mention the ability to see through such other *soi-disant* teachers of men as the sophists and rhetoricians whose discomfiture under Socratic questioning Plato brings vividly to life for those who see what Socrates is up to.¹⁰

To understand better this greater wisdom residing within Socrates' ignorance, we need to ask: *how* does Socrates succeed in suggesting so powerfully that the self-confident are not even wise enough to see that they really are ignorant of the answers to the most important questions of life? The answer: by engaging in that very practice of conversation that constitutes the Examined Life, examining both oneself and others, every day, on the most important questions in human life. This is the practice that Socrates says is the greatest good for any human being.

It is true that the Examined Life will not bring the *knowledge* of the answers to the most important questions. But it would be a great mistake to suppose this means no more than that, given anyone who *thinks* he knows these answers, Socrates will be able to logically refute him with his questions. If that were all it meant, it wouldn't be clear what the point would be of continuing such Socratic conversations after Socrates has refuted half a dozen to a dozen politicians, sophists, generals, and rhetoricians. After a six or seven such refutations, what greater good for every human being would accrue to more questioning of *this* kind every day? Wouldn't one have arrived at this supposed greatest good by now? Would continuing these refutations of the self-confident every day still constitute the greatest good for every human being?

In any case, there *has* to be more to this minimal Socratic Wisdom within Socratic Ignorance than simply the logical refutation of the wrongly self-confident. For whatever account one gives of Socratic Ignorance, it had better be the case that the same minimal Socratic Wisdom that allows all of these powerful arguments—and Socrates' arguments even against his own views (Socrates is examining himself as well as others)—tells us this: that Socrates takes it that engaging in conversations every day about human goodness, human good and harm, and the nature of intentional action lends *some* probability to the suggestion that one will live at least *better* because of such Socratic conversations. (Enough probability that one would probably be foolish not to follow this advice about the greatest good for any human being).¹¹ Of course, we don't *know* that we will come closer to the greatest human good by this means. The point is just that it is *reasonable* to proceed by this means.

¹⁰ Especially in the *Protagoras*, the *Lesser Hippias*, the *Euthydemus*, *Republic* I (the Thrasymachus section), and at *Gorgias* 447a–468e.

¹¹ This is a test that the going theory of Socratic Ignorance nowadays signally fails. I refer to the attractively intense and careful Benson (2000). That going theory reduces Socratic Ignorance to the notion that everyone who, unlike Socrates, thinks that *they* know the answer to Socrates' questions can be refuted as follows: by showing that the views of such self-confident people will inevitably be shown to *logically entail* a contradiction. It utterly escapes me why continuing to engage in such demonstrations of supposedly semantically justified (first-order?) deductive logic every day would constitute the greatest good for every human being.

In any case, there are two serious difficulties to Benson's use of an unrestricted notion of logical entailment for the analysis of Socratic arguments. First, this cannot represent how Socrates

In support of this last point, it may be worth pointing out that how theoretical physicists or cancer researchers pose fundamental questions every day is in this respect no different. Even though no fully comprehensive theory in either discipline has as yet emerged, does anyone think it unreasonable for these theorists to go on asking such questions of themselves and each other every day?¹²

As I hope will become abundantly clear later, these notions of *Socratic Ignorance* and of *the examined life*—these two notions that I see as two sides of the same coin—will be absolutely central to the investigation I carry on here, as those notions bear on the educational and penal inequalities I have chosen to separate out within contemporary democracies with their haves and their very considerably less equal have-nots. If we, the teachers of those whose education we have treated unequally, don't ourselves have certain knowledge of how to answer our most fundamental questions, how can we fail to use our own experience in attempting to help them to raise *their* questions? And, quite as seriously, as I hope will emerge quite emphatically below, how can we fail to begin worrying about our confident punishment practices, if even the criminal justice system is necessarily failing to take into account a degree of its *own* unexamined ignorance about what is going on, desperate mistakes and all, in the minds of suspects up for punishment?

Besides the two notions of Socratic Ignorance and that “greatest good” that is the Examined Life, along with the three *dicta*, *Virtue is knowledge*, *No one errs willingly*, and *All desire is for the good*, there are two further important Socratic theories which I shall be presupposing in making my case below. The first is Socrates' functional theory of the relation between the *goodness* (or *virtue*) of functional objects generally, and *the good* that these functional objects are aimed at achieving. Thus, the goodness of doctors is their being *good at* contriving the *means* to the *end* of their patients' health; and the health of their patients is the *good at* which it is the function of doctors to aim. Good doctors are doctors *good at contriving the means* to the end that is *the good* of doctors. The English language allows us to put the point here in another way: the *good-ness* of doctors (in Greek: only the *virtue* of doctors) is their being *good at the means* to the end that is the *good* of the doctor (the health of the patient). But Socrates assigns a (means-end) function to human beings as well. The goodness of each human being—in parallel with the goodness of doctors—is their being good at finding the *means* to the *end* of the human good of that human being. Notice that no special moral, normative, evaluative, or emotive sense of “good” is involved in these considerations. Socrates appears to have understood both what *being a good person* is and what *the human*

thought of his dialectical arguments. For the very prototype of logical entailment for a logical language—syllogistic consequence—does not appear in Western thought until Aristotle invents it, out of his own head, using the predicates of ordinary Greek for his logical language. This, in turn, means that the intensional notion of *proposition* (that flows from the notion of logical entailment: see n. 20 with n. 46 below) is also anachronistic.

The second difficulty is philosophical—that there is, so far as I know, no notion of logical entailment that is not relative to a logical language that is sufficiently restricted that it will avoid the paradoxes. Again, see n. 54 below, as well as Penner (2007a).

¹² See below on the non-monotonic progressions of scientific theory.

good is purely in terms of the functional relation between human goodness and the human good. This is a functional relation that even the sensible Aristotle, so widely embraced among moral philosophers, took over from Socrates.¹³ The goodness of an individual here will be nothing more or less than that in a person (in the case of Socrates, the person's *knowledge* of course) that enables that person to figure out the best *means* available, given his or her circumstances, to the *end* of his or her good—or at least to the end of the greatest balance of *good* over harm, taken over the rest of his or her life, that is available in his or her present circumstances.¹⁴

Even aside from the fact that this theory of human goodness and the human good entirely does without any form of *moral* goodness, or any norms, or any personally constructed “values”—or any *oughts*—this theory is decidedly controversial. For, on this view, everyone, if they're smart, *seems* to be looking out only for himself or herself and not, say, for the good of others. (For me to seek the good is for me to seek *my* good, just as for me to seek to run is for me to seek that *I* run.) So it looks as if someone could be a good person by gaining their own good through harming others.

It is a detail of the greatest importance that this is not at all what Socrates (or Plato) have in mind. This should be clear from the fact that, when both Socrates (in *Republic* Book I), and Plato (in *Republic* Books II–X) claim that the just man is happier than the unjust man, *they are each explicitly rejecting Thrasymachus' view that what justice reduces to is the science of exploiting others.*

¹³ See *LHp* 373d–375d, where 375c5–d2; *Rep.* I 352d–354e. And for Aristotle, see *NE* I.7 and, better, *EE* II.1. The Socratic passages in Plato draw the means-ends functional conclusion about human beings, not only from professionals or athletes who aim at certain goods proper to their professions (runners, singers, dancers, archers and the like), but also from such instruments as rudders and pruning-knives, and functional bodily parts, such as eyes and ears. The goodness of a good knife is its being a good thing to use as a *means* to the *end* of producing a clean cut—which is the *good* of knives. The goodness of good eyes is their making us able to contrive the means to the end and *good* of eyes, namely seeing. See Penner (2005b, p. 159, with note 5); for connections with the theory of Forms, see Penner (2006, pp. 165–167), as well as n. 29 below.

I discuss the functional theory of goodness and the good (and in particular human goodness and the human good) in greater detail at Penner (2011, pp. 260–261, 266–79, 274, with 268 note 15, 270 note 17, 271 note 19).

¹⁴ Socrates, Plato, and Aristotle always speak of the human good as happiness. It seems to me pretty clear that what Socrates has in mind in speaking of happiness is just this maximum balance of available good (benefit, advantage) over harm to which I refer in the main text. In my 1997, I have argued that Socrates is perfectly capable of thinking of the maximum balance of pleasure over pain in a similar way: hence the “expertise at measuring good and/or pleasure” at *Protagoras* 351b–357e. See also below, n. 86.

For “over an entire life”, see *Symposium* 205a, d, 206a, 207a, as well as *Protagoras* 356a–357c, and, more generally below; for “maximum available balance of good over bad”, see *Euthydemus* 279c–280b, 281b, 282a. (Here the argument is that Wisdom is good luck because it best brings success. I take it that this could only be true when one's circumstances are antecedently given: if your circumstances chanced to be better mightn't you have better luck? Hence “maximum available” = maximum available *in your present circumstances*). For “all desire is for good things *as a means* to happiness”, see *Meno* 77e5–78a5. For the love of wisdom as to means to the end of happiness, and the desire for happiness as coming to the same thing in the *Lysis*, see Penner and Rowe (2005, chapter 11).

I shall suggest below that what is involved in this opposition to Thrasymachus is that Socrates and Plato both hold that it is a matter of fact that *to harm others will always, in the long run, end up bringing harm to oneself*. I say a bit more below on this controversial factual claim and on the distinction between Self-interest and Selfishness—Selfishness being a matter of simply not caring about any harm to others. For the selfish, it is as if the probabilities were that simply ignoring the good of those around one would serve one’s own self-interest over the long term.

The notion of human good here is as factual a matter as the notion of health for doctors, or the notion of navigation for pilots, or the notion of hitting the target for archers. What Socrates would say, if suddenly transported to the modern era, is that it is time to deflate “moral values” and pretensions to morality—not to mention moral, normative, and “values” talk about justice, obligations and rights. It’s time, he would say, to return to the attempt, through conversation examining ourselves and others, to arrive at a clearer view of individual human good *tout court*.¹⁵

In accordance with this notion of the human good, I have spoken, two paragraphs back, of the corresponding notion of human good-*ness* in terms of the knowledge—or understanding—that makes one *good at* attaining the human good. If this Socratic notion of Virtue as Knowledge seems unutterably strange to modern ears, consider only the way in which, even in ordinary parlance, it is not at all strange to think of something like *genuine human understanding* as *that in which human goodness consists*. On such a reading of Virtue as Knowledge, would Socratic Ignorance be such a strange corollary? Would it be at all strange to suggest that genuine human understanding is something in which we are, all of us, in some degree or other, lacking?

The other Socratic theory I shall speak of is a psychological theory, known as “Socratic Intellectualism,” concerning the nature of intentional action. I shall have much to say below about the high degrees of complexity and of exposure to error that are involved in the intentions with which we act. But I shall go into that theory only after I have said a bit more about the two kinds of inequality that I have promised Socratic thought will have a bearing on, and a bit more about the kind of view of the historical Socrates from which flows my account of certain main lines of Socratic thought.

As above, Socrates is not claiming to *know* that either of these theories—Socratic functionalism or Socratic Intellectualism—is true. These two theories are, at best, just theories. At the same time, Socrates sees these theories, which he uses throughout his inquiries, as theories that have survived tough scrutiny. At least, they have survived tough scrutiny *so far* in the wide-ranging arguments with which he defends his own rather far-out positions against the opposed and far more sensible-*seeming*

¹⁵ See Hampshire (1959, chapter 4). In meaning-determines-reference mode (Hampshire speaks of our *concepts* rather than of *what our words mean*), Hampshire here makes argument tantamount to claiming that the goodness of good parents, good friends, and the like is as plainly functional as that of good administrators, and cannot be gerrymandered by appeals to someone’s values, norms, or moral principles. Ayn-Randian values or moral principles cannot make someone who doesn’t look after their children a good parent.

positions that he actually attacks in such dialogues as the *Apology*, the *Lesser Hippias*, and the *Protagoras*. Especially at the most theoretical levels, we do not ask that much more of scientific theories.¹⁶

For the moment, it is enough that a Socratic perspective on human goodness will place first the continuing persistent questioning—for every human being—of certain wider and more important Socratic questions. These questions, I have been suggesting, come down in the end to the question of where an individual best seeks his or her best good, given his or her circumstances.

5.2 Socrates Who?

I owe the reader now a few words about who, for purposes of this essay, I take this “historical Socrates” to be. This being a *philosophical* essay, built on things I fancy I have learned from the Socrates in question, I am tempted to say I am indifferent on the question whether or not the reader accepts that the views of the Socrates I refer to in this essay represent the most probable reconstruction of the views of the historical Socrates.¹⁷ At the same time, I am of opinion that, as I see Socrates, there is too much to be learned philosophically that is of a sort that is not quite Platonic, for there not to be important historical truth to the picture I offer here. It *matters* to me that we reject the prevailing views of the historical Socrates that I shall discuss briefly below. (The philosophies of some other ancient philosophers are not only constructed with far less evidence but also with far more sense of certainty than I would be inclined to claim for my account of Socrates).

I do not conceal the fact that I myself think that my defense of the truth of such an account of Socrates is more likely to be correct the closer to the actual truth about the human good are the views in this account.¹⁸ I freely confess that, for me, the study of Socrates is not just some meta-study of a figure in the history of philosophy, whose views are logically independent of the truth of the matter about the parts of the world that he studies.

In any event, I shall not start here from the vast majority of material that can be found nowadays in either one of the following two dominant views of “the Socratic Question”: (a) views expressing utter skepticism about any attempt to arrive at a

¹⁶ I do not want to claim too much here. It is true that theories in the hard sciences must, in places where practical circumstances allow, face fine-grained quantitative counter-evidence. But these sciences are not immune to that pitting of one theory against another on matters involving simplicity, degree of dissonance with existing conceptual schemes, conflicting choices of possibly questionable attributes to measure (especially in the social sciences), and so forth.

¹⁷ See Boys-Stones and Rowe (2013).

¹⁸ Here is my view of how to interpret what a philosopher says when we have some reason to suppose that he or she is insightful or profound. Treat the truth of the matter under discussion as evidence—defeasible evidence, of course—for what the philosopher thinks. Such an interpretive view is, alas, becoming increasingly rare these days in the treatment of historical philosophers. I make essentially the same argument in my 1987 (pp. xiii–xvi, 43–44).

probable account of this undoubted historical figure—sometimes going so far as to suggest that the Socrates of any stylometrically early dialogue is a mere literary creation of Plato—or (b) views dogmatically based on Vlastos' far from universally accepted account of the results of stylometry, and, like Vlastos, embracing uncritically Aristotle's account of Socrates and Plato based on the philosophically questionable notion of the "separation" of Platonic Forms from Socratic "universals."¹⁹

When I speak of the thought of the historical Socrates, I am not of course suggesting that we have any of his *ipsissima verba*—nor that, if we did, that would necessarily make it clear what exactly he thought. We do have the *ipsissima verba* of Plato, after all, but does anyone think there is consensus on what Plato thought? When I speak of the thought of the historical Socrates, I speak merely from the point of view of what I regard as the historically most probable account of the thought of the historical Socrates that we can gain from *those parts of Plato's stylometrically early or middle dialogues where the sole discernible outside influence on the young literary and philosophical genius, Plato, appears to be that of the historical Socrates*. I see no reason to think of material as Socratic that derives from *other* outside influences on Plato, most noticeably Heraclitean (or Cratylus-style) flux applied to the sensible world and—crucially—Pythagoreanism.

In making this judgment about the most probable account of the historical Socrates, I rely also, in part, on what I regard as the kind of confirmatory evidence that can be eked out from two other sources. First there is the historical Socrates' friend and biographer, Xenophon. In spite of that estimable soldier's somewhat pedestrian philosophical understanding, there is no trace of Pythagorean or Heraclitean influence anywhere in his lengthy account of the thought of the Socrates he knew. Second, there is Aristotle's evidence that associates both Pythagoreanism and Heraclitus' pupil, Cratylus, with the historical Plato, and gives no sign of thinking that there is any influence from either of these sources on the historical Socrates. This surely implies clearly enough a distinction between the historical Socrates and the historical Plato. Aristotle also seems to have a clear enough distinction between the psychologies of action of Socrates and Plato. This said, Aristotle's evidence is reliable only where it is not perverted by the influence of his own philosophical views, for example, his own views about abstract objects—especially as we see them in his historically absurd theory that Socrates' universals differ from Plato's Forms in that Plato wrongly "separated" those universals.²⁰

¹⁹For Vlastos' views in a late formulation, see his (1991) (pp. 45–106). If memory serves, these views are scarcely changed from Vlastos' views in the second half of the 1960s, when I was his colleague and attended his undergraduate lectures and some of his graduate seminars. The only major exception I can think of is his repositioning of the *Lysis*, *Euthydemus*, and *Greater Hippias* as later than the *Gorgias*, but earlier than the *Meno*. For Aristotle, see the next note.

²⁰On differences in psychology of action between Socrates and Plato, notice how at *Nicomachean Ethics* VII.2, Aristotle treats the views at *Protagoras* 351b–357e as those of Socrates; and for a clear contrast between Socrates and Plato in their psychologies of action, see the passage from the *Magna Moralia* (probably from Aristotle's school) cited below, n. 24.

My complaint about Aristotle on Socrates and "universals" originates in Penner (1987, pp. 2–11). See also index to that work under "*this-es*," "*such-es*," "types." The complaint is this.

My departure here will be clear from the still quite common Vlastosian view that a number of suddenly introduced—and probably Pythagorean-derived—views in *Gorgias* 469a–527c are simply to be *declared* to be Socratic on stylometric grounds.²¹ I have in mind what look like Pythagorean views about (a) strong *epithumiai* (appetites) in a part of the soul, (b) order (*kosmos*, *taxis*) in the soul and in the universe, and (c) punishment in an afterlife as educative. This material appears in the Callicles section of the dialogue, along with the sudden approval of certain other views that are almost certainly consequences of the Pythagorean views of strong appetites and of punishment as educative. Most salient, in this connection, is the sudden approval of punishment (*kolazein*) of individuals as educative, even in this life, beginning at 476a–479e of the Polus section of the dialogue²²; and the disciplining (*kolazein*) of strong appetites as tamping down the strength of those appetites. (I doubt Socrates thought of *kolazein* as ambiguous between *punish* and *discipline*). If this material belongs to the historical Socrates, we might as well make another stylometrically early dialogue, the *Phaedo*, represent the thought of the historical Socrates, or the doctrine of pre-existence of the soul in the *Meno*.²³

To sum up, it is on this basis that I include in a Socratic perspective all of the Socratic positions I have alluded to above: (1) the dicta that *Virtue is knowledge*, that *No one errs willingly*, and that *All desire is for the good*²⁴; (2) the notion of

Aristotle's sophisticated (but arguably fatally flawed) concept-object logical grammar astoundingly—and utterly anachronistically—identifies Socratic universals with Aristotelian *such-es*. It is true that this concept-object logical grammar works well for constructivist notions of logic (on which, see Gödel 1944 on Russell's theory of logical types), as well as for Platonist-looking systems of logic with the Law of the Excluded Middle. These latter systems, however, are always relative only to particularly carefully constructed logical languages where the application of the Law of the Excluded Middle is—in effect—carefully restricted so that it as cannot generate the paradoxes. What we do not have is what Aristotle supposes, in common with all too many students of ancient philosophy, a relation of logical entailment that, like his Law of Excluded Middle, applies to *everything whatever*—all *objects*, but also all *properties* and all *relations*—without antecedently limited domains. See further Penner (1987, clarification VIII) and below.

²¹ I do not find the remarks at Brickhouse and Smith (2010, pp. 7–8), defending the Socratic character of these parts of the *Gorgias* to amount to much of an argument. Just to be clear, it is not a consequence of my view that if some parts of a dialogue show non-Socratic influence, that none of the dialogue shows Socratic influence, as Brickhouse and Smith seem to presuppose. Indeed, there is much in *Republic* IV–X that remains Socratic, in spite of the fact that there is also much thought in those books that is plainly anti-Socratic.

²² With 470a, 472d–e, 474b. The unSocratic idea that the Socrates of this part of the dialogue allows to go uncontested is that physical punishments can improve the soul of malefactors (see 473b–d, 478e, and perhaps also 478a).

²³ Fair warning: I was myself rather uncritically Vlastosian in my approach to stylometry until Kahn (2002) persuaded me otherwise. At the same time, even in my 1992, I felt no temptation to attribute to the historical Socrates the Pythagorean views put in the mouth of Socrates in his discussion with Callicles in the *Gorgias*.

²⁴ I read the claim that *All desire is for the good*, as the contrapositive of *No one errs willingly*, which is about *actions*—about *actions* that *fail* to gain a person what he or she wants. On this reading, *All desire is for the good* is in reality speaking of all *desires that bring about intentional actions*.

Socratic Ignorance that I have paired with the notion that the greatest good for a human is to engage in question and answer, every day, about human goodness (and the human good); and (3) the two theories I have called “Socratic Functionalism” (about goodness and the good generally, and especially as applied to human goodness as the best means to the human good) and “Socratic Intellectualism.” I shall have more to say about this historical Socrates in another place.

5.3 Socrates and Our Two Forms of Inequality

Coming now to the two forms of inequality with which I began, I must now confess that the Socratic position that I shall discuss, on punishment in general, is not *directly* about inequalities in incarcerations rates, nor is it even about legal or public policy concerning prisons. In the same way, the Socratic position about conversing and examining each other every day, about the human good, is not *directly* about the distribution of funding that brings about grossly unequal schools. Still, I maintain, this Socratic position also must make human beings reflect with chagrin on the deleterious effects—on their own good and on the good of those around them—of these salient inequalities in socially imposed incarceration rates and in socially imposed educational inequalities.

The question of punishment is of course much broader than simply the question of imprisonment for crime. Generally speaking, we punish each other constantly in

Socrates is not denying that we *feel* other desires or passions, e.g., for food, drink, or sex. Nor is he denying that to act in order to gain one’s good sometimes involves assessing the degree of good to be gained by satisfying one or more of these felt desires or passions. The point is just that when one’s actions involve satisfying one of those other desires, one will only do the action because one sees action as, over all, good. (Analogy: consider the views of someone who thinks all action is selfish, being indifferent to the good of others, and concerned only with what he or she thinks is for his or her own good. Is he or she refuted when he or she wants to drink something—as if this had nothing to do with his or her over-all selfish good? Isn’t the desire that brings about the action the desire, on this view, the desire for over-all selfish good that in this case includes, as a part, satisfying a desire to drink?)

We’ll see later on, that, for Socrates, the good desired in an action is indeed the agent’s own good (Sect. 5.6, last six paragraphs)—though of course Socrates would not suppose that indifference to the good of others *serves* an agent’s own good.

I have not so far found good Xenophontic evidence for the claim that Socrates held that all desire that brings about intentional action is desire for the good. On the other hand, the Aristotelian *Magna Moralia* I.1 (1182a15–30) makes it quite clear that Plato and Aristotle are disagreeing with Socrates in supposing that there are actions (in Aristotle’s terminology, “voluntary” actions) brought about *contrary to* the agent’s rational desire (which I take to be desire for the agent’s own good)—those actions being brought about instead by an irrational part of the soul. The *Magna Moralia* concludes (rightly) that Socrates—by anticipation, as it were—does away with (*anairein*) any irrational part of the soul, as well as doing away with character. (For Socrates, the issue is always one of degree of understanding, not of habituation-generated character). But the *Magna Moralia* appears wrongly to conclude that Socrates does away with passion or feeling (*pathos*); see sentences 3–5 of this note.

our family, at our work, and in our recreational lives. Consider what happens in *any* organization or group designed to secure order in a relevant environment, when some member of that organization or group (call him or her “the suspect”) intentionally does something of a kind that those running the organization or group (call him, her, or them “the authority”) have declared harmful to the organization or to its members. At this point, the authority, on the grounds of preserving some sort of posited due order within the organization, finds itself led to sanction (punish, censure, blame, and so forth) the suspect. We can think of “organizations” or “groups” here very broadly: to cover not only political bodies—including democratically governed societies with criminal justice systems—but also corporations, businesses, religious bodies, academic departments, schools, classrooms, clubs, choirs, and even families.²⁵ Consider now the kinds of characterizations given by authorities to those of a suspect’s intentional actions that are seen as in violation of authorities’ “rules.” Suppose that I can show, in general, that these characterizations are likely to be impoverished by comparison with the actual complex truth about the suspect’s intentions. Suppose, indeed, that I can show that such intentions are too complex to be known, let alone to be articulated, even by the suspects. Then we may need to be constantly reassessing the relative balance between order within the organization and the good of individuals that are members of the organization—especially with respect to the sanctions that authorities impose on suspects.

In these wider venues too, then, there are inequalities involving punishment between those in authority and those under them. If the authorities are always acting in a considerable degree of ignorance as to just what errors impregnate the supposed misdeeds of those under them, so much the worse for those unfortunate enough to fall under the suspicions of those in authority. What is more, the weight of authority becomes heavier and the threat of punishment more menacing as soon as there intervenes between those in ultimate authority within the organization, and those under them, a class of deputies to whom authority to sanction is delegated, solely on the basis of listed instructions from above, and without the need, in said deputies, for the understanding or discretion with which the authorities themselves are empowered to act. (I see a prototype of this kind of bureaucracy, based on what are to count as true beliefs that don’t amount to knowledge or any genuine understanding, in the invention of the auxiliary class in the *Republic*. Here I find an inequality-based opportunity for unjust punishment that wasn’t even on the distant horizon of the mature Plato of the *Republic*).²⁶ Though I’ll say no more here about such forms of punishment-inequality here, I believe they would have appalled Socrates no less.

²⁵ It is only stretching things a little to speak of a pair of friends, one of whom blames the other for doing something that has harmed the friendship, as an organization. Social morality grinds small. For more on authorities and suspects, see below.

²⁶ On the various forms of inequality in the *Republic* see Santas (this volume). For the negative effect of distancing the punished from the authorities via bureaucracy, see, for example, Bauman (1989, pp. 88–107).

Now, there is a certain limitation to Socrates' views. This is because Socrates is no social theorist. For, so far as I can see, Socrates takes no stand on questions of social order, or on order in organizations, groups, or families. Thus Socrates sees no need to address legal or political questions that sociologists and criminologists think they must answer.²⁷ At the level of one's own personal life, however, I shall suggest that Socrates would have thought it best utterly to extrude punishment from the realm of possible actions one could ever encourage in oneself or anyone one cares for. I myself feel strongly that the same is true of that social equivalent of punishment, namely, blame. But that is another story.²⁸

But what would Socrates have seen these inequalities involving punishment as having in common with inequalities in the education of our children? The answer, I shall argue, is, for one thing, the sheer lack of attention each shows our democracy paying to what is in fact best for each of us in a democracy. Many of the wealthy certainly *believe* that what is best for them themselves, and for the economic well-being of "society as a whole," involves (perhaps unfortunate) disadvantage to the poor. They believe this, perhaps, at least in part because of fears for themselves, their families, and their businesses if they are to remain secure in an insecure world—where who knows how much money one's business, one's family (and one's descendants) may not eventually need? Many of the wealthy *do* believe this. But I am not speaking of what people *believe* is best, but rather of what really is best—even if that is different from what anyone *believes* is best.

Lower down, and generalizing the point to all individuals in a democracy, I call this good that is not simply what any given individual *thinks* is his or her good, or what that individual *believes* is best, the individual's *real* good: what is—in fact—*really best* in the case of that individual. Pace Aristotle's account of Socrates as concerned only with Aristotelian universals, Socrates is, in his way, as much a

²⁷ In my 2000 and 2004, I have made a start on arguing that, even in the *Crito*, Socrates has nothing to say about political obligation generally. (Socrates sees one's city as a kind of parent). And I see no signs that Socrates thinks—any more than I do—that we have *moral obligations* to our parents, or that Socrates thinks Euthyphro's prosecuting his father is *immoral* rather than simply unwise, and even foolish. But I acknowledge that there is more to be done to make this claim convincing. See also nn. 74 and 93, the text to n. 80, and the last four paragraphs of this essay.

²⁸ For a different view of blame as a social (or moral) institution, see Scanlon's (2000) *What We Owe to Each Other*—a theory apparently based on Strawson's stimulating *I-Thou* account of a Kant-style reconciliation of free will and determinism. From what I have been saying about punishment, it may be clear by the end of this essay why I find very doubtful the idea that blame provides useful inter-personal information as to my reactions to some harmful thing you have done—if, as all too often, I have very little idea of what you understood in your action, let alone of what I understand of your action in blaming you. (Blamers also often tend to take themselves to be in a position of moral authority). At any rate, I suppose that we have far more need to understand each other better than to express to one another our moral or emotional reactions to actions of each other's to which we are averse. For what I take to be the Socratic view of determinism, see Penner (2005a, pp. 29–33). (I am grateful to Scanlon, a long-time friend, for some necessarily brief discussion, years ago now, of these matters, and for showing me some of his then unpublished work. I have the impression that Scanlon views legal punishment with rather more reserve than his views of blame might suggest).

metaphysical realist about the human good as Plato is, more generally, about the Form of the Good.²⁹

The other thing in common between these two evident inequalities is the way in which each shows us the failure to attend to the complexities of the actions and lives of the children that come to us for education, and the complexities in the actions and lives of those deemed suspects or convicts in the criminal justice system—many of them no older than in their 30s, who have come through just such inferior school systems.

This failure to attend to the complexities of the lives of those poorly educated and unequally imprisoned is attended by the willingness of those who are over them—and indeed over the rest of us—to use sheer power and authority to cut off the discussion of the *real* good both of the poor and of the very wealthy, and of everyone else in the middle. For Socrates, those in authority and power—the Pericleses and Themistocleses of our world—stand in as much need of this discussion as do our children and those of our fellow citizens whom we have incarcerated. I shall argue that what is in either case needed, in a Socratic perspective, is a good dose of the arguments underlying the notions of Socratic Ignorance and its companion notion that the greatest (real) good for every human being resides in asking questions every day about human goodness and the human good. I shall further argue that, in our time, such questions must be specifically directed towards *the aforementioned complexities involved in the actions and lives of our children and of those we imprison*—especially, in the deplorable light of how we, in more privileged positions, have so far viewed these complexities. I detail just *some* of those complexities below as they bear on our intentional actions.

²⁹ I think of metaphysical realism about the human good precisely in the terms indicated in the preceding paragraph: that (a) there is such a thing as the human good—of course, differently embodied in different lives in accordance with the differences in the person's current and potential attributes and their circumstances; and that (b) what that human good is, is (as philosophers of logic might put it) a single objective logical function taking us *from* these individual differences in people, and in their circumstances, *to* what each person's individual good objectively, is, in their particular circumstances. This is so, a Socrates will suppose, however difficult it might be for us to determine just what any given individual's own real good is. The thought here is: what is good for a human being is not just something we make up, or create by means of our "values."

On the view I am presenting here, Socrates is at the opposite pole from those to whom, in other respects, his position might not seem so very different. (On Christie, see below). On the Form of the Good, see, for example, Penner (2005b, pp. 158–159, 2006, pp. 165–167, and the argument in 2007b pp. 93–123, to the effect that the Form of the Good = the Form of Benefit or Advantage = the Good *simpliciter* that we all seek).

This understanding of Plato's Form of the Good, and so of such inspirational passages as the Sun, the Line, and the Cave, thus differs sharply from St. Augustine's suggestion, e.g., at *City of God*, XIV.15, that our pursuit of the Good *cannot* be identified with the (sinful) love of mortal things, but must rather be redirected towards some world beyond ours. On Augustine's suggestion this sinful love must then include the longing for something as spatio-temporal as the best life open to oneself, and to those one cares for, given their circumstances.

This Augustinian interpretation of our pursuit of the Good, in terms of flight from *this* world to another world, is still quite common among modern interpreters of Plato. But the undoubtedly inspirational character of such interpretations in Augustine and in similarly inspirational modern interpretations of Sun, Line, and Cave in Plato—finding an individual's good in fleeing this world for another world—still seem to me totally to misrepresent the metaphysical realism of both Socrates and Plato concerning the good (and so also the human good) which I see Plato presenting in the many immortal passages on the Forms in the *Republic*.

On the shocking lack of quality education provided to those of our young in poor or impoverished school districts, the first Socratic question would be this.

What exactly do the wealthy, and those politicians who tilt the playing field to the advantage of the wealthy—or even those politicians, sympathetic with the poor, who nevertheless, for electoral reasons, pussyfoot around with talk of the middle class—think they are gaining by continuing to allow excellence of education to be denied to such a large number of our most valuable possessions, our sons and daughters?

For the sake of argument, let me grant that an improved education in science, technology, and mathematics, as well as instruction in certain other core “facts” is desirable for success in making a living. What I suggest would still have greatly worried Socrates, even with improvements in these areas, is the de facto denial to children in many poorly funded school districts of something there is a good chance they *could* gain in better funded schools. I refer to that fostering in one’s students, when they are fortunate enough to be in an informed and caring environment, of the ability to ask *their* questions, and to learn from open discussion—objection and reply—with sympathetic teachers and their peers, what might be true in wider areas of life.

The importance of such havens of reasoned discussion is greatly magnified precisely at the present time when so much of public life is intellectually disfigured by mere assertion of belief and supposed principle, backed by slogans and advertising without discernible intellectual content. In this environment—and our schools are surely located in precisely this environment—winning elections comes first. By whatever means.³⁰ Intellectual content, almost certainly tilted to the wealthy and against those equal schools that “we can’t afford,” will come later. It is almost as if it is the aim of those in public life to convince *all* our children that reasoned discourse and persistent questioning shall be pointless in trying to make things better in public life. As it is, in some poor and impoverished school districts, what our children are learning is that they are *worthless*.³¹

Stepping back from public life, it is also true that the personal life of all of our young people—as of the rest of us—stands starkly in need of the same kind of Socratic conversation in pursuit of more sensitive appreciation of where the truth about matters of great importance might lie. Quality school-age education is again our best hope that all our young people will be helped to begin learning what questions we all need to ask as we confront both our own particular circumstances and those of people around us, if we are to gain a clearer apprehension of where to look in our pursuit of our own human good. Do we really want any less for our children?

³⁰ With whatever consequences the use of these means may bring. These means do not differ in kind from those of the oratorical skill, or rhetoric, that Socrates criticizes at *Gorgias* 461d–466a and 466a–468e. I have discussed these two Socratic passages concerning Socrates’ paradoxical claim that this oratorical skill is no science or expertise, but at best a *knack* in my 1987 and my 1991. This oratory Socrates characterizes as a form of *kolakeia*: flattery, pandering: gaining what one *thinks* one wants by telling people what they like to hear regardless of whether or not it is true.

³¹ See the first chapter of Jonathan Kozol’s (1991) *Savage Inequality*.

I say “our children” in parallel to Socrates’ care for the education of the young. To defend the good to us of such care, I’d need to say a good deal more than I shall have space to say here about the interdependence of our lives with the lives of everyone around us. This includes those we pass in the street or never see—whether this be in personal, work-related, political, or criminal contexts.

Here is an indication of what I have in mind about not caring about even those around us that we don’t know—just at a rather narrow level. All we have to do is to recall that there are those we do not know or encounter who, if there is small chance that they will harm *us*, may, in the end, harm those we care for, or those cared for by those we care for, and so on. This is so, however high the walls we build around ourselves. We cannot so easily slough off uncaring things we do that we think will have no effects on us. If, for each of us, there are some we care for—our children, or our parents, or others in whose well-being we are deeply invested—then it is well to reflect that, as just suggested, there may also be another rather more serious version of “six degrees of separation” rippling outwards between ourselves and those towards whom we behave uncaringly, thereby bringing back on ourselves and those around us cascades of harm.

That this topic of the education of our youth must be very much in mind for any student of Socrates will need no emphasis, given the amount of time Socrates spends speaking to the young men of Athens, and speaking with their fathers about the education of their children. Once more, what this is about is speaking to youths and their parents much more widely than about the staples of education. It is speaking to them about the whole of their lives, in fact.³² It is the same topic of the whole of one’s life that Socrates will raise, when on trial for his life, about those hauled into court to be punished.³³

But, as I’ve already said, I see unequal educational opportunity as a mere pre-view to the inequality across races and social class that we see in those that we haul into court to be punished. For this reason, and also for reasons of space, I shall devote the rest of this essay solely to the question of the good we do by using punishment and incarceration generally (and by doing next to nothing about the bla-

³² See the wonderful discussion of Socrates with the two (as it happens, rather wealthy) fathers, Melesias and Lysimachus, at *Laches* 187d-189b. In particular, notice the striking accounts that the two famous Athenian generals, Laches and Nicias, give of their own encounters with Socrates, whether these encounters are merely personal, as with Laches, or both intellectual and personal, as with Nicias. Nicias understands, very well indeed, how fundamental Socrates’ philosophical questions are—to one’s whole person and to one’s whole life. I am frankly astonished that skeptical scholars (see para. 3 of Sect. 5.1 above) should go so far as to suggest that this passage represents not Plato giving his own picture of what the historical Socrates was like, but a sheer made-up literary fiction.

Going up to the level of university education, we may imagine the likely view of Socrates on the following changes that Wisconsin Governor Scott Walker recently attempted to write into the mission statement of the University of Wisconsin: removing words that commanded the university to “search for truth” and “improve the human condition” and replacing them with “meet the state’s workforce needs.”

For the exact changes, see Hamer (2016).

³³ See below, Sect. 5.9.

tantly racial and social inequalities we see in the administration of those practices).

In the case of African Americans, a mountain of evidence can be adduced for the view that this wildly unequal racial distribution of incarceration rates is the historical outcome of fear in significant parts of our power structures—a fear of long standing that exploits and even induces racial fear in those not otherwise inclined to such fear. Such evidence suggests that this fear begins, first, as a reaction to overwhelmingly large populations of slaves; then to slave revolts; then to the abolition of slavery, leading thence to infamous Jim Crow legislation, and more recently to certain very dubious and widespread judgmental practices of sufficient numbers of police, prosecutors, judges, and legislators—practices that can easily, and all too understandably, come to seem, to a great many such officers of the law and of the state, to get maximum effect per unit of effort on their part. In the course of this history, as the wealthy few gain more and more political clout, all too many of that small wealthy class, along with their political and administrative servants, have come to view their interest as lying in a kind of “divide and conquer” strategy, exploiting fear in whites in the middle and lower classes against African Americans and new immigrants.³⁴ It is arguably this strategy that regularly makes it the easiest next move for all too many police, prosecutors, judges, and legislators, faced with immense case logs (in part generated by partisan legislation), to find simple ways to lock away the unfortunate recipients of this strategy.³⁵

³⁴ For a recent exhaustive review of historical, legal, and sociological evidence for the view being presented here, see Alexander (2012), and the impressive array of scholars she cites.

Dreisinger (2016, pp. 204) claims that the imprisonment rate for aboriginals in Western Australia is actually even higher than that of African Americans in the USA. She also reports that capitalist enterprise may be at work, for example, in the private prison industry (which, in the USA, spent \$18 million on lobbying alone between 1999 and 2009), supported by such entities as the American Legislative Exchange Council. See also Hochschild (2016, pp. 32) on the prison boom as a way to make money:

One private prison company alone ... is the country's fifth-largest prison system after those of the federal government and the three biggest states. ... In 2011, the two biggest private prison firms donated nearly \$3 million to political candidates and hired 242 lobbyists around the country.

Hochschild also suggests the point—obvious, once seen—that the profit motive rather conflicts with the desirability of cutting down on the recidivism rate. The sight of how ill the market serves us here evokes astonishingly little concern among all too many majorities of the representatives of the people. For another way in which private enterprise enters into the prison system, see Hager and Santo (2016).

³⁵ If I seem to speak too little here of the evident dangers of violent crime, or of the evident need for a network of emergency responders, that is more a matter of my having less to say about them at the moment than that I do not recognize such dangers and needs. I am grateful to various friends for making this point to me. My point at the moment is merely that putting some young man or young woman in prison is not just a matter of putting a fire out—important as that last task may in some cases be. I find it shocking that a life, when its direction forward has been hijacked by a few serious, and often astonishingly short-sighted misjudgments on the young person's part, should just be thrown on the scrap heap.

All this is so, even while I am far from denying the presence of genuinely good, sensitive, and concerned individuals among our police officers, lawyers, judges, probation officers, social workers, and so forth. Institutional inertia, too little time for large caseloads, and the starving of concern for the imprisoned by the enormous appetite for expensive and largely brutal prisons, constitute a daunting roadblock for those concerned about the writing off of minorities along with those we have thought it acceptable to leave poorly educated.

One result of all this, in our society, is that, for good or ill (and mostly for ill), some (often prejudicial) semblance of efficient social order is prioritized over individual human good, especially in the case of minorities and the less educated (who will often also be less articulate in legal-speak). It is worth reflecting that social order is the *means* to the end of the good of each individual among us. It is not the end itself. While serving the good of each individual was surely the original ideal of democracy, it is terribly easy, in fractious times, to think that contriving a just social order is the end in itself—or at least that contriving a just social order is the only end to which we, as philosophers, are to address ourselves. Indeed, this seems to be the prevailing view in modern analytical philosophy, most famously in the work of John Rawls. (Any Socratic conversation regarding what is actually *true* in religious, or even moral matters is, on Rawls' view, beyond the reach of justice. On this view, we cannot cope with the difficulty of keeping after where the *real* good of any given individual might lie). But this is not the view of Socrates, if I am right. Individual real good is still the end: justice, even as conceived by Rawls, is merely a means.

I pass over here the collateral damage to, and sheer lack of regard for, the innocent children of those we imprison, not to mention their spouses, siblings, parents and other members of the community. For—make no mistake—it is them too that, willy-nilly, we are punishing. More harshly still in the locations of our prisons.³⁶ Nor is what we are doing to these innocent people mitigated by ill-considered remarks to the effect that *this punishment of the innocent is the responsibility of the convicted suspect*. Such remarks simply distract us from the fact that it is our legislators and public officials who make the decision to worsen the isolation of innocent children, spouses, parents, and the like from the imprisoned family member.³⁷ Fear of having “criminals” nearby trumps the good of innocent children.

As I have been suggesting, many, if too few, have pressed for reform of the Criminal Justice System as best they can within the politics that built up the Justice system in the first place. Alas, pretty much all anyone has to do to silence the discussion of ways in which our justice system falls short is to speak of *protecting the public*, with all the fear hidden in that expression. For that question “Must we not protect the public?” is almost always taken to be merely rhetorical. The entire criminal justice system is taken to be, in its broadest lines, justified, *whatever other considerations anyone might raise about it*—a feeling that is sometimes reinforced

³⁶ See Bozelko (2016).

³⁷ In Wisconsin alone, 88,000 children have at least one parent in prison: 7% of children under 18. See Annie E. Casey foundation (2016).

by the thirst for revenge beyond the punishment the state administers. This latter thirst contravenes an aim that the state has, in the past, wisely tried to realize, in its desire to limit the damage private revenge might otherwise do. I have myself been momentarily convinced that once a conversation-partner raises questions of innocents assaulted, we might as well resign ourselves to the fact that the criminal justice system, still much as it is at the moment, is not going away. “It’s regrettable, but we are just going to have to live with it.”

As against this, the present essay attempts to say that we need to look more carefully at questions about all the things that are being done in the name of social order *regardless of its consequences*—consequences for those who have been imprisoned (and their families), consequences for those who do the imprisoning, and consequences for those of us in society in whose supposed interest the imprisonment is being done, and among whom most of the imprisoned will sooner or later also come to live.

In the light of all this, I want to suggest that, from a Socratic point of view, we need a fresh start on issues of punishment and imprisonment. This fresh start I am proposing involves raising some rather wider—Socratic—questions. If we ask “What is punishment anyway?” our attention must immediately switch to a prior question. Since punishment is only imposed for one’s *intentional* actions,³⁸ the key Socratic question will become “What is an intentional action anyway?”

If answering this last Socratic (!) sort of question³⁹ calls for as much re-thinking as some of the more familiar Socratic questions, it may be that a little discomfort will be called for concerning our practice of choosing suspects, formally accusing them, and treating them prior to, during, and after imprisonment.⁴⁰ What if the

³⁸ I shall not consider questions of strict liability here, such as negligence of some damaging factor, as opposed to intentional passing over of some damaging factor.

³⁹ The most frequent Socratic questions are of the form “What is Courage anyway?”—*ti pot’ estin hê andreia*: literally, “What ever is Courage?”, more idiomatically put not in terms of time, but in terms of space: “What in the world is Courage?” My own preferred translation, “What is Courage anyway?” seems to me to convey a little more clearly the radical, no-holds-barred character of Socratic questions that always range *far more widely* than any set of questions an analytical philosopher would ask in trying to characterize a “concept” or a “definition” or a set of “necessary and sufficient conditions” for Courage. Socrates clearly envisages the possibility that we’ll have to give up all of our preconceptions about what Courage is, and start again from square one. I add that, for this reason, those who come to the discussion of justice in *Republic* Book I for the first time are bound to encounter all sorts of extraordinary perplexities in assessing what Socrates is up to there. See Penner (2005a, pp. 34–35).

⁴⁰ Nowadays, it is out of date to speak of “paying one’s debt to society” by serving a term in prison. That expression presupposes that imprisonment *is* the punishment that in most cases the court provides. But recent remarks of Governor Robert Bentley of Alabama make it clear that this pre-supposition is quite wrong. Wegman (2016) reports that, faced with prison violence involving stabbings of prisoners, guards and even of a warden, this public servant remarked, “Part of the prison sentence is punishment. We know that. But we need to protect people.”

What is the Governor supposing here? That there is more included in the sentence to prison—short of stabbings, of course—than the judge happened to mention in sentencing? A little cruelty here, a little inhumanity there?

My failure to understand here seems confirmed by the fact that, in some states, a judge, in handing down a prison sentence, is forced, willy-nilly, into also disenfranchising the accused, even once

justice system's account of a suspect's intentional actions is always hugely impoverished by comparison with what the suspect actually intentionally did? What if knowing what—*understanding* what—a suspect actually did, against the altogether broader context of the suspect's life, his or her family, and his or her community, is vastly more complex than the law with its large, but still very limited, range of discriminations, could possibly command?

It may be worth pausing here to notice the point in Rawls (1970, pp. 230–242, and, in a penal context, p. 241) that for justice to characterize a legal system, the laws must be promulgable—that is, not so complex that people can't understand them. But what if this requirement cannot be met without sweeping aside as irrelevant the complexities of the actions and intentions involved in the human good of individuals in the society?

I shall have much to say below on the complexity involved in understanding just what a person is intentionally doing, and the disadvantages of having one's actions subject to the review of an authority or power that is ill-equipped to judge those actions as they really were intended. If I am right about the great complexity of intentional actions, that may already suggest the limitations of tending always to prioritize social order (as conceived *de facto* by the authority or power) over individual human good. It may already suggest that ways of securing social order need to be much more sensitive to—and much less unbalanced with respect to—the individual good of all of us.

The rest of this essay is concerned with a dialectic between two species of theory about what an intentional action is. The first species is what I call the *Under the Description* theory. On this theory, if I do an action that will end up harming me, thinking that it will benefit me, then I have done a harmful action under the description “a beneficial action.” Modern analytical philosophers seem to think this theory quite adequate for identifying what a given intentional action is. The second species shows up in the theory that I call *Socratic Intellectualism*, which suggests a quite different theory of identifying what an intentional action is—or, more precisely, a quite different theory of what the intention is with which an intentional action is done.

Once my extended dialectic between the Under-the-Description theory and Socratic Intellectualism is complete, I conclude with a brief treatment of what seems to me the most mischievous—and telling—argument in Plato's account of

released, and making it virtually impossible for him or her to get a job when the supposed debt to society has been paid. Is there then, in these states, a *mandatory* surcharge, imposed by legislators and prison officials, to legal punishment, which one might innocently have thought consisted, even *without* judicial discretion, precisely in the imprisonment?

For an astonishingly rare exception, see Wegman (2016). It should be noted, however, that what the judge in question described as *forgiveness*—which consists in the convict's *not* having to report having gone to prison—is of course no such thing. It is an *ad hominem* grant of what, but for mandatory and indiscriminately biased legislation, would never have been part of the sentence at all. What ever was wrong with the idea of paying one's debt to society and thenceforward being free to find opportunity on its merits? Are we, as a society, saying that everyone we have convicted is *far more guilty than the courts have found them to be*?

Socrates' speech at his trial. This argument occurs in a bit of dialogue with Meletus, one of Socrates' accusers, that makes mischief throughout—for his accusers and for other moral and religious Athenian conservatives at the trial. This, in spite of the fact that it is arguable that Socrates is quite certain, in advance, that he has already lost his case, and, along with that, his life.

In this argument, Socrates allows his accusers to proceed on the hypothesis that Socrates *has* in fact corrupted the young. He then proceeds to conclude that what the law requires of his accusers, is still *not punishment, but instruction*—the instruction that Socrates would surely gain from a Socratic conversation wherein Meletus would play the part of the Socratic cross-examiner! This treatment will show that—all unnoticed by his three accusers and by the jurymen—Socrates is implying (without stating it) that

P-1. Punishment is *never* required by the law.

In fact, an even stronger conclusion will be merited, if Socrates is right. This is that

P-2. It is never in anyone's *interest* to punish another.

This argument, direct from Plato's *Apology*, summarizes the conclusion of my argument.

5.4 Intentional Action: The *Under the Description* Theory and a Socratic Alternative

Since punishment is only administered to actions deemed intentional, I now take up the question, *What is an intentional action anyway?* Modern philosophers have approached this question by asking the closely related questions: when is an action intentional? and when is it unintentional?

I begin this transition to Socrates on punishment with a commonplace of modern philosophy of language and modern philosophy of action due to Anscombe (1958a): that “the same action may be intentional under one description, and unintentional under another.” In my version of her famous, and bizarre, example,⁴¹ a man in a basement, pumping water for the upper stories of a house, may believe that he is pumping water for those upstairs, but not be aware that the water he is pumping will in fact poison the inhabitants upstairs. What we have here is an action of pumping the water that will in fact poison the inhabitants upstairs—whether the man knows that he is poisoning them or not. But at the same time that the man *intends* to pump the water, he does *not* intend to poison those upstairs. This point Anscombe would express linguistically by saying that the man did the pumping of the water that in fact poisoned the inhabitants upstairs under the description “pumping the water,” but he did not do that same action under the description “poisoning the inhabitants upstairs.” There is the same action here under two different descriptions, one a

⁴¹ From Anscombe's great 1958 book, *Intention* (pp. 37–47, esp. 37).

description under which the man acted intentionally, one under which the agent acted unintentionally.

We can think of the general pattern here in terms of the schema

doing action *A* under description *D*

where the *A* position is for the action *as it actually is in the world, with all of its properties known and unknown*, whether anyone actually *knows* how it actually is in the world or not.⁴² Anscombe reserves the *D* position for those descriptions of the action that reflect the agent's intentions in bringing about the event in question. (Notice how, as Anscombe views intentions, the descriptions are relative not only to

⁴²There are two ways in which we might think of the *A* position in this schema: either (a) as above—as the action itself, no matter how referred to or described, and no matter what we may know or not know about it; or (b) as the reference determined by the sense or meaning of the referring expression we put into the *A* position. Both of these ways—the Platonist way in (a) and the (at least partially language-generated) way in (b)—derive from Frege (1884).

It is my view that the notion of reference begins—even in Frege (1884, 1891, 1892)—with the notion of *identity*. The idea here is that the truth of any number of unknown identities about numbers is presupposed in the idea of reference. In the post-Cantorian era, we can see that this would have to cover non-denumerably many true numerical identities. Thus, the origin of the notion of reference, even in Frege, should never have been limited by the denumerable languages used by speakers. Of course descriptions, or referring expressions, *are* thus limited.

I myself hold that this (Platonist) notion of identity, applicable even to the real numbers, is the right way to approach reference. So it is method (a), above, of describing reference that I am employing here.

I realize that Anscombe's approach to the *A* position of the schema "doing action *A* under the description *D*" may rather be the linguistically-generated, meaning-determines-reference approach that is also in Frege, cheek by jowl with the more Platonist notion of identity. This meaning (or sense)-determines-reference notion, I believe, arises in Frege (1884, 1892), as follows. First, (1) we have the Fregean *sense* (or *meaning*) of the linguistic description being determined by its being the way the linguistic description in question picks out that particular *actually existing* object that is the reference of that description. But then, (2) Frege understandably wants us to be able to discover that certain referring expressions, such as "the least rapidly converging infinite series with limit 2," have no reference—refer to no *existing* object whatever. Thus we arrive at (3) the belief that Putnam later spoke of in terms of *meaning determining reference*, though, for Frege (1884, 1892), that would be better put in terms of meaning determining reference—if *any*. The result is that now, instead of, as in (1), reference determining sense or meaning, Frege wants the order of determining reversed, so that now (3) sense or meaning determines reference *if any*. One difficulty of (3)—which gives us the converse operation *meaning determines reference*—is something not at all suggested by the original determination of sense or meaning by reference. The difficulty is that, at this rate, our choice of meanings for words of our language in part determines what the things are that we can refer to, think about, or suppose might exist. I find such a view implausible. (I can't think about things for which I have no adequate means in my present language for constructing a description? For example, certain lawless infinite decimals?)

Accordingly, I proceed using what I call the Platonist approach to reference. This has consequences below when I speak of the "inside-outside" view of some proponents of UDT.

There is more on metaphysical realism both above, n. 29, and below, Sects. 5.7 and 5.8. I note in passing that in earlier works, e.g., in my (2005b), I called this Platonist realism an *ultra-realism*, to contrast it with the (to me) rather incoherent *realism* for which there is a reality outside our minds, and what that reality is, is determined by the meanings of our words.

the agent's awareness but also to the limitations of the agent's language at the moment of action).⁴³

Thus, the description *D* under which the man does the action both tells us about things the man believes about what he is doing, and also makes him legally responsible for doing an action of the kind given by the description. He will merit legal punishment for doing that action if, and only if, actions of such a kind can be correctly subsumed under a kind of action that is deemed punishable in the law. In the actual case, the man is responsible for pumping the water, but he is not responsible for poisoning the inhabitants. On the other hand, had he done the action believing that the water would poison the inhabitants, he would be responsible, and punishable, for poisoning the inhabitants.

This is the theory I call the Under the Description Theory (UDT). On this basis, philosophers since at least 1963 have thought of this kind of theory of intentional action as a belief-desire theory of the explanation of intentional actions. (The man *wants* or *desires* to do a pumping of the water to the upstairs, and he *believes* that his present action will result in a satisfactory particular act of pumping of the water to the upstairs).⁴⁴

I note in passing that the schema "doing action *A* under description *D*" may be thought of as a kind of "inside-outside" theory of such events as the man in the basement intentionally pumping the water to the upstairs, and unintentionally poisoning the inhabitants upstairs. In my presentation of the *A* position, it is a position for the "outside" of that event—how that event really is, outside of the agent's thought, and whether or not anyone has so described it or not. By contrast, the *D* position is for the "inside" of the action, in that it represents a description that the agent is aware he or she would give of it, that description being what captures his conscious intention in acting.

I shall now explore two variants of UDT, which I shall call the *you-choose* variant and the *structural* variant. As we'll see, the fact that there are these two variants results from the fact that there are *many different* descriptions-under-which an action will be intentionally done. Having characterized these two variants, I shall then urge that we reject both variants in favor of the more metaphysically realist psychology of intentional action that I call Socratic Intellectualism.⁴⁵

On the first *you-choose* variant of UDT, any one *description under which* the action was done gives us an action-under-that-description that is an intentional action of the agent. It's *your choice* which description to use for punitive purposes.

⁴³ See the preceding note.

⁴⁴ See Davidson (1963), which argues (to my mind, conclusively) that reasons (beliefs plus desires) are causes. Thus, in Davidson's conception, reasons are a combining of an appropriate belief with an appropriate desire or pro-attitude (that is, in Davidson, one of *any number of* kinds of desires or pro-attitudes). The idea seems to be that (a) the various different kinds of pro-attitudes will potentially motivate some intentional action, while (b) the belief gives that motive a particular direction onto realization in the world. If both the belief and the pro-attitude are themselves in every case caused, then determinism is the necessary result. I have spoken of Socratic (teleological) determinism elsewhere (2005a, pp. 30–31, 2011, pp. 288–290).

⁴⁵ There are of course other versions of Socratic Intellectualism than mine, e.g., those of Devereux (1995) and of Brickhouse and Smith (2010).

On this view, it is enough for an agent to be punishable that there be just one description under which an action of a given kind is intentional, provided, of course, that intentional actions of the given kind are also of a kind proscribed by some appropriate authority. On this *you-choose* variant of UDT, all that is necessary for a person to be punished for stealing something is the truth of any simple proposition of the kind *he stole it*.

Consider the classic case of the father who stole a loaf of bread from a family about whom the father had made sure that this family could easily make up the loss; and where the father stole the bread to feed his starving child. On the *you-choose* variant, it is enough for an authorized person to punish the father that the proposition that *he stole the bread* be true, given that there is a law against stealing. On this variant, it is irrelevant that the intention with which the father of whom we are speaking, actually has a certain means-end structure, namely, *stealing the bread ... as a means to the end of feeding his starving child*. Or, putting the point in terms of descriptions under which, it is irrelevant that there is another description “stealing the bread ... as a means to the end of feeding my starving child”—and another true proposition, that *he stole the bread to feed his starving child*.⁴⁶ No further inquiry will be necessary into any fuller description under which the man might say he did the action. This *you-choose* variant will be quite popular within authoritarian justice systems. “Look! He stole the bread! The law is the law, you know!” The de facto exploitation of this variant is very far from unknown in democracies.⁴⁷

⁴⁶Looked at in one way, the notion of a proposition is just anything anyone proposes or puts forward. But for those who use the technical semantical notions of logical validity, entailment, or logical consequence—as almost all students of Socratic thought have done, since Vlastos (1956)—that more technical notion of proposition is very dubious. (Along such semantical lines, propositions are individuated by their entailment relations, and there is no perfectly general notion of entailment, but only any number of entailment-relations relative to the corresponding artificial logical languages, as per above. Hence there is also no perfectly general entailment-related notion of proposition. Only any number of different notions, each relative to a different artificial, and carefully restricted language).

If I am right that almost all uses of the notions of *entailment* and the *proposition* that have been exploited in order to give exact logical analyses of Socratic arguments have flowed from the uncritical supposition that first-order logic, say, gives us a universally applicable notion of entailment and the propositions, then it needs to be pointed out that such notions are indefensible and subject to the paradoxes. (I would not want to deny that a better notion of proposition might be constructed by more sophisticated logician-philosophers. I just don’t know whether there is such a notion. But a lot of philosophical work will have to be done if one is to think an unproblematic notion is available).

On the use of the semantics of first-order logic to get a notion of entailment when one is analyzing Socratic arguments that refer both to just persons and to such a thing (*pragma ti*: Protagoras 330C1) as Justice—as do discussions of the Unity of Virtue—see Penner (2007a, pp. 17–19, appendix), as well as n. 11 above.

Of course my use of *propositions* at this point in the main text is not *in proria persona*, but rather from the point of view of proponents of UDT. And for an example of how different Socratic interpretations can look if we eschew propositions, see Penner (1988).

⁴⁷Here is a recent example of this *you-choose* approach, from Mark Hertsgaard (2016):

Mr. Snowden has admitted he broke the law. But he did so, he explained, because of an overriding public interest: People had a right to know about the warrantless surveillance of them.

It is time now to introduce the second variant of UDT. So far, I have been acting as if cases such as that of the man who steals the loaf of bread are cases where the action is constituted as a single means (stealing) to a single end (feeding the starving child). Even if this is so in this case, in other cases, there might be a whole series of means to ends involved. As Anscombe has pointed out, we might need to ascertain the answers to a whole series of Why-questions, corresponding to an altogether longer means-end chain, before we are able to grasp the agent's intention.⁴⁸ *Why did you go out in the rain?—Because I needed to get to the park.—Why did you need to get to the park?—Because my granddaughter left her favorite “stuff” there (her stuffed giraffe toy).—Why would that make you want to go get the “stuff” now?—Because I can't stand the thought that she would cry and cry before getting her beloved “stuff” with her in her crib.* For most grandparents, this might well seem sufficient to explain what it was that I was intentionally doing in going out in the rain.

On this structural variant of the Under the Description Theory, the intentional action the agent did will be inadequately described for purposes of assigning punishment and responsibility merely by choosing just *any one* description-under-which the action was done. Rather, we must first provide what can be said to be the *full means-end structure of the action*—however extended that structure be. Such a full means-end structure will constitute *the* description-under-which the action was done. Only then can the question arise whether *the* description-under-which yields a kind of action that can then be legally taken to count as subsumed under a proscribed kind.

Anscombe's idea of there being a structure to *the* description-under-which an agent does a particular intentional action—that structure consisting in a projected (finite) means-end chain that has brought about the action—is of singular importance. It brings into prominence for the first time in modern philosophy a modified version of an idea first introduced into ethics by Socrates, and then usefully exploited by Aristotle⁴⁹ (whom Anscombe is, in part, echoing) and also by Aquinas. This is the

Mr. Snowden has said that he will return to the United States if he can get a fair trial. In his view, that means being allowed to offer a “public interest defense.” His lawyers would argue that he had to commit one crime—leaking documents to journalists—to report a greater crime: warrantless surveillance.

But the law forbids this approach. The Espionage Act does not allow a public interest defense: The accused either leaked documents or he didn't, and if he did, guilty is the only possible verdict.

⁴⁸ See Anscombe (1958a, *passim*, esp. pp. 66–83)—an elegant and stimulating introduction to the idea of there being such a thing as *the* description-under-which an action is being or has been done.

⁴⁹ For Socrates, see the references above, n. 14, which contain references to desiring the means to a final end of any one of wisdom, happiness, good luck, the good and (in the *Lysis*) the “first friend.” This final end is what I have called the agent's *real* good. For Aristotle, there is conflicting evidence. In *Nicomachean Ethics* I.1–2 (1094a1–22), it seems perfectly plain that Aristotle can only be following Socrates in talking about the agent's *real* good (see the remarks about the sciences in I.1)—here following Socrates. On the other hand, Aristotle seems clearly enough to contradict this view at III. iv, where he insists that if one wants to account for *all* cases where an agent

idea of each action's having a hierarchical or, as Aristotle calls it, an *architectonic* structure that is central to the correct identification of the intentional action.

There is, nevertheless a surprising divergence here between Anscombe and Aristotle over the shape of the unique hierarchical structure that both attribute to every intentional action (or, in Aristotle, every *chosen* or *deliberate* action). The divergence is surprising, given Anscombe's general partiality to Aristotelian perspectives—a partiality second only to her partiality to her great inspirer, Wittgenstein. The divergence in question lies here: that, for Aristotle, every chosen or deliberate action has a single final end, namely, happiness; but for Anscombe, there are many different kinds of final ends in which the unique hierarchical structure for a given action will terminate. That is, Anscombe is always prepared to stop short of the final end that we'll see in Socrates and Aristotle: the agent's maximum available balance of good over harm, taken over the agent's entire life.⁵⁰

These places where Anscombe cuts short the hierarchical structure of an action are given by what she calls “desirability characterizations.” Let me now try to explain this idea of a desirability characterization. So far, I have been acting as if the *descriptions under which* involved in my two examples above—“stealing the bread to feed my starving child” and “going back to the park to get the stuffed animal so my granddaughter will go to sleep contented”—would each give us a sufficiently full description under which either action was done, and so, a quite sufficient account of the intentions with which the actions in question were done. The desirability characterizations here are “feeding my starving child” and “helping the child to go to sleep contented.” These give us the last clause in the *description under which* the relevant agent did the relevant action.

Put otherwise, these very various “desirability characterizations” are characterizations that, as Anscombe puts it, “give us a final answer” to the series of “Why?” or “What for?” questions.⁵¹ These are the pragmatically determined cut-off points where explanation can stop. These desirability characterizations tell us why the agent found the action desirable. They give us what, in the context, we will regard

“desires the good”, the good in question can only be the *apparent* good—what the agent *thinks* is his or her good. With *good* people, the apparent good *is* the real good, but with *bad* people, Aristotle holds at III.4, the end wanted is the apparent good and *not* the real good.

Later in the work, Aristotle introduces two further kinds of cases. First, we have cases of *akrasia* (weakness of will, so called, where an agent voluntarily acts on irrational desire that overwhelms the desire for the good). Second, we have cases of *akolasia* (self-indulgence, wickedness). In *akolasia*, we have the agent's beliefs as to what kinds of things are good perverted by the agent's having become habituated to thinking good the indulgence in excessive irrational desires (see nn. 105–6, as well as the discussion of “ignorance in the choice” at III.1). In my view, the conception of intellectualism that we find in the challenging Brickhouse and Smith (2010) in effect makes Socrates a believer in Aristotelian *akolasia*. This is not at all Aristotle's own view of Socrates.

⁵⁰To repeat: throughout this essay, I take a person's *good* and what is *good for*, or *beneficial to*, a person to be an entirely factual matter—however difficult it may be to arrive at just what the facts *are* about what that good is. That is, I take it that there is no meta-ethical *is-ought* question lurking here.

⁵¹For “the final answer”, see Anscombe (1958a, p. 71). For “the description under which”, see Anscombe (1958a, pp. 37–47).

as a sufficient reason to think that, from the pairing of this desirability-characterization with relevant beliefs, one can get *the* description under which the agent did the action. Once we have such a desirability characterization together with the agent's beliefs about the means to fulfilling the relevant desire, we know just what the agent was intentionally doing. ("Ah, now we understand what he was doing").⁵² Otherwise put, *the* description-under-which would give us *the* desire that moved the agent, and *the* (structured) belief that directs the desire onto the quite particular best means available in the circumstances, to fulfilling that desire. This is very much how Anscombe sees the description-under-which an action is done.⁵³

Socrates and Aristotle will not stop here, but will insist on answering the question "How do *feeding the starving child* and *helping the child to go to sleep contented* bear on the relevant agent's long-term good?" The answer may, in general (other things being equal), seem to be, as Anscombe might say, "Look, this fully explains why the grandparent went to the park." But that doesn't tell us that a further answer relating the grandparent's action to his or her long term good isn't part of the agent's intention. To take just one way to suggest that it is not enough to stop at this desirability characterization, suppose that it is also the case that there are other factors in the situation—the parent who is the grandparent's child is tearing his or her hair coping with the other three small children, so that *leaving in the rain to get the stuffed animal* was rather less of a contribution to the grandchildren's overall good than *staying to help with the other small children* would have been. Either way those further circumstances must also factor into the explanation—either the absence of any such circumstances, or their presence. Hence, Aristotle would say, with Socrates, that the hierarchical structure is incomplete simply with the original "desirability characterization."

Consider now one sort of justification that *some* thinkers might give for resting satisfied with these pragmatic cut-off points. This justification works in accordance with a supposition on the basis of which adversarial systems for determining guilt or innocence might seem efficient. Suppose an agent always *knows*, from the *inside*, what his or her intention was in doing a particular action. (This supposition, which I myself utterly reject, is one that still, even in a post-Humean era, is all too easily made about the inner content of our thoughts). On this supposition, if a defendant is guilty, adversarial questioning, à la Perry Mason, will be the best way to make the defendant break down and confess his or her guilt. So, it might seem, on this supposition, that agents *know* the "insides" of their every intentional action. They know *the* description-under-which they did the action.

⁵² "Explanation comes to an end" (Wittgenstein 1953, I, §§1, 81). Yes, but *where* does explanation come to an end? Wittgensteinians might put it this way in a particular case: at *this* end-point, we know what the language-game is within which we say "Ah now we understand the action". Compare the way in which Wittgenstein seems to think we should rest satisfied with his language-game for attributing pain by referring to the behavior of people in pain. Faced with the objection, "But you're saying that there is no distinction between being in pain and showing pain-behavior when not in pain!" (§§281, 304), one may suspect Wittgenstein's reply would, in the end, come down to "No, there's pain-behavior accompanied by a context of pretend-behavior, and pain behavior where there is no such context of pretend-behavior. *That's* the difference" (1953, II.xi., pp. 227–9; with I, §§156, 244–50).

⁵³ Anscombe (1958a, pp. 37–47, 69–77).

I leave aside here the need—for all sorts of reasons alien to a particular case going forward—for prosecutors to *win* the particular case, even if a suspect is innocent. What concerns me is rather solely the idea that agents always *know* the intention with which they are acting. The idea here is that agents may not know for sure what effects their actions will have, but they *do* know what effects they *intend* those actions to have. A similar idea is that a perceiver may not know for sure what in the external world has caused their sensations or sense-data, but they do know for sure what those sensations or sense-data *are*. So too, one finds the idea that I may not know for sure what things in the world my words actually refer to (I may be wrong about what I am referring to), but I do know what I *meant* my words to refer to. The idea in all these cases is that somehow the inside of our experience is absolutely clear to us, while the outside is that about which there may be some degree of doubt.⁵⁴ That is, all of these are cases of what I have called above an “inside-outside” approach to the relations between the contents of our minds and things as they are in the world. This is a Protagorean-Humean idea that I, like Plato in the *Theatetus*, utterly reject.⁵⁵ In the next section of the paper, I’ll present the quite different picture of the nature and identity of intentional actions that I find in Socratic Intellectualism.⁵⁶

⁵⁴ Even Frege implicitly makes this assumption that agents know the content of their own thought. Otherwise, why would Frege think that his theory of Sense and Reference was in any way a solution to the “Paradox of Identity”? The Paradox of identity asks “How come everyone knows that the Morning Star is the Morning Star, while some people don’t know that the Morning Star is the Evening Star, given that the Morning Star precisely *is* the very same heavenly body as the Evening Star, i.e., the planet Venus?” Frege’s solution is that while there is no difference between the Morning Star and the Evening Star, there is (always) a difference between some people’s Morning-Star-way-of-thinking-of stuff in the world and those persons’ Evening-Star-way-of-thinking-of that same stuff in the world. But is there? (And at this point, we come upon the “Paradox of Analysis”). Frege is evidently supposing that people know *from the inside*, and with certainty, what our Morning-Star-way-of-thinking is and that it is different from what our Evening-Star-way-of-thinking is. If we know none of these things with certainty, Frege’s solution will be no help. But Frege clearly thought his solution *did* help.

As will be seen immediately below, Socratic Intellectualism is not an “inside-outside” theory.

⁵⁵ Since at least the late 1960s, when I first encountered Goodman (1952), and, at the same time fell into a lucky misunderstanding of Rorty (1965), I have regarded the thesis that we have incorrigible inner states, not as *meaningless* (as in Wittgenstein and Rorty), but as false. This is so whether these inner states are perceptual (“I know how I am being appeared to”) or conceptual (as in the meaning-Platonism of G. E. Moore: I may be wrong about what I am referring to, but I know what I *mean*) or having to do with our intentions (“I may be wrong about what I have done, but at the moment of action I knew what I *intended* to do”). See my 1987 (s. v. “incorrigibility”, esp. pp. 78–80; pp. 342, note 34; p. 349, note 44). The promissory notes on Plato’s rejection of meaning- (or conceptual-) incorrigibility at 314–17 are to some extent redeemed in Penner (2013, pp. 201–208). The name “inside-outside theory” comes from Penner and Rowe (1994, note 2). For more on the inside-outside theory, see Penner and Rowe (2005, pp. 160–172, 186–187).

⁵⁶ Anscombe’s account here of desirability characterizations and *the* description-under-which an agent’s act was intentional is a recognizable first cousin of the account of the belief-desire “primary reason” for an intentional action in Davidson (1963)—right down to two essential features (Anscombe 1958a, pp. 74–76; Davidson 1963, p. 4). First, as to the desire element: in Anscombe, all actions aim at some good, but there are multiple goods. *Bonum est multiplex* (the good is multiple), she says. In Davidson, we have, for the desire element, many different kinds of pro-attitudes. Second, as to the belief-element: in Anscombe, what gives that desire a direction onto the world is

First, however, there are some implications even of the structural variant of UDT that I think will be worth our while noticing here. These implications have to do with the need for—yet dangers of—authority, for purposes of seeing to social order and to “the protection of the public.”

It will perhaps be obvious, from remarks made earlier, that the first, *you-choose* variant of UDT, where it is sufficient that stealing is illegal, and the father did what he did under the description “stealing,” simply invites abuse from authority at whatever level. This is so, whether (a) that abuse is intentional because of the institutional history of a given criminal justice system, or because of prejudice or bias; or (b) that abuse is quite unintentional because of the aforementioned frequent perception in law-enforcement that there is too little time to deal with each individual on an individual basis and still preserve social order. I have already referred to this result above.

It will not need reiterating here that unintentional abuse of the kind just described is a more or less automatic result of the fact that a great many of the money-making leaders of society suppose that “we can’t afford” to budget any more money for such social needs as education and care for the children of the imprisoned, and the restoration of better educated—and wiser—offenders (and convicted alleged offenders) to the community.⁵⁷

The situation will be better where officers of the justice system look hard for something more like *the* description under which a suspect did an action, as in the second, structural variant of UDT. It is this effort to understand that leads conscientious officers at all levels of the justice system constantly to try to keep up with even these fuller *descriptions under which* that I have spoken of so far, such as the fuller description of the father who steals the bread for a starving child. There can be no question that this effort leads to some improvement in the way authorities deal with suspects. The improvements come from new legislation and from continued accumulation of precedent, thanks to caring and sensitive judges.

But, as to precedent, the law is arguably always playing catch-up, and is heavily dependent on attentive policemen, prosecutors, and jurists. The worry remains, even on the structural variant of UDT, that the strongest of temptations will still often remain for those in authority in many criminal justice systems, to gain convictions by exploiting hardened legal categories. The same is true of bosses and their employees, bureaucratic deputies and those under the authority of the deputies’

the agent’s *belief* as to what is good (arrived at when one has identified which action will best satisfy the desirability-characterization). And in Davidson, the belief element that gives the pro-attitude a direction onto the world is similarly what the agent *believes* will satisfy the pro-attitude.

The multiplicity of desirability characterizations and pro-attitudes symbolizes a kind of ethical incommensurabilism, allowing of multiple incommensurable “values” as desirability characterizations or pro-attitudes. See also Penner and Rowe (2005, pp. 291–294); and, for the use of an incommensurabilism to attempt to rationalize the irrational parts of the soul in Plato, see Penner and Rowe (2005, note 39).

⁵⁷ In Scandinavian social systems there is far less of this sheer lack of concern for the imprisoned and their families. See Christie (2004) and Dreisinger (2016, chapter 8).

principals, clergymen and members of their congregations, teachers and their pupils, choirmasters and their choristers, parents and their children. The temptation is always for the relevant authorities to frame *descriptions under which* that will fall well short of what could serve the truth about the suspect's action, and accordingly convict them of malefactions that a fuller story would have seen in a different light. Obviously this will be especially true of those—including well-paid lawyers—who serve that part of the very wealthy population that is forever fighting a rearguard action to avoid any cutting into their conception of their own (and their family's) security by those who would make the lives of others better. It is thus a worry that such violations of the dialogue between authority and suspect may not, in the end, serve the interests of organizations (I have in mind here not only the interests of their members but also those of the authority within the organization). Whether such harmful by-products of the actions of authorities are in the end harmful to authorities and those they serve is a matter I shall touch on below.

At any rate, there is matter here that will have disturbed the Socrates who first appears in a law court in the trial that led to his execution, and who also says that he never offered the democratic assembly his own opinions, even in defense of what was just, on the grounds that he would not have survived even so long as he has, had he done so.⁵⁸ What Socrates *did* partake in is of course the educational venture of discussing and raising questions every day with people, including himself, but especially with the young—questions about human goodness (also known as virtue) and the human good (also known as happiness)—and raising these questions *not as an authority* but as one who has the final word on none of the questions, and as one anxious to understand those questions better from such discussions. By contrast, to raise these questions *as an authority* is to seek unconditional acceptance of “remorse” and “restitution” without further insight being gained by the relevant suspects under the authority, let alone by the authority itself.⁵⁹ See also the remarks above on how I understand quality education. For Socrates, I shall argue, there is a question whether anyone ever really knows *the* description under which an agent acted intentionally. Or, as we'll see Socrates himself putting it—avoiding any such language-relative notion as *the description under which*—there is a question whether anyone ever really knows just what the intention was with which a given person was acting when his or her action resulted in harm to others.

⁵⁸ *Apology* 31c-33a, esp. 31d-e, 32e. See also Penner (2000).

⁵⁹ This is a point at which I worry about certain conceptions of restorative justice (on which see nn. 112, 113 below)—where the emphasis is on repentance and admission of guilt to, and remorse for, actions the convict himself does not yet fully understand. See, in this connection, the terrific remarks of the character “Red” (Morgan Freeman) to his parole board, in the film script by the director, Frank Darabont, for Stephen King's novel, *The Shawshank Redemption*. Those remarks—not present in the Stephen King novel the movie is based on—were, for me, the high point of the film. The remarks can be found on screens 37 and 38 in Darabont (1994).

I now turn to the way I think the historical Socrates would have gone about answering the Socratic-style question, “What is an intentional action anyway?”, in opposition to the answer given by UDT.⁶⁰

5.5 The Socratic Psychology of Intentional Action

Why do I think Socratic Intellectualism gives us a superior view of what intentional actions are, and of what brings them about?⁶¹ In the present section, I present three of four intellectualist assumptions that I believe are implicit in the Socratic psychology of intentional action. I postpone presentation of a fourth—and crucial—intellectualist assumption to the next section. Merely with the first three intellectualist assumptions, I suggest that we can find at least three different ways of bringing out how the intentions with which people act are far more complex than anything ever envisaged, either by legal systems or by moral systems, or indeed by philosophers persuaded by UDT. Once I have deployed the fourth—metaphysical—assumption in the next section, I suggest that we can find a fourth way of seeing how the intentions with which we act are even more complex. The result will be, as I have already suggested above, that *none of us ever has the faintest idea of just what it is that we are intentionally doing*.

On that basis, I shall argue for the following two Socratic conclusions, already introduced above (Sect. 5.3, end). The first is that

P-1. Legal (or moral) punishment is never *justified*.

The second is that

P-2. Punishment never does anyone any *good*—whether it is the person punished, the person or persons who do the punishing, or those in whose supposed interest the punishment is carried out.

⁶⁰ On Socratic-style questions, see n. 39 above.

⁶¹ If it was not obvious from my presentation of Socratic ideas above, let me say now that I shall not do here what I have done in almost every other publication of mine. For I shall not attempt to build up to what Socrates thought from examination of particular texts. Rather I shall start from conclusions I have come to on the basis of such past work, and try to present those conclusions in such a way as to point to the places where we see that what he has to say about punishment and education via conversation is vastly different from the much later pragmatic approach of UDT. (Evidently, Socrates nowhere discusses any kind of theory of the sort of UDT).

For the textual evidence as to just how Plato seems to have seen the historical Socrates as presenting his view of intentional action, see Penner (2011) (which argues from a great many of the relevant texts) as well as Penner and Rowe (2005, chapters 10–12). Socrates was obviously not in the business I am engaged in here, in presenting Socratic Intellectualism in contrast with twentieth century views. It is for that purpose that I make many of the arguments in this section, thinking that, by making the arguments in my own way, I can best bring out how Socratic thought differs from the pragmatism of such important thinkers as Anscombe and Davidson.

If these surprising conclusions are correct—and *not* the rather lazy conclusions (as Socrates would have seen them) at which our social systems and their defenders arrive at—then the unequal administration of punishment will fall even lower both on the scales of justice and on the degree of benefit to humanity than my present brief recitals of inequalities has already suggested.

The first intellectualist (psychological) assumption generalizes on the example of the father referred to above who stole to feed his starving son. This assumption claims that

SOC.INT-1. Underlying even the most simply conceived intentional action, there will *always* be a means-end structure.

This is because every intentional action—every action done with a particular intention—has a *point*. The point of the action will be the *end*, while what we have decided to do in order to gain that point will be the *means* the agent selects for gaining that point.⁶² In fact, should there be no *further* end involved beyond the *immediate* point of the action,⁶³ it would be reasonable to suppose, so far, that the agent would select this action believing it to be the *best* means to that immediate end that is available to him or her *in the circumstances*.⁶⁴ On the other hand, if there is a *chain* of means to the end, then the agent will, on this view, do that action which he or she believes to initiate the best available *chain* of means to the final end.⁶⁵

I turn now to the second intellectualist (psychological) assumption. This assumption will lead us to identify where the means-end chain stops at a quite different point from simply a pragmatically determined cut-off point in the explanation—that cut-off point, based, roughly, on the notion expressed in “Ah, now we know what he was doing.”⁶⁶ This second assumption involves an implicit Socratic theory of personal identity that Socrates appears committed to—as almost all of the rest of us are. It’s this:

SOC.INT-2. One will not do a given intentional action, without *taking it for granted* that, in so acting, *no hitherto unknown seriously harmful consequence is likely to result for oneself from the action at some later time in one’s life*.⁶⁷

⁶² I think I first came on this point decades ago in remarks of one of the teachers who most influenced me, John Ackrill.

⁶³ Some will object that there are cases where we do an action “just for its own sake,” and without there being any further point to the action. I speak to this objection in the next paragraph in the main text, as it relates to the second intellectualist assumption (SOC.INT-2), along with n. 70.

⁶⁴ Adding “in the circumstances” is important. Other actions might have been better or as good, abstractly speaking, but if they are not to hand, they may be worse in the circumstances.

⁶⁵ See Sect. 5.6, seventh paragraph, on how choosing a *best means-end chain to the final end* differs from choosing a *chain of best means to ends terminating in the final end*.

⁶⁶ See, Sect. 5.5, from the twelfth paragraph on, where Anscombe short-circuits her own notion of *the* description under which an action is intentional by means of a pragmatically determined “desirability characterization.”

⁶⁷ It is only less dramatic that one takes for granted that there is no future great unknown benefit that one is missing out on.

Here there is no time limit, short of the moment of one's death, on when any such harm may result. In Socratic ethics, as in Socratic anthropology, our identity over time as *same persons* is no mere detail. We see ourselves as beings that will persist into the future. Here I shall simply presuppose that this claim about our identity as human beings is correct—and reflective of the views of Socrates. Given that presupposition, it will be no surprise if what we care about is gaining the best balance of good over harm that is available to *that self of ours that extends into the time right up to the moment of death*, starting from the circumstances we are in now.⁶⁸ The relativity, to our present circumstances, of what it is best for us to do now, is important here. In our actions we do not—pointlessly—desire the greatest good there could possibly be. We desire the greatest good that our present circumstances allow.⁶⁹ That is, we always have one eye open to our own maximum available long-term good (however short that long term may turn out to be), given where we are now. In each intentional action, we are always, at least implicitly, looking to our own available good taken over the whole of the rest of our lives. That is, the rest of our lives is always an implicit consideration in our present intentions.⁷⁰ Thus, had Socrates ever encountered the dictum *respice finem*, he'd have taken it as saying not "Look to your death" or "Look to the afterlife," but "Look to your good over the rest of your life."

Let me be clear about what I am proposing here in my talk about what an agent *takes for granted* about the rest of his or her life. I am saying—in anti-Protagorean, anti-Humean mode—that there is more to the intention with which someone acts than simply "what the agent is fully aware of intending" at the moment of action. As a result, I am refusing the suggestion that there is such a thing as a self-aware accused who *knows* the intention with which he or she acted at the moment of action, as per the "inside-outside" view—so that adversarial legal proceedings are supposed to give some promise of revealing, from their pressing on what the agent thinks he or she intended, whether the agent is guilty or not guilty. On the Socratic view, it's not that simple.

Put in another way, it is my view that the suggestion of there being an *inside* to an intentional action fully known to the agent, as well as a not fully known *outside*

⁶⁸This position is flagrantly in conflict with the position of those philosophers, such as Henry Sidgwick (1907) and Thomas Nagel (1970), who, in defense of pure altruism will argue that we have no more reason to seek our own future good than we have to seek the good of others. See Penner (2005a, note 43).

⁶⁹It is worth noting that Aristotle's brilliant account of happiness in Book I, and in Book X.i-v of the *Nicomachean Ethics*, is couched in terms of *ideal* happiness, instead of the maximum of happiness available in one's present circumstances. See Penner (2011, pp. 265–6, 276–7).

⁷⁰This rules out the suggestion I worried about above in n. 63 to the effect that some intentional actions are done "for no reason" or "just for their own sakes." To use an example I have been using for years,—"Why do you want to go skating?—No reason.—Have you forgotten your parents are calling from Antigua in about 20 min time?—Oh, yes, you're right. I'll go another time. The point is that in saying there was no reason, I was also implicitly saying I could see no immediately future reason why this wouldn't fit pleasantly into an okay future. Such was the defeated reason I had beyond just going skating. Thanks to my questioner, I see that my action had a projected end that I was making a mistake about.

to the intentional action, is an untenable dualism. As I see it, there is no such thing as full awareness of our inner states—in particular, of those of our inner states that are precisely directed to something outside of us (whether or not we are *right* about the outside part that we think those thoughts are directed towards). This is shown in particular by, among other things, both double-takes and things one later recognizes one has been taking for granted or even things one only later realizes one was aware of before. All there is by way of awareness of our inner psychological states is varying degrees of awareness short of complete certainty on the one hand, and complete lack of awareness on the other.⁷¹

This assumption about our personal identity with ourselves-over-the-rest-of-our-lives brings out the way in which Socratic Intellectualism strongly disagrees with even the structural variant of UDT. UDT is prepared to stop, in projected means-end sequences, with any contextually sufficient “desirability characterization,” as given by the place where people generally cease feeling the need for further explanations as to why the agent is acting as he or she does.⁷² By the lights of Socratic Intellectualism, this does not go anywhere near far enough in grasping just how far projected means-end sequences must reach into the future at the time of action. In fact, once we reject this idea of pragmatic cut-off points, it becomes clear just how difficult it will be to figure out just what the agent believes at the moment of action. So too for the intention with which the agent acts.

It will already be evident, just from these first two intellectualist assumptions, that what the intentions are with which people act will be far more complex than is usually supposed. But before I take up this question of the complexity of the intentions with which we act, I must admit to there being a third intellectualist assumption that is not quite explicit in (SOC.INT-2). This implicit assumption may, at first sight, seem very unattractive, since it can give the strongest impression of being questionable, or even immoral. Yet it could easily be glossed over in the way I have formulated that second assumption; and that is something I do not wish to do. This third intellectualist assumption is that the good and harm that is in question when Socratic Intellectualism speaks of long term individual good or harm at some later time in one’s life, is the good of, or harm to, that individual *himself* or *herself*. That is,

SOC.INT-3. All desire that, together with the agent’s beliefs, brings about an intentional action, is desire for the agent’s *own* maximum available long-term good.

In other words, *all intentional action is in this way self-interested*.

But before we are too much scandalized by such a thesis, let us understand it clearly. The thesis in no way denies that people sometimes act in the interests of others. To think that is to confuse always acting in pursuit of one’s own good with the

⁷¹ As Camus (1946, p. 10) writes: “... and just then it struck me that for quite a while the air had been throbbing with the hum of insects and the rustle of grass warming up.” This example brings out another huge difficulty for the idea of our having incorrigible knowledge of our own inner psychological states: that consciousness of something never involves more than a greater or less degree of awareness of one’s own psychological states.

⁷² Again, similarly for Davidson’s many “pro-attitudes.”

singularly foolish policy of always acting selfishly—that is, always acting without any care at all for the good of others.⁷³ This policy is foolish, first in the way already indicated above where I speak of educating “our children” and the “six degrees of separation” between others and ourselves. Which such child, turned by ignorance or desperation, can we be sure will not harm ourselves or others we care for or those that those we care for care about, . . . , and so on? And which uncaring act of ours, witnessed by some of those we care for, mightn’t have consequences that would appall those we care for, and so make them less open and less trusting of us? Then there is the issue of whether anyone is likely to think they are living a good life, if there are not those closest to them for whom they care? I say this, even of those proponents of unlimited and free enterprise that are uncaring for those viewed as unproductive. Is there anyone who does not (rightly!) regard it as a good that they secure the good of those they care for? For those proponents of extreme economic inequalities that I speak of, this class of others cared for will surely include almost all of their families (excepting, no doubt, where those families are dysfunctional—and so, in any case, rather unhappy); friends of members of their families; the people they enjoy being with and learning about; at least some of their neighbors; the parents of friends of their children; friends of their own parents; just about any small child; those whose success against the odds brings joy to almost any observer; people they see in trouble and that they can help without significant harm to themselves (a universal human impulse, surely), and so on. The list could be expanded to our greater good if we are alert to the arising of new opportunities for caring and friendship. Socrates takes it for granted that the good of others is part of his own good.⁷⁴ What humans, one may ask, however tolerant of extreme economic inequality they be, do not *need*, for their own long-term good, this care for others, and the care and love of others? I have not even counted in here what one gains in mere quid pro quo benefit from others one has benefited. Even conferring benefits is not a

⁷³ Imagine the sheer thoughtlessness of a parent, as his or her child enters first grade, giving the child following recipe for success: “cheat in exams, steal, and beat other kids up—wherever you can get away with it.”

⁷⁴ It will not have escaped notice that the above argument is not found in Socrates, any more than the kind of argument we canvassed above, that may suggest that harming others may not be that good for oneself. Socrates himself shows very little anxiety to provide arguments in favor of the thesis that harming others will in the end bring harm to oneself. What we have in the texts seems to be as follows. First, at *Apology* 25C–26A, Socrates argues that to harm those around one is to gain harm from those one has made worse. Second, at *Republic* I 335B–336A, he argues that it is not part of the function of a good person to harm others and so make them worse.

This latter passage is often taken to be a pious reference to the moral principles of a good man. But the talk of function and harming the human goodness of others may well be of a piece with the passages on functional good and functional goodness introduced above (text to nn. 13–14), in which case the passage will be saying that harming others *will* result in harm to you.

Third, there is the argument already noted above that the quite different arguments of Book I and of Books IV–X of the *Republic* take it that on both of these different accounts of what Justice is—the Virtue that is Knowledge and the Virtue that is psychic harmony, respectively—the just person is happier than one who tries to get the better of others. For Socrates, to *understand* is always the best thing one can do in any given circumstance. For the Plato of *Republic* IV–X, it is a well-structured personality, in Aristotle, it is habit-ingrained character. Taking advantage of others doesn’t enter into it.

zero sum game. And consider the unhappiness of those who cut themselves off from all those who would stand by them in any situation in which they might need help.

At the very least, is there anyone of whom I could say in advance that my harming that person won't come back to harm me in one way or other at some time over the whole of the rest of my life?

But enough on the error of supposing that the good of others is no part of one's own good. Besides this error, there is a sister-error: confusing self-interest with *short-term* self-interest. (The unthinking "Oh, we can take care of, or ward off, the unfortunate effects of the harm we are doing here at some later time." Cephalus' thoughts, at the beginning of Book I of the *Republic*, about the benefits of wealth to one who has harmed others, as the days of judgment approach, are barely on the periphery of the problem).

Socratic Intellectualism has nothing to do either with selfishness or with one's short-term interest: only with one's own (available) good over *the rest of one's life, given where one is now*.

It remains true that this insistence on constantly retreating to the agent's own good over the whole of his or her own life is in conflict with the account of (UDT) above, concerning the plural desirability characterizations that yield pragmatic cut-off points.⁷⁵ But it is also in conflict with many other views that would also be anti-Socratic—if any account were ever taken of Socratic thinking about the human good. Alas, I have no room to discuss these here.⁷⁶ My aim can only be to describe the Socratic position clearly enough for those who reject it to reject it in an informed way.

⁷⁵ And plural pro-attitudes: see n. 56 above with nn. 44 and 72. These pluralities all invite the idea of the incommensurabilism of "values." It is worth noting, however, that Davidson (1970) at least seems to take a rather different line on pro-attitudes from that with which we have been concerned mostly in this essay. For in Davidson (1970; quoted in Davidson 1980, p. 21), he speaks not of acting counter to one's pro-attitudes, but as acting counter to "*one's best judgment*" ... as to what he "believes, would, everything considered, be better." (Here it *begins* to look as if all the many pro-attitudes seem to reduce, as in Anscombe, to desires for what the person thinks best—even though Davidson wants "judgment" to be hospitable to evaluative or prescriptive uses of "judgment" as much as for cognitive uses).

⁷⁶ Among these views are included at least the following: (a) religious and moralist positions that put the good of others actually *ahead* of one's own good (as in treating self-love as a sin and selflessness as virtuous); (b) the Aristotelian view, derived from the parts-of-the-soul doctrine of Plato in *Republic* IV, that there are actions caused by irrational desires contrary to the agent's desire for good that are nevertheless voluntary and so justly or usefully punished—here we are in the area of punishment as conditioning; (c) the view of Hutcheson, Butler, Hume, Mill, Sidgwick, and Feinberg, according to which humans sometimes act from pure altruism. In connection with this pure altruism, I note here that this supposed pure altruism had better, in the manner of Kant, be of a kind that gives the agent no increment to the pleasures of caring for others, lest the sympathy, benevolence, or altruism be of a kind that will once more prove to be a benefit to the agent himself or herself. Benevolence or self-sacrifice that brings the agent joy or the avoidance of what would be even worse for them is, on *this* view, not as convincing as *pure* altruism. On Kant, see Penner and Rowe (2005, pp. 214–215).

I personally regard it as a relief to not have to expect from myself or others what is morally or legally required, what is selfless, what is purely altruistic, or the qualities of those mythically

5.6 The Complexity of the Intentions with Which We Do Actions

Postponing for the moment the fourth and most radical intellectualist assumption, we are already in a position to draw a few conclusions about several ways in which an answer to the question “Just what intentional action is it that this particular suspect has done in this particular case?” can become far more complex than it appears to be on the surface—even to the agent himself or herself.

Here is a first way of seeing how questions of intention can be far more complex than anything the Under-the-Description theory delivers. I start with the question “Why is bringing into consideration the whole of the rest of an agent’s life important? Does the whole of the rest of an agent’s life *really* figure into anyone’s calculations as to what to do?”

It does in this way. We all know that there are innumerable features of the circumstances in which an action is done that we do not explicitly consider, but that we do in fact take for granted. We take these innumerable and various features of our circumstances for granted when we take it for granted that it is sufficiently improbable that any unforeseen disaster will later occur to us as a result of what we are doing in acting. This includes even disastrous results that occur to us *much* later. This is essentially the same thing as taking it for granted that it is sufficiently probable that there is nothing about all the actual circumstances of the action that will later lead to disaster. In acting, it is pretty much forced on us that our estimate of the innumerable circumstances of the action, at the moment we act, sufficiently probably gauges correctly what the circumstances *are*, for purposes of doing one action, or another action, or doing nothing at all. But if these innumerable circumstances constitute an implicit part of the belief with which we act, and if certain crucial implicit beliefs about those circumstances *may be false*, then the following possibility arises: that not being in intellectual command of the whole truth about these circumstances (including, therefore, where our own long term good lies), we don’t know *just what it is we are intending to do*.

Consider a youth in difficult circumstances, who, for \$500, engages in a collection activity for a drug lord. This youth has an even younger partner in the crime who becomes uneasy when he sees that the first youth is packing a gun. So the first youth says to his younger partner—as he has no doubt been saying to himself—“Look! If we just do this, we’ll be on easy street; and I won’t have to use the gun.” This youth certainly has a false picture of the probabilities as to just what his circumstances *are* and as to just what it is that he is going to do on easy street, 2 weeks

saintly beings who are saintly *by nature*. (On “saintly”, see the treatment of a similar example in Nietzsche 2003, III.13, p. 86, where Nietzsche says of this example that what we have here is “a mere word jammed into an old gap in knowledge.” See also Christie on “crime” in n. 93 below). I prefer the ground to be even between myself and others. Nor am I anxious that those I care for most, should put the good of others ahead of their own—rather than acquiring the perception (to be found only in the finest and wisest of human beings) of how very much of one’s own good comes from the good of those around them. For more on morality, see Sects. 5.1, [fifth last paragraph](#), and the concluding paragraphs of Sect. 5.9.

after he (supposedly, successfully) carries out the collection activity.⁷⁷ He and his younger partner clearly have no idea of just what it is that they are going to do.

Even for those who insist that *some* punishment is required in such a case, it can hardly be denied that here there is also a case for attending to the balance between the need that the offender be punished and a serious need for the offender to see things rather more clearly. In such cases, the second Socratic epigraph to this essay, about the need for punishment vs the need for the accused (if not the accuser!) to see things more clearly, seems entirely appropriate, especially when one considers youth crime.⁷⁸

Here, in the area of one's estimates of one's circumstances and their bearing on the rest of one's life, we have a first place where authority might well watch out for mistakes it itself is making about the intention with which a given suspect has acted. (And let us not forget the question of what the intention is with which the authority itself is engaging in its punitive endeavors).

Now for a second way of seeing how much more complex it can be to determine the intention with which someone has done something, than it will be according to the Under-the-Description Theory. Consider my speaking above of the (best available) *means-end chain* to the final end, rather than of a sequence of best means to the final end. My point here is that in deciding what a best available means-end step *is* at any point in any chain of means and ends, we are only assured of making the right choices if we work *top-down*. That is, a chain consisting of action *A* to be done now as means to *B* as means to *C* as a means to *D* as means to final end *E*, will not have been produced by first looking for the best means to *B*. For action *F*, not at all the same means as *A*, might in fact be a better means to end *B* while, at the same time, *F* would frustrate gaining *E*. So we must start with determining whether to choose *A-B-C-D* as the best choice of means-end chain to *E*, then go to *A-B-C* as the best means-end chain to *D*, and so forth. But this process is bound to discover other means to *D* while perhaps discovering that *C* cannot be reached from where we are now. And this is even aside from discovering new obstacles or opportunities in our exploration of *what is a means to what*. Calculation and recalculation will be the order of the day. Each new discovery more or less sends us back to square one. It is not a step-by-step procedure.⁷⁹ In the end, one works back and forth between *E* and

⁷⁷ The example is from Jake Goldberger's (2013) film about the legendary ex-convict high school chess-teacher, Eugene Brown, *The Life of a King*, with J. Cuba Gooding, Jr.

⁷⁸ See the passionate and arresting rhetoric, penetrating analysis, and moving stories throughout Jerome G. Miller's *Last One over the Wall: The Massachusetts Experiment in Closing Reform Schools* (1998, esp. pp. ix–xiv, 55–80, 191–198, 229–239). The book describes what Miller—surely rightly—sees as the need for one-on-one and small-group conversation with those who have been labeled “juvenile offenders.”

I might add that anyone who feels some sympathy with the efforts of Miller with respect to juveniles may be brought to reflect that many poorly educated men and women in their 20s and 30s are just slightly older juveniles that need understanding rather more than they need (or are owed) punishment. Miller's ideas fit right in with those of Darabont's “Red” above, n. 59.

⁷⁹ As Mike Byrd points out to me, the process of finding a best chain of means to a final end will be what logicians and mathematicians call “non-monotonic.” The remarks above about returning to

various choices of *A*, *B*, *C*, and *D*. This kind of complexity makes it very easy for people to work on false assumptions in acting. But working on a false assumption about circumstances is not in general considered grounds for accusation, conviction, or punishment. What is needed in such cases is not punishment but a clearer intellectual grasp on just what the situation is in which one is acting, and on just what it is that one wants oneself. Once more advertent to the second epigraph to this essay, even if the mistakes result in harm, how exactly are we to punish someone for intentionally doing something where he or she had no idea just what he or she was doing?

Now for a third way to see how intentions can be far more complex than philosophers usually suppose. Consider the thought-processes that will be involved in the interval between (i) the moment when one decides that the time for action is at hand and (ii) the actual moment of action. Two kinds of beliefs that will be involved in these thought-processes are: (a) beliefs about particular circumstances involved in the situation faced and (b) general beliefs about what is good for one, over all, where the totality of general beliefs will constitute the agent's *theory* of his or her best action—the action that achieves the greatest available balance of good over harm, taken over the rest of his or her life, starting from where he or she is now.

In Socrates' case, these *general* beliefs would include at least the kinds of beliefs we have been speaking of—that *Virtue is knowledge*; that *No one errs willingly*; that *All desire that results in intentional action involves desire for the maximum available balance of good over harm taken over one's whole life, given one's circumstances*; and so forth. This list also includes beliefs about things that are *generally* means to one's over all good, but *not in every case whatever*—*prima facie* goods, such as health, wealth, looks, food and drink, and friends. These latter beliefs, properly used, will be beliefs about what *prima facie* goods would be over all good in what kinds of situations. For Socrates, wisdom—the knowledge which is virtue—is unlike these *prima facie* goods. This is because wisdom is the only means to happiness that bids fair *always* to result in one's doing better in one's circumstances. Socrates expresses this point by saying that wisdom is the only thing “good in itself.” (In Socratic writings—as opposed to the writings of Kant and other moralists—the reference to things being “good in themselves” is thus *not* to be taken as any kind of reference to what is morally good. Socrates is the one philosopher of classical Greece for whom there is no such thing as the moral good).⁸⁰

square one also apply to the addition of new evidence to probability estimates, as well as to clashes of a scientific theory with “recalcitrant experiences” or to clashes *between* scientific theories.

⁸⁰ It is sometimes said that neither Plato nor Aristotle nor any other ancient philosopher believed in the moral good. See, for example, Anscombe (1958b, 2nd paragraph) and Williams (1993, pp. 5–9). I say that anyone who believes that punishment or blame is ever appropriate—as does Aristotle, and perhaps the mature Plato—believes in the moral good. (On Plato, see Penner 2005b, pp. 158–159). For reform and deterrence are both so obviously ill-served by punishment that the thought must occur that defenders of punishment or blame are probably supposing that punishment is *deserved*—the quintessential moral notion. (I have childhood memories of adults around me frequently invoking the phrase “It serves them right” when something went wrong for someone of whose actions they disapproved.)

Let me return now to the interval leading up to an intentional action. At any given moment during this interval, certain beliefs about particular circumstances and certain general beliefs will be salient, while others will be more in the background. Characteristically, the noticing of a new or previously unnoticed circumstance will stimulate attention to general considerations not previously salient, which will in turn characteristically lead to the noticing of further particular circumstances, which will in turn ... This back and forth may eventually lead to an equilibrium if all of the beliefs involved are *true*. But suppose that one general belief is false. (I set aside here false beliefs about particular circumstances. They are an inevitable hazard, however wise or foolish an agent is. Mistakes about particular circumstances are not generally judged to show defects in one's intentions, any more than they are generally accounted errors that are intentional).⁸¹ Operating for the moment with the usual assumptions about beliefs,⁸² if one general belief is false, and if that general belief contributes to the decision in a particular case, then one is likely to get a mistaken intentional action as a result, whereas if the one false general belief does *not* contribute to the decision, we may get quite another intentional action that is not in this way mistaken. So if one doesn't know which of one's general beliefs is false, it can happen that, even at the moment when one is about to do the best action, based on true general beliefs only, the noticing of a circumstance that awakens the *false* general belief can lead one to shift, away from the right decision about what to do, to a wrong decision.

If one's general theory of what actions it is best to do contains at least one false general belief, that theory does not constitute knowledge of what actions it is best to

The *political* alternative to moral justifications for punishment and blame will be to treat offenders as hostiles, allowing one's fear for one's own skin to do any amount of locking away of those seen as enemies, while denying that *such* offenders are part of one's own society. None too attractive an alternative.

⁸¹ Aristotle (*NE* III.1 1110b28-1111a25) contrasts ignorance of particular circumstances that make the action involved involuntary with "ignorance in the choice," that is, ignorance of what one should be doing or of what kinds of things are good. These latter forms of ignorance, Aristotle holds, are the signs rather of vice or wickedness of one or another kind. Aristotle is plainly supposing that knowing what kinds of things are good is easy enough to see—in Rawls' terms (see above) they could be so promulgated that everyone would be aware of what kinds of things are good and what kinds of things are bad, so that they can be sanctioned if they do bad acts. Socrates would have regarded such a limited view as hopelessly inadequate. *Nothing* is ever easy in determining what kinds of things are good, in what kinds of circumstances.

⁸² See nn. 11, 46, and 54 above for some doubts about any logic-based general notion of the propositions that are taken to differentiate one belief from another. A decent account of the individuation of beliefs about the actual world is still wanting, though holists have a better idea than those (some-time holists themselves) who operate with the propositions generated by some single (presupposed) language-relative notion of logical consequence. Another approach might be this: to start on the question of the individuation of beliefs from what emerges from Socrates' questioning of his interlocutors. After such questioning, the interlocutors regularly realize how little they know about *just what it is that they do* believe. In my view, Socratic dialectic tends to show that people hardly ever have the idea of just what they believe, and only begin to have a *better* idea once they have gone through some pretty wide-ranging Socratic dialectic. Which is not at all to deny that, often enough, we all have a very rough idea of *something like* what we believe.

do. For if there is no telling in advance which general beliefs will be involved in one's constantly changing view of the circumstances in which one must act, *nothing* in the theory can be said to be known. As one notices different particular circumstances in one's survey of the situation in which one has to act, and different general notions are prompted, so will different general beliefs be prompted. With this instability in what general beliefs are activated, at least one of them being false, comes an instability as to what particular action is to be done. Looked at in this way, it will turn out that such general theories of the good are themselves unstable—liable to give different answers depending upon what aspects of our particular circumstances force themselves on us. This *is* the instability of mere belief (belief that does not rise to the level of knowledge) that Socrates says flows from not having knowledge—from ignorance. With this instability-from-ignorance Socrates explains both the experience of *being overcome by pleasure* (intemperance) and the experience of *being overcome by fear* (cowardice). The stability of the ideal *knowledge* of which Socrates says that no one has it, constitutes its strength against temptations to be overcome by any of pleasure, *thumos* (anger), *erôs* (sexual longing), or fear. That is, the way in which knowledge is something strong is that it is *intellectually* strong: it is not *intellectually* thrown off by misleading appearances. It is not a matter of knowledge having some motive-force (as some suppose).⁸³

What all of this tells us is that, unless one has the knowledge of the Good—which no one has—there is a complexity to our forming of intentions that flows from the presence of any one false general belief about the good. Any change in one's perception of circumstances may at any time activate a false general belief and result in a suddenly changed decision as to what to do.⁸⁴

⁸³ Until we come to the parts of the soul of *Republic* IV–X, knowledge of the good and the bad is a (stable because ever judicious) state of soul, not a motive-force. See the implausible motive-force reading of *Protagoras* 356A–E in Brickhouse and Smith (2010, pp. 70–88), an account that they seem to derive from Devereux (1995). On the stability of knowledge, and the instability of even true belief that is not knowledge, see, especially, Penner (1996, 1997). On the connection of this topic with the unity of Virtue, see Penner (2005a, pp. 34–35, 29–33), where I offer an account of Justice as that utterly stable knowledge that constitutes its strength against intellectual temptations to believe that one's long-term good will be served by trying to get the better of others—in strict parallel to Temperance (where the same intellectual strength enables one to resist the intellectual temptation to believe that certain bodily pleasures will serve one's good) or courage (where, again, the very same intellectual strength enables one to resist the intellectual temptation to suppose that running away from certain dangers will serve one's good)—the same knowledge of the good and the bad in every case.

⁸⁴ In these circumstances, one's thought-processes in arriving at a decision as to what to do will again be non-monotonic. As for Socrates' account of this shifting back and forth in what one decides to do (changing “up and down” in what one decides, in the proverbial Heraclitean mode of speech), see my remarks on this up and down movement at *Protagoras* 356C8–E2, in Penner (1996, 2011, pp. 262–3, 272 note 20, 280 note 32).

It was in fact the brilliance of Socrates' discussion of how mere beliefs about kinds of good and pleasant things—even when true—are weak, and knowledge about such things is strong (that is, intellectually stable), that set me onto exploring various ways in which complexity enters into the intentions with which people do things.

This third way in which the intentions with which one acts are more complex than usually supposed, would hold, even if one's ultimate end were merely what one *thought* was one's real good, and even if what one wanted to do were merely what one *thought* was one's *really best* action. (Though perhaps even here talk of *knowledge* of the good shows the *real* good peeking out.) Let me anyway now introduce the ideas of the real good and the really best action more explicitly.

5.7 The Fourth Intellectualist Assumption: Metaphysical Realism About the Good that Everyone Desires

I have already spoken above of Socratic metaphysical realism—of Socrates' insistence that the good (or end) that people seek in their actions at any given moment is their *real* good, even if what that real good is should be quite other than what they *think* is their real good. If Socrates is right to insist on the place of the *real* good in agents' intentional actions, this will give us an additional way in which complexity enters into the intentions with which people act. First, then, some remarks about the metaphysical realism of Socrates' psychology of intentional action. Then, some remarks about the resulting additional complexity of the intentions with which people act.

As for my remarks just now about the instability that false general beliefs about the good bring to one's deliberations, it is evident that the agent is seeking *true* general beliefs about the good and *true* particular beliefs about circumstances. In spite of this, many who speak easily of truths about the good, still think that the good we desire as our end is always the apparent good—what I *count* as good, or *believe* is good. And from here, we too easily fall into talk about “values” (about which there is to be no disputing). What I have to say about the real human good here is designed to make sure that no one makes that mistake about what Socrates has in mind.

In accordance with my earlier remarks, I shall use the following abbreviations in the sequel:

REAL-GOOD. An agent's “real good” at a given moment = *the really best balance of good over harm, taken over the rest of his or her life, that is available to the agent at the moment of action, given his or her present circumstances.*

BEST-ACT. The “really best” action at a given moment = the action at that moment that in fact initiates the really best means-end chain to the agent's *real good* at that moment⁸⁵—even if the action in question is quite other than the action he or she *thinks* is the really best such action.

⁸⁵ That is, as per the abbreviation just given, *the really best balance of good over harm over the rest of his or her life that is available to the agent at the moment of action, given his or her present circumstances.*

All that the second abbreviation does is to make clear that it is the nature of human beings to desire to maximize their good or pleasure (happiness)⁸⁶ *by means of their intentional actions*. In this, the human being is unlike the proverbial oyster (I make no attempt to speak of real oysters). The proverbial oyster desires—or at any rate longs for—only its own maximum pleasure, without there being any desire to realize that maximum by its actions. Evidently, I am taking it that merely felt desires (as well as mere thoughts and phantasies) in a person, when they do not bring about intentional actions, bear little relevance to human goodness or the human good.

I now embody this metaphysical realism in a fourth assumption of Socratic Intellectualism. This is that

SOC.INT-4. (a) Whenever at a given moment I do an intentional action, the desire that generates that action always takes the form of wanting to do *whatever* action available in the real world is the really best action, *even if that action is other than* the action that I think is the really best action and that I do. In addition, (b) it is part of a desire to do an action in the real world, that I also want the action I do to be the action *as it is in the real world*, and not the action that I may think it is.

Part (a) of this assumption involves a metaphysical realism about the good that I desire. Part (b) of this assumption says that even if I didn't want to do the action I actually did (since it *wasn't* really best), I still wanted it to be the case that whatever action I did should be that action *as it is in the real world*. This is so, even if the action I do, and the real world in which I do it, is other than I think it is. Oedipus' intentionally marrying the Queen of Thebes is his intentionally marrying the Queen of Thebes as she is *in this world*. Accordingly, his intention to do the really best action available is *not* the intention to marry the Queen of Thebes *as she is in some dream-world of his* (where, say, his mother is the Queen of Corinth and not the Queen of Thebes). It is a desire to marry her as she is *in this world*, even if the way it is in the real world is other than he thinks it is. That is Oedipus' tragedy.

This gives us the following explanation-schema for the belief-desire generation of all intentional actions at the moment of action:

DES. At the moment of action, I desire to do *whatever* is the really best available action, even if that really best action is other than I think it is.

BEL. I believe that the really best action = *this* quite particular action, as it is in the real world, even if the action is other than I think it is.

So,

ACT. I do *this* quite particular action, as it is in this world.

A few comments on this explanation-schema. First, notice that the desire premise, (DES), embodies the metaphysical realism about the good that we have in clause (a)

⁸⁶ In my 1997, I argue that *Protagoras* 351B-357E (on being overcome by pleasure) with 358A5-C3, 359E1-360A8 (on being overcome by fear), in effect, uses maximum available *pleasure* interchangeably with maximum available happiness (or good); and that in this, the Socratic view shows the same instincts as Aristotle has about pleasure, where the logical form of (ideal) happiness (a certain unimpeded *energeia*) is of the same logical form as a pleasure generally. For Xenophon's Socrates sometimes using pleasure and happiness interchangeably, see *Memorabilia* IV.8 6-7.

of (SOC.INT-4), while (BEL) embodies the metaphysical realism about the action done in the real world that we have in clause (b) of (SOC.INT-4). Second, the desire-premise (DES), if it is to produce all intentional actions ever done, must contain the variable *whatever*. (More about this *whatever* below). The point for the moment is that the desire is not yet directed onto any one quite particular course of action. Third, it is the function of the agent's belief at the moment of action to supply this direction onto the world that the agent's generalized desire for *whatever* is the really best action cannot supply. Supplying this direction onto the world is what beliefs are *for*! Thus the result of any number of implicit calculations based on whatever beliefs might occur to an agent as he or she tries to decide what to do in the period of time immediately preceding the moment of action, yields the following belief *at the moment of action*: that *this* particular action, as it is in the real world, is the really best action. The result is that when the moment of action comes, this direction onto a quite particular action is, so to speak, "fed into" the variable "whatever" in (DES), and the combination of desire and belief generates the agent's doing of this particular action.

These two forms of metaphysical realism—insisting that the action I *want to do* is the *really* best action, and insisting that the action I *do* shall be the action *as it is in this world*—seem to point in opposite directions. They seem to point in opposite directions whenever the identity fails between the really best action and what I *think* is the really best action. This occasions at least the following two difficulties.

First, there is the need to deal with the following argument put by Aristotle: when agents do actions that are *not* really best actions, those agents can't after all, be desiring their real good, but only their *apparent* good—what they *think* is their real good. (If the agent didn't *want* to do this erring action, why did he do it?) I have shown elsewhere the deficiency of this (behaviorist) argument. Briefly, the point is this: we cannot follow Aristotle in concluding from

DES*. I "want the good" and so "want to do the best action," and
 BEL*. I [falsely] believe that the really best action = this action

that (DES*) has to be about desire for what I *believe* is the really best action. For there is no difficulty whatever in taking (DES*) to be about desire for the really best action, since the error is entirely accounted for by (BEL*) misidentifying the really best action with the action the agent falsely believes is best.⁸⁷

The second difficulty of which I spoke arises from the following question: "How can someone want to do an action that may be totally unknown to the person? Surely you have to have some conception of the thing you want—you can't just give blank check to reality! But then, isn't that conception given by the description under which you want it?"

Let us consider. No doubt at the moment of action, I am acting in accordance with a *conception* I have of what the really best action is. That is, at the moment of action, I *think* that I want the result that I think that my conception will produce. If

⁸⁷ Penner (1991, pp. 192–201). The argument in this section is a simplification of the argument at my (2005b, pp. 172–80).

the full truth about what is true at the moment of action is given solely by the action my desire brings about at the moment of action, then perhaps the result that the objector seeks would hold. But let us look at the matter diachronically.⁸⁸

Consider the bearing on one's present desire to do whatever is really best, of the period leading up to, but not including the moment of action, during which I am trying to decide what action I should do. As soon as an unfavorable consequence of an action proposed within this interval appears within my reasoning, I immediately conclude that my conception, at that moment prior to the moment of action, did not single out the result that I wanted. So I say of this moment, retrospectively, that what I *thought* I wanted then is not what I *did* want at that moment. What I wanted then is closer to what *another* conception would have yielded that does *not* have this undesirable consequence. (This is on the reasonable assumption that, often enough, I learn something from the rejection of inadequate conceptions that will aid me to *view as tentative* the next conception I consider adopting).

Generalizing the point here, what I want, *even at the moment of action*, is revealed diachronically—from the bearing of the wider temporal context on what is true at this moment—to be the following: not what I *think* I want at the moment of action, but rather some ideal limit of successive conceptions of the really best available action, on the (dialectical!) assumption that, in general, successive conceptions tend to be improvements on previous conceptions. If, at the moment of action, I have to rest satisfied with my belief at that moment as to what is the really best action, that is just my taking a stab at what I really want. To say that *what I want at the moment of action* is given by *the stab I take at what I really want* surely doesn't seem right.

The ideal limit of which I speak—the really best action—cannot with safety be identified with any of the actions that one's conceptions deliver. The result is that the desire that results in action is not simply issuing a blank check. Rather the object of desire is given by what I have been calling an ideal limit of past thought-experiments on what conceptions deliver better or worse results. My desire to do the really best action remains an answer very much subject to continuing dialectic between various rival conceptions.⁸⁹ At the same time, that ideal limit does give a reasonable direction to our thought when we desire the real good. It is not a matter of being devoid of *any* idea of what it is that one wants: it is not a matter of giving reality a blank check.⁹⁰

⁸⁸ I have looked at *akrasia* diachronically in my 1996 in connection with Socrates' views on the instability of beliefs that do not rise to the level of knowledge—as per the last six paragraphs of the preceding section.

⁸⁹ I ignore here irrational pathologies that render a person unable to assess beliefs rationally—say, beliefs of the kind that are supposed to be generated by hypnosis, unbreakable mistaken associations of ideas, those kinds of punishment that set up some supposed analogue to a Pavlovian “conditional reflex”, or receiving a heavy blow to the head.

⁹⁰ For Aristotle's objection that if I *did* this action (the one that I thought best, not the really best action) then I must have wanted to do it, I should perhaps say the following. How the agent thinks of what he is doing is not that

5.8 Complexity and the Real Good

So far, then, I have claimed that *the action that I or anyone else wants to do is always the really best action*. I now turn to my promise to show that this fact brings with it yet another way in which the intentions with which people act may be far more complex than they are represented as being, whether it be in legal or moral systems, or according to UDT. How so? In just the way already indicated above in connection with the dialectical activity we perform engage in, in the period immediately preceding our actions, as we decide what to do. Once I decide that the moment for action, t , is at hand, I can never rest, at any moment $(t-\delta t)$, however close to the moment of action t , after having arrived at a conclusion at $(t-\delta t)$ as to what I *think* is the really best action. For it is the desire to do the really best action that is operative at any given moment during the period when the time of action is at hand—even if I have a false belief as to what that really best action is at that moment. That is, throughout this period of deliberation, (a) I will intend always to be as vigilant as I can be about possible errors in my belief as to where the really best action lies; and (b) I will probably always to some degree be acting under a misapprehension about what that really best action is. Thus it is that we get the constant adjustments I shall be anxious to make—at any instant in my preparations for acting, and even in the middle of acting—to change my estimate of what the really best action is from the action that I had *thought* was the really best action an instant before. If at the moment of action what I do represents a stab in the dark, it can hardly be said that this stab in the dark represents the intention with which I did the action if it misrepresents the desire, even at the moment of action, and if the action is solely the result of a false belief.

it is the action I think best.

Rather it's that

it is *the really best action i.e., this action*.

When this identity belief is false, the “i.e.,” so to speak, falls apart, and we have to ask: what is the default object of desire? Is it

the really best action that is *not* this action,

or is it

this action that is not the really best action?

The answer here is surely that

the default desire is the really best action that is not *this* action that is thought good.

At the same time,

the action that is *done* is *this* action that is *thought* good, and is not the really best action.

See, further, on this idea of instances of “i.e.,” that in certain easily realized circumstances “fall apart,” Penner (2005a, note 28, in response to Santas 2002), as well as the anti-Fregean treatment of false identity-beliefs in Penner (2013).

Incidentally, if I can worry about whether my present conclusion as to where my own good lies might be wrong, then it must be my own *real* good that I desire, not what I *think* is my real good. This is true even as I seem only to be changing one belief as to what is best for another belief as to what is best. The point is that the newer belief is one I think I have reason to regard as getting me closer to my real good than the preceding one. Those who object that it is psychologically impossible to act on a desire for good except by acting on the basis of one's desire for what one *thinks* good, are simply not thinking about the fear and trembling, and the readiness to adjust, with which the careful agent acts.

To sum up, then, on the complexity surrounding the intentions with which we act. In this lengthy treatment of intentional action, I have spoken of four different (no doubt inter-related) ways of thinking about the complexities that can arise in arriving at an intention to act. First, one's intentions always take for granted assumptions about the rest of one's life that are rarely explicit in what one *thinks* one's intentions are. Rather, one's intentions are implicit, and complex, concerning as they do the whole of the rest of one's life. Second, since somewhat long means-end chains will therefore characteristically be involved, a further, non-monotonic complexity will be involved in setting up such chains wisely. Third, the dialectic between general considerations and ever-new gestalts on particular features of the situation during the period leading up to action constantly invites reconsideration. And finally, the striving for what is really best, along with the striving for one's actions to be the actions they are *in the real world*, adds a fourth way in which the probability of one's intentional actions being based on at least *some* false beliefs is close to 100%.

It is only the slightest exaggeration, then, to say that, by the lights of Socratic Intellectualism, people virtually never have the faintest idea just what it is that they are intentionally doing. Is punishment therefore ever in order, even by current legal and moral standards?

5.9 Socratic Ignorance and a Conclusion

At *Apology* 25C-26A, Socrates in effect makes the following argument against Meletus, one of those who accuse him of corrupting the young. Suppose that

Ap-1. I did intentionally corrupt, and so did harm to, the young around me.

If so, I would have been ignorant of the fact that

AP-2. To harm those around me would result in harm to me.⁹¹

⁹¹ What Socrates says in this passage is, more precisely, that my harming the young will result in the young that I have harmed harming me. To use a point I have already made briefly above, I am evidently also adding into the equation any further harm, for example, that results from my harming the youth. (For example, harm from being seen by others as one who harms others, tends to make others less open with *me*, so that I lose thereby the counsel a greater openness would have

For

AP-3. No one ever wants to intentionally do that harming of those around him or her that will result in harm to himself or herself.

So,

AP-4. What the law requires of you, Meletus and of my other accusers, is that instead of dragging me into court as if what I need is punishment, you take me aside and converse with me so that I will learn better where my real good lies.⁹²

The above argument is entirely general, in the following way. If it works in the case of Socrates, it will work in the case of any other persons of whom it is true that, by ordinary current criteria, they have intentionally harmed another—and so have also been harming themselves. But then they clearly had no idea what they were doing. And there is no justification for punishing them for their ignorance. We (the punishers) should be taking them aside and (trying to) instruct them as to where their good lies.

It is true that the elephant in the room here is the idea that to harm another is to end up harming oneself. I do not expect people to accept this claim just because I

availed me of. In this connection, see my 2011, pp. 289–90, which asks the question *Just how are we to function with understanding in our lives if we have deprived ourselves of such counsel from those closest to us?*)

⁹²It might seem that this argument is a one-off, and that possibly Socrates was just making mischief here, and wasn't seriously claiming that the notion of legal responsibility is in serious trouble. But *Lesser Hippias* 371D–376B shows yet another bit of mischief-making that we can only regard as, at the same time, seriously intended. (See also my 2011, pp. 273–281, where, conversely, I use *Apology* 25C–26B as confirmation of my reading of the *Lesser Hippias* passage).

In the *Lesser Hippias* as a whole, Socrates starts from things Achilles and Odysseus say that turn out to be false, and concludes that Odysseus is therein a better person than Achilles. Why? Because Odysseus' falsehoods are intentional, while Achilles' falsehoods are unintended! This seems preposterous to Hippias, who invokes the legal system, saying that the law treats people more kindly who do bad things *unintentionally*. Socrates' reply? That a runner who loses a race intentionally will generally be a better runner than one who loses it unintentionally. Those who err willingly at a given function are better practitioners of that function than those who err unwillingly. Hence, given the function-theory of human goodness and the human good (above, Sect. 5.1, last nine paragraphs), if

- (i) being a good person is knowing the best means to the end of the one's own good,

and if

- (ii) no one errs willingly (intentionally) *about their own good*,

then

- (iii) it is true that a man who does bad acts willingly—if there *is* such a person—is a better man than the one who does a bad act unwillingly.

The wickedly inserted *if*-clause in (iii) here—the crucial move that Hippias simply doesn't see the importance of—in fact speaks directly to those in the audience who can *see* what Socrates is up to. Socrates is just saying, in a roundabout way that *no one errs willingly* (at gaining their own good) (376B4–6). Any failure in action is a failure due to ignorance of the science of the good. Hence what will be appropriate is not punishment but instruction! And in the *Apology*, the instruction would be from Meletus! Such mischief! See also the work cited in note 9.

say I have found it to be true in my own life. Alas, I cannot, in this essay, go beyond my remarks on this point in the passages above.

At the same time, if there is anything to those remarks, then the argument also has the following consequence: *that it is never in anyone's interest to punish another.*

It was just this Socratic argument—along with several others Socratic theses, notions, and theories—that led me to conclude that, though

(a) the Socrates who stayed strictly away from politics and the law courts, never took a stand about whether or not punishment would be needed if we are to preserve a desirable level of public order (as a means to individual good),

nevertheless,

(b) his own position on whether *he* should ever engage in punishing anyone was universally negative.

(Here one may think of the examples of the admirals at Arginousae and of Leon of Salamis at *Apology* 32A-E). As I see him, Socrates would have held the view that the best response to one person's harming another is Socratic conversations every day about the human good and about all the other kinds of questions Socrates raised. My deploying above of these views on individual human good, and on the extraordinary complexities involved in intentional action were, of course, in the service of just this setting one's face against punishment—again, at least at a personal level.

But what about the social, political and legal levels? Being at best highly reluctant to work within the confines of political philosophy, the realm of morality, or philosophy of law, Socrates would probably have been reluctant, in the way indicated above, to enter into questions of the compromises this negative attitude to punishment of any kind will have to make when forced within the confines of political, moral, or legal philosophy. The great Norwegian sociologist and criminologist Nils Christie, in effect, puts one such moral-political-legal compromise in the following sort of way: *What if those who have been convicted don't want to enter into "Truth and Reconciliation" conversations about what they have done? Surely in such cases, we'd be false to our own "values" to deny to them the "right" to the usual recourse to the courts and to legal punishment.*⁹³ Mustn't Socrates have a position on such questions?

⁹³ If Christie were to affirm this sentence in the main text, as a formulation of what he would say, he would not put either of "values" or "rights" in quotes. As I read him, he thinks there *are* such things as *values*—entities constructed by us—which are what they are regardless of any truth there might be about what is good; and he thinks there *are* such things as rights, though what *they* are is presumably merely what "our" values declare them to be.

I should add here that one of the great pleasures of working on the (for me) quite new topic of this essay was getting to read the writings of Nils Christie. See his 2004 for a broad picture of his contributions. (These contributions are in part those of "restorative justice"—but without the emphasis that notion frequently has on "repentance," "forgiveness," "restitution," and "remorse." If I am pleased to see that such notions do not enter into Christie's reflections, they do show up in Zehr (2005). That said, I have no complaints about the magnificent opening two chapters of that book of Zehr's—chapters treating rather of the deep need for the *victim* to understand a little more fully what has happened to him or her).

It seems that Socrates sets his face against answering such questions. It is true that Socrates makes no suggestion that we abolish systems of emergency responders. It is also true that he is not offering to solve the difficult question as to how we both keep emergency responders *and* abolish the restraining of at least those who have not only harmed their victims but who give evidence that they may harm others as well. Still, from Socrates' a-political stance, I cannot see that he'd have taken a position on the compromises one might have to make on such questions.

In this essay, I have contented myself with raising what I take to be Socratic questions about the justification of punishment for what are normally considered to be our intentional actions, and about the contribution to our good of punishing people for those actions of harming others that are normally considered to be intentional actions. If I am right about the implications of Socratic Intellectualism above, I feel sure these compromises would have made Socrates distinctly uncomfortable. It is perhaps true that Socrates might be brought to admit that some compromise forms of social order will turn out to provide us with somewhat *better* means to individual human good. He might still have hoped against hope that fear and ignorance would not convert any such forms of social order into moral ends in themselves. At the same time, he might well have feared that there would be some tendency for such compromises to end in the kind of incarceration practices where American democracy bids fair to lead the world. In the end, then, for Socrates, these questions have no clear answer at a political or legal level.

A last sentence, finally, on questions of inequalities in incarceration rates for those of African American, Hispanic, or Aboriginal origin, and for members of lower social classes. If I am right that Socrates would never, in his own person, take any part in such a practice as punishment, then, a fortiori, he would have seen harm of the highest order—to all of us—in such blatant, and selective, incarceration rates in a society. And that will be almost as nothing compared to our unthinking insouciance about the abysmal degree of support that we give to the caring education of *all* of our children—where I am *not* talking here just about the children of the middle and upper classes.⁹⁴

Christie rightly has retributivists a little nervous about looking back, since Christie's near-abolitionism may be gaining (See Duff 2013). I see a great deal in Christie's work that parallels the more radical Socratic position. On the other hand, Christie's total absorption by Social Constructionism, with its—in this case, entirely persuasive—skepticism about such notions as “crime”, as current criminal justice systems tend to understand it—puts him in an embarrassment. It does so when he comes to views he pretty clearly thinks are *true*, but can now express only in terms of what he—or “we”—“value.” On such a showing, there is no real human good which Christie wants for himself and his society. Here this deep and radical scholar seems to betray his own best instincts.

⁹⁴ The ideas of this paper are ideas I have been pursuing for decades now, entirely in the context of my studies of Socrates. In the months since the wonderful conference on which this volume is based, and as I was in the final stages of drafting this paper, I began to look into the work of Christie and such Christie-inspired proponents of restorative justice as the Mennonite Howard Zehr. My final formulations do owe something to their work, in spite of a number of disagreements. I am grateful to my friend Rev. Jerry Hancock for introducing me to the practice of

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Restorative Justice as he employs it in Wisconsin prisons. I also owe a great deal to friends and family who have seen me grappling with producing something that both (a) involves Socrates and the kind of philosophy I have spent much of my life defending, and that also (b) involves a larger, social curiosity that I have for some time had about those in authority who punish and those unfortunates under such authority. I can mention only a few of those friends here, and regret that I cannot mention all the specific points where they pushed me in a better direction than I'd have otherwise gone. Georgios Anagnostopoulos, Jerry Santas, and my long-time collaborator Christopher Rowe started me down this road, and have given me indispensable advice along the way. Rosemary Penner believed in the project, if not all its technicalities, and helped me to see things of the greatest importance that I think improved it at absolutely central places. One-time discussions with John Penner, Thomas Kaplan, and Carl Rasmussen each turned out to involve remarks that helped me see matters in a more balanced or clearer way than I might otherwise have done. Comments of Ruth Saunders and Harry Nieves Barber on recent drafts led to a number of valuable improvements. Finally, two indispensable philosophical friends have done more—on an astonishingly regular basis—to help me along the road to half-way philosophical coherence and clarity than I could have conceivably imagined before it happened. They are Michael E. Byrd, logician, philosopher, and educator *par excellence*; and Antonio Chu, my closest philosophical collaborator—and demanding philosophical conscience—for nearly four decades now. I could easily have given up on this project without the constant influence of these two friends. *All* of those that I have mentioned above demonstrate to me—to the highest degree—that the greatest good for a human being is, indeed, conversation, every day, with those around one, about human goodness, and the human good.

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Chapter 6

Like-Mindedness: Plato's Solution to the Problem of Faction



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Abstract Plato recognizes faction as a serious threat to any political community (e.g., at *Rep.* 462a9–b2). The *Republic*'s proposed solution to faction relies on bringing citizens into a relation of *ὁμόνοια*. On the dominant line of interpretation, *ὁμόνοια* is understood along the lines of “explicit agreement” or “consensus.” Commentators have consequently thought that the *καλλίπολις* becomes resistant to faction when all or most of its members explicitly agree with one another about certain fundamentals of their political association—for example, they agree regarding who should govern in the *καλλίπολις*.

We argue that *ὁμόνοια* in Plato's political philosophy has been under-analyzed and misunderstood. We show that, in *Alcibiades* I, rendering *ὁμόνοια* simply as agreement results in confusion about how expertise, political friendship, and civic unity are compossible in a well-ordered political community. In our view, Plato refines and adds philosophical depth to the concept of *ὁμόνοια* in the *Republic*. We claim that *ὁμόνοια* is a relation of psychological “like-mindedness” that obtains among members of different occupational classes in a political community. A community is rendered resistant to faction, then, when its members are, in some significant way, psychologically alike. Additionally, while Platonic *ὁμόνοια* can naturally be expected to result in substantive agreement among citizens, we argue that Platonic *ὁμόνοια* does not consist solely in agreement.

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6.1 Introduction

The American founders were anxious about the threat factionalism presented to the fledgling democratic republic. James Madison's *Federalist 10* (published 1787), for instance, is devoted entirely to this threat.¹ In that work, Madison characterizes faction as follows:

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community. (*Federalist 10.56-7*)

Madison is here drawing on classical sources, such as Cicero and Plato, where faction is understood as arising from individual and group interests that are opposed to the common good.

In *Federalist 10*, Madison considers and rejects two “methods” for defanging the threat of faction. “[T]he one,” he writes, would work “by destroying the liberty which is essential to its existence.” But he contends that this approach would be

worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency. (*Federalist 10.56-7*)

The second method Madison identifies is obtained “by giving to every citizen the same opinions, the same passions, the same interests.” Madison summarily dismisses this second method as “impracticable, as the first would be unwise” (*Federalist 10.57*).

Plato was also keenly aware of the dangers of faction. Political unrest during his own time clearly left its strong impression on Plato. So strong was this impression that Plato singles out faction in the *Republic* as the worst evil that can befall any political society (462a5-7). In the *Republic* and, arguably, in the *Statesman*, Plato aims to theoretically construct political societies which are maximally civically harmonious and unified, and thus fully resistant to faction. Understanding how Plato responds to the problem of faction is essential to understanding Platonic political philosophy. However, Plato's response to the problem of faction has received little explicit attention from scholars.

Plato's general response to the problem of faction is obviously quite different from that of Madison and the American founders. For one, Plato did not have the same interest in preserving the individual liberty that Madison holds to be essential to the existence of political life. In what follows, we contend that Plato's solution to faction—in the *Republic*, at any rate—relies on bringing members of the political

¹The essays in the *Federalist Papers*, authored by Alexander Hamilton, John Jay and James Madison, were published anonymously in New York newspapers beginning in October 1787. A mostly complete collection of essays was published in book form in 1788. Historian Douglas Adair confirmed the authorship of each of the *Federalist Papers* in his 1944 work.

community into a relation of *ὁμόνοια*, or like-mindedness. This Platonic solution to faction naturally results in a semblance of Madison's second rejected approach, in which all of the citizens will be made to share "the same opinions, the same passions, the same interests." But it is not precisely the achievement of these effects (which, as we will see, Plato also regards as "impracticable") that constitutes Plato's actual solution. Rather, Plato holds that the way in which the citizens of his *καλλίπολις* really will share opinions, passions, and interests to any degree must be under-written by strong psychological similarity among *πόλις* members. This strong psychological similarity, we argue, is *ὁμόνοια* properly speaking for Plato.

Scholars have commonly understood Platonic and Socratic references to political *ὁμόνοια* along the lines of "agreement." Many commentators on the *Republic*, for instance, understand *ὁμόνοια* as widely-shared agreement among members of the *καλλίπολις* concerning the fundamentals of their political association. Nettleship understands *ὁμόνοια* as agreement among the three classes of the *καλλίπολις* that their *πολιτεία* is correct (1955, p. 150). Klosko takes a key discussion of civic *σωφροσύνη* in *Republic* Book IV as crucially involving a "general consensus about who should rule" in the *καλλίπολις* (1986, p. 149).²

Recently, other commentators have followed Klosko in understanding *ὁμόνοια* as "agreement as to who should rule among the ideal city's citizens" (Bobonich 2002, p. 79; Kamtekar 2004, p. 133). Kamtekar holds that *ὁμόνοια*, understood in this way, is a result of the political justice that is promulgated in the *καλλίπολις*. On Kamtekar's account, despite pronounced epistemic and ethical differences among different classes:

The *Republic* allows for the possibility of good, well-grounded, and virtuous agreement—that is, agreement to philosophers' rule for reasons better than that it procures false goods for non-philosophical citizens. (Kamtekar 2004, p. 155)

Kamtekar's account stands in sharp contrast to that of Bobonich. Bobonich argues that a substantial consensus between philosophers and non-philosophers in the *καλλίπολις* is not possible in Plato's view. Furthermore, Bobonich holds, if any stable agreement obtains between philosophers and non-philosophers, it will be one that is not founded on fostering virtue among all of the city's members (Bobonich 2002, p. 79). Kamtekar and Bobonich both assume that *ὁμόνοια* consists in agreement, and the two scholars' disagreement proceeds from this common ground. In our view, the starting assumption of this debate is orthogonal to what is most interesting about Plato's distinctive position on *ὁμόνοια*. We argue that *ὁμόνοια* in Plato's political theory takes up, redeploys, redefines, and adds philosophical depth to a concept that is common in contemporaneous political discussions. The result is that Plato's discussion of *ὁμόνοια* is importantly related to other political discussions of his time, but his discussion is also pointedly philosophical and is intimately related to his views concerning the nature of the soul, ethical motivation, and the role of the *πόλις*

²See also, Klosko (1986, p. 138). Others who understand *ὁμόνοια* along similar lines in Plato's political philosophy include Annas (1981, pp. 115–116), Cross and Woosley (1964, p. 104), and Schofield (1991, pp. 212–226, esp. 217).

in inculcating virtue. In focusing on political agreement, other interpretations miss these important features of Plato's thinking about *ὁμόνοια*.

A Platonic solution to the problem of faction cannot be understood without first understanding the precise nature of the problem. We first discuss faction as it arises within the *Republic*. Secondly, we find an intriguing exploration of the problem of faction in the *Alcibiades* I, one which demonstrates the fatal problems with understanding *ὁμόνοια* as political agreement.

6.2 Faction in Plato's *Republic*

The problem of faction is raised early in the *Republic* during Socrates' discussion with Thrasymachus in Book I. Thrasymachus asserts that faction is an unalterable fact of political life.³ Those in power will always act as to further their own interests, no matter whether these interests are opposed to the interests of others or to the common good of the πόλις. Those who are most effective politically, in Thrasymachus' view, will be those who can consistently ensure that their interests dominate those of other community members (343c1-d1). So, the clever ruler is the one who acts like a skilled shepherd and profits from the governed at their expense (343b1-c1). Further, the politically powerful seek to control the ideological terms of the debate. The powerful will define justice and injustice in terms of their own advantage, and so will effectively marginalize those who may oppose them (338e1-6).

Against Thrasymachus' grim political realism, Socrates argues two points. First, he does not accept that faction is a political inevitability. It is true that the *Republic* holds that most, if not all, real-world political systems are factious (496c5-e2, 497b1-c3, 520c6-d1, 592a7-b1). Realizing a faction-less, unified political community under the able governance of philosophical rulers (the καλλίπολις) should not be supposed to be an easy matter. But Plato's Socrates affirms that such a society is not impossible (502b6-9, 502c5-7). At the very least what Socrates assumes is that human nature or political organization in itself does not require faction.

Second, Socrates argues that faction is ultimately self-defeating. We should note here that three distinct types of faction are considered in the *Republic*: (i) faction within an individual or, more properly, within an individual's soul; (ii) faction in a political community; and (iii) faction among all Greeks. Let's deal briefly with type (iii) in order to put it aside. During the discussion of the proper conduct of warfare in Book V, Socrates argues that all Greeks are bound by ties of kinship, shared language and shared religious beliefs, and are thus "friends by nature" (470b6-7, 470c8-9). In contrast, barbarians are alien and are by nature enemies to Greeks.

³R. E. Allen holds that Thrasymachus argues that faction (στάσις) enters into "the very definition of government" (2006, p. ix). Allen regards Thrasymachus as thus raising a central question for Plato's political project: Can any human political society avoid faction?

Socrates characterizes faction in this context as hostility among those who are naturally friends or are akin (470b7-9).⁴

Something of this characterization of faction is preserved in the discussion of faction in the senses of (i) and (ii). Socrates characterizes faction as a state of disharmony within a political community. Faction obtains when the actions and interests of community members fail to be aligned as they should be. A political community is in a state of faction, that is, when the actions and interests of community members are not aligned towards important common goods for the community and the community's members.

Faction, in sense (ii), comes in degrees. The scalar nature of faction has the result that judgments about a community's factiousness can be contextual or relative to some threshold. Thus, in analyzing degenerate πόλεις in Book VIII, Socrates and his interlocutors will make comparisons of relative badness among political constitutions, and these judgments often rely on comparisons of relative factiousness. For example, democracy is a more factious political system than oligarchy, and tyranny is a more factious political system than democracy (556e3-557a1, 566a6-7). In other dialectical contexts, however, factiousness will be treated as a threshold concept. All existing πόλεις and degenerate political constitutions thus strictly fall below the threshold of civic harmony and are factious, regardless of degrees of faction when compared to each other. Only the ideal πόλις, the καλλίπολις, is entirely free of faction (520c3-520d4).

The discussants in the *Republic* move freely between discussing faction in political communities and faction in individuals, a move that is licensed by the analogy between the individual soul and a political community. We see these easy shifts between faction in sense (i) and sense (ii) most noticeably in Books I and VIII, but the *Republic* contains many such instances. Faction in senses (i) or (ii) is self-defeating because it renders both individuals and souls incapable of accomplishing their distinctive work, as Socrates argues against Thrasymachus in Book I (351d4-6, 351e9-352a4, 352a5-9). Thus, it is in the interest of any individual to reduce factiousness in her own soul, and it is in the interest of any political community to reduce factiousness within its ranks. Determining what measures will reduce factiousness is thus a key element in Socrates' defense of justice and its ultimate benefit for the possessor.

In what follows, we concentrate on political faction (in sense [ii]) and the measures Plato's Socrates proposes in the *Republic* to counteract such faction. However, we also hold that the *Republic*'s proposals for reducing political faction rely importantly on measures designed to reduce intra-personal psychological faction (in sense [i]). In brief, we contend that reducing intra-personal faction within individual souls creates the conditions for reducing inter-personal faction, in a way that is designed to alleviate faction in sense (ii). In this way, we propose a significant connection between the political theory and the psychology of the *Republic*.

⁴ 470b7-9: ἐπὶ μὲν οὖν τῇ τοῦ οἰκείου ἔχθρᾳ στάσις κέκληται, ἐπὶ δὲ τῇ τοῦ ἀλλοτρίου πόλεμος.

6.3 Agreement and Like-Mindedness

Similarly to his Greek counterparts, Plato treats “ὁμόνοια” as the contrary term to “στάσις.”⁵ The authoritative Greek-English lexicon by Liddell, Scott and Jones (generally called the LSJ by Greek scholars) lists three main suggestions for translating ὁμόνοια into English: “oneness of mind,” “unanimity,” and “concord.” Other political thinkers around Plato’s time conceive of ὁμόνοια along the lines of “political concord” or “civic harmony.” For instance, Demosthenes praises the restorers of the democracy in Athens as follows:

they conquered their enemies, they fulfilled the prayers of every sound-hearted man by establishing concord (ὁμόνοιαν) throughout the city; and so they have bequeathed to us their imperishable glory, and excluded from the market-place men whose habits of life were what yours have always been. (Demosthenes, *Against Androtion*, 77.1-78.1, trans. Murray)⁶

Isocrates also treats ὁμόνοια as the antithesis of στάσις and employs the concept of ὁμόνοια prominently in his advocacy for the unification of all Greeks and for war against the barbarians:

For we [the Athenians] were not jealous of growing states nor did we engender confusion among them by setting up conflicting polities side by side, in order that faction (στασιάζειν) might be arrayed against faction and that both might court our favor. On the contrary, we regarded harmony (ὁμόνοιαν) among our allies as the common boon of all, and therefore we governed all the cities under the same laws, deliberating about them in the spirit of allies, not of masters. (Isocrates, *Panegyricus* 104.1-104.8, trans. Norlin)⁷

These are but two instances of how ὁμόνοια is used in political discourse that forms the intellectual context for the *Republic*. Plato clearly draws on the meaning of ὁμόνοια in the sense of political concord or civic harmony, but he will further develop this meaning by linking ὁμόνοια with a sophisticated psychology of citizenry.

Plato scholars, however, have frequently understood ὁμόνοια simply as “agreement” when it occurs in Plato’s political works.⁸ As a Greek term, “ὁμόνοια” is a compound of “ὁμό-,” which means “same,” “similar,” or “like” and “-νοια” for

⁵For example, at *Republic* 351d4-6, Socrates says: “For faction, Thrasyarchus, accompanies injustice and hatred and war of each against each other, but justice accompanies ὁμόνοια and friendliness.” (Στάσεις γάρ που, ὧς θρασύμαχε, ἡ γε ἀδικία καὶ μῖση καὶ μάχος ἐν ἀλλήλοις παρέχει, ἡ δὲ δικαιοσύνη ὁμόνοιαν καὶ φιλίαν).

⁶Demosthenes: ...ἀλλὰ τοὺς ἐχθροὺς κρατοῦντες, καὶ ἃ πᾶς τις ἂν εὖ φρονῶν εὔξαιτο, τὴν πόλιν εἰς ὁμόνοιαν ἄγοντες, ἀθάνατον κλέος αὐτῶν λελοίπασι, τοὺς ἐπιτηδεύοντας οἷα σοὶ βεβίωται τῆς ἀγορᾶς εἴργοντες (*Against Androtion*, 77.1-78.1).

⁷Isocrates: Οὐ γὰρ ἐφρονοῦμεν ταῖς ἀξανομέναις αὐτῶν, οὐδὲ ταραχὰς ἐνεποιούμεν πολιτείας ἐναντίας παρακαθιστάντες ἵν' ἀλλήλοις μὲν στασιάζοιεν, ἡμᾶς δ' ἀμφοτέρωθεν θεραπεύοιεν, ἀλλὰ τὴν τῶν συμμάχων ὁμόνοιαν κοινὴν ὠφέλειαν νομίζοντες τοῖς αὐτοῖς νόμοις ἀπάσας τὰς πόλεις διωκοῦμεν, συμμαχικῶς, ἀλλ' οὐ δεσποτικῶς βουλευόμενοι περὶ αὐτῶν, ὅλων μὲν τῶν πραγμάτων ἐπιστατοῦντες (*Panegyricus* 104.1-104.8).

⁸Hence, in a recent discussion of *Alcibiades I* and *Republic*, Rachana Kamtekar (2004) consistently translates ὁμόνοια as “agreement” or “agreeing.” Reeve’s translation of the *Republic* (in Cooper and Hutchinson 1997) also takes ὁμόνοια at 432a7 as “agreement.”

“νοῦς,” which refers to “mind” or “thought.” Thus, to translate “ὁμόνοια” more closely to the Greek original, we would get “same-minded” or “like-minded.”⁹

One *could* understand ὁμονοεῖν as indicating that two individuals are in agreement with one another, and there is no doubt that ὁμονοεῖν and its cognates often function in this way. But we hold that Plato recognizes a significant difference between understanding ὁμόνοια as “agreement” and understanding ὁμόνοια as “like-mindedness.” In our view, being like-minded is a stronger relation of similarity between two individuals than mere agreement.¹⁰ Two individuals, that is, could well be in agreement with one another and yet not be “like-minded” in any strong sense.

Strictly speaking, agreement is relative to some subject matter. Typically, two individuals who are in agreement will display a similar pattern of assent to and dissent from claims made regarding that subject matter. The strength of the similarity will indicate the strength of the agreement. Agreement of this kind might be more accurately signaled by use of the Greek word “ὁμολογεῖν”—that is, to “say the same” or to “say similarly.” We might call this “external agreement” because this form of agreement relies on a similarity in external signs, that is, in the answers that individuals produce to questions, or in other linguistic behavior.¹¹

Like-mindedness, on the other hand, is a relation that presupposes that two individuals are psychologically similar. Individuals standing in ὁμόνοια are *internally* similar, not just externally similar in their behavior. We will later discuss what such psychological similarity could come to for Plato. For the time being, it is simply

⁹A sample of translations of ὁμόνοια as it appears at *Republic* 351d5: Jowett (2000) and Larson (1979) translate “harmony”; Grube-Reeve (1992): “common purpose”; Reeve (2004) renders ὁμόνοια (perhaps in an overtranslation) as “a sense of common purpose”; Griffith (2000): “cooperation”; Lee (1987): “unity of purpose”; Sterling and Scott (1985): “unity.” Of the translations we surveyed of 351d5, only four chose one of the *LSJ* suggestions for 351d5: Bloom (1968) and Allen (2006) chose “unanimity,” Shorey (1937) selects “oneness of mind,” and Waterfield (1993) chose “concord.” At 432a8, translators were more likely to cleave to one of the *LSJ* meanings of ὁμόνοια (or to the version provided by previous translators). Shorey (1937) translates ὁμόνοια as “concord”; Bloom (1968), Grube-Reeve (1992), Lee (1987), Reeve (in Cooper and Hutchinson 1997), and Waterfield (1993) as “unanimity.” We should note that “unanimity” can be understood as consisting either in agreement or as psychological similarity. So, the philosophical issues we raise here cannot be settled by translation alone.

¹⁰Agreement can also be signaled by the Greek term: ὁμοδοξία (similarity in belief or sameness of belief). We contend that, for Plato, ὁμόνοια does not simply consist in ὁμοδοξία. Aristotle makes this point at *Nicomachean Ethics* (IX.6 1167a23ff.): “Concord (ὁμόνοια) appears to be friendly feeling. This is not merely agreement in beliefs (ὁμοδοξία).” Aristotle will go on in this chapter to argue that ὁμόνοια is political friendship in which citizens are “of one mind” about their common ends and interests (1167a29–30). We hold that Plato’s view provides a distinctive and interesting account of the psychology that underlies this kind of “one-mindedness.”

¹¹The author of *Alcibiades* I makes much of these linguistic indicators of agreement. There is ample textual evidence in *Alcibiades* I, in fact, that linguistic competence is the model for agreement (for example, at 111a5–112e2). Those similarly competent in some natural language (a) respond similarly to the same questions; and (b) referentially pick out the same items with the same terms. We will have more to say about the treatment of ὁμόνοια in the *Alcibiades* I in the next two sections.

worth noting that psychological similarity might be expected to *produce* but not to *consist in* external agreement of the kind outlined above. Individuals who are sufficiently similar in their souls might also be expected to exhibit similar linguistic behavior. If two individuals are like-minded, these individuals might be expected to display a similar pattern of assent to and dissent from questions regarding that subject matter.

6.4 Agreement in *Alcibiades I*

Alcibiades I is a Socratic dialogue of dubious pedigree. We are not concerned here to argue either for the merits nor the Platonic bona fides of the *Alcibiades I*. It will be enough for our purposes that this dialogue takes on the topics of agreement, political friendship, justice, and *ὁμόνοια*, and examines these in a Socratic-Platonic way.

The difficulties of understanding *ὁμόνοια* as (external) agreement plays a key role in the discussion between Alcibiades and Socrates in the *Alcibiades I*. In the dialogue, Alcibiades states his intention to enter the public arena and to go before the Assembly to advise the Athenian people on matters of political importance. It is just at this point in Alcibiades' life that Socrates is compelled to speak with Alcibiades, after waiting in the wings for so long (103a1-b2, 105e6-106a8).

Socrates, as may be expected, argues that Alcibiades must first demonstrate significant knowledge about justice and injustice before he will be able to advise and benefit the Athenians. Socrates will press Alcibiades about his knowledge of justice and injustice—How has he learned about justice and injustice? Has Alcibiades learned from some expert? Or has he investigated and learned on his own?

Alcibiades takes himself to understand what justice and injustice are, and to have had knowledge about justice and injustice since he was a child (110c3-4). However, Alcibiades also concedes, under the pressure of elenctic questioning, that he did not learn about these matters from any expert, nor has he investigated and found out about these matters on his own (109d1-110d6). Alcibiades proposes that he has learned about justice and injustice from “the many” (110d9-e1), in much the same way that he (and others) have learned to speak Greek. But can this be accurate?

Socrates' elenctic investigation proceeds from 111a5 to 112e2 as follows: If one or more individuals are to teach a subject, they must know the subject. Socrates asks rhetorically, “don't people who know something agree (*ὁμολογεῖν*) with each other, not disagree (*διαφέρεσθαι*)?” (111b3-4). And, Socrates continues, “If people disagree about something, would you say that they know it?” (111b6-7). Alcibiades answers that they do not. Socrates then raises this objection to Alcibiades' initial claim: “The many” agree about how to speak Greek, but disagree all the time about justice and injustice (111e11-112a3). Socrates draws the elenctic conclusion at 111d11-e2: “Isn't the fact that [the many] disagree (*οὐδὲν ὁμολογοῦσιν*) with each other about these things enough to show you that they don't understand them (*οὐκ ἐπίστανται*), and are

not four-square teachers of them?" Alcibiades' claim to have learned about justice and injustice from "the many" is thus defeated.

6.5 Ὀμόνοια and ὁμολογία: *Alcibiades I*, 126b8-127c9

We hold that it is crucial to Plato's solution to the problem of faction to distinguish between agreement (ὁμολογία) and like-mindedness (Ὀμόνοια). Confusions will arise if one conflates agreement and like-mindedness. *Alcibiades I* (126b8-127c9) provides a prime example of the dangers of assimilating ὁμολογεῖν and ὁμονοεῖν. Here we see Alcibiades failing to distinguish correctly between ὁμολογεῖν and ὁμονοεῖν, much to his own befuddlement and consternation. Standard translations (e.g., D. S. Hutchinson in Cooper and Hutchinson 1997) of *Alcibiades I* fail to exhibit the flow of argument in this section of the dialogue properly because these translations render "Ὀμόνοια" and its cognates as "agreement" without further disambiguation. These standard translations do not help to illuminate Alcibiades' puzzlement; rather, these translations fall into precisely the same confusions as Alcibiades himself does.

It is evident that the argument at 126b8-127c9 should be treated as a kind of *reductio ad absurdum*. Alcibiades is agreeing to premises in this argument which are at odds with other claims he endorses, and which will lead to inconsistency. This argument, then, is an instance where Alcibiades "does not agree with himself" about an important matter—here the relation between expertise, justice, and political friendship. Since the argument is a *reductio*, we should be alert to which premises must be disambiguated or rejected, in order to correct whatever goes wrong.

It will be useful here to go through the passage step-by-step. To simplify the flow of the argument, we will only include statements that have been agreed to by Alcibiades in the synopsis below. In closely examining this passage, we should be mindful of the differences in meaning that result if we translate "Ὀμόνοια" as "agreement," as compared with "like-mindedness." In order to allow us to draw these comparisons, we shall leave "Ὀμόνοια" untranslated in the synopsis below.

1. Mutual friendship is the distinctive good-making state or feature of cities; it is the feature of cities that is akin to health in bodies and sight in eyes (126c1-3).
2. When mutual friendship is present in a city, hatred and faction are absent (126c3).
3. Political friendship crucially involves Ὀμόνοια (126c4-5). If Ὀμόνοια is absent, so is political friendship.¹²

¹² From the text, it is not clear exactly what is being claimed about the relation between political friendship and Ὀμόνοια. Socrates asks: "When you say 'friendship', do you mean Ὀμόνοια or [not]?" (126c4). There is no verb, although the "is" is assumed. As is quite usual in Greek, this still leaves the meaning rather indeterminate among a number of interpretive and logical choices. The formulation, political friendship [is] Ὀμόνοια, suggests at least the following possibilities: (1) Political friendship is identical with Ὀμόνοια; (2) Political friendship consists (entirely) in Ὀμόνοια;

4. 'Ομόνοια has a domain and is achieved through some skill (for example, in arithmetic, or measurement). Two experts in some skill stand in a relation of ὁμόνοια with one another (126c6-7).
5. If two or more individuals specialize in different areas of expertise, they do not stand in a relationship of ὁμόνοια (126e5-127a11).
6. Political friendship and political ὁμόνοια are analogous to familial ὁμόνοια (126e2-4).
7. Familial friendship crucially involves ὁμόνοια. (From 3 to 6). If ὁμόνοια is absent, so is familial friendship.¹³
8. Men and women specialize in different areas of expertise. Women specialize in weaving. Men specialize in military matters (126e5-127a11).¹⁴
9. Men and women do not stand in a relationship of ὁμόνοια (127a9-10). (From 5 to 7)
10. There is no familial friendship between men and women. Women and men do not love one another (127a12-b4). (From 7 to 9)
11. Similarly, in any city where inhabitants specialize in different areas of expertise, they do not stand in a relationship of ὁμόνοια (127b5-6).¹⁵
12. In any city where inhabitants specialize in different areas of expertise, political friendship doesn't obtain (127b8-9). (From 3 to 11)

From this reasoning, Socrates draws the conclusion: "So neither are cities well governed when the different groups each do their own work" (127b5-6). It seems from the reasoning agreed to by Alcibiades that expertise and occupational specialization have been shown to be inconsistent with political friendship, justice, and good governance.

Understandably, Alcibiades balks at this result: "But, Socrates, I think they *are* [i.e., cities are well-governed when different groups do their own work]" (127b10-11). Alcibiades thus objects to the putative conclusion of the elenctic argument. But in his confusion, he cannot identify where he has gone amiss. The discussion ends aporetically, with Alcibiades throwing up his hands in confusion and Socrates

(3) Political friendship consists (partly) in ὁμόνοια; (4) 'Ομόνοια is at least a necessary condition for political friendship such that there cannot be political friendship without ὁμόνοια; (5) 'Ομόνοια is a sufficient condition for political friendship such that if ὁμόνοια obtains, so does political friendship.

¹³ See last note. 126c4-5 indicates that ὁμόνοια is at least a necessary condition for political friendship, but is not determinate enough to help us say if the relation between political friendship and ὁμόνοια is understood as a stronger relation, e.g., constitution, sufficiency, or even identity.

¹⁴ Here Alcibiades assumes a conventionally-recognized gendered division of work. Socrates may not fully endorse this gendered division of work, but notes at 127a5-7 that this division is presupposed by Alcibiades' argument (κατὰ τὸν σὸν λόγον). In *Republic* V, for example, Plato's Socrates will argue against just such a gendered division of labor in the καλλίπολις.

¹⁵ Another logical issue with this argument is that it makes the move from qualified to general claims. For example, Alcibiades moves from holding that citizens are not in ὁμόνοια regarding their areas of specialization, to concluding that there is no ὁμόνοια among citizens tout court. Clearly, this is an illegitimate move and may further point to Alcibiades' general confusion. We can amend things by disambiguating between ὁμόνοια with respect to some subject matter or other.

recommending further education and dialogue (127e5-7). Alcibiades is not ready, and he may never be ready, to appreciate the deeper psychological relationship of similarity that characterizes participants in a well-ordered political community, on the Socratic-Platonic view. But the author of *Alcibiades* I points the way towards this more substantive source of civic unity—after the extended exchange of 126b8-127c9, the dialogue shifts to a discussion of the importance of self-care and soul-care, topics which have strong relevance for *ὁμόνοια* in the sense of beneficial psychological similarity.

6.6 Epistemic Deference and Agreement

We should note that the passage at *Alcibiades* I. 126b8-127c9 turns on a central analogy between political friendship and familial friendship (*φιλία*). It seems that this analogy would not have been controversial for the writer of the *Alcibiades* I. In *Republic* V, for example, Plato uses familial relationships as a model for political friendship. But while premise 6 would have not been controversial, premise 10 is intended to provoke dissent. Greek common sense would have held that, of course, men and women in families love each other and are bound by relationships of familial friendship. This premise, then, should alert us to the source of trouble in the argument.

We can see better where Alcibiades goes wrong in the 126b8-127c9 passage by observing what happens if we translate “*ὁμόνοια*” as “agreement” and “*ὁμονοεῖν*” as “agree” throughout this passage. If we translate *ὁμόνοια* and *ὁμονοεῖν* with English cognates of “agree” throughout the passage, as Hutchinson's translation does, one result is an interpretation of premise 5 along the lines of: “If two or more individuals specialize in different areas of expertise, they do not stand in a relationship of agreement” (126e5-127a11). Consequently, one would conclude that because men and women specialize in different areas of expertise, they do not agree with one another.

But why should Alcibiades concur? If a garden-variety Greek man were to observe that (as far as he could tell) his wife was a skilled weaver, would it be correct to say that he did not agree with his wife about weaving? Would it also be correct to assume that Greek women did not agree with their husbands about soldiering? It seems inapt to say that two individuals disagree merely because they specialize in different areas of expertise. For one, neither party seems to possess grounds for disagreement with the other. The Greek husband can truthfully say that he doesn't know whether Attic or Spartan wool is better for weaving. But it would be odd for him to *disagree* with his wife on this point, since he lacks the relevant expert craft-knowledge.

Secondly, the proper epistemic attitude of the unskilled novice towards the skilled expert is one of epistemic deference. That is, since the husband does not possess the relevant craft-knowledge, he should defer to his wife when the subject is weaving. (The case will be similar for the attitude of Greek women towards their

skilled husbands on the subject of military defense). It will be an open question at this point whether or not someone can have *knowledge* of items agreed to via epistemic deference. But the issue here is less about knowledge than about agreement. It seems perfectly sensible to say that the husband agrees with his skilled wife when she makes assertions about weaving. If she asserts: “The Spartan wool is superior to the Attic wool for weaving summer garments,” it would make sense for her husband to *agree* that this is the case. The husband might add: “But what do I know? ...” to his assent—that is, he may recognize that he lacks the epistemic grounds available to his wife—but this does not negate his agreement.

Let’s assume that agreement can be signaled through linguistic signs, as seems to be the case in *Alcibiades I*. Two individuals are in agreement if they (a) respond similarly to the same questions and (b) similarly pick out instances using the same terms. Here again, the proper epistemic attitude of the unskilled novice towards the skilled expert is one of epistemic deference. Thus, if asked “Is Spartan wool superior to Attic wool for weaving summer garments?” the husband would do well to follow the lead of his wife and answer similarly to her. The novice would do well, in general, to exercise epistemic deference and answer questions similarly to the expert. The Greek man should also follow his wife’s lead about what objects are picked out by terms such as “spindle,” “woof,” “weft,” and “shuttle.” That is, the novice would do well to exercise epistemic deference and assent to the referential identifications the expert employs with her terminology. In the absence of relevant craft-knowledge, epistemic deference is the most responsible strategy for the novice to utilize.

This way of understanding agreement also dissolves one of Alcibiades’ confusions at 126b8-127c9. Men and women can agree (ὁμολογεῖν) about military matters and weaving, even if they differentially specialize. Men may epistemically defer to their wives on matters relevant to weaving, and women may epistemically defer to their husbands on matters relevant to military defense. If φιλία requires that the parties to a relationship do not disagree, then it seems there is no reason to think that husbands and wives must lack φιλία on these grounds. Men and women can be friendly towards one another, even if they specialize in different areas. If we move beyond the analogical case, then, we should be able to say that citizens can be friendly towards one another, even if they specialize in different areas. Citizens need not engage in factious or toxic disagreement, because they can (and should) exercise epistemic deference with regard to areas in which they are unskilled.

6.7 Problems About Political Agreement

Alcibiades ends up confused at 126b8-127c9 because he affirms that two individuals who specialize in different craft-areas do not stand in a relationship of ὁμόνοια with one another (premise 5 above). Alcibiades is here relying on one of the meanings of “ὁμόνοια”—as “agreement.” As we have noted, English translators have understood “ὁμόνοια” also in this way, with the result that the argument at 126b8-127c9 makes less sense than it should. For example, if we understand ὁμόνοια as

agreement along the model proposed at 111b11-c2, then premise 5 is false, as we have shown.

Alcibiades concedes premise 11. But, it seems, only because he is befuddled. Novices lack the epistemic grounds for disagreement.¹⁶ It would be bizarre and irrational for the novice to insist on disagreeing with the expert weaver about her craft. The novice should practice epistemic deference. If he does so by copying the expert, the novice will answer similarly to the same questions and will referentially pick out the same items with the same terms. Thus, the novice will be in agreement (*ὁμολογεῖν*) with the expert. Contrary to what Alcibiades holds at 126b8-127c9, then, occupational specialization poses no great risk to political stability because novices will (or at any rate, should) generally exercise epistemic deference towards experts.

Nonetheless, there is a temptation to think that agreement based on epistemic deference is, at best, a weak form of agreement. This type of agreement stands in marked contrast to the full-blooded agreement that obtains between two craft-experts. Agreement between two or more craft-experts is founded on relevant shared knowledge. The novice and expert, as we've seen, lack grounds for disagreement because the novice lacks the grounds for knowledge, and the proper epistemic attitude of the novice is one of epistemic deference. In contrast, two or more experts lack grounds for disagreement because both *have* the relevant craft-knowledge. Shared knowledge is sufficient for agreement (as is noted at 111b3-4).

The linguistic-competence model applies to the case of agreement between experts, but in a different way than it applies in the case of the novice and the expert. Two experts will answer similar questions similarly, and they will referentially pick out the same items with the same terms. However, the agreement between experts does not *consist* in these linguistic competencies. These linguistic competencies are merely signs of the agreement that obtains courtesy of shared craft-knowledge. The expert has the grounds for knowledge, and so agrees with another expert, but not as a matter of epistemic deference. For this reason, epistemic deference may be thought to provide a weaker or more superficial form of agreement than the robust agreement that holds between skilled experts.

Let's consider the case of political expertise, the subject at issue in the *Alcibiades* I.¹⁷ Political expertise will present a particular challenge to the two types of agreement we have thus far examined. As Socrates' discussion with Alcibiades shows,

¹⁶We might like to say here that novices lack "first-order" epistemic grounds. That is, the husband will lack whatever would *primarily* ground the belief "Spartan wool is superior for weaving summer garments." However, the husband might have grounds for the belief "my wife is superior in weaving to me." Thus, the husband possesses "second-order" epistemic grounds. These second-order epistemic grounds might license certain other beliefs such as "when my wife tells me that Spartan wool is better, I should believe her."

¹⁷Despite Alcibiades' failure to demonstrate political expertise, it is a background assumption of the *Alcibiades* is that political expertise is possible—it is possible for a human being to have knowledge about justice and injustice, and to have knowledge about how to make a community more just, both internally as well as in its dealings with other communities. If political expertise were not possible, there would be little point to Socrates' attempted intervention with Alcibiades.

political expertise is a rare thing. Only few, if any, of those who are members of a given political community will possess political expertise.¹⁸ Any reasonable solution to the problem of faction, then, cannot rely on shared political expertise among all or most members of a given political community.¹⁹ In other craft areas, shared knowledge guarantees agreement. But since so few will be political experts, shared craft-knowledge cannot be the foundation for a civically-unified πόλις. The solution to faction cannot, it seems, require full-blooded agreement along the lines of shared craft-knowledge.

This seems to leave the apparently weaker form of agreement which results from epistemic deference. We suppose here that there are some who possess political expertise, and the vast majority who do not possess political expertise. The proper epistemic stance of the majority, who are novices, is one of epistemic deference towards those who possess political expertise. Faction would be prevented on this model, allegedly, because the many lack the grounds for disagreement with those who are political experts. According to the linguistic competency model, the novice-level majority will (a) answer similar questions similarly by mimicking the responses of those with political expertise and will (b) referentially pick out the same items with the same terms by following the cues of those with political expertise.

But there are difficulties with this weaker form of political agreement. For one, as Plato frequently notes, we have no guarantee that anyone in a given πόλις will possess political expertise. If the individual with political expertise is to provide the standard to which non-experts epistemically defer, then it is not clear how there can

¹⁸ This point is stressed in several of Plato's dialogues, for example, the *Gorgias*, *Republic*, *Apology* and *Statesman*.

¹⁹ Kamtekar (2004), understanding "ὁμόνοια" as "agreement," has argued that robust political ὁμόνοια is achieved in the καλλίπολις despite the epistemic differences between philosophers and non-philosophers. In Kamtekar's view, both knowledge and virtue admit of degrees. Philosophers possess the highest degrees of virtue and knowledge, courtesy of their direct connections with the Forms. According to Kamtekar, however, non-philosophers are capable of possessing "demotic" virtue and knowledge, which are genuine but of lesser degree than that possessed by philosophers. First, in Kamtekar's view, non-philosophers in the καλλίπολις acquire true beliefs as a result of their cultural education. Second, non-philosophers are justified in these beliefs because these beliefs are "reliably connected with facts that make them true" (Kamtekar 2004, p. 142).

Accordingly, Kamtekar embraces the view we have rejected—political ὁμόνοια is to be understood, in her view, in terms of some degree of shared skill-knowledge. Note that Kamtekar's view is sustained by attributing to Plato a wholly externalist account of knowledge. Non-philosophers count as knowing because their beliefs are connected in a reliable way to what makes these beliefs true. Non-philosophers may thus know without having access to cognitive states that are directly related to the Forms (contrary to what Plato has Socrates say on this subject in Book V of the *Republic*). They also need not be capable of (internally) accessing, that is, the justifiers for their true beliefs. It will be enough, in Kamtekar's view, if education ensures that non-philosopher's true beliefs *in fact* track what makes those beliefs true. We find no reason to accept that Plato would count something as knowledge if the epistemic agent were not able provide justification when challenged to supply it (or worse, would provide as justification something that was, in fact, false, such as what Plato calls the "Noble Lie"—see note 28, below). We do not, however, deny that Plato thinks that knowledge also has at least some externalist condition (see Smith 2000).

be political agreement in the absence of a political expert. If political agreement cannot be reached, then faction threatens.

Secondly, even if a political expert exists in a given state, political expertise may go unrecognized by non-experts. In other cases, craft experts are recognized as having craft knowledge, even by non-experts. Even novices are able to judge that the results of the craft are successful. The novice can recognize, for example, that the expert doctor produces health in the patient, and that the expert weaver produces a high-quality garment. But political expertise is, apparently, more difficult to discern. Socrates refers to himself in the *Gorgias* as the likely sole practitioner of "the true political art" (521d6-e1). This sentiment is affirmed in the *Alcibiades I* where Socrates proposes that soul-care is essential to the true political art (127e9-135e8). On the assumption that Socrates does indeed possess political expertise, it is clear that his fellow Athenians do not recognize that Socrates is a political expert. In contrast, those who demonstrably lack political expertise (*Alcibiades*, for example) are often treated as political experts by the Athenian many.

Plato is well aware of the problem of non-recognition of political expertise. The problem has implications for political agreement as grounded in epistemic deference. The novice will not epistemically defer to the expert unless he recognizes that the expert possesses expertise. Some who are political experts are not recognized as such. Some who are *not* political experts will be taken to have expertise. Epistemic deference will not be a help here. The novice many will frequently epistemically defer to someone who seems to, but really lacks, political expertise. They will similarly answer questions and similarly referentially pick out items following the person they take to have expertise. However, their answers and referential practices will, in many cases, deviate from what the genuine expert would answer and pick out.

Alcibiades I leaves us with this dilemma regarding political agreement: Shared political knowledge seems to set the bar too high when it comes to agreement among the inhabitants of a political community. On the other hand, mere agreement, on the model of linguistic competence, seems to set the bar too low. Epistemic deference presents both an application problem and an epistemic problem. Without mechanisms to produce them, political experts arise (as it were) by accident. Epistemic deference may ward off faction in principle, but in application it is too unreliable to be an adequate defense. Finally, there is the epistemic problem. The political expert must be recognized by those in political communities, if political expertise is to be successful in guarding against faction. However, such recognition is frequently not forthcoming. Thus, while occupational specialization as such may pose no great threat to civic unity, problems around political expertise do.

6.8 Civic Unity in the *Republic*

Alcibiades I usefully frames the problem of faction, and helpfully points the way towards difficulties with potential solutions to the problem. Plato will have an interest in cutting between the horns of the dilemma we have outlined above. The guard against faction must be some state that is stronger than mere agreement and epistemic deference, but weaker than shared substantive political expertise. Civic unity is not merely the absence of faction, but is a good state of a πόλις that will make a political community resistant to faction over some period of time.²⁰ The state of inhabitants that makes a πόλις faction-resistant must be robust enough to ground both political friendship and civic unity.

As we have already indicated, it is clear that Plato regards faction as a serious problem in the *Republic*, perhaps the most serious problem faced by any political community. In the *Republic* Book I discussion with Thrasymachus, for example, Socrates holds that in both the individual and the community “faction and not being ὁμοοῦντα” renders the individual or a community “an enemy to itself and to the just” (352a5-8).²¹ Civic disunity is a bad-making feature for a πόλις (462a5-7). A πόλις is defective to the extent that it is civically disunified. Thus, when degenerate πόλεις are discussed in Books VIII and IX, these forms each illustrate a progressive unraveling of civic unity and an increase in faction.

Plato wishes to preserve the conceptual connections among political friendship, civic unity, and ὁμόνοια in the *Republic*. At the same time, Plato will clarify and reinterpret these connections and present a fresh approach to the problem of faction. Justice in a πόλις is accompanied by “ὁμόνοια and friendship” (351d5-6). A key component in a city’s justice is a strong form of civic unity. Civic unity in the *Republic* contributes to the goodness of the πόλις, so that there is “no greater good than that which binds [a πόλις] together and makes it one” (462a9-b2). As Socrates characterizes it in the *Republic*, civic unity co-varies with civic goodness. A given πόλις can only be good to the extent that it is civically unified.

At *Alcibiades* I (127b8-127c9), we saw that Alcibiades identifies occupational specialization as a potential threat to a city’s ὁμόνοια. In the context of the *Republic*, any potential threat to ὁμόνοια would also be a threat to the civic unity of a πόλις. However, occupational specialization does not pose a particular threat to ὁμόνοια or civic unity in the *Republic*. Occupational specialization in the *Republic* is secured by a city’s adherence to the principle that each inhabitant does the work for which he or she is best naturally suited (the Principle of Specialization [PS]). In the *Republic*, Socrates finds that occupational specialization along these lines causes

²⁰The analogy with a body is helpful here. Faction is analogous to disease in a body. Civic unity will not simply be the absence of faction. Rather, civic unity is analogous to health in a body, a positive state that will tend to make a body resistant to disease. Interestingly, in the *Republic*, Plato’s Socrates presents a πόλις that is resistant to faction, but not entirely immune from it.

²¹The formulation echoes the *Alcibiades* I’s remarks concerning individuals who “disagree with themselves” and who are thus at odds with themselves.

“justice to be present” in those πόλεις which adhere to PS (433a8-b5, 434c7-10, 435b4-5, 443c4-7).

Adherence to PS promotes functional unity in a πόλις. Occupational specialization, that is, ensures that the functional parts of a πόλις perform their proper work for the good of the πόλις as a whole. Functional unity, as we understand it, will not be sufficient for strong civic unity. For one, strong civic unity will be accompanied by political friendship and ὁμόνοια. The same cannot be said for functional unity. It is possible for occupational classes in a πόλις to perform their proper work absent robust political friendship and absent ὁμόνοια.²²

6.9 Ὅμόνοια in the Republic

Let us turn, then, to investigate more closely the role of ὁμόνοια in the *Republic*. In Book IV, Socrates connects σωφροσύνη in a πόλις to ὁμόνοια within that πόλις. As with an individual, a πόλις is correctly described as σώφρων (or moderate) if it can be accurately said to be “a master of its pleasures and of itself” (431c10-431d2). The maximally good human πόλις will be, among other things, one that is σώφρων.

But achieving mastery over pleasures is no small matter. We should recall that the *Republic* presents us with three soul-types: those who are naturally ruled by reason, those who are naturally ruled by spirit, and those who are naturally ruled by their appetitive desires. Socrates argues in the *Republic* that the best kind of πόλις will be the πόλις in which those who are naturally ruled by reason are charged with governance. These are the famous philosopher-rulers. It will be a critical matter, then, to bring the souls of those who are non-philosophers into conformity with the reasoned dictates of the philosopher-rulers. Natural pleasure-seekers will, presumably, find it difficult to appreciate the goodness of the philosopher-rulers' wise counsels (431c2-7).

Ordinary citizens in the *Republic* do not possess political expertise. Thus, shared political knowledge cannot be the basis for political friendship or a ground for civic unity.²³ At this point, one might advise that non-philosophers practice epistemic deference, along the lines suggested in *Alcibiades* I. Philosopher-rulers are acknowledged experts in political and ethical matters. These individuals have been singled out for their sterling personal and intellectual qualities. They have further undergone a long and involved program of education and training. It further seems as if, contrary to ordinary political communities, non-experts are able to recognize that philosophers

²² Catherine McKeen has argued elsewhere that adherence to the Principle of Specialization secures functional unity in the καλλίπολις (McKeen 2004). While functional unity is an important component of overall civic unity, it is weaker than what is needed for robust civic unity. As an illustration of this, CM notes the city of pigs in *Republic* II. This πόλις is functionally unified by adherence to a modified form of PS, but falls short of the more complete unity achieved in the καλλίπολις.

²³ See note 19 above.

are political experts in the *καλλίπολις* (Book V). Would agreement on this model thus be sufficient for strong civic unity?

A key text in Book IV might superficially be taken to indicate that such agreement is sufficient for political friendship and strong civic unity. At 431d9-431e2, Socrates says, “And, yet, if there is the very same belief (ἡ αὐτὴ δόξα) in any πόλις in both those ruling and those ruled about whoever ought to rule, this [shared δόξα] will obtain in this [the *καλλίπολις*].” If we were to read this text in light of the linguistic model of the *Alcibiades* I, we might be tempted to think that individuals subscribe to the same δόξα when they display a similar pattern of assent and dissent to similar questions, and when they similarly pick out instances using the same terms. But we must ask ourselves whether political friendship *consists in* such shared δόξα, or whether shared δόξα are, rather, simply an indication of some other underlying state.

Another key text in Book IV shows that political friendship and civic unity demand something stronger than mere agreement (in δόξα) and epistemic deference:

σωφροσύνη stretches across the whole [of a πόλις], creating concord (συνᾶδοντας) between the weakest, the strongest, and the intermediate—on the one hand (if you wish) in judgment (φρονήσει), and on the other hand (if you wish) in strength, or in numbers, or in means, or in any other like respect. And so we are quite right to say that σωφροσύνη is this ὁμόνοια (like-mindedness) in which there is a natural harmony (κατὰ φύσιν συμφωνίαν) between the better and the inferior about which of them is to rule, both in a πόλις and in an individual. (431e10-432a9)

We take this text as a governing text for understanding the remarks regarding shared δόξα at 431d9-431e2. According to the text at 431e10-432a9, inhabitants in a πόλις do not merely agree with one another or share δόξα. Rather, they are like-minded, ὁμονοεῖν, in some stronger way. The natural harmony that obtains between those ruling and those ruled holds because the *καλλίπολις* succeeds in making rulers and ruled psychologically similar. Philosopher-rulers exhibit psychological health in the strongest way. In the souls of philosopher-rulers, their reason rules appropriately over the spirited and appetitive soul-parts. Thus, their souls achieve the highest form of unity.

Non-philosophers in the *καλλίπολις* are also ruled by reason—the spirited and appetitive parts of their souls are effectively controlled so that the πόλις as a whole is σώφρων. In non-philosophers, however, the reason that rules their souls comes from without, from the philosopher-rulers. This is crucial to Plato’s solution to the problem of faction and is illustrated by a number of texts from *Republic* Book IX:

[1] Therefore, when the whole soul follows the philosophic part and is without faction (μὴ στασιαζούσης), then each part is just and will entirely perform its own function, and will reap its own pleasures and those that are best, and insofar as this is possible, the truest pleasures. (586e4-587a1)²⁴

²⁴ Τῷ φιλοσόφῳ ἄρα ἐπομένης ἀπάσης τῆς ψυχῆς καὶ μὴ στασιαζούσης ἐκάστῳ τῷ μέρει ὑπάρχει εἷς τε τᾶλλα τὰ ἑαυτοῦ πράττειν καὶ δικαίῳ εἶναι, καὶ δὴ καὶ τὰς ἡδονὰς τὰς ἑαυτοῦ ἕκαστον καὶ τὰς βελτίστας καὶ εἰς τὸ δυνατόν τὰς ἀληθεστάτας καρποῦσθαι.

[2] Then, so that such a one [the non-philosopher] is ruled similarly (ὁμοίως) to the best person, we say that the [non-philosopher] must become the slave (δοῦλον) of the best person, the one in whom the divine part rules ... (590c7-590d1)²⁵

[3] Not because we suppose, as Thrasymachus supposed for those governed, that this slave [i.e., non-philosopher] must be ruled for his own harm, but because it is better for everything to be ruled by divine wisdom, and it is better for that ruling to be in him and his own (οἰκεῖον ἔχοντος ἐν αὐτῷ), but if not this, then from that which is imposed externally (ἔξωθεν ἐφεστῶτος), in order that we all might be similar and be friends (ὅμοιοι ὦμεν καὶ φίλοι), under the same guidance (τῷ αὐτῷ κυβερνώμενοι). (590d1-6)²⁶

Non-philosophers in the καλλίπολις will be trained so that the spirited and appetitive parts of their souls respond to the rational commands of the philosopher-rulers. Untrained non-philosophers could not be relied upon to respond to reason in the way that non-philosophers in the καλλίπολις do. The way that this state of affairs comes about is a rather long story, and one that is beyond the scope of the current paper. We will only note here that “medicinal falsehoods,” such as the Noble Lie, will play a key role in this training (459c8-d2).²⁷

It should be noted the result is aptly described as a “harmony” between the rulers and the ruled. That is, both the souls of the rulers and the ruled are organized similarly. There is an isomorphism between both types of souls, but beyond this isomorphism, there is also a natural affinity. Reason rules in both types of souls. Appetitive and spirited parts in both souls fulfill their respective functions within the boundaries set by reason. Each citizen, then, whether ruler or ruled end up sharing to some degree the achievement of a soul that is “a master of its pleasures and desires and of itself” (431c10-431d2).

Furthermore, individuals who stand in this kind of relation of ὁμόνοια can be expected to agree about which among them should rule. They will subscribe to the same foundational δόξα regarding the καλλίπολις, but this agreement will be the result of an underlying ὁμόνοια. Individuals who stand in this relation of ὁμόνοια will further be primed for political friendship and civic unity. They will recognize each other not simply as fellow πόλις-inhabitants or as fellow beneficiaries of a political order, but will recognize each other as mutual political friends. Psychological similarity will result in the residents of the καλλίπολις being similarly motivated towards the common good.

²⁵ Οὐκοῦν ἵνα καὶ ὁ τοιοῦτος ὑπὸ ὁμοίου ἄρχηται οὔτε περ ὁ βέλτιστος, αὐτόν φαμεν δεῖν εἶναι ἐκείνου τοῦ βελτίστου καὶ ἔχοντος ἐν αὐτῷ τὸ θεῖον ἄρχον.

²⁶ οὐκ ἐπὶ βλάβῃ τῇ τοῦ δούλου οἰόμενοι δεῖν ἄρχεσθαι αὐτόν, ὥστερ Θρασύμαχος ᾤετο τοὺς ἀρχομένους, ἀλλ' ὥς ἄμεινον ὄν παντὶ ὑπὸ θεοῦ καὶ φρονίμου ἄρχεσθαι, μάλιστα μὲν οἰκεῖον ἔχοντος ἐν αὐτῷ, εἰ δὲ μή, ἔξωθεν ἐφεστῶτος, ἵνα εἰς δύναμιν πάντες ὅμοιοι ὦμεν καὶ φίλοι, τῷ αὐτῷ κυβερνώμενοι. (The text is framed as a rhetorical question, drawing out the contrast between the Socratic-Platonic view and Thrasymachus' view, and thus nicely tying the culminating view of the *Republic* with the preliminary remarks about faction in Book I).

²⁷ This also seems to us to count against Kamtekar's claim that those outside the ruling class in the *Republic* should count as having a share of knowledge insofar as their beliefs reliably track what makes the beliefs true, since any falsehood that served to justify such beliefs (as would inevitably be the case resulting from a use of falsehood in political rule) would serve as a defeater for such “knowledge.” See note 19, above.

This, as we take it, is Plato's answer in the *Republic* to the problem of faction. Plato aims to make the inhabitants of his καλλίπολις psychologically similar to one another. To do this is to split the difference between shared political expertise and mere agreement based on epistemic deference to political experts. In doing so, Plato effectively resists the dilemma proposed in the *Alcibiades* I. Contrary to what some scholars have claimed,²⁸ Plato's answer to faction, moreover, does not require "giving to every citizen the same opinions, the same passions, and the same interests," the second approach to faction that Madison opposed. The Platonic solution does require making the inhabitants of a πόλις psychologically similar. The desired psychological similarity will result in πόλις-members sharing many of the same opinions, passions, and interests. Sharing some of the same δόξαι, particularly those central to the πόλις, will be an indication of psychological similarity among the city's residents. But political ὁμόνοια will not consist solely in this.

The way Plato proposes to achieve this goal of commonality of motivational psychology is by instituting not only a common basic education for all members of the state, but also with a number of other programs designed to create not just functional unity, but also friendship based upon some share of virtue among the citizens. It may be that many of the specific proposals Plato includes for such purposes—denying rulers any access to private property, eliminating private families, denying most citizens all access to political rule, and so on—cannot be counted as feasible within a modern democratic framework. Even so, as our own political structures seem increasingly paralyzed by the kind of faction they were supposed to prevent, we might still find in Plato some encouragement for considering whether there remains some workable way to promote friendship and greater commonality of character among our fellow citizens.

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²⁸ Again, see Kamtekar (2004), and our notes 19 and 27 above.

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Chapter 7

Plato on Inequalities, Justice, and Democracy



Gerasimos Santas

Abstract The paper focuses on Plato's treatment of equality and inequalities in his best constitution in the *Republic* and in the second best constitution in the *Laws*. Plato was aware of the equality solution and various inequalities solutions to the problem of distributing political offices, the burdens of defense, other careers, and property and wealth. In his best constitution he rejected participatory democracy's solution of equality of political offices, and also rejected inequality distributions of political office on the bases of courage only or wealth only or on force only. He opted for proportional inequality in the distribution of all careers, including ruling, defense, and the provision of goods and services, on the basis of inborn inequalities in intelligence, spirit, abilities in the arts/crafts, and appropriate education. Such a distribution is directed by his principle of social or city justice and justified by his belief that only with such distributions would the city function best. In the economic domain he opted for radical inequality, the abolition of private property and wealth for the ruling classes and the military—a radical divorce between power and wealth, which is his solution to the political problem posed by Thrasymachus. For the remaining and largest class, the providers of basic goods and services, he proposed functional economic floors and ceilings—allowing farmers and craftsmen what they needed, and not more, for doing their jobs well. Later, in his second best constitution, Plato opted for democratic equality in the distribution of the main political offices, for absolute equality in the division of land, and very measured inequalities in other goods and other offices. Plato now seems to think that the very great inequalities of his best constitution/city would create conflicts and factions too difficult to assuage or overcome, since he now cites repeatedly the avoidance of faction as the main reason for his newly found political and economic equality and for the avoidance of extreme inequalities. At the same time, he lowers his earlier and very high standard of the knowledge required for ruling well, which allows many more citizens to participate in ruling the city well; they no longer need to know the form of the Good, but it is sufficient to know the goods of the soul, the goods of the body,

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the social goods, and the teleological priority of the goods of the soul over all other goods—all the others to be pursued for the sake of the goods of the soul. Looking at both books, it is rather remarkable that all the solutions to the distribution problem of social justice that Plato discusses—equality, proportional inequality, floors and ceilings, and distance between the best off and the worst off—find an echo in modern solutions to the distributions of similar social advantages and burdens.

Keywords Aristocracy · Democracy · Inequalities · Land · Proportion

7.1 Introduction

Plato was aware of the deep connection between distributive social justice and equality and inequalities. The problem of distributive justice is the division and distribution of political offices and rights, economic assets, and social opportunities in which every one has an interest. Such distributions are either equal or unequal in several different ways. The equality solution in both the political and economic domains is very old (see Ober, Chap. 2 this volume), and Plato was aware of its advantages and disadvantages. In the political domain, he considered it seriously in his discussions of democracy, and mostly rejected it because in the ancient participatory democracies it was not based on merit or the relevant virtues. He was also aware of several inequality solutions, and in the political domain he favored the proportional inequality solution and tried hard to resolve disputes about the basis of the proportion, such as citizenship, freedom, wealth, and wisdom. In his best constitution he favored proportional distribution of offices and careers on the basis of wisdom and other virtues; since human beings are usually unequal in wisdom and other virtues, this in effect favored this particular inequality solution. Later, in his second best constitution, he was more amenable to equality and very measured inequalities.

In the economic domain he was more flexible and discussed several kinds of equalities and inequalities. In this domain proportional inequality seems conspicuously absent. Instead, in his best constitution he favored some radical economic inequalities such as the abolition of private property for the ruling classes. In his second best constitution he favored some basic equalities, such as equal distribution of land, usually together with some moderate inequalities in other assets, because he thought that extreme economic inequalities are causes of faction and tried to contain them by such devices as economic floors and ceilings and distance between the best off and the worst off. In educational opportunities he favored free and equal public basic education for all citizens and specialized higher education for the most talented.

7.2 Kinds of Inequalities

There are many types of inequalities among human beings. One great and relevant division is between (a) natural or inborn inequalities in intelligence, health, strength, beauty as well as in abilities and talents and (b) social inequalities in political power

and in rights and privileges, economic inequalities in income and wealth, and cultural inequalities in family, class, and education. This division between inborn and societal inequalities is present and used in Plato's theory of justice in the *Republic* (and used even to a greater extent by Aristotle, especially in his *Politics*). The uses and significance of this distinction in theories of justice will be discussed as we go along. But there is a general assumption that natural or inborn inequalities make a difference to life prospects, can be treated differently by social structures and institutions (witness different social treatments of color and gender), and thus can hardly be ignored by justice since justice influences social structures and institutions.

Both kinds of inequalities, inborn and social, can vary in degrees or extent within a population: natural inequalities, from the genius to the mentally disabled (witness the great range of human IQ), from the god-like strong and beautiful to the ill and deformed, from the talented in music or painting to the congenitally deaf or blind. Social inequalities can also vary in degree and extent in a population: political inequalities from rulers to ruled, from kings to slaves, from democratic rights and freedoms to totalitarian oppression; economic inequalities in wealth from billionaires to the homeless, in wages from high-salaried CEOs to minimum wage earners; social inequalities from the educated to the illiterate.

7.3 Inequalities and Justice

What does justice say, if anything, about natural or inborn inequalities? She of course does not control them directly: they might be thought to be distributed by a "divine craftsman" (Plato), or by the immanent teleology of nature (Aristotle), or by random genetic variations (in Rawls' useful phrase, by "the natural lottery"). But, however they may come about, such inborn inequalities can make a great difference to life expectations: those born smarter, stronger, or healthier, with greater imaginations or mathematical or artistic talents, are more likely to fare well no matter what the structure of the society they are born into, though such inborn inequalities are hardly ever thought to be by themselves (as distinct from their development in society) the result of merit or desert. Justice can take a stand on such natural inequalities since it is her role to regulate the structure of society and its institutions, and different structures can influence in many different ways, even determine, how natural inequalities play out during lifetimes.

What stand can justice take? Abstractly speaking, she could say: hands off natural inequalities, let them play out as they may. Or she might blindfold all of them, refusing to take any of them as a basis for different treatments. Or, she might try to compensate for some of them or moderate their effects to some extent or degree, especially if she thinks they are arbitrary (not the result of merit) and not deserved. Or she might blindfold some natural inequalities, say differences in height, or gender, or race; and institutionalize others, say, differences in intelligence, making them the basis for participation in institutions, and leave yet others alone. What should she do, and why?

Plato's justice blindfolds gender differences, institutionalizes inborn inequalities in intelligence, spirit, and abilities for the arts and crafts, and leaves many others alone (baldness, for example). Some relations between justice and natural endowments can be seen at work in the last century and a half—a significant increase in the inborn or natural inequalities that justice blindfolds: race, gender, and even (arguably innate) sexual preference.

When we consider these different treatments of natural inequalities, we must remember that the ancients had a different conception of nature than our modern dominant conception. The conception of the ancients was largely teleological and beneficent, while that of the moderns appeals to randomness at least after Darwin. In Rawls' phrase, "the natural lottery" is no accident.

What does justice say about societal inequalities? Of course justice does say something about societal equalities and inequalities—that is part of her job or role. She can regulate political equalities and inequalities by the constitutions she decides are just, since constitutions determine the structure of political offices, their powers and limits, and the rights and freedoms of citizens. Economic systems too are within her domain, since they too can be just or unjust; and she can leave them alone or regulate them a little or a lot. So she takes a stand on societal inequalities—political, economic, or social (say, regarding education). In Plato's and Aristotle's ideal constitutions, justice takes strong stands on political and economic institutions.

A fundamental question is whether all societal inequalities—political, economic, or social—are inherently unjust and only equality is just. Regarding political equality, there are fundamental and seemingly irreconcilable differences between democracies, whether participatory or representative, and every other constitution. But regarding economic inequalities, there is considerable consensus from ancient times to the present that economic inequalities are not inherently unjust, or at least that some economic inequalities are just. We shall presently see in detail why this is so. But generally speaking, (1) some economic inequalities are thought to be efficient, insofar as they provide incentives for innovation and greater productivity, which in turn can improve outcomes in quality or quantity or decrease costs; and in teleological ethical theories it may be hard to distinguish between efficiency and justice (in Plato, for example, efficiency seems to be part, but only part, of his social justice). (2) Some economic inequalities are thought to be just in so far as they promote the good of the society as a whole, or all of humanity (Plato appeals to this explicitly in the beginning of Book IV of the *Republic*). (3) Some economic inequalities are thought to be just or fair insofar as they reward merit (talent, hard work, and/or good performance); thus when merit is unequal, rewards can be unequal; this justification is typical of democracies insofar as they allow economic inequalities (equal pay for equal work, for example, presupposes that unequal pay for similarly unequal work is also fair or just). (4) Some economic inequalities are thought to be just insofar as they make everyone better off than they would be with economic equality, and the less equal consent to them (insofar as they are rational); this is typical of contract theories, such as Glaucon's theory in Plato's *Republic* and quite explicitly in John Rawls' (1971, chapter 3, esp. pp. 146–147) work, which relies on everyone's consent and rational choice of principles (cf. Barry 1988, chapter 6).

In order to understand the relations between justice and inequalities, we need to observe two distinctions. The first is a distinction between principles of justice and institutions thought to implement them. Presumably the U.S. Constitution implements or embodies principles of democratic justice as political equality, at least for representative democracies. Aristotle's Best Constitution embodies his principle of political justice as proportional equality after he has resolved the dispute about worth in favor of virtue (Keyt 1991). The other distinction is between principles of justice and empirical assumptions used to deduce consequences about economic justice. Aristotle's own principle of justice, for example, as proportional equality in the distribution of offices on the basis of merit or worth, by itself says nothing about economic equalities or inequalities; but together with empirical assumptions (say, about resources needed for performing the functions of various offices well), it might well imply some economic (in)equalities (Anagnostopoulos, Chap. 8 this volume). Something similar is true of Plato's principle of social justice in the *Republic*, as we shall see. In teleological theories of justice, empirical assumptions are crucial and needed to discover implications for economic justice and the institutions that would implement economic justice. In social contract theories, on the other hand, we may have principles of justice that say something directly about economic justice (witness Rawls' difference principle, 1971, chapter 2), but here too we need empirical assumptions to discover the institutions that would implement these principles, like free public education to implement the principle of fair equality of opportunity.

We should also note that empirical assumptions may play an additional important role in arriving at or deducing principles of justice in both teleological and social contract theories. Plato, for example, uses assumptions about division of labor, trade, and some inborn differences to arrive at his principle of social justice in the *Republic*, and he uses several empirical assumptions similarly in his sketch of Glaucon's social contract theory.

These distinctions are crucial as we proceed to examine what Plato's theory of justice says about equalities and inequalities. Accordingly, (1) we begin by trying to identify his normative principle of justice and then (2) we examine how he used empirical assumptions, in conjunction with that principle of justice, to reach conclusions about what (in)equalities are just and the institutions that would implement them.

Clearly, disagreements and mistakes can be located in either (1) or (2), and where they are located is important in trying to correct mistakes or resolve disagreements. Mistakes and disagreements about (2) would be the easier to correct or resolve by appeal to the relevant empirical sciences. Disagreements about (1), what justice is, would be harder, though here too we can make some progress if we can identify the empirical assumptions on which the author relies to discover what justice is. So long as what justice is depends on empirical assumptions (though not completely), theoretically it is possible that all disagreements about what justice is can be located as disagreements about empirical assumptions.

7.4 Plato on Inequalities and Justice in the *Republic*

Plato's opposition to standard democratic justice as political equality is well known: democratic justice accords (political) equality to equals and unequals alike (*Rep.* VII 558; see Rowe, Chap. 4 this volume). This criticism is more forceful than might be thought if we remember that his target was not our representative democracies, but rather participatory democracy in which every citizen was a ruler and subject at the same time, at least in the Assembly: every citizen was a ruler in the Council by rotation and every citizen a ruler in the Jury Courts by lot. In the Assembly, Council, and Jury Courts, every citizen had one vote. Ancient participatory democracies made far greater demands on their citizens than modern representative democracies: to do their jobs well in the Assembly and the Council, even the Courts, each citizen had to be able to deliberate well about his own good and, far more difficult, about the good of his city. Since it is highly unlikely that every citizen could do this equally well, why should they all have equal participation in political office and an equal number of votes? Being equally free (and thus a male with at least one citizen parent) seems hardly enough.

Having given up justice as political equality, Plato tries to discover what political inequalities are just, a big problem once political equality is given up, since there are many kinds and degrees of political inequalities. Indeed, all the constitutions he considers other than democracy allow or require greater or lesser political inequalities on different bases.

His theory of political virtue, summed up in his theory of the four virtues of the ideal city-state (as distinct from his four corresponding virtues of individuals), is also well known. But these city virtues—social wisdom, social temperance, social courage, and social justice—say nothing directly, by themselves, about economic justice, that is, about the distribution of land, other wealth, and income. For this and other reasons, his theory of the relation between justice and economic equalities and inequalities is less well-known, and analysis of it should clarify and enrich his theory of social justice. Here he was in partial agreement with standard democratic theory, ancient and modern, insofar as it allows economic inequalities, sometimes very great ones, but for different reasons and with different constraints.

Plato does not have the democratic problem of reconciling possible conflicts between political equality and economic inequality. But he still has to discover what economic inequalities are just, an even bigger problem for justice once economic equality has been given up, since there are many kinds and degrees of economic inequalities and many other kinds of inequalities that influence economic ones. Some of his proposals are quite radical and seemingly undemocratic insofar as they threaten democratic freedoms, and his reasons for moderating economic inequalities are different from democracy's standard reasons.

We propose to look at Plato's treatment of three cases of inequality in the *Republic* and the *Laws* and their relation to his notion of justice:

- (1) The inequality in the distributions of the social careers of ruling, defending, and providing for the ideal city, based in part on the natural or inborn inequalities in

the distribution of intelligence, spirit, and talents and abilities for the productive arts. This is the center of Plato's theory of political justice.

- (2) His treatment of other inborn inequalities in such things as height, baldness, color, and gender. This, together with (1), helps us understand Plato's ethical "naturalism," the stand his justice takes on inborn or natural inequalities.
- (3) Economic inequalities in land, other wealth, and income, as well as the institutions that implement them.

Plato's principle of political justice (the justice of the polis) is stated in the *Republic* Book IV (433a), a passage that harks back to its first statement in Book II and subsequent statements in between: "What we laid down in the beginning ... when we were forming our city, this I think ... is justice. And what we did laid down, and often said ... was that each person must perform the one social service in the state for which his nature was best adapted."

What they laid down in the beginning: "The result, then, is that more things are produced, and better and more easily when one man performs one task according to his nature, at the right moment and at leisure from other occupations" (*Rep.* 370c). This is Socrates's grand conclusion from several premises: that individuals come together to form cities because they are not individually self-sufficient; that each has many needs ("its [the city's] real creator is our needs"), and each thinks it better for himself if he engages in interchanges of giving and taking; that their basic economic needs are food, shelter, and clothing; that they would all be better off if they divide their labors, rather than each doing everything; and that they are born with different capabilities for producing or doing different social tasks. Plato's principle of social justice is, in a limited way, embedded in the grand conclusion. The conclusion itself is a good indication that Plato's theory of justice is a teleological ethical theory: the statement asserts that what he later identified as justice promotes the good of everyone because its practice produces "more and better" goods more easily for their basic needs.

Later, of course, the needs are expanded to two other groups, defense and ruling, and the grand conclusion is made to include them as well. So we have three groups of careers that the principle of justice covers. Also later on, basic education for all citizens, and higher education appropriate to higher inborn abilities and careers, is added. So a more complete, but still formal, statement of Plato's principle of social justice is: A city is just when it is so organized that each citizen is doing that social task (e.g., of ruling or defending or provisioning the city) for which he or she is best suited by inborn ability and appropriate education.

Content is added to the principle in Books II, III, and IV by several empirical assumptions. Plato tries to work out what inborn abilities are most suitable for each of the three main social tasks or functions: inborn high intelligence for ruling, inborn high spirit for defense, and inborn abilities or talents for providing food, shelter, and clothing. The Myth of the Metals (*Rep.* 414-5) illustrates his strong but largely true empirical assumption that persons are born with significantly different intelligence, spirit, and abilities for the arts, and that these make a big difference to the best functioning of his utopia. He also works up what educations, in addition to

a public and free basic education for all citizens, would be most suitable for these three types of careers: a very advanced education in the sciences and dialectic for the rulers, basic education and military training and tests of spirit for the defenders, and the standard arts of his day for farming and building and weaving.

Several features are noteworthy about Plato's principle of social justice. In scope it covers all social careers, including the important ones of ruling and defense, something we might well expect a principle of social justice to cover. And it forbids multi-careering as well as choosing a career one is not suited for either by inborn ability or by education. In this respect, it is opposed to free choice of career which the democracies of his day certainly allowed. In democratic societies, choosing a career one is not fitted for either according to inborn ability or education may be foolish, imprudent, or irrational, but it would not be unjust, as it would be in Plato's utopia. Plato's principle, we might say, institutionalizes (some relevant) inborn inequalities as a basis for just inequalities in the distribution of careers, contrary to democratic justice (for further discussion of Plato's political justice, see Santas 2010, chapter 4).

We know from his treatment of gender in *Republic* Book V that Plato's justice does not institutionalize all inborn inequalities among human beings. It leaves some inborn inequalities, such as height, baldness, and so on, out as irrelevant, at least to the choice and performance of social careers. And it takes account of the inborn differences in gender, not by institutionalizing them, as it does with inborn intelligence, and not by ignoring them, as it does with height or baldness, but by blindfolding them. In his account of the role of women in his utopia (V 445-457), Plato proceeds first by distinguishing between inborn features that make a difference to the performance of the three main social careers and those that do not, then second by arguing that though men and women do indeed differ by nature, these differences—women bear children and men do not, and by and large men are physically stronger than women—do not make a difference in the performance of careers. Finally, he claims that the three main inborn traits—high intelligence, high spirit, and high abilities for arts and trades—that do make a difference (together with suitable education) in the performance of the three main social tasks, are distributed indifferently between men and women. Some women are born smarter than some men, some with higher spirit, and some with “a physician soul”—and this more than twenty centuries before the Johns Hopkins Medical School admitted the first woman! We might say that, far from institutionalizing gender differences—as nearly all laws did in Plato's time—his justice blindfolds gender: gender by itself does not enter as a reason for the choice of career. In all likelihood, his revolutionary proposal is a case of procedural justice, rather than a justice of outcomes that might result in quotas. And it was likely made possible by his metaphysical dualism of body and soul, and his idea that gender is an attribute of the body, while the three inborn features his justice institutionalizes are attributes of a soul, a soul that can be disembodied (for further discussion, see Santas 2010, chapter 6; Frede, Chap. 13 this volume).

When we come to economic inequalities, Socrates, in Books III and V, proposes that in the ideal city the ruling class and the military class not be allowed any private

property or wealth, only shelter, food, clothing, and other bare necessities for living and doing their tasks (*Rep.* 412-19; see Cornford 1941, chapter 10). Thus, the two classes with all the power in the city, the rulers and the military, will be deprived of one major instrumental good which people usually want and go after and which can greatly increase political power when joined with it.

His reasons for this can be traced back to his criticism of Thrasymachus' empirical claim that rulers govern for their own benefit, rather than the benefit of their subjects. But even if his criticism there, the argument by analogy against Thrasymachus (I 341-342), is correct, and as in medicine and navigation the aim of ruling is the good of the subjects, it is quite another thing to insure that the rulers of his ideal city do not rule for their own benefit rather than the benefit of the subjects. So how is he going to guard against that widespread tendency of rulers?

His answer: first, education, and second, abolition of private property and wealth for the rulers and the military. The education consists in instilling into the guardians, that is, the defenders and the future rulers, the belief that their own good or interest is the same as the good or interest of their subjects. If they are convinced of that, then presumably they will act in favor of their subjects, and in that respect ruling will be like (ideal) medicine and navigation. But after he has finished his sketch of their education, including tests of this conviction, Socrates implies that all this education may not be enough for acting in the interests of their subjects, that is, not enough if they still have private property and private wealth (*Rep.* 415-419), because this will create conflicts between the economic good of the guardians and that of their subjects. So Socrates proceeds beyond education to the abolition of private motives (economic gain) by abolishing their private objects (private property and wealth). This is Plato's solution to the political problem posed brilliantly by Thrasymachus, the opposition Plato himself set up. As Allen (2006, pp. x-xv) points out, Plato tries to eliminate the causes of faction, instead of trying to control their effects as the fathers of the American Constitution did (see also McKeen and Smith, Chap. 6 this volume).

When Adeimantus objects, in the opening lines of Book IV (*Rep.* 419-421), that Socrates' reform would make the rulers and soldiers unhappy by depriving them of the usual goods that the ruling classes go after—property, wealth, fine houses, and money for travel and mistresses—Socrates replies that he would not be surprised if nevertheless the ruling classes were “most happy,” especially if they did their work well. Here he seems to assume that one important source of happiness derives from doing well what one is best at. But in any case, Socrates adds—contra Thrasymachus—that Socrates, Glaucon, and Adeimantus did not set out to promote the happiness of any one class particularly well, but to promote the happiness of the city as a whole, because they thought that only in that city they would find justice. This seems to assume that justice promotes the good of the city as a whole, and that abolition of private property and wealth for the rulers and defenders will promote the good of the city as a whole. But though in the passage it is clear that Socrates disagrees with the common conception of happiness, it is not equally clear how his principle of social justice would specifically rule out private property for the ruling classes.

In Book V (*Rep.* 462–465), Socrates gives another reason for abolishing private property and wealth in the two ruling classes: if they had it they would have conflicts of interest with each other, and thus create faction and possibly civil war. This danger, faction within the ruling classes, was perhaps as real as faction between rulers and subjects. And perhaps this is the reason why Socrates claims that unity in the city, which excludes both kinds of faction, is its greatest good, and faction its greatest evil, something new in his list of goods and evils, at least in rankings among Plato's own goods and evils. Apparently, the virtue of social temperance (agreement among the citizens about who should rule and who should be ruled)—which is the virtue that promotes harmony between rulers and ruled and even between rulers and the military, and is presumably the result of education—is not enough to prevent faction and civil war. Institutions are needed in addition, and the abolition of private property and wealth for the ruling classes, as well as the abolition of the private family among them, will eliminate private economic motives and private affections as well among them.

In sum, in these radical institutional reforms, Plato creates an absolute firewall between property and wealth on the one hand and political and military power on the other. By comparison, our democratic firewalls between political and economic power—like blind trusts, campaign contribution limits, and financial disclosures—are far weaker and apparently ineffective. Plato's reforms are quite radical by comparison also to all the other constitutions Plato discusses in Book VIII; indeed one of them, oligarchy or plutocracy, far from separating ruling and wealth, unites them.

Now clearly, the abolition of private property and wealth for the upper classes is not economic equality among all citizens. Nor does it seem to be a direct application of Plato's principle of social justice as proportional equality in the distribution of social careers on the basis of natural assets and education (at least not without help from empirical assumptions, such as what is needed for doing one's social function well). Nor yet can it be the role of his other city virtues to regulate economic goods. So how do the reasons he gives connect at all with his social philosophy of the four civic virtues? And if they do not, as they do not appear to, to what principles do his proposals or his reasons for them connect?

The answer may be that these radical economic reforms promote the good of the city as a whole, and particularly that they enable the rulers to rule the city well, that is, for the good of the citizens, contra Thrasymachus. These reforms also enable the defenders to defend the city well, that is, to defend the citizens against external threats and not to harm their own fellow citizens. This may be the main thrust of Socrates' answer to Adeimantus' objection in Book IV: the city as a whole will perform better with these reforms, and even the ruling classes can be happy with them if they do their job well. So here we may not have a direct appeal to his principle of distributive justice, but to his overall teleological principle that civic virtue (including justice) is what promotes the common good or the good of the society as a whole (for Plato's conception of the good of the city as a whole, see Santas 2015).

Plato's principle of political justice connects to these reforms rather indirectly: the division of social tasks and the matching of tasks to native talent and appropriate

education (social justice) was adopted because these tasks could then be done better. Abolition of private property and wealth in the ruling classes prevents faction, a great evil, and so enables these two tasks to be done better and to promote a great good, unity.

The rest of the ideal city, the vast majority of its citizens, are allowed private property and a free market of exchanges and trades. But Socrates proposes that there be economic floors and ceilings (*Rep.* 421-427). His main reasons are that farmers and craftsmen must have enough materials and instruments in order to do their work well, provisioning the ideal city well, but not allowed so much property and wealth that they lose their motivation to do what they are best suited by nature and education. It is noteworthy that this idea of economic floors and ceilings, to avoid excesses, finds modern favor in such things as minimum wages and estate taxes. Plato's proposal is rather vague: functional floors and ceilings may vary considerably, and farmers may need far more materials and instruments than, say, architects.

Once more, this is not economic equality, nor is it an immediate implication (or direct application) of Plato's principle of justice as proportional equality in the distribution of careers. And once more his reasons seem to be that the farmers and craftsmen will do their work better with these floors and ceilings than they would otherwise. The best functioning of his city, presumably a superlative political good, is appealed to directly, rather than through his principle of social justice as proportional equality. One may wonder why this is the case. Is his account of the virtue of social justice incomplete? It would seem so, since the restriction of social justice to the distribution of careers and nothing else, at least not directly, leaves the distribution of economic goods wide open as an issue of justice.

In sum, Plato does not propose economic equality for his ideal city, and once he departs from equality he does not rely directly on his principle of social justice as proportional equality to regulate inequalities, but instead appeals directly to the good of the city as a whole or to the best performance of its main social functions.

7.5 Plato on Justice and Inequalities in the *Laws*

In the *Laws* Books V and VI (see Bobonich 2002, chapter 5, esp. pp. 374–94), when Plato constructs his second best city (*Laws* 739-747), he is by no means averse to political or economic equality. His program is a measured mixture of fundamental political and economic equalities and moderate inequalities.

Unlike the ideal city in the *Republic*, where the defenders and the artisans are permanently excluded from ruling, the second best city extends citizenship to all who have fought for the city or who can afford arms, and it extends basic political power equally to all citizens by means very similar to the institutions of participatory democracy. These features shared with democracy include an Assembly, in which all citizens participate and each citizen has one vote; the Council, in which citizens participate by rotation; and the Courts, in which citizens participate by lot. The second best city includes several other, perhaps less democratic institutions,

such as appeals courts, the guardians of the laws, and the nocturnal council. The first three seem clearly modeled after, or at least similar to, the corresponding institutions of participatory democracy (for some innovations in the Council and the Courts, see Bobonich 2002, pp. 379–382), and Plato himself characterizes this second best city as a mixture of democracy and monarchy (*Laws*, 691–693; Aristotle interestingly claims that it is a mixture of democracy and oligarchy). So unlike the ideal city of the *Republic*, where great and permanent inequalities are Plato’s solution to the problem of distribution of political offices, in the second best city the solution to the same problem is largely political equality—obviously a prevalent democratic solution. And his principle of justice in the *Republic*, as proportional distribution in the main three tasks or social functions of the city on the basis of native ability and appropriate education, seems to be abandoned among the citizens; all are allowed to multi-task, at least in defending and ruling the city, perhaps at different stages of life (*Laws*, 735–737; see Rowe, Chap. 4 this volume).

Of course if we consider the whole population of the second best city, we find nothing but political inequalities between citizens and others: slaves, resident aliens, and others are excluded from citizenship and ruling. Even women, who are allowed citizenship and office, are allowed these things by different standards for citizenship (not fighting or affording arms), and at later times in their lives than males for office (*Laws*, 804, 814; see Frede, Chap. 13 this volume). These inequalities, and even greater ones in the case of women, were also present in the participatory democracies.

When we come to the problem of the distribution of economic goods, land and other wealth, Plato solution in the *Laws* (V 740–746) is equality of land, and very measured, or moderate, inequality in other wealth. As he proposes, citizens (actually households) are allotted equal parcels of land, one near the center and one near the borders, presumably to motivate every citizen to defend the city and thus divide equally the burden of defense. Furthermore, they are not allowed to divide or aggregate their lots, so this fundamental economic equality, fundamental since land was the major part of wealth, is preserved forever. Citizens are allowed unequal “movable goods” (though not in essential instruments for cultivating the land, or in gold or silver). But this inequality is constrained by a specific distance between the richest and the poorest in movable goods: no one is allowed more in movable goods than four times the value of the equal land plots; partly as a result, four different “property classes” emerge, one four times the equal land, one three times, one two times, and one equal to the value of the land plots.

Some of the less democratic upper offices, such as the guardians of the laws and the nocturnal council, are distributed on the basis of this economic inequality of the four property classes—perhaps why Aristotle thinks that this constitution is partly oligarchic (see also Bobonich 2002, and Rowe, Chap. 4 this volume). Thus economic inequality is constrained by specific economic floors, which exclude poverty among the citizens, and specific economic ceilings, which exclude excessive wealth. Unlike Plato’s vagueness and variability in his characterization of the functional economic floors and ceilings for the artisan class in the *Republic*, in the *Laws* there is a unit, the value of the equal plots of land, that sets the floor, and a definite dis-

tance from it that sets the ceiling. This is clearly a very different economic program than that of the *Republic*. Unlike the ideal city of the *Republic*, in which the two ruling classes are deprived of private property and wealth, in the *Laws* no citizen is deprived of private property. And unlike this fundamental economic inequality of the *Republic*, and the constrained inequality among the artisan class, in the *Laws* we have a fundamental equality in the distribution of land.

If we ask why Plato chose fundamental political and economic equalities as the solution to the problem of the distribution of important offices and of land, and moderation where he allowed inequalities (see *Laws* 736-747, where moderation, a middle range between extremes, is praised), he tells us three times that it is to avoid faction and conflicts of interest among the citizens (*Laws* 728-729, 736, 744-745). Inequalities among the citizens are a source of faction, especially excessive inequalities. And fundamental political and economic equalities are a partial solution to the problem of faction (for more discussion of faction and inequality, see Anagnostopoulos, Chap. 8 this volume). Once more, this is in contrast to the *Republic*, where he chose economic inequality (the deprivation of private property of defenders and rulers, Books III and IV) as a solution to the conflict between rulers and ruled, and then claimed that even with such fundamental economic inequality his rulers and defenders could still be happy and content. And in contrast to the fundamental political inequality of the *Republic*, and the emphasis on education in social temperance—agreement to this inequality—as the remedy (see McKen and Smith, Chap. 6 this volume).

If we ask in turn why Plato thought that he could choose a democratic solution to the political problem of distribution of office, equality by means of democratic participatory institutions, the answer may be more complex. Bobonich (2002, p. 374 and chapter 4), who concentrates and deals ably with this problem, says that it is partly due to changes in Plato's conception of human nature, his moral psychology, and his epistemology. Indeed when Plato describes the best constitution in the *Laws*, clearly that of the *Republic*, he says that it would be a constitution for gods or the sons of gods (*Laws* 739d). For men as they are, Plato designs the second best constitution. More persons are thought to be capable of ruling well, not just those born and educated to be philosopher kings and able to know the form of the good; this is because less knowledge is required for ruling well. In the second best constitution Plato has given up his demand that citizens and legislators need to know the form of the good in order to rule well; perhaps he has given up entirely his elevated view of the form of a cosmic good. He must now think that all those who are citizens in his second best city can, with appropriate education, understand what is good for them and what is good for the city. In particular, they can understand the three main human goods of the soul, of the body, and of property, as well as the priorities among them: the soul, or its virtue, is the greatest good, the body, or its health and strength and beauty, the second, and land and wealth the third. Furthermore, they can understand that all other goods are to be pursued for the sake of the goods of the soul (*Laws* 729-30). This inventory of goods and their priorities goes all the way back to the Socrates of Plato's *Gorgias*. These goods and their priorities are explained to the citizens in the prelude to the laws. What is good for persons and

what is good for the city could be understood accordingly by all citizens (for the lower epistemic standards for citizens and legislators, see Meyer 2006). According to Meyer, Plato in the *Laws* gave up not only the demand for knowledge of the form of the good, but also the demand for Socratic definitions of the virtues and the good. Citizens can be virtuous if they only have stable true beliefs about what is good and what bad, what just and unjust, and what fine and shameful, as distinct from knowledge of the forms of justice and of the good and of their definitions.

7.6 Concluding Remarks

We have seen that Plato was aware of the deep relations between distributive social justice and equality and inequalities. He considered the political equality solution, democracy, but rejected it in his best constitution partly because in the ancient participatory democracies, citizen ruling demanded wisdom and the virtues of character, and partly because he thought that ruling well required very great wisdom that few were capable of. In his second best constitution he changed his views of human capabilities and motives and lowered his standard of wisdom for ruling. He was also aware that there are many inequality solutions and tried hard to find ones that he thought were just and avoided faction. In the political domain he favored the proportional inequality solution in his best constitution, and a mixture of political equalities and inequalities in his second best.

In the economic domain, the division and distribution of land, other wealth, and income, we saw that Plato adopted a variety of rules of just and unequal distributions when he departed from the principles of numerical equality and also from proportional equality: functional economic floors and ceilings, specific floors, and specific maximum distances from specific floors. With the exception of depriving rulers and defenders of all property and wealth in his best constitution, he tried to moderate extremes of wealth and poverty. In all cases, his main reasons were whether the proposed distribution (a) benefited every citizen, or at least the society as a whole, which he regarded as the main function of social justice or (b) created faction between rulers and ruled or even faction within the ruling classes. He thought of social justice as *the* virtue that promoted the good of the society as a whole and avoided faction, though with the help of other civic and personal virtues, especially wisdom, courage, and temperance.

It is rather remarkable that all the principles of social justice and inequalities that Plato discussed or advocated find a modern and contemporary echo. Justice as equality in the political domain is the solution in modern representative democracies, though representation importantly dilutes the political equality of ruling that existed in the participatory democracies.

Justice as proportional inequality, though rejected in modern democracies as a standard of political equality, is well accepted for such economic domains as taxation: unequal income taxes and estate taxes are thought to be just when in proportion to unequal income and unequal wealth. Even sales taxes, thought to be “regressive”

because they are the same percentage for poor and rich, are in proportion to expenditures.

Economic floors and ceilings are other ancient Greek tools for implementing economic justice that find a contemporary echo in the form of minimum wages as a floor for hourly pay and estate taxes as a ceiling for great wealth over generations.

Setting a distance between the less and the more economically fortunate, as a way of mitigating great economic inequalities seen as unjust, is very popular now, as can be seen in the constant comparisons made between the average salaries of managers of large firms and the average wage of their employees. Especially since the 1980s, this inequality has increased from managers having salaries roughly 20 times that of their employees to a staggering 200 times that by 2012. This is seen as unjust since hardly anyone contends that there was a similar increase in the managers' merit, their efficiency, productivity, or hard work—the main argument used in democracies that such economic inequalities are just, and an argument, interestingly, that may be based on the principle of proportional inequality applied to the economic domain (Piketty 2014).

We saw that Plato also discussed institutions or general rules for implementing his principles of justice, education and “taxation” being the most prominent.

Public free education has been endorsed by many theorists of justice as a main institution that tempers or decreases economic inequalities, though the underlying principle of justice that would be used to justify free public education may be different for different theorists. Plato in the *Republic* proposed an institution of public and free basic education for all the citizens in his ideal city. When conjoined with his allowing for mobility among his three classes, on the basis that children can sometimes inherit different intelligence and other abilities from those of their parents (see the Myth of the Metals), we can see that his public and free basic education for all can be a leveling influence on inequalities. Of course, Plato's proposal for higher education is not for all but for the smartest few, but it is also public and free.

The relation between education and inequality finds an echo in the economist Thomas Piketty, who argues that the “the principal force for convergence [the lessening of economic inequalities]—the diffusion of knowledge—... depends in large part on educational policies, access to training ... and associated institutions” (2014, p. 22). He calls knowledge the “preeminent public good,” a non-exclusionary and non-competitive good (which is Paul Samuelson's definition of a public good). And Rawls proposed that his important principle of fair equality of opportunity should be underwritten by free education for all. This is a principle of procedural justice, not a justice of outcomes, and free education for all is the procedure (Rawls 1971, pp. 83–90). All these theorists regard education as “a public good,” a good to which everyone has access, from which no one is excluded, and which is non-competitive. In many of our modern democracies, basic education (called “K-12” in the United States) is public and free for all, but unfortunately higher education is not all public, only some is free (mainly in Europe), and some is prohibitively expensive.

When it comes to the important institution of taxation, the moderns tend to think of it as also capable of giving a helping hand to economic justice. Of course the ancients did not have our modern systems of taxation. But they had some equiva-

lents, such as contributions of arms and ships and horses in war, the construction of public buildings, and fees for the common meals (see Anagnostopoulos, Chap. 8 this volume). Initially, one would suppose, the purpose of such ancient contributions and of modern taxation was to cover the cost of government, public buildings, public employees, and defense. But more recently, taxation has also been used to moderate great economic inequalities: estate taxes are used most notably to limit the excessive accumulations of wealth over generations, and “tax credits” are used to help low income groups. Safety nets, social security, and national health insurance are all used to help the less advantaged sectors of society, and they are all paid by one or another kind of tax. Piketty’s second main institutional proposal for moderating great economic inequalities, other than free public education, is indeed progressive taxation, mainly of wealth.

Economic inequalities pose an especially painful problem for democracies, because democracies demand political equality but allow great economic inequalities, even though these tend to undermine the political equality of rights and liberty, more so the greater they are. This is largely because the exercise of political rights and freedoms requires resources. In his ideal constitution, what we might call an aristocratic democracy, Aristotle recognized that the exercise of many virtues requires resources, “external goods,” and so his equality of participation in office would have implications for the distribution of relevant resources (for more discussion see Anagnostopoulos, Chap. 8 this volume). Unequal resources tend to lead to unequal exercise of political rights and freedoms; and if their exercise is greatly unequal, are the rights and freedoms themselves equal? The equal right to travel, equal freedom of speech, the equal right to a fair trial—all these are evident examples that have been playing out for a long time. The rich can travel far more, they are far louder, and they can hire the best counsel to defend their rights and liberties (even after “Gideon’s Trumpet”; Rawls recognizes this problem in his distinction between liberty and the worth of liberty, and tries to find remedies for it; see Rawls 1971, pp. 201–204). Democracies, ancient and modern, typically allow great inequalities in income and wealth, and refuse to apply the principles that require political equality to the economic basic structure of societies, presumably because of the greater efficiency of economic inequalities and presumably because of differences in merit. There is a tug of war, it seems, between political equalities and economic inequalities, and it seems to be especially painful for democracies which demand the first and allow the second (but see Ober, Chap. 2 this volume for a defense of the hypothesis that in ancient democratic societies political freedoms tempered economic inequalities, something rather rare in modern democracies). Even where there might be some agreement that economic inequalities must be constrained or regulated, at least for the sake of equal rights and freedoms, there is much disagreement about the limits or the principles underlying the regulations—disagreements not likely to go away. Plato did not have this democratic problem because he did not think of justice as equality to begin with in any domain, political, social, or economic. But of course he was left with the difficult and interesting problem of discovering what inequalities, if any in any domain, are just.

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Chapter 8

Justice, Distribution of Resources, and (In)Equalities in Aristotle's Ideal Constitution



Georgios Anagnostopoulos

Abstract Aristotle is critical of the political egalitarianism advocated by ancient participatory democracies on the grounds that serious inequalities exist among citizens. Nevertheless, when he constructs his own complete political ideal in his *Politics*, he advocates an egalitarianism that is even stronger and wider in scope than the democratic one; it goes beyond equal political shares, proposing equality in many other things, including resources and wealth. Such strong egalitarianism is motivated by the kind of complete political ideal he aims to delineate—a city possessing the best constitution and all the other good-making characteristics of a polis. To ground such characteristics, Aristotle makes several ideal assumptions about the human (both citizens and non-citizens) and non-human (territory and wealth) resources necessary for a polis. Some of these assumptions secure the kind of equality in political capacities and virtue among the citizens Aristotle needs for justifying, by the application of his principle of distributive justice, numerically equal shares in political office, resources, and other goods or burdens. Ideal, albeit negative, assumptions about indispensable non-citizen groups enable Aristotle to specify the features of those necessary for securing some private and civic goods essential to his complete political ideal (e.g., leisure and civic stability) and to justify certain extreme inequalities within his polis. This paper explores the nature of these assumptions, the role they play in the distribution of goods and burdens, and some of the problems they give rise to within Aristotle's complete political ideal.

Keywords Complete political ideal · Ideal assumptions · Equality/inequality · Justice · Resources

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8.1 Introduction

Following the practice of some prominent thinkers of his time (Plato, Phaleas, Hippodamus), Aristotle sketches an ideal constitution of his own in the last two Books (VII and VIII) of his *Politics*. He also follows Plato's example in the *Republic* by sketching his own vision of the best political community: a polis in which all citizens possess the necessary excellences for acting and performing all political functions well, aim at the highest human end, and have sufficient resources and necessary leisure for devoting all of their time to virtuous activity in the private and public spheres, while being governed by the best constitution. His objective, then, is the articulation of a complete political ideal, of a community that possesses all the good-making characteristics of a polis.

Aristotle's sketches of both his ideal constitution and polis have many intriguing and noteworthy features, but perhaps the most striking one is the far reaching egalitarianism they propose for the citizens. Such egalitarianism is surprising, given his well-known criticisms of the participatory democracies of his time and, in particular, of their strong egalitarianism in distributing political offices. Democrats, he claims, rely on distributive justice to justify their egalitarianism, whose scope at times they extend beyond political offices. They appeal to a conception of justice as proportional equality, which allots to each citizen a share that is proportional to his merit and takes the latter to be freedom, a characteristic in which all citizens are supposedly equal; they thus conclude that every citizen is due an equal share in political offices and possibly other things (e.g., resources). Aristotle disagrees with the democratic claim that equality in one thing (freedom) implies equality in everything (*Pol.* III.9 1280a23) and rejects the democratic claim that freedom is the relevant basis for distributing offices and many other goods.¹ While he agrees with the democrats that the appropriate conception of justice for distributing political goods is proportional equality, he argues by appealing to the correct end of the polis that the relevant basis (merit) for distributing offices is virtue—the capacity necessary for contributing to the correct end (III.9). Given that he sees serious inequalities among the members of a polis with respect to their capacities relevant for distributing various goods, but especially with respect to virtue, it is not surprising that he finds democratic egalitarianism, at least regarding offices, indefensible.

How, then, can Aristotle's egalitarianism in his ideal constitution be understood or justified? In framing his best constitution, Aristotle makes several ideal assumptions about the necessary resources of the city, both human (e.g., citizens and non-citizens performing political and non-political tasks, respectively) and non-human (e.g., natural elements, territory and what it generates by itself, as well as what humans can produce from it). He assumes, for example, that all the citizens will be equally and fully qualified to perform all the political functions well. Such an

¹ Unless made clear by the context, citations that do not identify a work by Aristotle are from his *Politics*. Translations of quoted passages from the *Politics* are by Reeve (1998). Translations of passages from Plato's *Republic* are from Grube and Reeve (1992).

assumption would support strong egalitarianism in distributing offices, while others might favor egalitarianism elsewhere, e.g., in the distribution of resources; they may also have costs. As can be seen, the ideal requirement that all citizens be capable of excellent political activity, together with Aristotle's empirical claims of pervasive inequalities among humans with respect to capacities exercised in political activity, would drastically narrow the scope of citizenship in his ideal constitution/polis. A quick comparison with Plato's ideal constitution in the *Republic* shows that Aristotle must deny citizenship to women and to all those who fall within the *Republic*'s most numerous citizen class—the producers of everything the city needs.

Beginning with a brief overview of the kinds of inequality Aristotle supposes to exist among humans, some central elements of his ideal constitution and city will be examined, such as his principle of distributive justice and its implications, the nature and use of various empirical generalizations or ideal assumptions about the human and non-human resources required for the existence of any city or the attainment of the kind of complete political ideal he aims to articulate, and some of the consequences such assumptions have for his ideal city and constitution.

8.2 Types of Inequality

Like Plato (see Santas' paper in this volume), Aristotle acknowledges various types of inequality, but his responses to them often differ from those of Plato. For instance, he acknowledges natural or inborn inequalities, with the supposed inequality between natural master and slave and that between male and female with respect to certain psychic capacities (intelligence, foresight, and deliberation) being the best known and most controversial. But he points to others, both natural—e.g., in beauty (*NE* I.8, *Pol.* IV.11), strength (IV.11), and health—and non-natural ones—in political power (e.g., being a ruler and being a subject), wealth (e.g., being rich, poor, or middle class, IV.3, 11), and social status (e.g., being well-born, educated). He sees inequalities almost everywhere and proceeds from the supposition they are to be found among the members of every association—political and non-political alike—something that was bound to influence his views about who is to rule in such associations.² Thus the defense of natural slavery and of the rule of male over female within the household, as well as the exclusion of both slaves and females from any participation in political activity, are based on supposed inborn inequalities between slaves and masters, on the one hand, and males and females, on the other—in both cases seeing the hand of nature's immanent teleology at work (I.2, I.5 1254b1-33). His distinction between correct and incorrect constitutions, as well as his

²Aristotle thinks ruling is necessary in any association; it is implied by his Principle of Rulership which he treats as a law of nature applying to all composite things (I.5 1254a30). Keyt (2017, pp. 139–164) argues that Aristotle's own political principles imply anarchism. Keyt could be right about the implications of Aristotle's principles, but there is no doubt about his affirming the Principle of Rulership.

classification and ranking of constitutions, presuppose that the rulers of the correct constitutions are superior in virtue to those who rule in the incorrect ones, but even the former are unequal in virtue when compared with each other—the perfect king surpasses by far the rulers in any actual or ideal aristocracy, while rulers in a genuine aristocracy are superior to those in polity. All the rulers in his correct constitutions are superior to those who do not participate in ruling in them. His rather idiosyncratic definitions of oligarchy (or plutocracy) and democracy presuppose that serious inequalities in wealth exist among the members of each one of these political associations (III.8, IV.3, 4). In his frequent criticisms of the democratic (and oligarchic) ideal of equality (inequality) in everything, he is not merely accusing the many (the wealthy) of a logical misstep—conflating equality (inequality) in one thing (equality in freedom for the democrats, inequality in wealth for the oligarchs) with equality (inequality) in everything—but also of a falsehood or a denial of the obvious; the democrats (plutocrats) overlook the significant inequalities (and some equalities) among the members of any actual political association. In his detailed analysis of political factions in the middle Books of the *Politics*, he argues that their primary causes are real or perceived inequalities (V.1-3).³ In fact, Aristotle speaks of inequalities among different Greek communities with respect to the kind of political life they can lead or political perfection they can attain, and surmises that some are not fit to be ruled by the better types of constitution (VII.7 1327b32). And he does not hesitate to speculate about the existence of even more extreme inequalities of this kind among different races or inhabitants of various regions, or reach general conclusions about the political prospects of various races. According to him, geographical location and climate conditions of a region affect the psychic characteristics of its inhabitants, creating serious inequalities among inhabitants of various regions with respect to the kind of political life they can lead. While the inhabitants of some regions will be fit to live the highest forms of political life, those of other regions will be fit to live only under despotic rule, and still of others unfit for any type of political rule (VII.7 1327b20).

From his extensive studies of the prevalent types of ancient constitutions (democracy, oligarchy, aristocracy), of specific constitutions of several cities (Sparta, Crete, Carthage, Athens, and of many others lost to us), and of the ideal constitutions by others mentioned above, Aristotle knew, and provides considerable information about, how various constitutions (actual or ideal) treated the kinds of inequality just mentioned—institutionalizing some, blindfolding others, and so forth. For instance, while Plato in the *Republic* blindfolds gender, nearly every other constitution/city treats supposed gender inequalities among the free as sufficient grounds for excluding females from political activity. Oligarchic constitutions institutionalized wealth inequalities by distributing political offices on the basis of wealth, setting a wealth

³Plato in his *Laws* cites factions three times as a reason for not allowing inequalities, at least extreme ones (see Santas' paper in this volume). Allen (2006, pp. ix–xxviii) argues that concerns with factions drive the argument of the *Republic*. Aristotle is also concerned about factions in his ideal polis, partly because of the serious inequalities built into it (see below).

threshold for holding office and, thus, excluding those (the many) who failed to meet it.

For Aristotle, a constitution is a form of justice shared by a community (*EE* VII.9 1241b13), a set of principles that determines how political offices and other goods are to be distributed (*NE* IV.1 1289a15)—e.g., on the basis of strict (arithmetical), proportional (geometrical), or other types of equality—and, consequently, how inequalities are to be treated. One type of consideration in distributing goods and addressing inequalities will thus come from concerns about justice. Aristotle's insistence that some within a community should be excluded from ruling and instead be permanent subjects is primarily motivated by considerations of justice, his particular position being one possible response of justice to actual or perceived inequalities (I.5).

Yet it is clear that the question of the distribution of resources/wealth is not only approached from the perspective of justice. Other types of consideration enter into and, at times, dominate Aristotle's discussion. This is seen in his examination of ideal constitutions proposed by others (Plato and Phaleas) and of the best existing constitutions (mainly of Sparta and Crete), as well as in his analyses of the prevalent types of constitutions of his day. In all these discussions, the question of distribution of resources and wealth often proceeds from a number of different considerations that are not necessarily those of justice, such as efficiency, civic stability, or unity. Why do such considerations acquire such importance for Aristotle (and Plato)?

Plato in his *Republic* explicitly sets as his task the theoretical construction of an ideal *polis*, but proceeds to also articulate an ideal *constitution*. Aristotle in his *Politics* identifies his primary aim as being that of articulating the ideal/best *constitution* (III.18 1288b2; VII.1 1323a14). Yet in doing so, he goes far beyond the identification of the principles of ideal distributive justice; in fact, what he says about the latter in *Politics* VII–VIII is rather limited. Instead, following Plato, he too proceeds to describe his complete political ideal—a *polis* that, in addition to having the best constitution, lacks nothing with respect to resources, performs all its functions well, has stability and unity, and consists of ideal citizens pursuing the most choiceworthy life. Such features in part constitute Aristotle's (and Plato's) conception of the complete political ideal, the articulation of which is his ultimate and ambitious goal.⁴ Realizing such an objective requires that, in addition to justice, other virtues or good-making properties of the city be considered in any distribution of goods. If this is so, considerations of justice will not be the only ones to play a role in distributing goods; all or most of the elements constituting the complete political ideal could come into play, and could compete with concerns stemming from justice. And it is precisely this that happens when Aristotle constructs his own constitution and *polis*:

⁴Something analogous, according to Sidgwick (1981, pp. 18, 22), can be seen in the aims of what he calls "Absolute" Ethics, which "is an investigation not of what ought to be done here and now, but of what ought to be the rules of behavior in a society of ideally perfect human beings. ... Thus our study ... would not only prescribe what ought to be done as distinct from what is, but what ought to be done in a society that itself *is* not, but *ought* to be." He is skeptical of such ambitious aims, claiming that, when we leave the actual society, "we have an illimitable cloudland surrounding us on all sides."

questions on how to distribute goods, including resources/wealth, are at times approached from considerations that are a part of the complete political ideal rather than the narrower concerns of justice. The demands of the complete political ideal are serious; they can even introduce more extreme inequalities in the polis—as they do in Aristotle’s choice of farmers—or favor the widening of the scope of egalitarianism supported by justice alone.

8.3 The Principle of Distributive Justice

Aristotle claims that justice both is and seems to everyone to be a kind of equality (*NE* V.3 1131a10, *Pol.* III.9 1280a10) and distinguishes two types of equality—strict or arithmetical/numerical and proportional or geometrical. The first is equality in number or size, and constitutes the kind of justice applicable to rectification in transactions and certain actions. The second is equality in ratios, and is the type of equality proper to distributive justice—the kind used in the distribution of certain goods (*NE* V.3). Stated in its most general form, his Principle of Distributive Justice says that a distribution of a thing T (distributable good or burden) to persons A and B is just if the value of T assigned to A stands to the value of T assigned to B as the worth (or merit) of A stands to the worth (merit) of B.⁵ It is clear, as Aristotle observes (III.9 1280a11), that the application of this principle of distributive justice will assign strictly (arithmetically) equal shares of T to both A and B, if their respective merits are strictly equal, and unequal shares, if their respective merits are unequal. So, Aristotle’s distributive justice cannot be expected to produce strict equality if merits are unequal. It will by itself admit as just arithmetically unequal shares of some distributable goods, if humans are unequal in certain capacities/features that happen to be the appropriate bases for distributing these goods. For example, the distributional outcomes of assigning shares in ruling in accordance with justice as proportional equality will be arithmetically unequal, if persons differ as much as Aristotle says they do with respect to their capacities (merits) relevant to ruling; similarly, one could expect arithmetically unequal outcomes in distributing wealth if the same principle were applied and humans were unequal in their respective merits for producing wealth, such as in their wealth-producing expertise, efficiency, productivity, or the size of their share in a joint investment (see III.9). Of course, inequalities in the distribution of wealth/resources could be admitted for other reasons, for example, those that often underlie economic arguments—e.g., certain distributional inequalities will be more effective than strict equality in increasing aggregate wealth or the wealth of some, most, or all members of a community. But it is important to see that Aristotle’s principle of justice can by itself

⁵For the most detailed discussion of Aristotle’s account of distributive justice, see Keyt’s (1991, pp. 238–278) seminal paper. For a comprehensive account of Aristotle’s discussion of justice in *NE* V, see Young (2013, pp. 457–470).

justify certain inequalities, including economic ones, and that by itself cannot be a tool for reducing or eliminating inequalities that are due to inequalities in merit.

Yet despite the presumed agreement among proponents of different types of constitution that distributive justice is proportional equality, Aristotle claims that they disagree about what the respective correct merits are for distributing different goods, but especially about the merit for distributing political offices and honors. Some (the virtuous), claiming that virtue should be the basis for distributing offices and assuming citizens are unequal in virtue, defended a proportional, and thus numerically unequal, distribution; others (the wealthy), opting for wealth as the basis and pointing to actual wealth inequalities, also defended a numerically unequal distribution; yet others (the many), choosing freedom as the relevant merit and accepting the democratic assumption that all citizens are equal in freedom, opted for strictly equal distributional outcomes.

Aristotle argues (III.9) that the disagreements about the relevant basis or merit for distributing political offices can be resolved by determining what the correct end of the polis is. He thus supposes that any likely disagreements about the end, paralleling those about merit, can be dealt with, most likely because he presupposes that disagreements about the end of the polis are ultimately about the highest human end/good—namely, a self-sufficient life of virtuous activity—the nature of which he thinks has been explained in the ethical works or can be settled by appeal to facts and arguments (see VII.1-3). He argues that justice requires a citizen's share in political office be proportional to that citizen's contribution to the correct end of the polis, which contribution is in turn determined by the citizen's virtue (merit). Considerations of freedom, birth, or wealth have no bearing on the distribution of offices (III.9). Aristotle insists on a special connection between the basis (merit) of a distribution and the common end to be attained; the former must be some quality or capacity the exercise of which is at least necessary for and enables the attainment of the latter. As Keyt puts it, merit for Aristotle is, basically, fitness for the job. This is made more explicit in Aristotle's discussion of how to correctly distribute a superior flute to musicians with unequal performing capacities. Assuming that the end is a superior performance beneficial to all, he insists the instrument should go to the best player, the one who has the capacity to contribute the most to that end, regardless of the many other ways in which those inferior in playing the flute could be superior to the best flute player—e.g., in birth or beauty (III.12 1282b30).⁶ Aristotle's claim about the connection of merit and end in a distribution, which echoes Plato's reasoning in his defense of the equality of women in *Republic* V, imposes strong constraints on the determination of the relevant merit for a specific distribution.

⁶Aristotle's example of distributing a superior flute raises a number of issues. The use of it by the best player of an ensemble of flute players may produce even a greater imbalance in the overall performance of the group, or result in a lower margin of improvement in sound quality than it might achieve if a less talented player uses the coveted instrument. Moreover, Aristotle does not consider cases in which the distribution should be made on the basis of need. If a pair of shoes that improves walking becomes available, should it go to the best walker or to the one who needs it most?

While Aristotle discusses the relevant merit for the distribution of offices, as well as the disputes about it and ways of resolving them, he does not explicitly address similar issues in connection with the distribution of wealth/resources. He suggests that the argument of the oligarchs in favor of distributing political offices on the basis of the ability to produce wealth would carry considerable weight, if the aim of the polis were wealth (III.9), but he does not address the issue of the basis of distributing resources in general and, especially, in connection with his ideal constitution. While he outlines a way of distributing resources among the citizens of his ideal city, his distributional scheme does not rely on the supposition that the citizens possess a merit the exercise of which is necessary for or optimizes the production of resources. On the contrary, the scheme appears to be based on the needs the citizens have for achieving the end of the ideal polis (see below). And, of course, the distribution of some goods, including some common goods (health, safety), may not be based on merit at all.

8.4 The Scope of Aristotle's Principle of Distributive Justice

What is the scope of Aristotle's Principle of Distributive Justice? Intuitively, the principle would seem to be applicable to any distribution and in connection with any distributable good or burden. But Aristotle claims that the primary or strict application of his principle is within the political association, and he calls distributive justice "political justice." It is applied in some contexts outside the political association because what is just in them is in some sense similar to what is just in the political association:

We must now notice that we are looking not only for what is just unconditionally but also for what is just in a political association. This is found among associates in a life aiming at self-sufficiency, who are free and either proportionately or numerically equal. Hence those who lack these features have nothing politically just in their relations, though they have something just in so far as it is similar [to what is politically just]. (NE V.6 1134a26; trans. Irwin 1985)

Following Aristotle, the general focus will be political justice, beginning with the twofold question about its scope: (a) the kinds of goods or burdens whose distribution justice governs and (b) the individuals or classes eligible for a share in a distribution.

To the distribution of what goods or burdens does Aristotle think his principle applies? At NE V.2 1130b2, he mentions three types of good—honors (political offices), wealth, and safety—seemingly suggesting that the scope of political justice with respect to distributable goods is rather limited. But a few lines later he appears to dispel such an impression:

One species [of special justice] is found in the distribution of honors or wealth, or anything else that can be divided among members of a community who share in a political system [or constitution—*politeia*]; for here it is possible for one member to have a share equal or unequal to another's. (V.2 1130b31)

Aristotle now suggests that the list of types of distributable goods is not exhausted by the three kinds initially mentioned, although he does not identify the additional ones. Yet he hints at the likely answers to both questions about scope: the distribution is restricted to those who share in the constitution, the citizens; the things whose distribution is to be governed by justice are those that can be divided and of which the citizens can have an equal/unequal share. Offices and wealth are such goods, and, while Aristotle discusses the distribution of both, that of the first concerns him more than that of the second. Regarding safety and security, he addresses the distribution of the task/office/honor of providing security for the city (see below). But he does not discuss the distribution of the good of safety and security, although it is a kind of good of which different persons can have equal/unequal shares. He probably supposes it is not distributed on the basis of merit but on need, with all (possibly, including non-citizens) sharing in it equally.⁷

What other kinds of good does Aristotle have in mind when he says that, in addition to offices and wealth, “anything else that can be divided by the members of a community” falls within the scope of distributive justice? And are all of them to be distributed proportionally and on the basis of an appropriate merit? In connection with the first question, one may look at various lists of goods Aristotle considers necessary for attaining happiness or of things necessary for the existence, optimal functioning, or self-sufficiency of a polis.

At *NE* I.8, he gives a list of things without which one cannot, or cannot easily, attain individual happiness—what he designates as “external goods”: friends, wealth, political power, good birth, good children, and beauty (1099b). While defending the importance of the middle class at *Pol.* IV.11, he gives a similar list of what he terms the “goods of fortune”: beauty, strength, good birth, wealth, and honors (1295b5).⁸ Seeking to specify the most choiceworthy life at *Pol.* VII.1, he divides the goods into three classes—external ones, of the body, and of the soul—and places wealth, possessions, power, and reputation in the first class. He gives no examples of goods in the second class, but most likely he is thinking of health, beauty, and possibly additional physical qualities (probably strength, which appears in the previous list); the excellences of character and intellect make up the third class.

While these more detailed lists include several goods absent from the one at *NE* V.2, they are by no means complete; like the *NE* V.2 list, they omit, for instance, freedom, education, and careers. Freedom can be distributed unequally by nature or by different constitutions (see Keyt's paper in this volume). Regarding education and careers, both Plato and Aristotle consider them goods of a polis and of individuals, and suppose that both fall within the scope of distributive justice. The just distribution of careers, based on natural capacities and the education necessary for

⁷At III.4 1276b25, Aristotle claims that all citizens have the safety of the community as their task, but, as is the case with Plato, he argues that in his ideal city the task must be assigned on the basis of merit to a subset of the citizens at any particular time, a group that is one of the political classes in the ideal city (VII.9 1329a30).

⁸For a discussion of Aristotle's account of goods of fortune and external goods, see Cooper (1999, pp. 292–311).

their development, is at the heart of Plato's articulation of his ideal polis/constitution. Paradoxically, given that Aristotle omits both these goods from the above lists, he repeatedly acknowledges the importance of education for the polis, the constitution, and the individual—he even criticizes Plato for not making a greater use of it in his ideal polis (II.5 1263b37)—and he relies on justice as proportional equality for distributing it (see I.13 for the distribution of education to slaves and women on the basis of their respective capacities for it; VII.16 on the respective education of females and males). And while discussing Phaleas' proposal for strictly equal distribution of property, Aristotle urges the same should be done with education (II.8). (However in this case the strictly equal distribution of property and education is not defended by appealing to justice but as a means of minimizing/eliminating factions.)

Careers, especially those falling outside political activity, concern Aristotle far less than they do Plato. Yet he touches on them, and, when addressing their distribution, he appeals to justice and the necessary merit for performing a career's respective task. For instance, assigning different tasks to masters and slaves is justified by the supposedly different merits of these two groups and the empirical assumptions about the vast superiority of the masters with respect to deliberating and ruling capacities—both capacities being absent in the slaves—and equally vast superiority of the slaves with respect to ability for manual work (*Pol.* I). Similarly, and by making analogous assumptions about inequalities in the respective abilities of free males and females, he assigns different roles to members of each gender group. In his ideal polis, and this time making *ideal* assumptions about the equality in the merit of citizens during three stages of their lives, Aristotle relies on distributive justice to support his claim that the three main civic activities—defense, judging/ruling, religious services—should be distributed equally to all citizens but at three different periods of their lives. Since the citizens of his ideal constitution and polis are not expected to engage in any tasks associated with production, Aristotle remains almost silent about careers of citizens outside those associated with the holding of political offices. And he does the same about any kind of distribution of the goods mentioned in his lists at *NE* I.8 and *Pol.* IV.11 and VII.1. One may reasonably suppose that these goods are not distributable. While there is truth in such supposition, the situation is more complicated than it at first appears. Even if some goods are not distributable, the means enabling their development, perfection, maintenance, or restoration can be distributable. Consequently, justice may have something to say even about such goods, although perhaps indirectly.

Beauty and reputation, for instance, appear to be clear examples of non-distributable goods, at least not distributed by the community. To begin with, it is difficult to see how beauty can be measured and an equal or unequal share of it determined. Beauty seems as good an example of what Rawls deems to be the result of the lottery of nature as any, although Aristotle most often sees the benevolent hand of immanent teleology behind many unequal distributions by nature. Yet the development, perfection, maintenance, or restoration of what one is given by nature may require resources, which fall within the scope of justice. The case of beauty, some measure of which Aristotle thinks is needed for happiness, raises the additional

question whether some goods, or the resources necessary for them, are distributed on the basis of need and not of merit.

The case of health seems similar: it requires a sufficient supply of quality nutrients and healthy water and air, as well as physical education and training. Such resources, and possibly others, are needed for developing and perfecting whatever health potential one has been granted by nature, as well as for restoring and maintaining it. Aristotle is aware that resources are required for health and aware of the need to address the distribution of whatever enables the development/perfection of health potentials and the maintenance or restoration of the perfected states. This is evident in his discussion—a part of his sketch of his political ideal—of what is required for or enables his polis to be most healthy: the kinds of resources provided by nature itself (water and air, VII.11), on the one hand, and of bodily and psychic education, on the other, that lead to optimal health (VII.16–17). He insists on the best location for his polis—one that will guarantee the healthiest climate, winds most advantageous to humans, and air and water of the highest quality—so that its members attain health (VII.11). Resources necessary for optimal health provided by nature itself are usually shared equally by all, presumably including those who are not citizens or a part of a polis. In the case of some such resources (e.g., healthy air) there is no political distribution under normal circumstances, but there is in the case of water and food. Aristotle does not address the issue of distribution in connection with any of these (natural) resources, but his brief comments about the nutritional resources indispensable for the physical flourishing of children in his ideal polis can be interpreted so that they are at least consistent with his distributive principle if certain assumptions are made.

It is reasonable to suppose that he intends all qualified children of the citizens to have equal access to and appropriate share of the necessary nutritional supplies for health.⁹ Such an egalitarian objective could be justified by his distributive principle and a number of assumptions. He appears to assume that all citizens' children to be reared in his polis will be of roughly equal health potential, for he stipulates that (a) infants with health deficiencies be exposed (VII.16 1335b19) and (b) the number of children be controlled (1335b21). He also assumes that (c) the ideal polis will have sufficient territory and resources to meet all the needs of its members (see below for this ideal assumption). If (a) were enforced, then all children in Aristotle's ideal polis would be (roughly) equal with respect to developing healthy bodies; if (b) were also enforced, then, given (c), the prospect of scarcity of resources would not arise. One problem with relying on the principle of justice for justifying Aristotle's egalitarianism in the present context has to do with identifying the relevant merit. It is possible that the merit of the distribution is simply the (roughly equal) potential for health of each child. Yet Aristotle could have thought that the justification of egalitarianism regarding resources for health is, ultimately, to be made by reference to the equal merit of all prospective citizens for contributing to the functions and end of the city—something he does with many types of distributions in the ideal polis. Health for him is a subordinate end, something that can be pursued for the

⁹ Shares could vary on account of physical differences and needs among individuals.

sake of ends more final than it, and, like all subservient ends (things that are only means, e.g., wealth), subordinate ones can be chosen for the sake of the functions and end of the city. The distribution of resources for developing, maintaining, and restoring health, then, could be made on the basis of the contribution one makes to such civic functions and end.¹⁰ Some may disagree with the idea that the means to health should be distributed on the basis of a merit for contributing to an end other than meeting the need for health itself; however, given the kind of end/good Aristotle thinks health is, distributing it on the basis of a merit may not be out of place.

Aristotle does not address the distribution of the other goods included in his lists discussed above (e.g., friends, good birth, good children, excellences of character and of intellect), and for a good reason—they are not distributed. But as seen earlier, almost all of them require resources; this is most evident in the case of the acquisition of the excellences—they require education and leisure, both of which in turn require the possession of sufficient means. According to Aristotle, even the *exercise* of some excellences (e.g., generosity) requires resources (*NE* IV.1, *Pol.* II.5). His discussion of the distribution of burdens is also incomplete. Although he argues for an equal distribution among equals of burdens associated with ruling (II.2 1261b), the cost of the common meals, and the defense of outer parts of the territory of his ideal city, he does not address the distribution of the major cost of several public services he expects his city to provide (see below).

8.5 Human Resource: Ideal Assumptions About the Citizens of the Best Constitution/Polis

As pointed out earlier, Aristotle's inquiry into the ideal constitution actually aims to articulate a complete political ideal, to give an account of both the best constitution and of the best polis. He begins the former by arguing that such a task cannot be accomplished without knowledge of the highest good or the most choiceworthy life (*airetôtatos bios*), i.e., the final end the best constitution aims to realize. Once more, Aristotle is reiterating his telic conception of the constitution—it aims to realize a specific end or good, just as, according to him, the polis does. In the case of both best constitution and polis the end is one and the same—happiness (exercise of virtue) for each citizen (VII.1 1323b40, 8 1328a38, 13 1332a8). The telic conception of either constitution or polis gives rise to numerous and difficult questions and is strongly contested by many like Rawls and those in the tradition of political liberalism.¹¹ We shall accept Aristotle's telic assumptions and examine how some of his claims about distribution of property/wealth are connected to them.

¹⁰ Compare Plato's argument in the *Republic* for not providing health care to a sick carpenter who "couldn't live a normal life, since such a person would be of no profit to himself or to the city" and for judging Asclepius to be a great statesman on account of intending such restrictions in providing health care (407d–408b).

¹¹ In his *Political Liberalism* (1993), Rawls argues against the idea of an end of the political community, but in his *Justice as Fairness* (2000, pp. 198–200) he claims that the members of a

In addition, Aristotle thinks of both the constitution and polis in functional terms, and he presupposes that the best constitution/polis is the one that performs its respective functions well. Of course, he assumes there is a connection between the telic and functional conceptions—the end of a functional thing is its function. He argues that for the best polis to perform its functions well and achieve its end (highest good) it must have the required resources, both human (citizens and non-citizens of a certain nature) and non-human (territory, several kinds of natural resources, and other types of wealth). He sees the framer of the best constitution and polis as a kind of craftsman aiming to produce a specific product that is best of its kind; in both cases the goodness of the product will substantially depend on the quality of the materials/means at the framer's/craftsman's disposal (VII.4 1325b40). But, unlike an ordinary craftsman who is compelled to work with available materials, the framer of an ideal constitution/polis can assume ideal conditions for his "product," the only constraint being that "none [of the ideal conditions] is impossible" (VII.4 1325b38, II.6 1265a16).

Aristotle focuses at first on two types of resource from those he terms "political resources" (VII.4 1326a5), indicating that these two are the most basic and important for his purposes—the territory (non-human resource) of the ideal polis and the multitude (human resource) making up its citizens. Without either one a polis could not exist and without both being of optimal quality the best polis would not be possible. (Of course, he considers additional resources necessary for the ideal constitution/polis, for which see below.) In connection with both, he tries to answer the same two questions: what is the ideal size and nature of each? Taking up first the human resource, what ideal assumptions does Aristotle make about the qualities of his citizens? And, ultimately, what role do such assumptions about the citizens' qualities play in the distribution of offices and resources?

Aristotle's assumptions about the citizens' qualities are not at all trivial, for they attribute to them ideal features that, in turn, have major consequences: (a) they make the citizens vastly unequal to the non-citizens; (b) they drastically narrow the scope of citizenship; and (c) they provide a justification for distributional schemes that exclude non-citizens from sharing in the possession of property. The salient elements of his thinking about the human resource include empirical generalizations pertaining to all constitutions/poleis, claims deriving from his ethical/political theories, and ideal assumptions specific to his goal—the articulation of his complete political ideal. They may be summarized as follows:

- (1) Unlike what occurs in other associations, the members of the political one take turns in ruling and being ruled, and, while being ruled, they are free (I.7, VII.7).
- (2) For a people to be able to establish or be members of such an association, they must have some necessary natural qualities—a share of spirit and intellect—at the appropriate level and mixture (hereafter "political capacities"; VII.7).

well-ordered community share at least one end—support for just institutions. For a discussion of the claims of political liberalism on this issue from an Aristotelian perspective, see Kraut (2013).

- (3) The latter depend on geographical location and climatic conditions (VII.7).
- (4) In some regions, and due to their respective location and attendant climatic conditions, the proper levels and mixtures of spirit and intellect are not possible. In the inhabitants of some regions (Western Europe) the spirited element is excessively strong while intellect and skill are weak; in the inhabitants of other regions (parts of Asia) intellect and skill are strong but spirit is absent. As a consequence, those of the former regions are ungovernable and do not live within political associations, while those of the latter are governed by tyrannies as permanent subjects and live like slaves (VII.7; see also III.14 1285a19 for the supposed fitness of Asians for despotic rule).
- (5) In parts of the region inhabited by the Greek race, and again due to geographic location and climatic conditions, the people have the proper level and blending of spirit and intellect, and as a result they “remain free, governed in the best way” (VII.7).
- (6) “It is evident, then, that both spirit and intelligence should be present in the natures of people if they are to be easily guided to virtue by the legislator” (VII.7 1327b36).
- (7) If all the citizens of the best state are to govern and be governed ideally, they all must have the proper blending of spirit and intellect, which requires that the state is ideally located and enjoys the most favorable climatic conditions for attaining such a blending.
- (8) In the ideal state all citizens possess the proper blending of spirit and intellect and, thus, will be equal with respect to those natural qualities necessary for being members and performing the tasks of the best political association.¹²
- (9) Humans enter the political association and establish constitutions with the aim of attaining the highest good or happiness (I.2, III.9, VII.8 1328a37; 13 1331b39).
- (10) The good (i.e., happiness) of an individual and of a polis is the same in kind (VII.1 1323b40, 3 1325b13, b30).
- (11) Happiness is the exercise of virtue (VII.8 1328a37; VII.13 1332a8).
- (12) Not all persons can attain the same level of virtue; the level one attains depends on one’s nature and luck (VII.8 1328B40; 13 1331b40).
- (13) It is more choiceworthy that each and every citizen of a polis is individually virtuous (VII.13 1332a35, VII.14 1333a30).¹³
- (14) In the ideal polis every citizen individually is unqualifiedly virtuous (VII.9 1328b37; 13 1332a33), and the level of their virtue is sufficiently high for living the best life.

¹² Aristotle does not explicitly state (7) and (8) but there is no doubt he makes these two ideal assumptions; his additional ideal assumption that every citizen is virtuous and his egalitarian distribution of political offices presuppose (7) and (8).

¹³ Miller (1995, chap. 6) discusses in depth and considerable detail the question whether Aristotle’s claims about the city being virtuous or happy are to be understood holistically or individualistically, or in some intermediate way; see also the discussion by Morrison (2013) on the common good. I think Aristotle makes clear what he thinks is the ideal or most choiceworthy option—each and every citizen is virtuous and happy.

(15) With respect to virtue, all citizens of the ideal polis/constitution are equal.¹⁴

In (1) to (8), Aristotle sets forth ideal assumptions about some environmentally caused psychic qualities he supposes to be necessary for living within a political community. Starting from empirical observations of differences in political development of various regions, he proceeds to correlate the level of such development in a region to its location and climate and, specifically, to the effects the latter two factors have on fostering and blending two psychic elements (spirit and intellect) in those inhabiting the region.¹⁵ Such natural factors, according to him, give rise to serious inequalities among various peoples with respect to the level of political perfection and of virtue a community can attain, as in (4) to (6); people will differ in their capacity to achieve the best political association and live under the best constitution as the location and climate of the respective regions they inhabit differ. But in articulating a complete political ideal, Aristotle makes ideal assumptions—in the ideal city, all citizens possess equally at the proper level and mixture the two psychic elements required for living the highest form of political life.¹⁶ Such a constitutional requirement is dictated by his complete political ideal—it endows the city with a good-making feature (equality in political capacities) that may, in turn, generate additional positive civic features.

In (9) to (15), Aristotle makes even stronger assumptions about the nature of his human resource: all the citizens possess virtue at a high level and equally. Some level of virtue is needed in almost every political community, but not at a high level or in every member. His ideal assumptions attribute virtue to all his citizens and at a high level, thus endowing his city with two major good-making characteristics. And attributing equal virtue to all citizens is another such characteristic and, clearly, another ideal assumption, for, according to the empirical generalization stated by

¹⁴As Keyt (1991, p. 266) remarks, “Being superlatively virtuous, they [citizens] are equally virtuous.” And Aristotle’s claim that justice requires every citizen have an equal share in ruling presupposes equality in virtue—the relevant basis (merit) for the distribution of offices (see below).

¹⁵Commentators agree that Aristotle’s causal explanation of the differences in political development in various regions in terms of location and climate conditions is based on the Hippocratic treatise “Airs, Waters, Places” (Lloyd 1978, pp. 148–169). The explanation raises a host of questions; see, for example, the informative comments and probing questions of Kraut (1997, pp. 91–97). For one thing, the effects of environmental factors could be either impermanent—as e.g., when location/climate cause an ongoing bodily reaction, which ceases when the causes are no longer operative—or permanent—as e.g., when a factor causes a permanent alteration in an organism. Also, it is unclear whether or not Aristotle thinks that the environmental effects on political capacities are inheritable. Like the Hippocratics—“Airs, Waters, Places,” 14, in Lloyd (1978)—Aristotle cites reports of acquired features (e.g., scars; see *Generation of Animals* I 721b29, 724a3 and *History of Animals* IX 558b30) that have been inherited, but it is uncertain either accepts them as true.

¹⁶That this is an ideal assumption is also supported by the following consideration. The kind of causal connections Aristotle thinks hold between location/climate and level of political development concerns aspects of the natural world and, thus, will hold only for the most part. Not all Asians will have the kind of psychic mixture he cites and will be only fit for despotic rule as subjects; some will be, or could be, rulers, the despots he mentions. But all the citizens of the ideal polis will be equal with respect to their capacity to rule and be ruled in the best way, and that is an ideal assumption.

(12), there are serious virtue inequalities among humans due to differences in their natures and luck. Equality in virtue is required by his complete political ideal, motivated by his desire to safeguard the unity and stability of the polis from the threat of factions, whose main causes he believed were inequalities, especially in offices and possessions (V.1-3). He is critical of Plato for having the same few people rule all the time, arguing that his way of distributing offices will cause factions (II.5 1264b6). As one might expect, he thought the most effective protection a city could have against factions was equality, primarily in holding of political office (see V and VI), which would require equality in the relevant merit.¹⁷

Textual evidence indicates that the possibility of factions in the ideal polis was a serious concern to Aristotle. While explaining his way of distributing political offices to all citizens equally, at different stages in their lives (see below), Aristotle remarks: “since those capable of using and resisting force [defenders] cannot possibly tolerate being ruled continuously, for this reason the two tasks [ruling and defending] should be assigned to the same people. For those who control the weapons also control whether a constitution will survive or not” (VII.9 1329a10). The evidence is even clearer in a later remark:

Evidently, then, and for many reasons, it is necessary for all to share alike in ruling and being ruled in turn. For equality consists in giving the same to those who are alike, and it is difficult for a constitution to last if its organization is contrary to justice. For the citizens being ruled will be joined by those in the surrounding territory who want to stir up change, and the governing class cannot possibly be numerous enough to be more powerful than all of them. (VII.14 1332b25)

But to justify equality in the distribution of offices, justice requires that all citizens are equal in the appropriate merit—i.e., virtue. Indeed, Aristotle argues that equality must go beyond offices and include other goods, notably property (see below), for many types of inequality pose a threat to the stability of the constitution/polis.

The above claims, especially (2) to (8) and (13) to (15), also reveal the strength of Aristotle’s conception of equality for his ideal city. He insists that the political association differs from other kinds (e.g., master/slave, male/female) because its members are free and equal (I.7 1255b19), but does not usually explain what kind of equality he has in mind. In these claims he specifies the way in which the citizens of his ideal constitution/polis will be equal—namely, with respect to their political capacities to rule and be ruled in the best political structure and, most importantly, their acquired virtues. They may be equal in additional respects (e.g., property), but their assumed equality in virtue is the most significant one for him: when taken together with the level of virtue required for being a citizen, they determine what kind of constitution the ideal polis will have—how its political offices will be distributed. It will be a true aristocracy with a democratic structure.

So every citizen, Aristotle argues (VII.9), will have a strictly equal political share for the duration of his life, for he can hold each one of the political offices at the appropriate stage of his development, matching ability to the task associated with the office. In his youthful period, when his capacities for defending the city are at

¹⁷ On factions, see Keyt (1999) and Hatzistavrou (2013).

their peak, every citizen holds the office of a defender; in his more mature years, when the deliberating and judging abilities are at their peak, every citizen shares equally in the deliberative and judicial offices; in his senior years, when the respective capacities for the previous offices have declined, every citizen holds the office concerned with religious services.¹⁸

Do Aristotle's ideal assumptions about the citizens' equality in their political capacities and virtue play any role in the distribution of resources? It will depend on how such distributions are made, especially on the merit used. If resource distributions were made in accordance with his principle, and the merit used was virtue and political capacity to live a truly political life, then the principle should allot arithmetically equal shares to all citizens. But questions may arise about the appropriateness of using the virtues and political capacities just mentioned as the basis for distributing land and other resources. In what way are these qualities, supposedly possessed equally by all ideal citizens, the relevant merit for distributing the good of resources? To what end do such qualities contribute—to the use/management or the production of resources/wealth the city needs? For what job do they make the citizens fit? Or is such a distribution based not on merit for generating/augmenting wealth, but on need, or on the achievement of other ends?

8.6 Non-human Resource: Territory, Its Owners, and Ideal Assumptions About Its Quality and Size

Aristotle makes ideal assumptions about the other political resource—territory—both with respect to its magnitude and quality.¹⁹ He assumes that the ideal city and its citizens will have available sufficient territory for all their public and private needs, and that neither the city nor the citizens will be securing land outside the designated territory.²⁰ In addition, the territory will be of the highest quality with

¹⁸ Assigning citizens to the office of religious services seems not to be correlated with a relevant ability/merit, for Aristotle justifies appointing seniors to that office by claiming “it is fitting that those who have become weary because of their age should serve the gods and receive rest” (VII.9 1329a30). The assignment seems to be based on deficiencies in some capacities (e.g., for defending, deliberating, and judging). But the religious office was prestigious (see Kraut 1997, p. 108) and Aristotle claims that farmers and craftsmen are unfit for it and it must be assigned to the citizens. So the senior citizens possess some merit the non-citizens lack, and this could just be a level in deliberative capacity that, while lesser than what is required for ruling and judging, is sufficient for performing religious services. He may also suppose that, in addition, seniors possess qualities associated with the performance of religious services, e.g., piety or reverence.

¹⁹ He also makes ideal assumptions about other features of the polis, e.g., size of its population (VII.4), siting and layout of its territory (VII.5), proximity to sea and defensive capabilities (VII.6), and quality of natural elements and climate for optimal health (VII.11).

²⁰ Cf. Plato's assumption in constructing his ideal city in the *Republic*: “And the land, I suppose, that used to be adequate to feed the population we had then, will cease to be adequate and become too small. ... Then we will have to seize some of neighbors' land if we're to have enough pasture and plough land” (373d). The assumption constitutes the foundation of Plato's argument for justifi-

respect to its productivity, guaranteeing the city's self-sufficiency—"it must produce everything, for self-sufficiency is having everything and needing nothing" (VII.5 1326b27); it will be a truly ideal resource that enables the citizens to live a life Aristotle considers best—one of leisure that is generous and, at the same time, temperate (VII.5 1326b28, 9 1379a). The ideal assumptions Aristotle makes about territory encompass the many types of resource that come with or are produced by it: natural elements, like water, necessary for human existence and health; what comes with the territory by nature itself, like ores, minerals, plants, animals, and other materials for consumption, shelter, clothing, etc. and all the things humans produce with it, like crops, livestock, and additional products necessary for meeting human needs or wants (see below).

Such assumptions regarding the size and productivity of the territory imply that scarcity, often presupposed in actual situations, is not a concern in his constitution/city. Yet there are limits to the size of the territory, both upper and lower (ceilings and floors), which must be determined in a manner analogous to that for fixing the limits of the population (VII.5). As in the latter case, the limits are not precise, but the principle(s) by which they are determined is clear—it is based on the ends and functions of the ideal city. The imprecise upper and lower limits of the size of the whole territory and its resources will constitute a spectrum; any size of the territory within that spectrum will guarantee self-sufficiency and leisure for a generous but temperate life and will allow for an easy defense of the polis (VII.5). Both limits of the spectrum can be exceeded, but only up to a point; as he claims in connection with setting the limits of the population, it is possible for a city to exceed such limits and remain great, but it "is not possible indefinitely" (VII.4 1326b10). Territory and resources that greatly exceed the upper limit will lead to a life of luxury and make the city a target of attacks. Conversely, if they fall substantially below the floor, they will lead to a miserly way of life and negatively affect the defense capability of the city. Such limits are required and determined by his complete political ideal.

Among Aristotle's tasks as a constitution framer are determining to whom the territory belongs, how it is to be used, and whether some parts of it are to be communally owned, while others are to be distributed for private ownership. To whom does such a resource belong, even though it might not be individually distributed? This is an important question, since living within the territory of his ideal city and governed by his constitution will be a number of groups (classes)—citizens (qualified males), women, slaves or slave-like people farming the land and performing other indispensable functions, craftsmen, laborers, and metics. In identifying some class as that to which the whole territory and all resources that come with, or are produced by, it belong, a constitution framer makes a distribution that could take different forms. The territory could be assigned to the city-state, if the latter is understood as a kind of entity that is distinct from its members, as the state is at times conceived. Or it could be assigned to all, or to more than one, of the groups

fying adding to his city a large class of warriors for defensive and offensive purposes, which led Sidgwick (1981, p. 21) to complain that Plato makes war a permanent unalterable feature of his city, thus raising doubts whether it should be considered an ideal construct.

listed above. But these are not the options Aristotle chooses. He speaks of no state as a super entity to which the territory belongs, and he does not assign it to all or to more than one of the groups mentioned. He stipulates that it belongs to a single group: "the territory [*chôra*] should belong to those who possess weapons and participate in the constitution" (VII.10 1329b36). Those who possess weapons and participate in the constitution are, of course, the citizens. Aristotle's answer excludes any non-citizen group from having any claim on the territory but does not give his reasons. Tradition was on his side with regard to the human scope of the proposed distribution, and, most likely, it exercised some influence on him. Thus, he thinks it is obvious and needing no further explanation that no part of the territory or its resources should belong to slaves and subject peoples: "It is also evident that the property should be theirs [the citizens], since the farmers must be either slaves or non-Greek subject peoples" (VII.9 1329a24).

But Aristotle is not relying wholly on tradition; he has his own reasons. In the statement quoted above, asserting that the territory should belong to the citizens, he is reiterating the conclusion of an earlier argument. And this argument has to do with the specific end the constitution and city aim at, his principle of justice, and the ideal and empirical assumptions he makes about the groups living within his polis. Furthermore, his reasons and conclusions reveal how he responds to the serious inequalities among these groups:

Moreover, the properties (*ktêseis*) should belong to them [the citizens]. For the citizens must be well supplied with resources, and these people [qualified to perform the political tasks] are the citizens. For the class of vulgar craftsmen does not participate in the polis, nor does any other class whose members are not craftsmen of virtue. This is clear from our basic assumptions. For happiness necessarily accompanies virtue, and a city-state must not be called happy by looking at just a part, but by looking at all citizens. It is also evident that the property should be theirs, since the farmers must be either slaves or non-Greek subject peoples. (VII.9 1329a17)

Aristotle's argument in support of his claim that the territory and its resources belong only to the citizens is compressed and presupposes a number of different kinds of considerations. The most important ones are the following:

- (i) Individuals need resources for surviving and for attaining happiness.
- (ii) Some of the resources are provided by nature, e.g., the natural elements necessary for life and health (air, water, life-sustaining climate conditions—VII.11) as well as food (plants, animals, and their products), materials for clothing, and slaves for manual work—provisions behind which the hand of immanent teleology is at work (I.8 1256b7-25).
- (iii) Humans enter elementary and political associations to meet daily and long-term needs and to attain self-sufficiency and happiness (I.2, III.6, VII.9).
- (iv) Every polis needs resources to perform its functions, including food and what supplies it, the various crafts and their respective products (including many tools), weapons for securing internal order and protection from external threats, and a supply of wealth for wars, religious functions, courts, and other ruling institutions (beginning of VII.4; VII.8 1328b5).

- (v) Every polis needs a multitude of farmers, craftsmen, soldiers, wealthy people, priests, and those performing its deliberative/ruling and judicial functions (VII.8).
- (vi) Every polis needs territory in order to perform some of its functions (VII.4).
- (vii) The ideal polis and constitution aim at the most choiceworthy end, i.e., happiness or the exercise of virtue (VII.1).
- (viii) The ideal constitution and polis must perform all their functions well.
- (ix) For the ideal constitution/polis to achieve their end and perform their functions well, they need commensurate resources (VII.4).
- (x) One such resource is territory, and in the ideal constitution/polis it must be of optimal magnitude and quality, so that it can secure self-sufficiency and leisure for the citizens, who are to live generously but temperately (VII.5).
- (xi) The citizens of the ideal city are to devote their whole life to the exercise of virtue in private and political affairs (VII.9).
- (xii) In the ideal city, governed by the ideal constitution, all citizens are equally virtuous and contribute equally to the optimal performance of the functions of the city and to the end of the city and constitution.
- (xiii) All work-related tasks for the best city and citizens must be performed by non-citizens, whose way of life is inimical to virtue. The farmers, probably the largest class of workers, should ideally be slaves, of different races, and deficient in spirit to minimize any participation in stirring up change. As a second best, they should be non-Greek subject peoples, similar in nature to the slaves just mentioned (VII.10 1330a26).²¹
- (xiv) The non-citizen groups within the ideal city are vastly unequal (inferior) to the citizens with respect to virtue and, as a consequence, they do not contribute anything to the performance of the political functions and to the end of the ideal polis/constitution.
- (xv) Distributions of resources are to be made by applying the principle of proportional equality on the basis of a merit relevant to a task to be performed or end to be achieved.

These considerations are diverse but could be grouped as follows: empirical generalizations about the needs all humans and political and non-political associations have for their existence and the kinds of resources necessary for meeting them [(i)–(vi)]; ideal assumptions about the non-human resources needed by the best constitution/polis [(vii)–(x)]; and ideal assumptions about the qualities citizens and non-citizens must possess and the kinds of life the members of each group must live, if the functions of the best constitution/polis are to be optimally performed and ends realized [(xi)–(xv)]. In his argument in favor of singling out the citizens as the owners of the whole territory and its resources, Aristotle cites the empirical fact that the citizens need resources—at least, those necessary for human sustenance and health. But this is true of every human being, whether a citizen or not, and of every

²¹ These are ideal, although negative, assumptions about the human resource needed for performing all labor and securing leisure for the city and its citizens; see below for further discussion.

community, whether ideal or not [(i)–(ii)]. The need-based reason given at first does not by itself support his claim that the territory should belong only to one group and that all others should be denied any share of it, especially since all the non-citizen groups are necessary for the existence of every political community: there cannot be a polis without women, farmers, craftsmen (VII.8). Aristotle must explain how the needs of non-citizen groups are to be met, and failing to do so would detract from his goal of articulating a complete political ideal. He could rely on his proposal that proceeds of property, even if privately owned, should be used communally. But even in this case, he has the citizens in mind when he speaks of communally sharing proceeds of the territory: “We do not agree with those who claim that property should be communally owned, but it should be communally used, as it is among friends, and no citizen (*politês*) should be in need of sustenance” (VII.10 1329b40).²² Of course, there might be other ways for the non-citizen groups to meet their needs, especially for the craftsmen. Aristotle informs us that some became so wealthy that oligarchies made them citizens (III.5 1278a28). Although he does not explicitly address this issue, he probably takes it for granted that those rendering services to city and citizens will be compensated.²³

The needs Aristotle has in mind in the present context are those citizens have *qua* citizens, that is, weapons to protect the city and leisure to engage in political activity and the exercise of virtue. The city needs weapons for the reasons stated (VII.8 1329a7), and he favors that weapon-bearers and defenders be the citizens themselves and not members of the non-citizen groups (slaves or vulgar craftsmen), who may reside within it (VII.4 1326a18). For only the citizens qualify for this task—they possess the necessary physical and psychic capacities (mixture of spirit and intellect) and the acquired excellence (courage) necessary for defending the city well (VII.7). Similarly, the citizens are the only group needing and qualifying for leisure: they need it in order to acquire the virtues and engage in political activity, and they qualify for it since only they have the necessary political capacities for being excellent rulers and ruled (VII.5, VII.9 1328b40). Members of other groups, such as slaves and vulgar craftsmen, neither need nor qualify for leisure since they are not fit to live a life consisting in the exercise of virtue (VII.9). Aristotle argues that citizens need leisure in every constitution, if they are to perform any political functions. The need will be far greater in his ideal constitution/polis, since both aim at the most choiceworthy end, aspire to realize the ideal goal of making every citi-

²² Aristotle appears to take seriously the idea that, while land is privately owned and cultivated, its proceeds should be communally used. He discusses it in his criticisms of Plato's *Republic* and endorses it in his own ideal constitution (see below). Yet he does not provide much by way of detail nor discuss the problems that are likely to arise with communal use of proceeds. The basis he gives for his claim is the supposed practice of the Spartans “to have common use of each other's slaves, dogs and horses also, and when in a journey in the country-side, they may take what provisions they need from the fields” (II.5 1263a 34). The Spartan practice is, as Aristotle describes it, limited to certain things and under certain circumstances; it is unclear how the practice would work if extended to all proceeds of privately owned property and how the problems Aristotle himself raises about dividing proceeds from communal land would be avoided (see II.5 1263a8).

²³ Most scholars believe that workers in Aristotle's ideal city are supposed to earn wages.

zen virtuous and happy, and require all citizens to devote all their time to virtuous activities and to excel in performing all political tasks. Ultimately, then, Aristotle's assigning the whole of the territory and its resources only to the citizens appeals to the *needs* they have qua ideal citizens and the *capacities* they must possess for being so. Since the members of non-citizen groups have no such needs, and lack the capacities for performing political functions or contributing to the attainment of the end of the city, the citizens are the only group qualifying for owning the territory and its resources.

The territory is the major resource by which the city achieves its end—a self sufficient life for the citizens consisting in the exercise of virtue. By Aristotle's ideal assumptions regarding the citizens, and empirical and ideal (negative) assumptions regarding all other groups residing within the territory (xiii), the only ones who contribute to such end, who are craftsmen of virtue, will be the citizens. Also, given his ideal assumption about the equality of citizens with respect to their virtue [(15) and (xii)], every citizen will be capable of making an *equal* contribution to the end of the polis, while no member of the non-citizen classes can contribute anything to this end. Justice requires that the territory and its resources should belong to the citizens equally. Aristotle does not mention the class of women in his exclusion list. But the reasons he gives for assigning the whole of the territory only to the citizens and for excluding craftsmen, farmers, and slaves (VII.9 1329a17, quoted above) would seem to also apply to women. By his empirical assumptions, women are not qualified for holding office, are not fit to be defenders (II.5), and are not craftsmen of virtue. In prescribing that the territory and its resources should belong only to the citizens, Aristotle offers his constitutional response to the vast inequalities among the different classes of his political ideal. These types of inequality are even greater in the best city than analogous ones in ordinary cities, precisely on account of the ideal assumptions his political ideal requires. Is this a good-making feature of his city?

It appears that Aristotle's prescription for assigning all the territory to the citizens can be defended by appealing to justice, together with his ideal and empirical assumptions about the citizens and the non-citizen groups. Yet the questions posed earlier about using virtue and political capacities as merits for assigning the territory to a group remain. Is Aristotle's constitutional proposal the most efficient way for securing the resources needed by the citizens and the polis (VII.8 1328b11)? And what exactly is the fit between the excellences and inclinations of the citizens (the craftsmen of virtue) and producing the necessary wealth for public and private needs? Is the fitness-for-the-job requirement of justice satisfied? The significance of such questions can best be seen by comparing Aristotle's prescription to that of Plato in his *Republic*, who assigns land and other resources to those who possess the appropriate talent and motivation to produce what the city needs—the farmers and craftsmen—and not to those who are best suited by their qualities and motivation to defend or rule. Some of these questions will be taken up later.

8.7 Subdivisions and Uses of Communal Territory

How is the territory to be used? Should all of it be owned and used communally, without being subdivided? Should all of it be divided into parts that are owned individually and used either privately or communally? Or, should a part of it be owned communally and another privately? Aristotle does not say that communal ownership of the whole territory—an option that would have eliminated distribution of land to individuals for private ownership—is not possible, but he thinks it is not optimal. In a number of arguments against a view he attributes to Socrates/Plato—namely, that communal possession of women, children, and property should be a law of their ideal constitution—he aims to show that communal ownership of property will lead to numerous problems with its maintenance, cultivation, and distribution of proceeds from it and will deprive individuals of the private resources needed for exercising the virtues of generosity and temperance (II.5).²⁴ But he rejects only a part of the Socratic/Platonic position and keeps the other—proceeds should be communally used, as it happens among friends (VII.10 1329b40, quoted above).

So, some of the territory belonging to all the citizens will be distributed to and owned by individual citizens. But some of it will remain communal, and he specifies that two separate portions of this communal part will be set aside for two different civic activities—services to the gods and communal meals or messes:

So the territory must be divided into two parts, one of which is communal and another that belongs to private individuals. And each of these must again be divided in two: one part of the communal land is to be used to support public services to the gods, the other to defray the costs of messes. (VII.10 1330a9)²⁵

It is not surprising to find Aristotle legislating in his ideal constitution about religious services and messes, and the resources needed for each. Both practices had a long history by the time he flourished. Probably there was no state without some communal religious services, and he tells us the tradition of communal meals was widespread beyond the Greek world. He reports that there were different models for distributing the burdens associated with these practices as well as, especially in the case of the messes, certain benefits to the community resulting from them. Since his discussion about the burdens associated with both practices rely on the same kind of arguments, and there seem to be no special issues with the benefits resulting from the services to the gods, the present discussion will focus on the messes.

²⁴ For a discussion of the need for private property in the exercise of some of the virtues, as well as other issues related to Aristotle's views on private property, see Irwin (1991, pp. 200–225).

²⁵ The setting aside of two parts of the territory to be communally owned and used indicates that Aristotle does not think the kind of concerns he raises against Plato's proposal for common possession and use of property would apply to his own proposal. Against Plato's alleged proposal, he argues that disputes will arise about the distribution of labor for its cultivation and the distribution of the proceeds of the land. He supposes that in his own ideal city, the communal land will be worked by non-citizen farmers, and the proceeds from the communal portion set aside for the common meals will be equally distributed among the citizens (VII.9 1329a25, 10 1330a25).

Aristotle's proposed division and use of the territory leaves no communal land for covering the cost of other public services, like that of education or dramatic festivals, which figure prominently in his city. In addition, he gives no specifics about the relative or absolute size of the parts into which the territory is to be subdivided. He probably assumes that the size of the portion to be distributed for private ownership and use will be determined by the number of the citizens and the area of land needed by each, the latter being, in turn, determined by the principle discussed earlier in connection with the size of the whole of the territory—namely, sufficient for each citizen to lead the kind of life Aristotle prescribes. This portion will be the largest relative to the other two, since it must guarantee a self-sufficient life for all citizen households. The size of the portion set aside for the common meals could be analogously determined by the number of citizens and the application of the same principle to the task at hand—identifying the proper amount of resources for a generous yet temperate communal meal. Fixing the size of the portion to be used for covering the costs of religious services and giving divinities their due might prove more complicated, for what is fitting to offer to the gods is more elusive than specifying the amount of resources the citizens of the ideal constitution/polis need.

8.8 Distribution of Burdens and Benefits of Messes

The issue of messes in any constitution seems to have interested Aristotle. He discusses it in relation to Plato's and his own ideal constitutions and to the existing constitutions of Sparta and Crete. He is familiar with and reports on the history of the tradition, whose origins he locates in the distant past (VII.10 1329b5). The common meals were thought to be a means for realizing certain individual and civic goods or ends—civic and personal friendship, friendly attitudes toward the constitution and those ruling, trust among the members of the community, and civic unity and stability.²⁶

Different ways for attaining the ends/goods just mentioned had been proposed (e.g., Plato's sharing of spouses and children among some classes of his ideal city), and still others might have been actually tried. But Aristotle appears convinced that the practice of messes had been tested for a long time and proven an effective tool for the purposes just cited. The long history of the practice, designated "ancient" by him, must have provided him and others with sufficient evidence of its effectiveness; he thought there was even a consensus: "As for messes, everyone agrees that it is useful for well-organized city-states to have them. (Our own reasons for agreeing with this will be stated later.)" (VII.10 1330a3; promise unfulfilled in the *Pol.*).

Aristotle's brief discussion of messes and religious services touches on the following issues:

²⁶Nearly all agree that the purpose of messes is not merely having access to food; on various aspects of the messes, see Kraut (2002, pp. 220–224).

- (a) The way of financing or distributing the cost (burden) of messes (and of religious services).
- (b) The scope of the distribution of the activity of the common meals and of the resources used in them (proceeds from the communal land reserved for the activity).
- (c) The scope of the distribution of individual and civic goods expected to result from the civic activity of common meals.

8.8.1 *The Human Scope of Distribution of Messes and Ways of Financing Them*

In connection with (a), Aristotle compares two models, one of private financing, with each and every citizen contributing a fee, and another of public financing. The first model was used by Sparta, whose constitution required every citizen, rich or poor, to pay a levy for the cost of the messes; the poor could not afford to pay and, as a consequence, were denied access to the messes and lost some political privileges (II.9 1271a26, 1272a12). Aristotle finds the Spartan model deficient, but praises the one used by the Cretans:

In Crete ... things are done more communally. Out of all the public crops and livestock and the tributes paid by the subject peoples, one part is set aside for the gods and public services, and another for the messes—so that all women and children and men—are fed at public expense. (II.10 1272a15)²⁷

He adopts the Cretan model in his own ideal constitution, endorsing its principle of extending common meals to all citizens and requiring communal financing:

All the citizens should participate in these [common] meals, even though it is not possible for the poor to pay the required amount from their private resources and maintain the rest of their household as well. ... So it is necessary that the territory be divided into two parts, one of which is communal and another that belongs to private individuals ... one part of the communal land should be used to *support public services to the gods*, the other to *defray the cost of messes*. (VII.10 1330a5-13, emphasis added)

In this statement, Aristotle fixes the human scope of the distribution of the activity of and the resources used for the common meals—both restricted to the citizens—and defends the necessity of the public financing model. He treats his preference for communal financing as a conclusion of an argument, which he thinks follows from the premise that “all the citizens should participate in these [common] meals.” The latter is a normative claim (equal access or opportunity), whose supposed truth is used to justify the choice of the financing model. Most likely, he also assumes the truth of another normative claim—every citizen of a polis should have an equal

²⁷ Commentators agree that women and children did not participate in the messes; instead, males took home for them food prepared for the messes. See, for example, Barker and Stalley (1995, p. 346), Reeve (1998, p. 56), and Sinclair and Saunders (1992, p. 132).

share of the common meals (equal distributional outcome). And he thinks the framers of the Cretan constitution were motivated by the same considerations in choosing the communal financing model and were correct; in contrast, the Spartans were wrongly motivated and chose the wrong model.

What kind of justification does or can Aristotle give for his normative claims (equal access and equal share)? It seems natural to turn to his principle of justice since a distribution of a communal activity and resource is at issue. To do so, one has to identify the relevant merit, possessed by all the citizens, that is necessary for and enables the realization of the desirable ends—individual or civic—associated with the activity of common meals. To justify the second normative claim, one needs to show that all citizens possess the relevant merit to the same degree. The merit Aristotle could appeal to is that of possessing the virtues for action and political activity. It is clear that, given the ideal assumptions about the human resource of his best constitution/polis, both normative claims could be justified by appealing to justice. Since all the citizens possess virtue to a high and equal degree, they are capable of developing the higher kinds of friendship he speaks of in his ethical works and contribute equally to fostering civic friendship, a sense of community, and civic unity. Their approximate equality in wealth (see below) satisfies another Aristotelian requirement for friendship (*NE* VIII.7 1158b33). Thus, by the ideal assumptions, every citizen is equal with respect to the relevant merit and capable of contributing equally to the common ends at which the activity of messes aims. Every citizen should have equal access to and share in the communal resource.

But Aristotle intends his normative claims to apply to non-ideal constitutions/poleis as well, and in their case he cannot rely on his ideal assumptions. In such constitutions, serious inequalities are prevalent among the citizens with respect to their virtue, capacities to contribute to ruling or other functions/ends of the community, and wealth. As a consequence, a justification of both normative claims by appealing to justice could be more difficult in ordinary constitutions, and perhaps that of the second one (equal shares) may not be possible. Given the vast inequalities in virtue and wealth he supposes to exist in such constitutions, there will also be vast differences in the citizens' respective capacities to establish friendships and contributions toward the civic ends of the common meals. Aristotle paints a rather grim picture of the likely conduct of both poor and rich and their hostility toward each other (IV.11). In the *Nicomachean Ethics*, he claims that such inequalities in virtue, wealth, and possibly other features of persons make friendship among them impossible (*NE* VIII.7 1158b13). Whatever friendships are possible will vary in their quality, from the highest among those who possess a high and equal level of virtue to the lowest among those most deficient in virtue. On Aristotle's view, significant friendships will develop mainly among those who are virtuous to a significant degree and possess the appropriate level of resources, and possibly additional features (*NE* VIII.7). Given the types of inequalities he assumes to exist in non-ideal constitutions/poleis, the kinds of friendship that will be possible among many members of the community will likely be those that are based on sharing membership in the same species or in the same political association. Also, given such inequalities, the respective contributions of the citizens of ordinary constitutions to the common

ends of messes will vary considerably. But even the lowest type of friendships and the smallest contributions are better than none, and the principle of justice dictates that one's share in a distributed resource be proportional to one's merit. Thus, the equal access normative claim could be justified along the lines suggested here; but justice does not support the equal share claim, if the inequalities Aristotle associates with non-ideal constitutions are as he says they are.²⁸ Of course, either normative claim, or both, could be supported by objectives unrelated to justice—e.g., reducing inequalities and strengthening civic stability, unity, or friendship—and such objectives could have motivated the Cretans to give equal access to and share of the messes to all citizens.

Aristotle does not explain why he thinks his two normative claims are correct, and perhaps he also thought they could be supported by such non-justice objectives. He agrees with Phaleas, who made equality of property (land) the centerpiece of his ideal constitution for such reasons, and not from considerations of justice.²⁹ The objectives just mentioned are pursued with the aim of endowing a city/constitution with good-making characteristics, all of which are elements of Aristotle's own complete political ideal. These factors may explain why Aristotle thinks that his two normative claims are correct for any constitution, whether ideal or not. If so, the question arises whether the same objectives could be used in support of extending participation in the messes to non-citizen groups (see below).

The reasoning that takes Aristotle from his normative claims to his conclusion that the communal model should be preferred is not implausible. If it is desirable that some activity or practice be made available to all citizens, and equally, then the mode of financing it that secures equal access and share to all is preferable to modes that fail to do so. The private financing model, at least as used by the Spartans (same levy from rich and poor alike), will not guarantee equal access and share for all the citizens in most cities. Depending on the magnitude of the levy, many will be excluded from the messes because of the serious and pervasive economic inequalities typically found in most cities. Sparta was a case in point.

Yet Aristotle's reasoning does not show that communal financing will succeed in every city in realizing what the normative claims require—equal access and equal share. Some cities might lack sufficient communal resources to cover the burden.

²⁸ The constitutions with a large middle class would fare better since the inequalities in wealth would be lesser than in those in which the extreme (poor or wealthy) are more numerous. According to Aristotle's arguments in IV.11–12, we should also expect in such constitutions the differences in virtue among a large number of people (middle class) to be also moderate. But major differences between them and those at the extremes could remain.

²⁹ Kraut (1991, p. 114) claims that Aristotle thinks Phaleas' solution to the problem of crime caused by poverty—namely, providing to everyone a modicum of wealth and work—is not sufficient and Aristotle himself insists on equality. He also claims (p. 115) that Aristotle is critical of Phaleas' proposed constitution in which property is to be equalized. Yet Aristotle presents Phaleas as advocating equality of property for avoiding factions (II.7 1260a37). And, although Aristotle is critical of Phaleas' proposal on several points, he does not reject the central principle of Phaleas' constitution—equality of property. Phaleas' belief that there is a connection between inequality in possessions and factions is central to Aristotle's own discussion of the causes of factions and plays a major role in designing his own ideal constitution.

And the reasoning does not show that the communal model is the only one that can secure the objectives of Aristotle's normative claims. There may be other ways of doing so, including some variations of the private financing model—e.g., imposing a levy, but only on those who can afford it; imposing a progressive levy, but exempting those whose assets fall below a certain threshold; or covering the burden by philanthropic contributions from those who are in a position to donate. In existing constitutions/cities, what the preferred model for meeting the normative claims is will depend on a number of empirical (existing) conditions, concerns of justice, and additional factors. But the case is different when framing an ideal constitution/polis since the framer can make ideal assumptions, and Aristotle makes many, which could determine which one of the two models is preferable. It may be worth examining whether, given the specific ideal assumptions he makes, only one or both models would meet his normative claims, and, if the latter, why he favors the communal one.

Among the ideal assumptions Aristotle makes is that the territory be of such size and quality that can provide his city with sufficient resources for performing its various functions well (one of them being the public meals) and every citizen with adequate means for living a self-sufficient life that is generous and temperate; in addition, the whole territory belongs to all the citizens. As far as resources are concerned, then, there is no scarcity. With regard to human resources, Aristotle's ideal assumptions include that all the citizens are equal with respect to their virtue. The city, then, will have the communal resources to cover the cost of messes, and the communal financing model would be one option for doing so. The option could be defended as being just—since all citizens are equal, everyone could and should benefit equally from the use of a communal resource. A portion of the territory that belongs to all citizens equally is set aside and its products are used for a communal activity, to which every citizen has equal access and share; in addition, every citizen could benefit equally from the goods the city aims to realize by performing such activity. Thus, every citizen has an equal share of benefits and burdens.

But Aristotle's ideal assumptions can also justify the use of the private financing model. Now the burden will be distributed individually to every citizen. As with the communal model, every citizen benefits equally from the communal activity of messes and the civic goods resulting from it. Justice requires that the burden of the cost be equally distributed to all the citizens. In addition, every citizen has the required resources to pay his share; for, by Aristotle's ideal assumptions, "the citizens must be well supplied with resources" and the territory must "enable the inhabitants to live a life of leisure in a way that is generous and at the same time temperate" (VII.5 1326b30, II.9 1329a18). Strictly speaking, by Aristotle's ideal assumptions there could not be poor citizens in his ideal polis.³⁰ And in explaining how the part

³⁰There are many problems with Aristotle's references to rich and poor. One is whether he thinks of rich and poor in relative or absolute terms. It is clear he is opposed to extreme wealth and poverty, and is in favor of both ceilings and floors in possessions that will be determined by the kind of life he deems desirable. In the ideal city he insists that all the citizens have sufficient possessions to lead a generous but temperate life. So, by his ideal assumptions, there are no poor citizens—citizens

of the territory designated for private ownership should be distributed, Aristotle favors equal shares (see below). The problem that concerned him and the Cretans—the inability of the poor to pay a levy—should not arise in his ideal city. Why then does he favor the communal financing model? Messes, religious services, dramatic festivals, and so forth were communal functions, collectively referred to by a term reflecting that—*leitourgeiai*, people's or communal activities. He might have felt that the burden of financing such activities should be borne by the community as a whole, and setting aside some communal resource for it would provide a secure and stable way of funding them in perpetuity. Although there were exceptions, such as Sparta's way of financing messes and Athens' way of underwriting the cost of dramatic festivals, many of the Greek states followed the Cretan way. This longstanding tradition must have carried some weight with him.

8.8.2 *Women and the Communal Activity of Common Meals*

Turning to (b), who should benefit from the resources distributed at the messes? The resources are communal, and the proceeds of the land set aside for this purpose, like crops and livestock (II.10 1272a16), are to be distributed to a part of the inhabitants of the ideal polis—the citizens: “All the *citizens* should participate in these [common] meals” (VII.10 1330a5-13, emphasis added). Thus, the human scope of Aristotle's distribution is clear—it extends only to the citizens, excluding women, farmers, laborers, and craftsmen. Tradition was, again, on Aristotle's side in excluding women; as he reports (II.10 1272), the older name for messes was *andreia* (“male gatherings”), and there is no evidence that members from the non-citizen groups were included at any time. Plato is the exception, arguing in favor of the inclusion of women (*Laws* 780c)—a view with which Aristotle disagrees (II.12 1274b10).

Yet Aristotle's position is not necessarily without any basis in his own distributive principle. Civic friendship and civic unity are for Aristotle communal or polis ends/goods that also benefit all within the political community—citizens and non-citizens alike. The communal resources spent on messes should be used by those contributing to the realization of the ends the practice aims to achieve. In the ideal polis only the citizens are qualified (and equally so) to contribute to such ends and, thus, have an equal share in the distribution of resources for the common meals. Those lacking the capacities for citizenship should not have a share in the common meals. Plato would not necessarily disagree with the logic of Aristotle's argument.

who fall below the floor he sets for possession. Kraut (1997, p. 113) claims that Aristotle is concerned, in connection with the messes in his ideal city, to make it possible for the needy to share in the activities (messes and the ends they aim to achieve) that are important in carrying out their political functions. But in speaking of needy or poor in this connection, Aristotle is not necessarily speaking of his ideal constitution. In the present context, he seems to be speaking about ordinary constitutions, most of which have rich and poor citizens, stressing the need for all constitutions to include all its citizens in its messes, and for a variety of reasons.

The disagreement between the two lies in their different views about the basis and scope of citizenship. Plato also reserves messes for citizens, but citizenship in his best (*Republic*) and second best (*Laws*) poleis is extended to all who perform the various functions of the city, and women are among them. But Aristotle's requirement for citizenship is stronger, stipulating that citizens are those who possess the capacities for performing the strictly political functions of the city and contributing to the ends these functions aim to realize. He claims women do not meet the citizenship requirement, and should be excluded from citizenship and the common meals. The latter claim assumes women, and all others who do not qualify to be citizens, cannot contribute anything toward attaining the ends the city aims to realize through the messes.

The last claim is by no means obvious. Even if it were conceded that women cannot contribute anything to the strictly political functions of the city and their ends, it would not follow from that they cannot contribute anything to the ends of the messes. Aristotle does not think women are capable of the highest order of friendships because he assumes their virtues are not the same as those of males, but he does not think friendships among women, as well as among women and men, are impossible. Participation of women in messes could contribute to fostering friendships among members of the community beyond a woman's immediate circle, friendships with other women and citizens, which in turn could strengthen civic friendship, friendly attitudes toward those who rule, and civic unity. These are the ends the messes aim to realize and, if women could contribute to them, then justice requires that women should have a share in the messes—at least one that is proportional to their contribution.

In addition, considerations stemming from Aristotle's complete political ideal may lead one to question the exclusion of women from messes. In fact, Aristotle himself uses a type of argument to justify giving women a share of a good by first appealing not to justice but to the effects that denying such a share will have on the goodness of the city. In *Pol.* I.13, he asks whether the virtues of natural rulers (free males) are the same as the virtues of natural subjects (women, natural slaves). He concludes that they are not; free males have the capacity for complete virtue but women, although superior to slaves in their capacity for virtue, do not, and their virtues are not the same as those of free males. Turning to the question whether women (and slaves) should be given any education, he does not appeal directly to justice for answering it, but to an empirical generalization about the effects women have on a polis by their number alone, arguing that the dispositions women acquire have serious consequences for the constitution under which they live—a concern first voiced by Plato in his *Laws* (780e-781e). The generalization leads Aristotle to conclude that no constitution should deny a share of education to women: "Hence both women and children must be educated with an eye to the constitution, if indeed it makes a difference to the virtue of a polis that its children be virtuous, and its women too. And it must make a difference, since half the free population are women" (1260b15). The effects women have on a polis and its constitution simply by their numbers is noted by him again while discussing the Spartan constitution,

warning that a legislator who fails to frame laws pertaining to women leaves half of the state without laws:

For just as a household has a man and a woman as parts, a polis, too, is clearly to be regarded as being divided almost equally between men and women. So in all constitutions in which the position of women is bad, half of the polis should be regarded as having no laws. And this is exactly what has happened in Sparta. (II.9 1269b15)

He argues that the absence of legislature concerning the conduct of Spartan women has had dire consequences. Women lived “in total intemperance and luxury,” esteemed wealth more than is appropriate, and amassed, on account of the loss of husbands in wars, poor inheritance laws, opportunistic marriages, and huge estates. The impact of women’s control on the land was such that Sparta, though capable of supporting more than thirty thousand armed men by its territory, reached the point it could not support even a thousand (II.9 1270a20).³¹

The emphasis Aristotle places on the number of women in any polis suggests that his conclusions about the need of any constitution to give a share of a public resource (education) to women, or to encompass laws pertaining to the dispositions women should acquire, would not be the same if women constituted a negligible percentage of the free population of a polis. Given that things are otherwise, it would not be prudent to neglect addressing these issues in any constitution and that education must be provided to women. The share of education allotted to women must be proportional to their capacity for it, as justice dictates. Thus, in his ideal constitution/polis Aristotle prescribes that free women must have the same education as free males, but up to the point their capacities allow (VII.16).

The considerations Aristotle appeals to for justifying the inclusion of women in the distribution of education might be relevant in determining whether or not women should have a share in the distribution of the activity of common meals and of the resources used for it. As far as he knew, women would always be at least half of the population of a polis; he even knew a polis in which, at times, females outnumbered males by a wide margin—Sparta, during times when its male population was depleted by battlefield deaths. Depriving half of the population of the benefits expected from the messes would not be optimal either for those excluded or the city; most likely, it would be harmful to both. Half of the population would be denied opportunities to form personal friendships with others in the community, develop civic friendship, and acquire a sense of community. If the earlier argument stands and women can contribute toward the realization of the ends of messes, even though denied citizenship, excluding them from the messes would be depriving the city of possible contributions from half of its population toward ends that are valuable to it. Such a prospect is not consistent with Aristotle’s complete political ideal, for the city will be lacking some good-making characteristics.

³¹ One may disagree that special laws pertaining to the conduct of women should be a part of any constitution, but there is no doubt that Aristotle thinks they are needed.

8.8.3 *Other Non-citizen Classes and the Communal Activity of Common Meals*

Arguments similar to the one just sketched could be used to question Aristotle's excluding from messes the remaining non-citizens (e.g., slaves, serfs, subject peoples) present in actual cities and required in his ideal one. This group was often larger than that of the citizens, and it would be large in Aristotle's polis. Its members lived within the borders of a polis, Aristotle says, because they met a need that everyone agreed any well-organized state has—leisure for its citizens. He expresses doubts that this is the best way of meeting the need, admitting that “the way to achieve this [leisure] is not easy to discover” (II.9 1269a35). His doubts stem from his awareness that non-citizens were often alienated from those ruling and the free, harboring hostile attitudes toward rulers, citizens and members of their households, and the constitution itself. He knew the problems such unfriendly attitudes had created in several states, mentioning Thessaly and Sparta and describing how their citizens lived in constant fear of being harmed by those securing their leisure: “For the Thessalian serfs often attacked the Thessalians, just as the helots—always lying in wait, as it were, for their masters’ misfortunes—attacked the Spartans” (II.9 1269a36). Such non-free and/or non-citizen groups, according to him, often revolted, conspired against, and destabilized the state.

Aristotle thinks problems similar to those the Thessalians and Spartans faced will occur in any state securing leisure in the way they did, judging that the problems are serious and, while not easy to solve, must be addressed:

If nothing else, it certainly seems that the management of serfs, *the proper way to live together with them*, is a troublesome matter. For if they are given license, they become arrogant and claim to merit equality with those in authority, but if they live miserably, they hate and conspire. It is clear, then, that those whose system of helotry leads to these results still have not found the best way. (II.9 1269b7, emphasis added)

He appears to think that the proper way of dealing with serfs lies between the two extremes he mentions—license and harshness—but does not identify such an intermediate way for his ideal city, opting instead for a different strategy.

The securing of leisure in his ideal constitution/polis is one of Aristotle's priorities (*Pol.* VII.5 1326b30, VII.9 1329a). He specifies that all work unrelated to political activity is to be done by non-citizens, and an especially large number of farmers will be required to cultivate the whole of the territory. He prescribes that they live apart from and have as little contact as possible with the citizens and members of their households. But he is fully aware that his ideal state will likely face the “helot problem” and offers a solution to it. His strategy is to specify the psychic/behavioral features of the people who secure the leisure of the citizens, so that the helot problem does not arise:

As for the farmers, ideally speaking, they should be slaves. They should not all be of the same race, nor should they be spirited, since then they would be useful workers, unlikely to

stir up change. As a second best, they should be non-Greek subject peoples, similar in nature to those just mentioned. (VII.10 1330a26)³²

These are ideal assumptions motivated by his complete political ideal, but this time specifying the negative features a group of people, indispensable to but not citizens or a part of the city, need to have. Aristotle is entitled to make such assumptions for the purpose at hand, as long as they conform to his own constraint: “none should be impossible” (VII.4 1325b38).

Aristotle's ideal assumptions are not logically impossible and would meet his constraint, if it were understood in terms of logical possibility. Undoubtedly, he has something stronger in mind; he is making the empirical claim that people who have the ideal features of his farmers exist. The relevant question here is whether his ideal farmers raise additional problems to those raised by his theory of natural slavery. It is reasonable to assume that the racially diverse slaves of his preferred option for farming are the natural slaves described in Book I, people who are seriously inferior to their masters with respect to their intellectual and deliberative capacities but superior to them in their strength and capacity for bodily work—inequalities whose existence he thinks is partly due to immanent teleology that does nothing in vain and aims at some good (survival of master and slave). If appeals to nature's teleology are admitted in the context of the ideal constitution/polis, the existence of natural slaves would also be nature's way of securing the leisure the citizens need for living a certain kind of life and the stability of the city.³³ But the ideal slaves will be even more unequal to those they serve than the slaves of Book I; they must be deficient in spirit, an ideal requirement for maximizing civic stability. All appeals to immanent teleology raise questions, but the ones aiming to explain/justify deficiency in spirit for the sake of the stability of the ideal constitution/polis appear to push against the limits of plausibility. His second-best option also raises questions. He knew of several existing states (Crete, Thessaly, Sparta) that relied on serfs and subject peoples to perform the tasks slaves performed, but he gives no evidence that any such people tended to be slave-like and deficient in spirit; everything he says about them confirms the opposite.

Whether or not Aristotle's ideal assumptions about his farmers violate his own constraint, issues connected to the “helot problem” remain, especially the ones Aristotle himself judges to be troublesome—“If nothing else, it certainly seems that the management of serfs, *the proper way to live together with them*, is a troublesome matter”—and will remain with either of Aristotle's options about the nature of

³²The way Reeve (1998) renders the passage about the qualities of farmers suggests that the slaves should lack spirit, whereas Aristotle seems to be saying that they should be deficient in spirit (*mê thumoeidôn*); he does not in this case use the term *athymos* (spiritless), used elsewhere to characterize people in regions of Asia (VII.7 1327b28). For the differences between slaves and serfs or subject people see Kraut (1997, p. 116), where he also claims that *perioikoi* are not slaves, perhaps meaning that they are not the property of the citizens or bought and sold; but many translators (e.g., Reeve, Rackham (1944), Barker and Stalley. Sinclair and Saunders) speak of the farmers as property. Interestingly, Aristotle makes no ideal assumptions about the craftsmen or tradesmen.

³³Aristotle's claim for the indispensability of slaves is really a contingent claim; if what they do could be done by animals or appropriate technology, there might be no need for them.

farmers. Having large numbers of non-spirited people performing tasks for the city/citizens may reduce the chances of revolts by them, but Aristotle's strategy does not address the serious issue he raises—finding “*the proper way to live together with them*.” City-states with large numbers of slaves or subject people seemed to him to consist of two parts whose respective members differed so strongly in their life-goals, dispositions, upbringing, conduct, or possessions that any contact or interaction between them was very difficult; instead, the two parts almost lived separately from each other, giving rise to a phenomenon he calls “having two city-states within one” (II.5 1264a25). The phenomenon, first identified by Socrates/Plato as something to guard against in their ideal city (*Rep.* IV 422e–423a), would occur, Aristotle fears, in Plato's city because two of its classes (farmers/craftsmen and guardians) are so conceived by Plato that they cannot commune with each other:

[I]f they [farmers/craftsmen] are to have such things ... what sort of community will it [Plato's ideal city] be? For it will inevitably be two city-states in one, and those opposed to one another. For he makes the guardians into a sort of garrison, and the farmers, craftsmen, and the others into the citizens. (II.5 1264a22)

The phenomenon could arise in Aristotle's own best city. After all, Plato's two classes consist of people who are of the same race, free, and share in the same constitution; Aristotle, on the other hand, prefers his farmers and craftsmen not to be of the same race as the citizens and each other, opting for slaves or slave-like people without a share in the constitution. So, what sort of a community can his city be? Probably not one with a strong, inclusive communal life or unity. And Aristotle's own constitutional prescriptions for his city—minimal contact between the free/citizens and the non-free/non-citizens, as well as separate meeting spaces for the two groups (VII.12)—do not seem to be conducive to a unified community.

Aristotle knew of more than one means for minimizing the prospect of having “two city-states in one” and strengthening civic friendship and unity. He mentions the approach of the Cretans, who “allow their slaves to have the same other things as themselves, and forbid them only the gymnasia and the possession of weapons” (II.5 1264a20). He also knew the use of the common meals as a means to the same ends and of the widely held view of their effectiveness in well-organized states. He does not adopt the approach of the Cretans, and he excludes non-citizens from the messes. But it seems that some type of participation in the messes by the non-citizens might be one way for the citizens to live with those who secured leisure and labored for the city. It would have provided a means of fostering friendships among non-citizens themselves and possibly between them and the citizens. Aristotle would not approve of strong friendships between citizens and the kind of people he chooses as laborers, and would not think that such are possible, precisely because of the vast inequality in virtue he supposes to separate the two. But he does admit that a kind of friendship is possible between even a slave and a master—“there is a certain mutual benefit and mutual friendship for such masters and slaves as deserve to be by nature so related” (I.6 1255b12; see also *NE* VIII.11 1161b4–8). More importantly, any participation by the non-citizens in the common meals could strengthen civic friendship among them and the citizens—it could foster friendly attitudes, or

at least inhibit unfriendly ones, in the non-citizens toward those who permanently rule and toward the constitution under which the non-citizens also live and from which they benefit. What form such participation of the non-citizens would take is not the issue here. Rather, the aim is to make clear that concerns unrelated to justice, and the emphasis it places on a merit for contributing to the political functions of the polis, may come into play in distributing resources. His expressed aim of sketching a complete political ideal requires such concerns be taken into account, especially since Aristotle remains convinced that the non-citizens are indispensable for the very existence of any polis (IV.4, VII.8 1328b2). A “helot problem” lurking in his ideal constitution/polis would not be a good-making characteristic of it.

Aristotle does not propose any other way of dealing with the “helot problem.” Yet it occupies him throughout his sketch of his political ideal. After he expresses his concerns about the threat farmers pose to the stability of the city and states his ideal assumptions about them, he returns to the issue. While reiterating his view that in a city of equals, all must take turns in ruling and being ruled, he warns again of the danger those securing leisure pose to the preservation of the constitution: “For the citizens being ruled [without taking turns] will be joined by those in the surrounding territory who want to stir up change, and the governing class cannot possibly be numerous enough to be more powerful than all of them” (VII.14 1332b28).

8.9 Distribution of Land to Be Privately Owned

As stated earlier, while Aristotle prescribes that the territory should belong to the citizens communally, he argues that one part of it should be distributed to and privately owned by the citizens but its proceeds be communally used. Without conceding the soundness or validity of Aristotle's arguments against communal ownership of land for individual purposes and leaving aside his prescription for communal use of proceeds from privately owned land, it might be useful to examine the scope, nature, and basis of the distribution for private ownership he proposes.

Aristotle stipulates that the part of the whole territory designated for private ownership should be distributed to the citizens as follows:

One part of the private land should be located near the frontiers, the other near the polis, so that, with two allotments assigned to each [citizen], all of them may share in both locations. This not only accords with justice and equality, but ensures greater unanimity in the face of wars with neighbors. For whenever things are not done this way, some citizens make light of feuds with bordering city-states, while others are overly and ignobly concerned with them. (VII.10 1330a15)

With regard to the human scope of the distribution, he is clear: it extends only to the citizens. But he insists that it includes *every* citizen—every citizen is to have a share from the distribution, for *each* is to receive two plots and *all* citizens are to have a portion in both locations. Thus, in Aristotle's ideal constitution/polis the classes of *being a citizen*, *having a share in the communal territory*, and *privately possessing land* are equivalent. Aristotle's distributional scheme excludes women, slaves,

farmers, craftsmen, and foreigners from private possession of land. Inequality in the possession of land, the most precious resource in the city, is built into the ideal constitution.

In the passage just quoted, Aristotle does not give his reasons for excluding all non-citizen groups from privately possessing property. While his view does not differ from the prevailing tradition, he knew of some exceptions. Spartan women owned land in their city and, to his dismay, had managed to take possession of most of it (II.9 1270a21-32). Aristotle must have had his own reasons, and it seems they were primarily based on the kind of considerations he cites for his constitutional requirement that the whole territory belong to the citizens—namely, that it provides the required resources for satisfying the needs and securing the leisure of the citizens so that they can engage in virtuous activity or become “craftsmen of virtue.” Given his ideal assumptions about the qualities of his citizens and non-citizens, the only ones contributing to the end of his ideal polis are the citizens, and justice requires that they be the sole owners of the resources. Aristotle would likely appeal to the same reasons for justifying the scope of his distribution of the part of the territory for private ownership. After all, it is the privately owned land that will provide each citizen with many of the resources necessary for meeting needs and securing leisure.

A main concern of Aristotle in distributing land for private possession is that his proposal be consistent with justice and address a vexing problem in ancient states—namely, reaching agreement among the citizens on whether and how to respond to attacks on remote parts of a city’s territory. Given that the basis of the distribution is the needs and capacities of the citizens qua citizens, and by his ideal assumptions all citizens are equal in their merit, justice requires that their respective shares of land should be equal. He thinks that giving each citizen one plot within the region adjacent to the inhabited area and another near the frontiers meets the justice requirement. The little Aristotle says seems insufficient for determining whether or not his proposed distribution fully meets his justice or equality requirement. Since he says it does, we must assume he supposes that the combined value—in terms of size, productive capacity, and other relevant factors—of each pair of plots (one from each location) of any citizen will be the same as that of any other. Some scholars doubt that Aristotle’s proposal secures equality or even that it aims to equalize shares of land.³⁴ While it is true that he provides few details, it is clear he has to prescribe equal shares. The equality of merit of the citizens requires it, just as the equality in the relevant merit for distributing offices requires equal shares in that good, which he grants. In addition, he is concerned with the threat inequality in property poses to the stability of the city, judging such inequality to be among the main causes of factions. His complete political ideal requires equality of property, and such an

³⁴ For example, Keyt (1991, p. 266) and Kraut (1997, pp. 113–116). The problem arises because Aristotle refers to rich and poor people in his discussion of the distribution of resources, but this does not necessarily mean that there are rich and poor citizens, or that the initial allocation has such an outcome, in the ideal constitution. Aristotle often slides easily from talking about his ideal city to existing cities.

objective may not be unrealistic, given the ideal assumptions he makes about the size and quality of the territory. It is supposed to be small—possible to be taken in at one view (VII.5)—and, thus, every part of it could be of the same quality. Plots of roughly equal size could be of equal value.

Also by giving every citizen a plot in both regions of the territory, Aristotle makes a just/equal distribution of a burden—the defense of remote parts of the territory. His strategy is to maximize the chances of every citizen being equally concerned with, and willing to participate in, protecting the borders of the land, thus achieving unity in responding to external threats—all of them good-making civic features. (However, the strategy may not reduce the overreacting to external threats in the frontiers by those owning land there—now every citizen would be prone to do it; unanimous responses to such threats could be incorrect.)³⁵

Aristotle's account of the distribution of land for private ownership leaves many questions unanswered. He does not, for instance, take up the issue of the respective sizes of the two plots he allots to each citizen and their productive capacities. He probably thinks that his general principle for determining the ideal size and quality of the whole territory—"it must produce everything, for self-sufficiency is having everything and needing nothing ... and it should be large enough to enable the inhabitants to live a life of leisure in a way that is generous and at the same time temperate" (VII.5)—can also function as the principle for determining the size and productive capacity of the land distributed to each citizen and, thus, the equal share of resources/wealth each receives. After all, he states his principle for determining the proper size and quality of the territory in terms of the kind of life the citizens of the best city should live; it seems reasonable that the size and quality of the private land of each citizen will be determined by the same considerations. Yet Aristotle's principle, and nearly every term in it, is imprecise and subject to disagreements, something he is fully aware of as he notes the need to provide further explanation:

But whether this defining principle [for determining the size and quality of the territory needed for self-sufficiency and for living a generous but temperate life] is rightly or wrongly formulated is something that must be investigated with greater precision later on, when we come to discuss the general subject of property and the ownership of wealth—how and in what way this is related to its use. For there are many disputes about this question raised by those who urge us to adopt one extreme form of life or the other: penury in the one case, luxury in the other. (VII.5 1326b31; promise not fulfilled, but see I.8)

Yet, despite its shortcomings in precision, the principle provides a clear sense of the kind of considerations he uses for setting limits to property or wealth—they are ethical/political in nature and depend on his conception of the end of the political association and of the kind of life his ideal citizens are to live. The resources must neither significantly exceed nor fall short of what is needed for securing the type of self-sufficiency and leisure necessary for the most choice-worthy life. And he views the task of identifying the proper amount of wealth as being analogous to identifying a state of character that is a virtue—i.e., as something that lies between two extremes (see his discussion of middle class in III.11-12). In this case, the proper

³⁵ See Kraut's (1997) useful comments on this issue.

amount of wealth also lies between two extremes, i.e., the amounts that he supposes lead to lives of luxury and penury, respectively—lives that he considers inimical to acquiring the excellences of character necessary for virtuous activity in the private and political spheres.³⁶ Such a principle for setting upper and lower limits to wealth is first stated in Aristotle's criticisms of Plato's and Phaleas' views on equalizing property. An individual allotment of land, he argues, must not only be equal to that given to every other citizen, it must also be of such amount that neither exceeds the limit that leads to a life of luxury nor falls below that which forces one to a miserly life (II.6 1265a32, 7 1266b26). Setting floors or ceilings to wealth is not an easy task, and one can fail in several ways—e.g., setting vague limits, failing to give or giving vague principles for the proposed limits, giving wrong limits, and choosing wrong principles. For instance, Plato in his *Laws* sets a precise limit on an initial allocation of land and allows an increase in a household's property that is five times the value of the initial allocation, but he gives no principle to justify such ceilings (II.6 1265b20; Plato, *Laws* 744e). Aristotle gives a principle and makes its nature clear, but it is imprecise, and the limits it demarcates are also imprecise.

In addition, he does not explicitly address the issue of future subdivisions of the initial equal allocations, something he discusses when examining the ideal constitutions of Plato (II.6 1265a39–1265b25) and Phaleas (II.7 1266b7). He argues against both that trying to equalize property, or to meet the requirement of supplying citizens with sufficient property to live well, will not succeed without controlling the number of people—both equality in property and self-sufficiency of city and citizens will be endangered, if there is continuous growth of the population while the amount of resources remains fixed. He voices concerns about overpopulation due to influx of foreigners because of its likely negative effects on the life citizens are expected to live (VII.6 1327b6), but foreigners pose no threat to equality of property since they cannot own any. His worries about overpopulation due to high birth rates among citizens center on its hampering the citizens' ability to know each other well, something deemed necessary for assigning anyone to an office (VII.4 1326b19). And in outlining his program of eugenics, overpopulation concerns lie behind his support of legislating limits to procreation, if exposure of infants is prohibited, and allowing recourse, when the law is violated, to abortion prior to the onset of sensation and life in the fetus (VII.16 1335b20). Yet even here he does not explicitly state that his worries partly stem from his desire to maintain equality in private property, although they may do so.

He also does not address the major threat the transferring of property by sale or other means poses to the equality he advocates, something that greatly concerns Plato in his *Laws*. Without the kind of restrictions in the transference of property Plato requires in his second best city, any success Aristotle's scheme for achieving equality in property might have would likely be short-lived. He is fully aware of the problem, and is critical of Phaleas for not imposing restrictions on the transference of property for maintaining the kind of equality the latter proposes. He cites examples of states (Locris and Leukas) with laws restricting transference of property and

³⁶ For a discussion of wealth and moral excellences, see Hadreas (2002, pp. 361–372).

reports on the unwelcome consequences that ensued whenever such laws were not observed (II.7 1266a18). Aristotle might have considered his earlier criticisms of ideal and actual constitutions with regard to the effects overpopulation, subdivision, or transference of land might have on equality as having established that measures must be taken to protect equality. He also might have thought that his principle for fixing ceilings and floors for private possessions, even though imprecise, would provide the necessary guidelines for determining when and how transferring or subdividing of property, while preserving equality, should take place.

Another puzzle about Aristotle's distributive scheme is what seems to be, by his own standards, its incompleteness. In his examination of Phaleas' constitution, whose central principle is equality of property, he complains that it cannot be attained by distributing equally only land:

But what he [Phaleas] has said about the equalizing of property is not correct. For he equalizes only land holdings, but wealth also exists in the form of slaves, livestock, and money, and when there is a lot of so-called moveable property. So we should either seek to equalize or moderate all of these, or we should leave all of them alone. (II.7 1267b8)

Aristotle does not address the equalizing of these other types of wealth, his focus being land. But it is clear he supposes that the city and the citizens will need wealth of the kinds mentioned in connection with Phaleas. The citizens need wealth for procuring weapons and the city for its security: the city is in need of a "ready supply of wealth both for internal needs and for wars," and thus there have to be wealthy people (VII.8 1328b6-22). This is an empirical generalization, which he supposes to be true of every city, including his ideal one, with the wealth of the citizens in the ideal city presumably remaining within the bounds discussed above. The needs of a city are many, including education, which should be public (VIII.1) and available equally to all (II.7); internal safety; war related capabilities (fortifications, navy, weapons, etc.); infrastructure; health care; and communal festivals. In his proposed subdivision of the whole territory, he does not set aside communal portions of it for covering the cost of such city services,³⁷ and he designates no other public sources of wealth for them. Some of the wealth the city needs for its public services must come from the citizens, from the proceeds of their private land and any other wealth-generating activity available to them. As he generalizes elsewhere, assuming that resources are privately owned, "there must be both free people and those with assessed property, since a city cannot consist entirely of poor people, any more than slaves" (III.12 1283a16). By Aristotle's ideal assumptions regarding the size and quality of the territory, the privately owned land and its products are major resources for each citizen; but he also mentions other types like importing and exporting, trade, products of arts and crafts, and slaves. If all properties in the city belong to its citizens (VII.9), each citizen could have the kind of diverse wealth he mentions in connection with Phaleas but presumably would not exceed the proper limit. If the cost of the public services is to be borne, either in whole or in part, by the citizens,

³⁷ He is aware that some existing constitutions did set aside public resources for most or all public services, and praises the Cretan constitution for being one of them (II.10 1272a15).

it is surprising that no explanation of the distribution of this major burden is offered; presumably, given his ideal assumptions regarding the equality of citizens, it will be shared equally. It is even more surprising that he does not address the distribution of wealth other than land. For his complaint against Phaleas is to the point—without addressing the distribution of all types of wealth, the equality in wealth sought by Phaleas and himself in their respective constitutions cannot be guaranteed. Again, he might have thought that his earlier claim against Phaleas regarding the need to equalize all types of wealth still stands, and what is said about equal distribution of land in his own polis applies to the distribution of all types of wealth.

8.10 Aristotle's Citizens: Producers of Wealth or Craftsmen of Virtue

Among Aristotle's main concerns in designing his ideal polis are the following: (a) attaining self-sufficiency for it and its citizens, (b) maximizing its stability and unity by eliminating or minimizing factions, and (c) securing complete leisure for its citizens so that they can devote their lives to the exercise of virtue in the private and public spheres. As seen earlier, he responds to these concerns by making ideal assumptions, both positive and negative, about human and non-human resources in his ideal polis. For example, in prescribing how (a) is to be realized, he places great emphasis on territory as a resource and makes ideal assumptions about its size and quality, further stipulating that all the territory (in fact, all property) should belong either communally or privately to the citizens.

Yet Aristotle is fully aware that his city and citizens need resources that go far beyond what is generated by the land, however productive it might be. The city needs wealth for all its public services and subservient and subordinate functions (IV.3 1289b31, VII.4 1325b37, VII.8 1328b10, 20), most of which ultimately will have to be funded by assessments paid by the citizens (III.12 1283a15). He was equally aware that generating wealth of any kind is a complex and demanding activity, even of that derived from land by basic farming. But his constitutional prescriptions that all means of production belong to the citizens and the citizens should be shielded from the tasks of generating wealth could pose problems for the city's efficiency or stability.

The efficiency problem can best be seen by contrasting Aristotle's distribution scheme to that of the *Republic*. One goal of Plato's city is to secure a supply of products of optimal quantity and quality. To achieve this, he distributes resources on the basis of the relevant ability (talent, fitness for the job) and the required motivation for acquiring wealth (money-loving inclination; see *Rep.* II), that is, in effect, only to that class (farmers and craftsmen) whose members are best suited for fulfilling this civic need. Aristotle could not disagree with Plato's directive; it relies on the same principle he also uses in distributing all political offices/honors. But nowhere does he attribute to the citizens of the ideal constitution/polis the qualities and

motivation necessary for being successful producers of wealth. Instead, he endows them with the ethical/political excellences, primarily justice and practical wisdom—the prerequisites for *using* resources/wealth well in private and public affairs or attaining the city's final end. Such qualities constitute the relevant merit for appointment to political office. If distribution of property (means of production) were to be seen as an instrument for producing the wealth needed by the city, property should go to those who meet the fitness-for-the-job requirement—to those best suited for *producing* wealth. But Aristotle assigns communal land and distributes property for private ownership on the basis of different considerations—namely, the need of the citizens for leisure and their qualifications for contributing to the end of the ideal constitution/polis.

The problem of civic stability may arise on account of two central aims of Aristotle's constitution/polis: securing the wealth the city needs and shielding the citizens from all the tasks pertaining to generating wealth. In *Pol.* VII.6, Aristotle says little about the generation of resources or wealth, mentioning only products of farming, logging, and what is gained from trade, importing and exporting. But he knew that the task of generating/acquiring wealth is not simple, regardless of its type: wealth that is natural or unnatural³⁸; wealth derived from different sources (e.g., land, water, trading); and wealth of different scales (sufficient for a single household, a village, or a city). He believed wealth acquisition is a complex activity, requiring considerable expertise. Examining such acquisition in I.11, he points out that the indispensable resources derived from land significantly exceed what is produced by farming. But even the latter activity, mainly concerned with the production of fruits and cereals, depends on knowledge and is a type of craft/science. There is also the wealth derived from livestock, for which one must have knowledge about the different species of animals, the regions in which each species flourishes, and its respective economic value. He also mentions bee keeping and the rearing of fish and fowl, as well as of other types of animals to be raised in water or on land, all of them knowledge-based tasks. Other important resources are derived from land by logging and mining the variety of minerals and ores it contains. Lastly, he mentions the wealth derived from exchange, which he subdivides into ship owning, transport, marketing, money lending, and wage earning. Success in each of these wealth-generating endeavors depends on a specific type of knowledge, which is a productive art/craft/science on which books had already been written (I.11 1258b38).

What role are Aristotle's ideal citizens to play in the acquisition of wealth? Ideally, none:

[W]e are investigating the best constitution ... the one that would make a city-state most happy—and happiness does not exist apart from virtue ...—it evidently follows that in a city-state governed in the finest manner, possessing men who are unqualifiedly just ... the citizens should not live the life of a vulgar craftsman or tradesman. For lives of these sorts are ignoble and inimical to virtue. Nor should those who are going to be citizens engage in

³⁸ See his discussion of two types of wealth acquisition, one that aims at meeting needs and has limits (natural) and one that is pursued for the sake of amassing wealth and has no limits, in I.8-11; he approves only the former.

farming, since leisure is needed both to develop virtue and to engage in political actions.
(VII.9 1328b36)

The most basic or menial tasks are to be performed by the farmers, craftsmen, and tradesmen—all of them non-citizens. But who is to manage the various types of activities aiming at the production/acquisition of resources that require considerable knowledge? In addition, can the citizens be as distanced from those performing the demanding tasks of acquiring resources as Aristotle insists?

Of the classes engaged in production Aristotle mentions, his farmers would be unfit for the task at hand. Given his ideal assumptions about them—slaves or slave-like people—they would not possess the epistemic and deliberative capacities needed for successfully managing wealth-producing activities. His remarks about the laborers imply that they are also unfit for the task; he remains silent about the tradesmen. While he has hardly anything positive to say about the craftsmen, and misses no opportunity to disparage them, others thought of them as experts in their respective fields. Socrates and Plato think of them as possessing knowledge of their respective crafts and for that reason as being able to teach them. Aristotle himself claims that having experts to manage the acquisition of wealth along the lines suggested here was already practiced in connection with the acquisition and management of the resource of slaves. Acquisition and management of slaves are distinct arts and could be assigned to persons possessing the respective expertise who are different from the slave owner (I.7). If Aristotle's citizens are to devote their lives to virtuous activity, while sufficient resources are available for the citizens to live well and the city to function optimally, a large number of such experts will be needed—just as a large number of farmers, “vulgar” craftsmen, and traders are needed for performing the basic tasks of production. Yet they will be excluded from citizenship. Is such an arrangement realistic, and does it answer his concerns about civic stability?

What features should the experts on wealth acquisition possess, if they are not to threaten civic stability? It seems that they need to have the kind of features Aristotle ascribes to the people in Asia who, on account of location and climate, are deficient in their spirited element, and therefore are slavish and live under despotic rule—they have no share in ruling—but possess intelligence and craft knowledge (VII.7). If such people were to be the experts, their alleged deficiency in spirit would minimize the threat they could pose to the stability of the city; like his farmers, they would be spiritless and slavish, and not likely to revolt. At the same time, their alleged intelligence and knowledge in the crafts would provide the city with the kind of expertise needed for the acquisition of wealth. If the experts were to be as described, would it be just to exclude them from citizenship?

One way of justifying their exclusion from citizenship could be based on a suggestion Kraut makes in his attempt to explain how Aristotle could avoid a likely inconsistency in his remarks on natural slaves (I.1-7, 13) and on the slavish people with intelligence and craft knowledge (III.14, VII.7).³⁹ To avoid inconsistency,

³⁹ Kraut thinks that the threat of inconsistency arises because Aristotle speaks of the inhabitants of Asia as being slaves possessing intelligence and deliberative capacities, while in Book I he insists

Kraut argues, Aristotle needs to restrict the intelligence he attributes to the slavish people to that pertaining to the arts/crafts (productive intelligence), denying them the intelligence and knowledge he associates with practical wisdom and the virtues. Deficiency in the kind of intelligence associated with practical wisdom and virtue would exclude the experts from citizenship. The standards Aristotle sets for being a citizen in his ideal constitution/polis are quite high. They primarily concern virtue and practical wisdom, both of which every citizen must possess at a high level, if all are to be excellent rulers/ruled and live the most choiceworthy life. But to acquire practical wisdom and virtue, Aristotle thinks one must have the appropriate education, for which one must be provided with complete leisure (VII.9 1329b33-1330a). Such leisure cannot be available to those responsible for the very acquisition of resources/wealth and the securing of leisure for the citizens (VIII.2 1337b12, 3 1338a); the proverb "there is no leisure for slaves," with which Aristotle agrees (VII.15 1334a20), will apply to all performing the non-political tasks for the ideal city and its citizens. Is it further necessary to suppose that the experts lack a capacity (e.g., a particular kind of intelligence) required for being a citizen, which they could not acquire with the appropriate education? Their exclusion from citizenship seems to result from the role they are expected to play within Aristotle's complete political ideal. Yet the experts cannot be completely lacking in virtue, for even slaves must have some measure of it for performing their tasks (I.13); the requirement for virtue and related intelligence will be much higher for the experts, given the nature of their tasks. So the difference between experts and citizens could not be the absence of virtue and related intelligence in the former but the level to which these could rise in the two groups; and a difference in level could be explained by differences in the leisure available to each group.

The presence of such experts in Aristotle's city raises concerns similar to those voiced in connection with the other non-citizen classes—how they could affect the stability of the city and how the citizens are to live with them. He wants his citizens to have the least contact possible (ideally, none) with the non-citizens. But this will be very difficult, if not impossible, in the case of the experts; considerable contact between them and the citizens, who own the land and all other means of production, will be needed. If Xenophon is right (*Memorabilia* 3.4), the technical expertise of those managing wealth will be needed in public affairs, and the citizens will have to work closely with the experts.

Regarding the problem of stability, questions remain even if we were to assume that the experts are strong on technical intelligence but lacking spirit. Given the kind of intellectual and deliberative capacities required for their tasks, they could not fail to notice the serious inequalities between the citizens and themselves, especially with respect to possessions and having a share in ruling—the types of inequality Aristotle judges to be the main causes of factions and instability. Thus the experts will need to be as spiritless as, and possibly more so than, the slave farmers. They must possess a rather unusual mix of ideal features—strong in one type of intelli-

that slaves lack such capacities (see his comments in 1997, p. 94). But this is not the only way of reading Aristotle's remarks about Asians; they need not to be the natural slaves of Book I.

gence and deliberation (technical), weak in another (practical wisdom and virtue), and weak in (or lacking) a psychic element (spirit). Aristotle's coarse-grained, speculative hypotheses about the environmental effects on psychic parts that could be used to show that his ideal assumptions about his farmers do not violate his own constraint face, as pointed out earlier, serious problems. If the hypotheses are to be also used for the same purpose in connection with ideal assumptions about the experts, they have to be more fine-grained; they need to account in addition for weakness or absence of a specific type of intelligence, and they are likely to raise additional problems.⁴⁰

In constructing his ideal city/constitution, Aristotle is guided by a strong egalitarianism of outcomes, but its human scope is very narrow: it extends only to the citizens, the adult males, each one of whom he endows with equal virtue and resources for living the most choiceworthy life. But in connection with non-citizen groups, he institutionalizes some inequalities that he considers, with some plausibility, inborn (e.g., inequalities in intelligence) and introduces others that seem to be demanded by the kind of complete political ideal he aims to articulate. These latter inequalities pose difficulties for his self-imposed constraint of not assuming anything that is beyond possibility and seem to detract from the complete goodness of his city. Aristotle considers inequalities, especially extreme ones, to be negative features of any polis, and some of the ones he builds into his ideal community are extreme. The ideal community he envisions will be fragmented, containing within it several highly unequal groups that have no share in the constitution and do not commune with those who are citizens and own all the resources.⁴¹

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⁴⁰ Problems discussed earlier—e.g., whether the effects are temporary, permanent, or hereditary.

⁴¹ I wish to thank Jerry Santas for many helpful conversations on the issues discussed in the paper and his constructive comments on the paper itself.

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Chapter 9

Aristotle on Freedom and Equality



David Keyt

Abstract The two watchwords of ancient Greece democracy were ‘freedom’ and ‘equality’. Aristotle is sharply critical of the democratic understanding of both terms but, as a champion of true aristocracy, does not wish to surrender such rhetorically charged words to his ideological opponents. He thus tries to preserve a portion of the concepts signified by each of these terms for his favored political system. With respect to equality he is explicit. He distinguishes proportional equality from numerical equality and associates the former with aristocracy and the latter with democracy. With respect to freedom he is not so explicit. Although he often uses the term ‘free’ (*eleutheros*) and its cognates in the *Politics* to signify a freedom that is more robust than democratic freedom, he never discusses or analyses such a concept. But by using a general analysis of freedom as a triadic relation involving an agent, a goal, and an (obstructing or disabling) obstacle, one can piece together Aristotle’s understanding of ‘true’, or aristocratic, freedom. It thus turns out that ‘freedom’ and ‘equality’ can be watchwords, not only of democracy, but of true aristocracy as well.

Keywords Aristocracy · Democracy · Equality · Freedom · Ruling

9.1 Introduction

The two watchwords of democracy in ancient Greece were, as they still are today, ‘freedom’ and ‘equality’ (in Aristotle: *Pol.* IV.4 1291b34-35, VI.2 1318a9-10; in Plato: *Rep.* VIII 557a2-b6). In a notable passage in the *Politics*, Aristotle gives a succinct critical account of the democratic understanding of these two terms. Aristotle himself is a champion of aristocracy, and as such does not wish to surrender such rhetorically charged words as ‘freedom’ and ‘equality’ to his ideological opponents. He thus tries to preserve a portion of the concepts signified by these

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terms for his favored political system. He preserves a portion of equality by dividing the general concept into two kinds, one associated with democracy and the other with aristocracy. He is not as explicit with the concept of freedom, but an analysis of his use of the term ‘free’ (*eleutheros*) and its cognates in the *Politics* shows that he sometimes gives these terms an aristocratic—that is to say, an ethical and social—coloring. For Aristotle ‘freedom’ and ‘equality’ turn out to be watchwords, not only of democracy, but of aristocracy as well.¹

9.2 Equality and Freedom

Aristotle distinguishes two sorts of equality, numerical and proportional (*Pol.* V.1 1301a27, b29–35). Proportional equality is identity of ratios: for example, $4:2 = 2:1$. Numerical equality is identity in size or number: for example, $3-2 = 2-1$. Proportional equality serves as the basis of Aristotle’s theory of distributive justice (*NE* V.3). What the theory distributes are the apportionable goods of honor, money, and safety (V.2 1130b2, b30–33). The greatest of these in Aristotle’s eyes is honor (IV.3 1123b20–21), especially the honor of holding a political office (*Pol.* III.10 1281a31). Political office is the greatest of the apportionable goods because the political community is the primary arena of distribution. Those who win office in such a community make and administer the laws regarding property, military service, and even political office itself, and thus control all further distributions of the apportionable goods. A distribution of these goods is just, according to Aristotle’s theory, if the value of the good it allots to one person stands to the value of the good it allots to another as the worth (*axia*) of the one person stands to the worth of the other. When ‘worth’ is taken simply as a place-holder, as a blank space that remains to be filled in, we have Aristotle’s *concept* of distributive justice. We get varying *conceptions* of distributive justice by defining worth, by filling in the blank, in different ways. If worth is defined as free status, we have democratic justice. Since those who enjoy free status enjoy it equally, democratic justice distributes the apportionable goods equally to all free men. In this instance proportional equality reduces to numerical equality, and egalitarian (as distinct from proletarian) democracy² comes to be associated with the latter (*Pol.* IV 1291b30–38, VI.2 1318a3–10). If worth is defined as moral and intellectual virtue, we get aristocratic justice. Not every man is virtuous, or virtuous to the same degree. Thus, aristocratic justice calls for a proportional distribution of the apportionable goods; and true aristocracy (as well as kingship) comes to be associated in Aristotle’s mind with equality according to worth (*kat’ axian*) (*Pol.* V.10 1310b31–33; see also *EE* VII.9 1241b33–37), the worth (*axia*)

¹The discussion of equality and of democratic freedom in this paper draws heavily on Keyt (1991), and Keyt (1999), and much of the material on Aristotelian freedom is taken verbatim from Keyt (2018). The last two are used by permission of Oxford University Press. All translations of Aristotle are my own.

²The distinction between egalitarian and proletarian democracy is explained below.

referred to being worth according to the aristocratic standard (*Pol.* III.5 1278a19-20, V.10 1310b31-34, VII.9 1329a13-17) rather than worth according to an unspecified standard (*NE* V.3 1131a24-29).

Aristotle gives us little help in sorting his various uses of ‘freedom’, which is unfortunate since freedom turns out to be a surprisingly complex concept. Recent philosophy fortunately comes to our aid. The philosophical analysis that has found the most favor is that proposed by Gerald MacCallum (1967). MacCallum’s key insight is that every instance of freedom has both a negative and positive dimension. Imagine, for example, a prisoner who has just been released from his shackles. The prisoner is *free* of his shackles; he is *free* to walk about; and he is, to this degree at least, a *free* man. Accordingly, MacCallum analyzes freedom as a triadic relation among (i) an agent, (ii) an impediment, and (iii) a goal: agent *a* is free of impediment *i* to pursue goal *g* (1967, p. 314). Under this analysis, whenever an agent is free he enjoys both negative and positive freedom. Negative freedom is being free *of* an impediment; positive freedom is being free *to* pursue a goal. Often the triadic character of freedom is not made explicit because either the impediment or goal is taken for granted.

One of MacCallum’s important insights is that ostensible disagreements over the meaning of freedom often mask what are in fact conflicting interpretations of one or more of the three terms of the triadic relation, especially over “what is to count as an ‘obstacle’ or ‘barrier’ to, or ‘interference’” (1967, p. 322). There are two sorts of impediments. For example, if I am driving down a road on a Sunday and come to a broad river across which cars are ferried to the road on the other side every day except Sunday, there are two impediments to my further progress: the *presence* of a river and the *absence* of an operating ferry. The presence of the river may be called an ‘obstructing’ impediment, and the absence of the operating ferry a ‘disabling’ impediment. Similarly, the growth of a plant may be impeded if it becomes root-bound because it is in too small a pot or because it does not receive enough sunlight or water. The presence of the pot’s constricting inner surface is an obstructing impediment, whereas the lack of sunlight or water is a disabling impediment. MacCallum contends that the so-called controversy over ‘negative’ freedom versus ‘positive’ freedom is not really a disagreement over the concept of freedom, for the fundamental disagreement turns on how to understand what counts as an impediment. If only obstructions are counted as impediments, a person can be free in the negative sense and unfree in the positive sense. A person who is severely crippled can be free of his shackles without being free to walk about.

The various kinds of freedom can be classified on the basis of the three terms of the triadic relation: agent, impediment, and goal. (In the following definitions ‘of’, ‘from’, and ‘to’ signal agent, impediment, and goal respectively.) Thus, legal freedom is the freedom *of* a human being *from* legally imposed servitude. Personal freedom is the freedom *of* a person *to* pursue his own goals. Since Aristotle believes that each person’s ultimate goal is happiness and that people conceive happiness differently (*NE* I.5), he is led to different conceptions of personal freedom and in particular, as I argue below, to democratic and aristocratic conceptions of personal freedom. Political freedom divides into two subspecies: polis freedom and civic

freedom. Polis freedom is the freedom *of* a polis *from* impediments *to* its autonomy, or self-government, imposed by another polis or nation, whereas civic freedom is the freedom *of* a citizen *from* impediments *to* his personal freedom imposed by the political system under which he lives.

9.3 Freedom and Equality in Greek Democracy

Here is Aristotle's description of democratic freedom and equality:

A fundamental principle of the democratic constitution is freedom. (For this is what people are accustomed to say, on the ground that only in this constitution do they have a share of freedom—which is what they declare every democracy aims at.) One mark of freedom is ruling and being ruled in turn. For democratic justice is having an equal share on the basis of number, not worth. When this is what is just, the mass is necessarily supreme; and whatever seems right to the majority—this is the end (*telos*), and this is what is just. For they say that each of the citizens ought to have an equal share, so that in democracies it comes about that the needy are more sovereign than the prosperous. For they are a majority, and the opinion of the majority is supreme. This, then, is one sign of freedom, which all democrats take as a mark of the constitution. Another is to live as one wishes. For this they say is the function of freedom, if indeed it is a feature of one who is enslaved not to live as he wishes. This, then, is the second mark of democracy; and from it has come the call not to be ruled, preferably not by anyone, or failing that, [to rule and be ruled] in turn. And in this way the second mark contributes to the freedom based on equality. (*Pol.* VI.2 1317a40-b17)

The connection of the two marks of democratic freedom is not immediately obvious, (see, e.g., Barnes 2005, pp. 191–193), but the triadic analysis provides a clue. Take the second mark first. The *agents* under this analysis are all those counted as free adult male natives under the constitution of a given democracy; the *end*, or *goal*, is living as one wishes; and the *impediment* to this goal is presumably the interference of others. In the passage before us it is said that democrats say that living as one wishes is the function, or *ergon*, of freedom. This fits our analysis perfectly, since for Aristotle the *ergon* of a thing *is* its end, or goal (*Cael.* II.3 286a8–9, *Met.* III.2 996b7, *EE* II.1 1219a8). By the triadic analysis, then, the second mark yields a definition of what we may call 'democratic personal freedom': a free adult male native under the constitution of a given democracy enjoys democratic personal freedom to the extent that he can live as he wishes without interference from others.

The penultimate sentence of the passage before us explains the connection of the second mark of freedom with the first. From the second mark, Aristotle says, "has come the call not to be ruled, preferably not by anyone, or failing that, [to rule and be ruled] in turn. And in this way the second mark contributes to the freedom based on equality." In Aristotle's view, democrats are anarchists at heart, but their heart's desire is tempered by a desire to live with others in a political community, even though this will restrict their freedom of action. What they especially fear is having their personal freedom restricted by fellow citizens acting in the name, and with the coercive power, of the political community. They respond to this fear by introducing

the political institution of ruling and being ruled in turn—the first mark of democratic freedom. The two institutions of ruling in rotation and majority rule are said to follow from democratic justice, understood as having an equal share of political power and authority. Ruling in rotation is best taken as an instance of synecdoche—using a part to stand for the whole. As such, it represents the many clever devices used by Greek democrats to equalize political power and authority. In the passage immediately following the one before us Aristotle specifies what these were: sortition, short terms of office, strict limits on the repeated tenure of the same office, pay for services, no qualification for full citizenship other than free status (among adult male natives), election by all from all when an office, especially a military office, requires experience or technical skill (*Pol.* 1317b17–1318a3).

The two ‘marks’ of freedom are actually two kinds of freedom, and Aristotle indicates as much when he calls the first mark “the freedom based on equality (*kata ison*)” and says that the second mark contributes (*sumballetai*) to it. What the second mark contributes to the first is a rationale. The second mark explains why democrats seek an equal distribution of political power and authority. They regard the interference of others, particularly that of political officials, as preventing them from living as they like, as making them akin to slaves.³ They would eliminate such interference altogether if a political community could exist without it. Since this is not possible, they attempt to minimize such interference by distributing it equally among the citizen body, their idea being that if no citizen is a master of other citizens to a greater degree than any other, then no citizen is either a master or a slave of any other. This is to be ‘civically’ free. In the triadic relation of freedom the citizens of a given democracy wish to live as free men, not as virtual slaves, unimpeded by domineering rulers. Thus, by Aristotle’s account of the two marks of democratic freedom, a citizen of a Greek democracy regards himself as civically free if, though the equal distribution of political authority and power, no one vested with political authority is his virtual master.

As we have seen, there are three distinct equalities in the theory of Greek democracy: the equality of ratios in the principle of distributive justice, the equality of free status, and the equality in the distribution of honors. The notion that free status does not admit of degrees and is possessed equally by its possessors was true only in theory. Practice was different, as Aristotle indicates (*Pol.* III.5 1278a28–34, VI.4 1319b6–11). In Greek poleis, free status provided a basis for the distribution of honors only among natives: neither slaves nor aliens were counted as free. So understood, free status is a vague concept. This vagueness allowed free status to be a flexible standard that could be relaxed or tightened depending upon the needs of a given democracy at a particular time. In good times a democracy would count as free only those whose parents were both citizens; as times got harder and the stock of citizens became depleted, it would gradually relax its standard allowing first one alien parent and then, *in extremis*, one slave parent.

³In the *Metaphysics*, Aristotle says that “the man is free ... who exists for the sake of himself and not of another” (I.2 982b26), and in the *Rhetoric* he says that “it is the mark of a free man not to live by reference to another” (I.9 1367a32–33).

Aristotle is a critic of democracy, and his criticism focuses on the democratic definition of freedom:

In democracies—those that are held to be especially democratic—the opposite of what is advantageous has come about. The reason for this is that people define freedom badly. For there are two things by which democracy is thought to be defined: the supremacy of the majority, and freedom. For it is held that the just is equality, that equality is the supremacy of whatever seems right to the mass, and that freedom ... is doing whatever one wishes. Thus in such democracies each man lives as he wishes, and ‘For what he happens to crave’, as Euripides says. But this is bad. For one should not think it slavery to live in harmony with the constitution, but safety. (V.9 1310a25-36)

In this passage it is democracy, rather than freedom, that is said to be defined by two things, namely, majority rule and freedom. What is here called ‘freedom’ is precisely what was counted as the second mark of freedom in the passage quoted earlier. Majority rule was part of the first mark of freedom in that passage, but is here connected not with freedom but with equality. This is a good way of distinguishing the two watchwords of democracy, ‘freedom’ and ‘equality’. The freedom that the Greek democrat cherishes is personal freedom. Civic freedom, the freedom to pursue one’s personal goals unimpeded by the political institutions one lives under, is preserved for the Greek democrat by an equal distribution of political power among native born males and the principle of majority rule. In Greek democracy equality is thus an instrumental good in the service of personal freedom. As Aristotle characterizes them, Greek democrats are not dedicated egalitarians. Being anarchists at heart, they regard egalitarian democracy as the least evil system of government.

When Aristotle says people define freedom badly, it is the democratic conception of personal freedom, “doing whatever one wishes,” that he has in mind. His objections to such freedom are both moral and political. The moral objection is given later in the *Politics*: “For the license (*exousia*) to do whatever one wants has no power to keep guard over the evil in each man” (VI.4 1318b39-1319a1). The political objection implied by the passage before us is that the exponents of such freedom “think it slavery to live in harmony with the constitution.” Why would they think this? Well, to live in harmony with a constitution is to abide by its laws and to support its political institutions. This means that a man will not do anything illegal or insurrectional *even if he wishes to*: his personal freedom, like that of a slave, will be restricted. Aristotle’s political objection to democratic freedom takes its exponents to be actively, not just at heart, anarchic. But this is not a fair criticism. Indeed, it is inconsistent with Aristotle’s comments on democratic freedom in the passage from *Politics* VI.2 quoted above: “This [i.e. democratic personal freedom], then, is the second mark of democracy; and from it has come the call not to be ruled, [i] preferably not by anyone, or [ii] failing that, [to rule and be ruled] in turn” (1317b13-16). Aristotle’s objection highlights the first disjunct and ignores the second. The Greek democrat believes that living together with others in a polis under a democratic constitution preserves him from both literal and virtual slavery. Contrary to Aristotle’s remark, he does not think it slavery to live in harmony with the constitution, but safety.

We need to understand democratic freedom for two reasons. First of all, it allows us to understand what Aristotelian aristocratic freedom was a reaction to. Secondly, the two components of democratic freedom suggest a template for a description of aristocratic freedom. We need such a template since Aristotle provides no systematic account of aristocratic freedom comparable to his account of democratic freedom. We must search among the remarks favorable to freedom scattered about in his works for intimations of two marks of aristocratic freedom, one defining aristocratic personal freedom and the other specifying the civic institutions designed to foster it.

9.4 Aristocratic Freedom and Equality

We get an intimation of an Aristotelian conception of personal freedom by conjoining two passages in the *Politics*. At the very end of the treatise Aristotle distinguishes two sorts of audience at a musical festival, “one free (*eleutheros*) and educated, the other coarse and composed of artisans, laborers, and other such,” and goes on to characterize the souls, or psyches, of the latter as “warped from their natural state” (*Pol.* VIII.7 1342a18-23). At the beginning of the treatise he says that what is natural and beneficial is for the affective (i.e. the desiring) part of the psyche to be ruled by the part that has reason (*Pol.* I.5 1254b6-9). We can infer from these two passages together that a free man has a psyche in which reason rules desire and that an unfree man has a psyche in which it does not.⁴ Freedom, it should be noted, is predicated of the man, not of his psyche. This point reflects the fact that Aristotle treats the soul as a form, or complex capacity, of a human being, and attributes actions not to the soul but to the human being by means of the soul: “It would be better perhaps not to say that the soul pities or learns or thinks, but that the human being (*anthrōpon*) does so by means of the soul” (*An.* I.4 408b13-15).

Aristotle’s conception of personal freedom, moreover, is aristocratic. The free audience mentioned above is educated and listens to more refined music than an audience of artisans, laborers, and others of the same ilk. Since music is provided for the artisans and laborers as well as the free, we may infer that these artisans and laborers are legally free even though they do not qualify as citizens of Aristotle’s ideal polis (see *Pol.* VII.9 1328b39-40). But even if they were citizens of the polis they inhabit, which would have to be a broad-based democracy to include them among the citizenry (*Pol.* VI.4 1319a24-30), they would not be ‘free’ in the sense in which the educated audience is free. Thus, Aristotle is attributing to the free audience a freedom that goes beyond and is superior to both legal and democratic

⁴This kind of freedom must be distinguished from natural freedom, the freedom that in Aristotle’s view distinguishes men who are free by nature from those who are slaves by nature (*Pol.* I.5 1255a1-3). Natural freedom is the mere *capacity* to deliberate, whereas freedom as understood here is this capacity in a *developed* state. Aristotle makes a similar distinction in the *De Anima* between two senses in which somebody is a ‘knower’: in the first, he is the sort of being (namely, a human) capable of acquiring knowledge; in the second, he has acquired knowledge and is capable of exercising it whenever he wishes if nothing external prevents him (II.5 417a21-b2).

freedom. In a similar vein Aristotle distinguishes tasks (*erga*) that are free from those that are unfree, the unfree being those that “make the body or the mind of free men useless for the practices and activities of virtue” (*Pol.* VIII.2 1337b5-11). Think of metallurgy and the smith. Aristotle also distinguishes the useful and the necessary from the noble, or the fine (*to kalon*) (*Pol.* VII.1 1323b12, 14; 1333a32-33, 36, b1-3; VIII.3 1338a31-32), and associates the latter with the free and the former with the unfree. Thus, Aristotle says that “that there is a kind of education in which sons must be educated not because it is useful or necessary but because it is suitable for a free man (*eleutherion*⁵) and noble” (*Pol.* VIII.3 1338a30-32), and that “to search everywhere for the useful is least suited to men who are great souled and free (*eleutherois*⁶)” (*Pol.* VIII.3 1338b2-4).

In a more positive vein what will the life of a free man (*ho bios tou eleutheroi*; *Pol.* VII.3 1325a19-20, 24) be like? This question arises during Aristotle’s discussion of what is the best life in *Politics* VII.2-3. “It is evident,” he says, “that the best constitution is necessarily that order under which anyone whatsoever could act best and live blessedly” (1324a23-25). However, there is disagreement over what form the best life takes: is it the political life or the philosophical life (1324a25-35)? Aristotle’s discussion takes the form of a debate between proponents of the two lives with Aristotle himself as the judge. Each side argues that the opposing way of life is inimical to virtue and happiness. “Some reject political offices as unsuitable because they take the life of the free man to be different from the political life and most choiceworthy of all, others think that the latter is best; for it is impossible for the inactive man to act well, but acting well and happiness are the same” (VII.3 1325a18-23). Aristotle’s verdict is that what each of them says is partly right and partly wrong. He considers first the case presented by the opponents of the political life (1325a23-31). They are right, on the one hand, to affirm that “the life of a free man is better than that of a master [of slaves].” “This is true,” Aristotle says, “for there is nothing especially dignified (*semnon*) in using a slave as a slave; for the giving of orders about necessities has no share of the noble” (1325a24-27). Aristotle accepts here that the life of a free man involves the performance of noble actions (see *Pol.* VIII.2 1337b19-20). We were told earlier that “[i]t is impossible for those who do not do noble things (*ta kala*) to act nobly (*kalōs*); and no deed, either of a man or a polis, without virtue and practical wisdom is noble (*kalon*)” (*Pol.* VII.1 1323b31-33). This implies in turn that the life of a free man is the life of virtuous activity. The opponents of the political life are wrong, on the other hand, “to believe that every kind of rule is rule by a master; for the rule over free men is no less removed from the rule over slaves than being free by nature [is removed] from being a slave by nature” (*Pol.* VII.3 1325a27-30). Aristotle offers a similar assessment of the case against the philosophical life (1325a31-b29). The opponents of the philosophical life contend that such a life is inactive whereas happiness is acting well

⁵The term *eleutherios*, ‘suitable for a free person’, is derived from *eleutheros*, ‘free’, by paronymy (see *Cat.* 1 1a13-16). The close connection between the two terms is obscured by those translators who render *eleutheros* as ‘free’ and *eleutherios* as ‘liberal’.

⁶This is the manuscript reading. Ross accepts Susemihl’s emendation *eleutheriois*.

(1325a21-23). Aristotle accepts the point about happiness but denies that the philosophical life is inactive: “it is not necessary for an active life to involve others, as some think, nor for those thoughts alone to be active that are pursued for the sake of what issues from the acting; but much more so are the contemplations and thoughts that are ends in themselves and for their own sake” (1325b16-21). Although Aristotle does not draw an explicit conclusion, his remark that each side is partly right and partly wrong points to the conclusion that the best life is the life of a free man, that the life of a free man is the life of virtuous activity, and that the life of virtuous activity is specifically the life of politics and philosophy (*Pol.* I.7 1255b35-37; VII.2 1324a29-32, VII.15 1334a22-34).

The concept of leisure (*scholē*) is closely associated with freedom. For instance, Aristotle approves of the traditional view that music is a leisurely pastime of free men (*Pol.* VIII.3 1338a21-24). Leisurely activity (*scholazein*) involves pleasure, happiness, and blessed living, and is done for its own sake (1338a1-6). Unleisurely activity (*ascholia*), often translated as ‘occupation’ or ‘business’, is carried out for the sake of something one does not yet possess; it includes working at a craft and work done for wages, which, Aristotle maintains, debase the mind of free men and deprive it of leisure (VIII.2 1337b8-15). Though closely related, leisure and freedom are distinct: leisurely activity is unimpeded noble activity, whereas freedom in the aristocratic sense is the ability and the opportunity to engage in leisurely activity.

Even though leisure (*scholē*) goes along with aristocratic freedom (*Pol.* VIII.3 1338a21-24), the free man leads a highly structured life: “[I]n a household the free men have the least opportunity to act haphazardly, but all things or most things have been ordained for them, whereas the slaves and the animals pay little heed to the common interest, and for the most part do act haphazardly” (*Met.* XII.10 1075a19-22).

The agents of aristocratic personal freedom are adult males who are free by nature; their goal is a life of politics and philosophy; and the impediments blocking this goal are lack of natural aptitude, education, wealth, and opportunity. In Aristotle’s view a man enjoys aristocratic personal freedom to the extent that he is able to devote himself to politics and philosophy owing to his natural aptitudes, education, wealth, and opportunity.

This leads directly to the question whether Aristotle has a corresponding conception of civic freedom. Some have thought not. The distinguished Danish scholar Mogens Herman Hansen claims that in the *Politics* Aristotle betrays no serious interest in the concept of political [i.e. civic] freedom (2013, p. 79)—that he seems “to have had no problem rejecting democratic freedom as a mistaken ideal without developing an alternative understanding of political freedom” (2013, p. 96). It will be argued that, contrary to Hansen, one can find passages in the *Politics* where Aristotle, in developing his own ideas, transfers the free-slave opposition into the political realm, unmistakably uses ‘free’ (*eleutheros*) to signify civic freedom, and develops an elaborate account of such freedom.

The concept of civic freedom makes its first appearance in *Politics* III.6 in connection with Aristotle’s division of constitutions into ‘correct’ and ‘deviant’.

Aristotle prepares the ground for this division by discussing once more⁷ the relation of a head of a household to his wife, children, and slaves (1278b30-1279a8). This time⁸ he distinguishes mastership (*despoteia*), which deals with slaves, from household management (*oikonomikē*), which deals with wife and children, and makes the point that rule over slaves is primarily for the advantage of the master and only incidentally for that of the slave, whereas rule over wife and children is primarily for the advantage of wife and children and only incidentally for that of the husband and father. He then transfers this distinction to the political realm and distinguishes 'correct' from 'deviant' constitutions according to whether rule under them seeks the common advantage or solely the advantage of the rulers (1279a8-21). The reason deviant constitutions are so called, Aristotle explains, is that "they are despotic (*despotikai*), whereas the polis is a community of the free (*tōn eleutherōn*)" (1279a21). We need to show that the free spoken of here are not just those with free status but those who are civically free.

We can begin by reviewing Aristotle's distinction between despotic rule (*despotikē archē*: literally rule of a master) and political rule (*politikē archē*). Originally the former was defined as rule over natural slaves; the latter as rule over the naturally free (*Pol.* I.7 1255b16-18). Thus, when Aristotle says that deviant constitutions are *despotikai*, he must be speaking metaphorically.⁹ The citizens under every constitution, even a deviant one, are legally free (and presumably free by nature), and do not have masters (*despotai*) literally. But if the rulers under a deviant constitution are metaphorically masters of their subjects, their subjects are metaphorically slaves. We find this metaphorical language of master and slave in two notable passages. In the first Aristotle describes the relation between those citizens of a polis who are favored by fortune and those who are not. He claims that the fortunate become arrogant, and, though they know how to rule, never learn how to be ruled, whereas those upon whom fortune frowns become submissive and, though they know how to be ruled, never learn how to rule. The result, he says, is "a polis of masters and slaves, not of free men (*eleutherōn*)" (IV.11 1295b13-23; see also II.9 1274a17-18). In the second passage Aristotle describes a tyrant's suppression of his subjects through intimidation, humiliation, and expropriation: "It is characteristic of a tyrant to delight in no man who is dignified or free (*eleutherō[i]*). For the tyrant thinks he alone is worthy to be a person of that sort; and the man who matches his dignity, or acts like a free man (*eleutheriazōn*), takes away the superiority and the mastery (*despotikon*) of his tyranny" (V.11 1314a5-10).

⁷ Discussed earlier in *Politics* I.3, 7, 12.

⁸ Previously mastership was counted as a part of household management (*Pol.* I.3 1253b1-4, I.12 1259a37-39).

⁹ Metaphor is discussed at length in *Poetics* 21. The metaphor in question is what Aristotle calls a metaphor by analogy. When A is to B as C is to D, then one can put A in place of C or C in place of A (*Poet.* 1457b16-19). Thus, since old age is to life as evening is to day, one can speak of old age as the evening of life or evening as the old age of day (*Poet.* 1457b22-25). In the case in point since self-regarding rulers stand to their subjects as masters stand to slaves, one can speak of the former as (metaphorical) masters of (metaphorical) slaves.

Let us now return to Aristotle's statement that deviant constitutions "are despotic (*despotikāi*), whereas the polis is a community of the free (*tōn eleutherōn*)."¹ Who are the free of whom Aristotle speaks? They are the opposite of metaphorical slaves. This does not mean that they are metaphorically free. For a metaphorical slave is not literally, or properly (*kuriōs*), a slave, but the opposite of such a slave is literally free. The opposite of a metaphorical slave is a man who is superlatively, or truly, free—a man whose freedom exceeds legal freedom and free status. (As we have already remarked, all citizens under all constitutions, whether correct or deviant, enjoy free status.) Since this superlative freedom is the freedom of a citizen with respect to the political system under which he lives, it seems appropriate to call it 'civic' freedom.

One interpretative problem remains. When Aristotle says that deviant constitutions "are despotic, whereas the polis is a community of the free," he implicitly denies that a polis with a despotic constitution is a polis. How can that be? The answer is that the implicit denial brings with it an implicit qualification of 'polis'. It must be Aristotle's view that a polis with a despotic constitution is only a so-called polis, not a polis 'truly so called' (for which see III.9 1280b7-8).

We have just seen that Aristotle has the concept of civic freedom. The next question concerns his characterization of civic freedom. We can begin by considering his notion of the rule of a master (*hē despoteia*). Such rule has three primary features. First of all, it is rule with a view to the advantage of the master and only incidentally with a view to the advantage of the slave (*Pol.* III.6 1278b32-37). Secondly, if it is rule over legal, as distinct from natural, slaves, it is based on force (I.3 1253b20-23, I.6 1255b12-15). Finally, though Aristotle finds this point too obvious to note, it is continuous rather than alternating rule: master and slave never trade places. Rule over the free—political rule—is just the opposite. First of all, it is rule that seeks the common advantage, rather than the advantage of the rulers (III.6 1279a17-19; VII.14 1333a3-6). Secondly, such rule is willingly accepted. This feature is stressed when Aristotle distinguishes kingship from tyranny (III.14 1285a25-29, b8, b21-22; V.10 1313a5-6). Thirdly and finally, such rule is alternating, rather than continuous, whenever rulers and ruled are equals in the appropriate respect (II.2 1261a30-b5; VII.3 1325b7-8, VII.14 1332b25-27): "it is impossible," Aristotle remarks, "for those who are able to use force and to resist to endure being ruled continuously" (VII.9 1329a9-11).

So far this characterization of civic freedom is perfectly general. Nothing in it need be rejected by a democrat. Whether the civic freedom so characterized is democratic or aristocratic depends upon how (i) equality and (ii) the common advantage (*to koinon sumpheron*) are specified. The common advantage will presumably include or involve the fostering of personal freedom, specified as either democratic or aristocratic, among the citizenry. Equality, as we have seen, can also be specified in either of two ways—arithmetically or proportionally (*Pol.* V.1 1301b29-35). Democrats distribute political rights on the basis of arithmetical equality, counting every man of free status equal to every other, whereas aristocrats distribute them on the basis of proportional equality, evaluating each man according to his moral worth. It is important to note, however, that democratic civic freedom so specified

will be enjoyed only in an egalitarian, not a proletarian, democracy. A proletarian democracy is a democracy in which the poor use their superior numbers and the principle of majority rule to virtually disenfranchise the rich—in which, as Aristotle says, “the needy are more sovereign than the prosperous” (VI.2 1317b8-9). Aristotle regards such a democracy as deviant (III.7 1279b4-10) and hence despotic. An egalitarian democracy—“what is held to be most of all a democracy” (VI.2 1318a5-6)—is a democracy in which the despotic majority of a proletarian democracy is replaced by fluctuating majorities of rich and poor, the majority that rules on one issue being different from the majority that rules on another (see IV.4 1291b30-38, VI.2 1318a3-10).

The aristocratic understanding of equality and the common advantage is totally different from the democratic. Consider first the common advantage. In Aristotle’s view “the best life, both separately for each individual and collectively for poleis, is the life of virtue sufficiently equipped to partake of virtuous actions” (*Pol.* VII.1 1323b40-1324a2). Thus, a constitution promotes the common advantage in Aristotle’s view if it promotes the best life for each and every citizen, and in order to do so it must secure the external goods such as education and property for each and all. This strong requirement is supported by the following passage:

A polis is excellent by reason of the citizens who share in the constitution being excellent; and for us all the citizens share in the constitution. This, then, we must investigate, how a man becomes excellent. For even if it is possible for all the citizens to be excellent, without each being so individually, the latter is more choiceworthy; for ‘all’ follows from ‘each’.
(*Pol.* VII.13 1332a32-38)

Here Aristotle distinguishes two states of affairs: one in which the citizens are ‘all’ (collectively) excellent even though some of them are not; and one in which each and every citizen is excellent. And he regards the latter as superior. This argument sets the stage for his discussion of the education appropriate for a free man (VIII.2 1337b4-15), and the clear implication is that such an education should be provided for all of the citizens. He makes a similar argument that property should belong to the citizens who are described as “craftsmen of virtue” (VII.9 1329a17-26). These arguments all proceed from his basic assumption about the end of the ideal constitution: “For happiness necessarily belongs with virtue, and we must call a polis happy looking not to a particular part of it but looking to all the citizens” (1329a22-24).

In true aristocracy, just as in democracy, we find three distinct equalities: the equality of ratios in the principle of distributive justice, the equality of the virtuous, and the equal distribution of honors among the virtuous. All three equalities are found in the true aristocracy sketched in *Politics* VII and VIII.¹⁰ The principle of distributive justice, taken together with the aristocratic standard of worth—namely, virtue—allots political office only to the fully virtuous. Warriors, who are still in the process of acquiring full virtue, are not office holders (VII.9 1329a2-17). Though they are citizens, they are not ‘full’ citizens. Among the fully virtuous, however, equality reigns. Being equal in virtue, they are, by aristocratic justice, equal in

¹⁰Though the polis of these two books is never explicitly called an aristocracy, it fits Aristotle’s definition. See Keyt (2017, p. 156, note 48).

political power and authority: “it is necessary for all to share alike in ruling and being ruled in turn. For equality is the [distribution of the] same [share] to those who are alike, and it is difficult for the constitution that has been framed contrary to justice to endure” (VII.14 1332b26-29; see also VII.3 1325b7-10). It is worth noting that, among their own, true aristocrats, unlike Greek democrats, are at heart egalitarians. One of the virtues they possess is justice, which requires equal distributions to the fully virtuous—that is to say, to all the full citizens. Thus, egalitarianism is an aspect of their moral character.

A polis will be civically free in the aristocratic sense, then, to the extent that its institutions remove the impediments to a life devoted to politics and philosophy for each and every citizen and allow for equal political participation by equally virtuous citizens where the impediments that need to be removed are unfavorable political institutions, lack of moral and intellectual education, and insufficient material resources.

9.5 Conclusion

Aristotle distinguishes two sorts of equality, numerical and proportional, and associates the former with egalitarian democracy and the latter with true aristocracy. He does not explicitly distinguish an aristocratic conception of freedom from the democratic conception, but an examination of his use of the words for freedom in the *Politics* discloses that he does use these words from time to time to stand for a freedom that can be labelled ‘aristocratic’. Using MacCallum’s triadic analysis of freedom together with the distinction between obstructing and disabling impediments, the two conceptions of freedom are easily distinguished. Democratic freedom focuses only on obstructing impediments, namely, the interference of others, whereas aristocratic freedom focuses on both obstructing and disabling impediments, the latter being the lack of material resources and of a moral and intellectual education. In analyzing Aristotle’s use of the words for freedom we have also found it necessary to distinguish personal freedom from civic freedom. In a democracy the goal of civic freedom is solely the preservation of personal freedom; in a true aristocracy the goal is the creation, as well as the preservation, of personal freedom. We conclude, then, that ‘freedom’ and ‘equality’ are just as much watchwords of true aristocracy as they are of egalitarian democracy.

It should be noted, finally, that our account of freedom and equality in Aristotle is not exhaustive. We have not discussed what may be labelled ‘polis’ freedom, the freedom of one polis from domination by another, nor have we discussed equal treatment under the law. We have an instance of the former when Aristotle observes that Codrus, a legendary king of Athens, and Cyrus the Great, the founder of the Persian Empire, became kings by conferring benefits on their poleis or nations—Codrus “by preventing their enslavement in war,” Cyrus “by setting them free (*eleutherōsantes*) [of the Medes]” (*Pol.* V.10 1310b36-38). As for the latter, the equality involved in equal treatment under the law is the arithmetical equality of

what Aristotle calls ‘rectificatory’ justice in contrast to the proportional equality of distributive justice: “It makes no difference,” Aristotle says, “whether a good man has robbed a bad man or a bad man a good one ... ; the law looks only to the specific character of the injury, and treats the parties as equals, if one has done and the other has suffered an injustice” (*NE* V.4 1131b32-1132a6).

9.6 Afterword: A Critic of Ancient Freedom

The most influential modern criticism of ancient freedom is that of the Swiss writer and political theorist Benjamin Constant in a famous speech given at the *Athénée Royal* in 1819 entitled “The Liberty of the Ancients Compared with That of the Moderns” (Constant 1988), the main ideas of which had already appeared a decade earlier in his *Principles of Politics Applicable to All Governments* (Constant 2003).¹¹ Given its influence it may be worthwhile to consider Constant’s criticism in the light of our analysis of ancient democratic freedom and Aristotelian aristocratic freedom.

As a political theorist, Constant was interested in coming to terms with recent French history, namely, the French Revolution, the Reign of Terror, and the rise of Napoleon. It was Constant’s view that Robespierre and others had used Rousseau’s notion of the general will to justify the horrors of the Reign of Terror and that Rousseau’s notion had its roots in the ancient conception of freedom (1988, pp. 317–318). Constant agrees with Rousseau that legitimate political authority must come from the general will, but vehemently objects to the implication “that the general will must exercise unlimited authority over individual existence” (2003, pp. 6–16). It is this objectionable idea that in Constant’s view fueled the activities of The Committee of Public Safety—“a committee of a few men, who endowed their functionaries with boundless power, with courts tolerating no appeal, with laws based on mere suspicion, with judgments without due process, with numberless incarcerations and a hundred judicial murders a day” (2003, p. 7)—and had its origin in the direct (as opposed to representational) government of ancient Greece:

[A]mong the ancients the individual, almost always sovereign in public affairs, was a slave in all his private relations. As a citizen, he decided on peace and war; as a private individual, he was constrained, watched and repressed in all his movements; as a member of the collective body, he interrogated, dismissed, condemned, beggared, exiled, or sentenced to death his magistrates and superiors; as a subject of the collective body he could himself be deprived of his status, stripped of his privileges, banished, put to death, by the discretionary will of the whole to which he belonged. (1988, p. 311–312)

¹¹ The sudden appearance in this paper of ‘liberty’ as a synonym for ‘freedom’ is due to the fact that it is natural, given its etymology, to use the term to render ‘liberté’ in the French original of Constant’s speech. In rendering the French term translators do, however, often switch back and forth between the two English words. We shall treat the two words as synonyms.

Constant (2003) defends the Lockean view that people have individual rights independent of social and political authority, such as the rights to freedom of action, freedom of religion, freedom of thought and expression, freedom to own property, and freedom from arbitrary arrest and imprisonment. On this view a citizen is politically free to the extent that the government under which he lives guarantees his individual rights. The liberty of the ancients, by contrast, consists

in exercising collectively, but directly, several parts of the complete sovereignty; in deliberating, in the public square, over war and peace; in forming alliances with foreign governments; in voting laws, in pronouncing judgments; in examining the accounts, the acts, the stewardship of the magistrates; in calling them to appear in front of the assembled people, in accusing, condemning or absolving them. But if this was what the ancients called liberty, they admitted as compatible with this collective freedom the complete subjection of the individual to the authority of the community. (Constant 1988, p. 311)

Contrary to Constant this is not what the ancients called liberty. The first sentence of the quoted passage is not a definition or characterization of freedom but an enumeration of the various powers of the assembly in a Greek polis. The sentence, in fact, is almost a literal transcription of Aristotle's description of the deliberative part of a constitution (*Pol.* IV.14 1298a3-7)—a description that is meant to be applicable to any constitution whatsoever. To get freedom into the equation one will need to specify that membership in the assembly depends solely on free status. With this specification we have a gesture toward Aristotle's account of democratic freedom. The central thesis of the foregoing passage is that the political freedom which the ancients exercised *collectively* was consistent with (and, by implication, routinely resulted in) the suppression of their freedom *as individuals*. The question then arises whether the assembly in a Greek democracy had unlimited power, as Constant alleges. This will depend upon the sort of democracy that it is. Is it a democracy under law or not under law (see *Pol.* IV.4 1292a1-7)? Aristotle says that the latter sort of democracy is despotic (i.e., unfree) and analogous to tyranny, and criticizes it for bringing everything into its hands (1292a4-37). The assembly in a democracy under law is by implication nondespotic (i.e., free). Nothing prevents such an assembly from enacting laws that protect freedom of action, freedom of speech (*parrhēsia*), private property, due process, and so forth. As we have seen, Greek democrats were concerned with their personal freedom—understood as freedom of action—and tried to devise institutions that would protect it.¹² Ancient democratic freedom is thus not inconsistent with individual rights.

Though there were over a thousand Greek poleis in Aristotle's day, Constant's knowledge seems to have been limited to the two most famous—Athens and Sparta—and his views about ancient liberty derive from reflections on the institutions of these two cities and the sorts of lives led in them rather than from a study of the political discourse in the ancient world. In the eternal dispute over the relative merits of the two cities Constant favors Athens, where "trade had made the most essential differences between the ancient and modern peoples disappear" (2003, p. 358). Athens, he says, "was of all the Greek republics the most closely engaged

¹² See also Hansen (1991, pp. 97–99) on the rights of citizens in the ancient Athenian democracy.

in trade: thus it allowed to its citizens an infinitely greater individual liberty than Sparta or Rome” (Constant 1988, p. 315). It is Constant’s view, however, that the greater individual liberty enjoyed by Athenians did not make Athens an exception to his thesis that ancient liberty allowed for the complete subjection of the individual to the authority of the community. Constant believed that the Athenian institution of ostracism—exile of a law-abiding citizen—illustrated just such subjection (1988, pp. 316, 321–322).

A closer examination of the Athenian institution may allow a different view of the matter. At Athens there was at most one ostracism a year; only one person could be ostracized, and that required the votes of 6000 citizens; the man was exiled for 10 years, but did not lose his property or his citizenship, and could return to Athens without disgrace (Hornblower et al. 2012, *s.v.* ostracism). While exile of a law-abiding citizen certainly seems, from the perspective of modern times, a violation of the citizen’s right to due process, one should note just how circumscribed in its use and in its scope Athenian ostracism was. It did not touch the man’s citizenship or his property, and it threatened only a few prominent men in any given year. The limits of its use and the narrowness of its scope indicate that those who originated the institution wished to minimize its encroachment on personal freedom. If so, ostracism cannot be taken as an illustration, or clear case, of ancient liberty. It seems more like an outlier. It is noteworthy that Aristotle, in describing the many clever devices invented by Greek democrats to insure their personal freedom, never mentions ostracism.

Sparta is a better example of Constant’s thesis than Athens: “Only [Sparta and Rome] brought together great political freedom and an almost total absence of individual freedom” (2003, p. 353). “Among the Spartans, Therpandrus could not add a string to his lyre without causing offence to the ephors. In the most domestic of relations the public authority again intervened. The young Lacedaemonian could not visit his new bride freely” (Constant 1988, p. 311). We can agree with Constant that the Spartan warrior led a highly regimented life. That’s exactly what one would expect in a city oriented toward war; for, as Constant remarks, “war gathers men around government” (2003, p. 357). But we can question whether the Spartan warrior was totally lacking in individual freedom. Certainly the Spartan warrior lacked the democratic personal freedom to live as one wishes. But, as we have seen, that is not the only conception of personal freedom. The Spartan warrior may have enjoyed a personal freedom similar to the aristocratic personal freedom espoused by Aristotle, which, as we have also seen, is consistent with a highly structured—if not highly regimented—life. To discover what a Spartan conception of personal freedom would be like we need to apply the triadic analysis of freedom. Victory in war would seem to be the goal of the Spartan warrior, and lack of military training and logistic support would seem to be major impediments to that goal. By this analysis a Spartan warrior is personally free if he has both the trained capacity and the material and human resources to fight in war. There is nothing particularly time-bound in this analysis. A warrior culture at any point in history will share this conception of freedom.

The important grain of truth in Constant's thesis is that liberty as understood by Aristotle and the Spartans is in tension with liberty as understood by modern liberals in the Lockean tradition. Consequently, the attempt to revive the ancient political ideal could have untoward consequences for a modern liberal society. In articulating this insight, however, Constant makes two mistakes, the one leading to the other. He supposes there is only one conception of ancient liberty and, as a consequence, fails to see how closely his own conception of modern freedom resembles ancient democratic freedom.¹³

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¹³ See Hansen (1996, pp. 91–104) for further discussion of these parallels and the problem Athenian democracy presents for Constant's contrast between ancient and modern liberty.

Chapter 10

Virtue, Equality, and Inequality in Aristotle's *Politics*



Deborah K. W. Modrak

Abstract The topic of equality comes up in a variety of contexts in Aristotle's *Politics* from Book II to VII. The desire for equality with equals and superiority to inferiors seems to play an important explanatory role for Aristotle in determining the characteristics of the constitution of a state and being a significant causal factor in constitutional change. He distinguishes between types of equality, numerical and proportional, and equality relative to some interest and unqualified equality. Aristotle appeals to his conception of equality in his explanation of the nature and types of democracy and oligarchy in the differentiation of the three types of good constitutions—monarchy, aristocracy and polity—and their less than ideal counterparts—tyranny, oligarchy and democracy—as well as in his analysis of political stability and constitutional change. Despite the complexity of his conception of equality and its political importance, Aristotle's detailed descriptions of actual constitutions and constitutional changes seldom mention equality. How the desire for equality is explanatory or which type of equality is realized in a specific constitution is left to the reader to determine. The goal of this paper is to discover whether a coherent account of equality can be extracted, on Aristotle's behalf, from what he does say. In the first two sections, we will look at the role equality plays in Aristotle's descriptions of actual constitutions in *Politics* IV and V. The third section will examine the role equality plays in his design of an ideal constitution in *Politics* VII and VIII. We will conclude by summarizing the strengths and weaknesses of Aristotle's approach to equality.

Keywords Democracy · Equalities · Inequalities · Justice · Oligarchy

The topic of equality comes up in a variety of contexts in Aristotle's *Politics* from Book II to VII. It is especially prominent in the so-called empirical books, Books IV to VI. *Politics* V, which deals with the sources of change in various non-ideal

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constitutions and how best to preserve these constitutions, begins with a discussion of equality. The two most common forms of constitution, democracy and oligarchy, arise from mistaken generalizations about equality and inequality.

For democracy arose from those who are equal in some respect or other thinking themselves to be equal without qualification for because they are all alike free, they think they are equal without qualification, whereas oligarchy arose from those who are unequal in one respect supposing themselves to be wholly unequal, for being unequal in property they suppose themselves to be unequal without qualification. (*Pol.* V.1 1301a27-32)

Democrats generalize from equal political liberty to unqualified equality for all; oligarchs, from unequal wealth to unqualified inequality. Insofar as both types of constitution are based upon a correct assessment of equality or inequality, they are just; insofar as they make unwarranted generalizations about the scope of equality or inequality they are unjust. Aristotle goes on to say that those who excel in virtue are unequal unqualifiedly. This is a complex picture of the relations between types of equality and inequality and justice. A further complication is the distinction between types of equality—numerical and according to worth (i.e. proportional).

In order to clarify Aristotle's conception of equality, we might begin with a precise formulation of it. The first step would be to give a general gloss of the notion of equality, viz. X is equal to Y in some respect R (wealth, political liberty) where the substituents of X and Y are individual people or groups of people. Since there are several kinds of equality, these too must be distinguished: (1) X is equal to Y in respect R if X is the same as Y in number or size in respect R (1301b29); (2) X is equal to Y in respect R if X is the same in worth as Y in respect R; (3) X is equal to Y, if X is unqualifiedly equal in every respect. If the contrast between numerical equality (1) and proportional equality (2) is intended by Aristotle to be exhaustive, then the initial puzzle is whether it is numerical equality that is at issue in the specification of oligarchy and in the specification of democracy, or whether what is at issue is one type of government specified by appeal to numerical equality and another by proportional equality. The latter would be worrisome since the comparison of the two would be less clear than it at first seems because the application of different notions of equality to the same case might (but need not) yield inconsistent results.¹ Even if the equality that is improperly generalized in democracy and the inequality that is improperly generalized in oligarchy are both instances of the same type of equality/inequality, they still are not equal/unequal in the same respect (liberty or wealth). One might worry that despite the appearance of analytic rigor, Aristotle's conception of equality will prove to be too nuanced to be particularly helpful for distinguishing among types of constitution.

Nevertheless, in *Politics* III to VII, Aristotle puts his analysis of equality to work in the explanation of the nature and types of democracy and oligarchy, in the differentiation of the three types of good constitutions, monarchy, aristocracy, and pol-

¹To illustrate this distinction, Aristotle gives the following example, numerically 3 exceeds 2 and 2 exceeds 1 by an equal amount and by proportion 4 exceeds 2 and 2 exceeds 1 by an equal amount (1301b30-35). What is said to be numerically the same ($3 > 1 = 2 > 1$) is not the same as what is said to be proportionally the same ($4 : 2 :: 2 : 1$).

ity and their less than ideal counterparts, tyranny, oligarchy and democracy, as well as in his analysis of political stability and unrest and change.² Moreover, in *Politics* II.2 arguing against Plato's political theory in the *Republic*, Aristotle implies that the principle that citizens should rule and be ruled in turn is an expression of reciprocal justice, which is based on proportional equality (1261a30-b1). Although too compressed to provide much insight into Aristotle's conception of equality, this comment provides further evidence of the importance Aristotle attaches to the notion of equality.

Despite the centrality that Aristotle assigns to his conception of equality in the *Politics*, how to apply it to specific cases is far from clear. Aristotle repeatedly prefaces discussions with a reference to equality as an explanatory principle but in working out the details of his analyses of specific constitutions, he seldom invokes equality. This leaves the interpreter with the challenge of arriving at a coherent account of how equality functions in various roles. Sometimes Aristotle seems to have in mind a value-neutral analytic principle; sometimes he seems to have in mind a normative conception of equality that makes it a test of the justice (construed normatively) of particular constitutions. In *Nicomachean Ethics* V, Aristotle distinguishes between unqualified justice and political justice, which applies to equals living together in the same state, and a third relation holding between non-equals that is a kind of justice by analogy (*NE* V.6 1134a24-29). The normative conception of equality is closely tied in Aristotle's thinking to justice as a norm. To use Aristotelian terminology for the difference: between the normative and non-normative conceptions of justice (and by extension equality): there is justice in a particular respect, which is realized in any viable constitution, and unqualified justice, which is realized only in ideal constitutions (1328b33-39). The goal here is to untangle the various strands in Aristotle's thinking about the role of equality in the state.

In the first section of this paper, the role the conception of equality plays in distinguishing between oligarchy and democracy in the account of actual constitutions and the role it plays in the explanation of the causes of constitutional change will be discussed. In the second section, the role this conception plays in distinguishing good constitutions from bad ones and in Aristotle's argument in favor of polity as the best form of government will be examined. The third section will consider the role Aristotle's conception of equality plays in the ideal constitution and whether his various appeals to equality yield a single, coherent conception of equality. In closing, the question of why the constitution with the right understanding of equality will exclude the majority of the adults in the city from participation in governance

²Traditionally commentators have divided the *Politics* into three parts believed to have been written at different times and of little relevance to each other: I–III, IV–VI, and VII–VIII. See Rackham (1932, introduction). I will follow recent authors in querying this scheme. See Rowe (1991) for a very clear account of the history of the division of the *Politics* into three parts and the reasons for challenging it.

will be addressed as well as the question whether such a conception of equality is just from a modern perspective.³

10.1 Equality: Democracy and Oligarchy

Aristotle rejects several overly simplified accounts of the difference between oligarchy and democracy in *Politics* IV.3–4. To merely differentiate between them on the basis of the number of people allowed to rule is a mistake, as is distinguishing between democracy and oligarchy on the basis of the wealth of the rulers and the poverty of the ruled. Neither characteristic appears to be more fundamental, however; Aristotle argues that a state in which the majority of citizens were wealthy would not be an oligarchy nor would a state in which the rulers were poor but few be an oligarchy. He ultimately decides that

The form of government is a democracy when the free, who are also poor and the majority, govern, and an oligarchy when the rich and well-born govern, they being few. (1290b16–18)

It is worth noting that interpreting this fine-grained differentiation between democracy and oligarchy in light of the distinction between two types of equality raises the question: which one is in play? Moreover, equality of both types is evaluated in relation to a relevant respect, but Aristotle has described each group in terms of several differences. If for instance in the case of democracy, we construe equality/inequality as numerical, we are committed to claiming that in a democracy all the citizens possess freedom in equal measure, while the same citizens are unequal with respect to wealth because wealth is unequally distributed within their society (which is assumed by Aristotle). Even were wealth evenly distributed, individually no citizen would be wealthy relative to any other citizen in a democracy. The democrat bases his claim to political authority on only one respect, namely, belonging to the larger class. The oligarch bases his claim on only one respect, namely possessing greater wealth. The democrat and the oligarch appeal to different respects (majority or wealth) in applying their conception of equality/inequality.⁴ Ideally, there would be a uniform application of the principle of equality in a specific respect. Even though numerical equality yields the results Aristotle mentions, there is no uniform measure of equality in a single respect that holds of both classes. While the rejection of the account of the difference between oligarchy and democracy in terms of number of rulers turns on a numerical construal of equality, Aristotle's conclusion in

³Aristotle defines political justice in terms of proportional equality. In order to apply this principle, which similarities and differences among people are relevant to the exercise of political power must be specified. It is in the specification of these characteristics that Aristotle's conception of equality differs from ours. For further discussion of this point, see Sects. 10.3 and 10.4 below.

⁴Although more typically Aristotle bases the democrat's claim to power on liberty, in this context being more numerous is the respect appealed to by Aristotle on behalf of the poor.

IV.3 seems to invoke some notion of proportional equality in order to compare the two dominant forms of government.

Further on account of the rich being few and the poor many, these parts of the city appear to be opposite parts. And they establish constitutions according to their superiorities (huperochas) and it is thought that there are two forms of constitution, democracy and oligarchy. (1291b9-13)

If the superiorities in question are not simply those of number and wealth but the intended referents are to be interpreted as superiority with respect to political authority, then there is an implied comparison of the two types of constitution, which is based on a notion of proportional equality between the two classes construed as groups of individuals.⁵ The principle of proportional equality applied to both groups is implicit in a variety of contexts. In *Politics* III.7, Aristotle says that the many may be justified in asserting a claim on political authority against those who base their claim on either excellence or wealth. "Nothing prevents the many from being better and wealthier, not as individuals but as a group" (1283b30-35). In IV.3, Aristotle refers to a type of equality that is common to rich and poor (1290a8-12), but he does not provide an explicit account of how his conception of different types of equality applies to his characterization of democracy and oligarchy.

When Aristotle summarizes the difference between democracy and oligarchy, he mentions two distinct characteristics (1301a28-35). The mark of a democracy is political liberty, the rule by the free, and the mark of oligarchy is rule by the wealthy. This way of marking the difference allows for the applicability of a notion of equality to both to determine their degree of justice without privileging one over the other. The unequal distribution of wealth in an oligarchy is not in and of itself unjust because unequal. The complexity of Aristotle's conception of equality allows him to evaluate different features (unequal wealth/equal political liberty) in judging a particular state's justice. Nor is he limited to a conception of equality as equal political authority. Indeed it ultimately leads Aristotle to insist that neither the democrat nor the oligarch gets equality quite right. "For the constitution to be framed absolutely and entirely according to either kind of equality is bad" (1302a3-4). It would probably be a mistake to see this remark as an assertion that democracy involves numerical equality and oligarchy, proportional equality only.⁶

Both types of constitution may be justified by appeal to numerical equality and this is the basis for Aristotle's saying that neither are simply just but only just with respect to a particular interpretation of equality/inequality.

Having appealed to his analysis of equality to effect the separation of democracy and oligarchy, Aristotle turns in IV.4-6 to distinguishing among each type of consti-

⁵When Aristotle talks about the rich and the poor, he does not identify a class that is something over and above its members. To say that proportional equality holds between the two dominant classes is just to say that it holds between the members of those classes.

⁶Cf. Keyt who argues for a similar conclusion for somewhat different reasons: "In Book VI democratic justice and numerical equality are explicitly connected (1317b3-4, 1318a3-6). This connection is both puzzling in itself and contrary to what Aristotle said earlier (1301a25-35, 1301b35-40)" (1999, p. 73).

tution, marking off four or more forms of both.⁷ In the case of democracy, the democracy that Aristotle says involves the fullest expression of equality is the one in which both poor and rich are equally sovereign; Aristotle's description of this type of democracy is open to several interpretations, one of which is ruled out by his description of a false form of democracy, namely a state in which every individual is equally entitled to rule.⁸ The correct interpretation appears to be a democracy where individually the wealthy have considerably more power than the poor individually but class interests are balanced out. A constitution of this sort could only be achieved through an application of both numerical and proportional equality because both liberty and wealth would have to be taken into account to adjudicate conflicting claims about the apportionment of political authority. The second type of democratic constitution mentioned by Aristotle takes property into consideration in the allotment of offices but keeps the property qualification low. The third type eliminates the property requirement but makes birth a requirement and makes the law sovereign. The fourth type makes citizenship alone a requirement but practices the rule of law. The fifth degenerate form of democracy does away with law and rules by popular decree. Because the law is not sovereign, Aristotle argues that the fifth type is not really a type of constitution and thus not a type of democracy.

Although Aristotle does not explicitly apply the principle of equality in the description of the second through fifth types of democracy in *Politics* IV.4, he seems to have conceived their differences in terms of an ever more prominent use of numerical equality at the expense of proportional equality as the forms of democracy became ever more unsatisfactory. Numerical plurality increasingly becomes the basis of political power. Had the goal been the achievement of proportional equality between the two dominant classes, the relative poverty of the many in relation to the wealthy would have checked the claim of the many to unrestricted political authority. This becomes even clearer in IV.5 when Aristotle returns to the same list but specifies the importance of wealth and culture (or lack thereof) at each stage. In broad strokes, it is relatively easy to see why Aristotle would think that the decline of democracy is motivated by an unrestricted application of equality with respect to numbers and that some (not clearly defined) notion of proportional equality between classes would block the decline.

Turning to oligarchy in IV.5, Aristotle distinguishes four types. The first has a property requirement, which is high enough to exclude the poor from taking part in governing; the second, makes the property requirement still higher and requires election by those meeting the property requirement; the third, makes office holding hereditary; the fourth does away with the sovereignty of law. Two explanatory factors are mentioned—increased reliance on wealth and on heredity. Aristotle is probably not thinking of these as independent factors. If restricting political power to certain wealthy families is tantamount to increasing the amount of wealth required,

⁷Barker (1962, introduction) points out similarities between this method of classification and the one Aristotle employs in his biological writings.

⁸This is but one of many puzzles about Aristotle's classification of types of democracies in IV.4. As Robinson notes this is "an astonishingly unmethodical chapter" (1995, p. 81).

the descent from best to worst type of oligarchy would seem to be guided by an increasing reliance on numerical equality in order to determine whose wealth is greater and assign political office accordingly. However, Aristotle makes no explicit appeal to either numerical or proportional equality in the classification of types of oligarchy. It is worth noting, however, that here, too, the decline from best to worst type of constitution seems to be governed by an implicit failure to appropriately apply the principle of proportional equality to the relationship between the two dominant classes.

Aristotle's favored form of constitution, the polity, is a combination of elements of democracy and elements of oligarchy.⁹ It requires a large middle class, which functions as a mean between the rich and the poor.

There is a true union of oligarchy and democracy when the same state may be termed either a democracy or an oligarchy ... for clearly this is so because the mixture is complete and this is the case when it is in the mean for each of the extremes appear in it. (IV.9 1294b13-18)

To reach these findings Aristotle makes tacit use of both numerical and proportional equality. The exercise of political rule is a function both of numbers, a leveling of extremes of wealth and poverty in the middle class and through it a leveling of disproportionate political power due either to wealth or numbers. As a consequence, proportional equality is achieved between the dominant classes.

In *Politics* V, Aristotle turns to the causes of political unrest. Here Aristotle's analysis of equality is much in evidence.

The universal and chief cause generally speaking, of being disposed toward political change has already been mentioned, viz. the desire for equality, when people think that they are equal to others who have more than themselves, or, again, the desire for inequality and superiority, when conceiving themselves to be superior they think that they have not more but the same or less than their inferiors. (1302a22-28)

Aristotle goes on to give a long list of other causes of a state's changing from one type of constitution to another. He adds that these causes fall under seven or more headings. The number of causes from one point of view is somewhat open-ended for Aristotle, precisely because he assigns the desire for equality/inequality a different status as the principal cause. That said, the longer list is generated by an empirical survey of actual cases of radical constitutional change. Aristotle makes no effort to show that the list of causes that are evident in his examples can or even should be reduced to his general cause. The cause most frequently mentioned by him for actual cases of constitutional change is the involvement of one or more demagogues. Consequently, one might wonder whether Aristotle is right about the importance of the principle of equality to the explanation of why one type of constitution is replaced by another type. He might defend his analysis by saying that despite the

⁹Athenian history provided Aristotle with a model of a constitutional order, which blended democratic and oligarchic features. Ober describes the results of Solon's reforms in this way: "Athenian citizens had gained a substantial measure of legal and political equality, but inequality persisted in the economic realm – and indeed material inequality was formally recognized in the distribution of public offices" (2015, p. 151).

wide variety of immediate causes of change in actual states, these states shared a common vulnerability to political unrest due to their failure to satisfy the citizens' desire for equality and/or superiority.

10.2 Equality: Constitutions

The role that equality plays in the determination of which forms of each type of constitution are to be preferred has already been mentioned. However, it deserves more investigation. In *Politics* IV.6 when Aristotle summarizes the types of democracy in descending order from best to worse, he emphasizes the importance of having leisure and being able to take part in governing without pay. It is only the most degenerate form of democracy that provides pay for participating in government. The goal of equality in a democracy yields only a presumptive equal share in political liberty, according to Aristotle; the exercise of this liberty is best left in the hands of those who have the means to exercise it without further interventions by the state. This is why in the end the provision of leisure for participation in the state to anyone lacking those means marks the worst form of democracy. Aristotle's explicit justification for this classification is the absence of the rule of law when the poor are able to exercise political liberty, but this justification is itself dependent upon a distinction Aristotle draws between law and popular decrees.¹⁰ Although Aristotle finds some basis for this distinction in contemporary discussions, it serves only to reify the difference between democratic participation by all and a system that de facto excludes such participation. One way of broadening the base of political participation is to pay those who cannot fund their own participation. Aristotle's disapproval of this approach appears to signal a failure to recognize the requirements for equality with respect to political liberty.

Aristotle also gives a similar account of a series of progressively less satisfactory forms of oligarchy. The best form of oligarchy is one where many people are reasonably wealthy and exercise an equal share in governance; the worst form is where wealth and political power is concentrated in the hands of a few families. This is the fourth and final stage of oligarchy; here, too, the rule of law gives way to decrees by the rulers. Just as there was an unchecked application of the principle of equality in the worse form of democracy, here there is an unchecked application of the principle of inequality. It is possible to view the outcome of applying the principle of inequality too widely as part of an Aristotelian argument for the superiority of proportional equality to numerical equality as an organizational principle of a state. On this reading, the best type of oligarchy would be the consequence of achieving a balance between numbers of oligarchs and the amount of wealth each controlled

¹⁰Barker (1962): "Aristotle is here drawing a distinction (based on Athenian constitutional history) between (1) a regime in which laws are distinguished from decrees, are superior to decrees, and cannot be overridden by decrees and (2) a regime in which the distinction has practically disappeared" (commentary on *Pol.* IV.4 1292a5-7, note 1).

through the application of proportional equality to the wealthier classes; the degenerate forms of oligarchy would be the consequence of increased reliance upon amount of wealth due to the application of numerical equality. But it is also possible to read this list as an argument against a particular understanding of numerical equality and numerical inequality. That is, the degeneration of oligarchies may arise from applying the principle of equality only to the wealth of individuals allowed to participate in governing from the best form to the worse. The best form comes about because, as Aristotle explains, the wealthy class is populous and differences in wealth are not great. The principle of numerical inequality applied to wealth justifies the property requirement for civic participation in oligarchies of all sorts.

Aristotle's application of the principle of equality to actual democracies and oligarchies and actual changes of constitution assumes a basic class difference between those who are in the majority and have little wealth and those who have markedly more wealth but are fewer in number. All of the relevant characteristics are at least in principle measurable. The desire for numerical equality seems to be the driving force behind democratic constitutions and the desire for numerical inequality the driving force behind oligarchical ones (1317b4-5). Aristotle's ranking of the best to the worst forms of each seems to be based primarily on the historical instability of regimes in the more extreme forms of oligarchy and democracy.

Up to a point, this remains true of Aristotle's arguments in *Politics* IV and V for the advantages of the polity over other constitutions.

There are three grounds on which men claim an equal share in the government, freedom, wealth, and excellence (for the fourth what is called good birth is the result of the last two, being only ancient wealth and excellence), it is clear that the mixture of the two elements, that is to say of the rich and poor is to be called a polity or constitutional government. (IV.8 1294a19-23)

Aristotle again makes the salient feature of the populace the difference in wealth; the fundamental class division is between rich and poor. As in other constitutional forms, stability is found in achieving a viable balance of interests of the two classes. Although listed by Aristotle, excellence plays a small role, if any at all, in the organization of offices in a polity. What does play a crucial role is the notion of a mean; Aristotle repeatedly makes use of this notion to identify the governmental structures that result from combining democratic and oligarchical institutions. He also appeals to the mean to explain why a large middle class is required for a polity for the middle class serves as a mean between rich and poor. In the *Politics* as in the *Nicomachean Ethics*, hitting the mean is the goal. However, in the *Politics*, the mean to be achieved is between classes rather than a mean in relation to an individual. The mean here is achieved by balancing the collective interests of the many in exercising civic authority as equals and the collective interest of the wealthy in having a greater amount of civic authority on the basis of their greater wealth. Aristotle does not explicitly appeal to the principle of proportional equality in these chapters, but it is implied by the importance of achieving a mean between the competing claims to civic authority made by the two classes. While in rough outline, it is easy to see how apportioning civic roles in accordance with a mean expressing proportional equality

would work, the specifics are harder to grasp without further assistance from Aristotle. That said, the principle of proportional equality is implicit in his description of the constitutional form that embodies a mean between rich and poor and between oligarchy and democracy as the best and most stable form of constitution.

As if recognizing that he has done little to justify the importance of hitting a constitutional mean in *Politics* IV, Aristotle begins the discussion of constitutional change in *Politics* V emphasizing the importance of proportional equality: "We must assume as a starting point that in the many forms of government, which have sprung up, everyone has agreed about what is just and proportional equality" (1301a25-27).

In Book IV, the main consideration motivating the ranking of forms of democracy and forms of oligarchy had been the degree to which a particular form seemed vulnerable to political unrest and a change of constitution. In the introduction to the topic of the causes of constitutional change, Aristotle appeals to proportional equality in an effort to link constitutional instability with a failure of proportional equality. The agreement between the dominant classes about the balance of class interests required by proportional equality breaks down. As mentioned above, the account of actual cases of governmental change seems largely to ignore the complex model of equality that prefaces the discussion.

Aristotle's reticence may stem from the complexity of his account of equality. Taking the starting point to be either the democrat's desire for equality or the oligarch's desire for inequality, there are several different ways of interpreting their respective desires. One strategy is to say that it is equality or inequality with respect to political power that is at issue. In this instance, the democrat and the regimes reflecting his interests will push for an ever more equal distribution of political power. The more successful this push is, the more extreme the form of democracy. Similarly, the oligarch will push for ever more inequality (i.e., excess) with respect to the unequal distribution of political power. Again the result will be an even more extreme form of oligarchy. Viewed from the perspective of a particular class the only reason to reject a more extreme form of democracy or oligarchy would be something extraneous to the desire for equality/inequality. This would seem to be the desire to avoid political upheaval.

An alternative strategy would be to say that in any actual state there is always some sort of balance with respect to the division of political power between the two dominant classes. Each class makes a claim on power based on its own characteristics; the many, who are free and poor, make a claim based on the equal distribution of power; the rich, who are also few and often from well established families, base their claim to an unequal distribution of power relative to their wealth. The two claims are adjudicated by adopting a principle of proportional equality that results in a mixed distribution of political offices and power. Aristotle prefers the second strategy because only on it does proportional equality determine the constitution of the state. This, Aristotle believes, will strengthen the state by insuring its stability. A further reason for preferring the second strategy is that proportional equality is constitutive of justice in the state.

Both parties to the disagreement are speaking of a limited and partial justice, but imagine themselves to be speaking of absolute justice. For the one party, if they are unequal in one respect, for example wealth, consider themselves to be unequal in all; and the other party, if they are equal in one respect, for example free birth, consider themselves to be equal in all. (III.9 1280a21-25)

One might object to the second strategy on the grounds that Aristotle has shifted from a non-normative conception of proportional equality according to which every constitution, however degenerate, expresses some notion of proportional equality (1301a26-27) to a normative use of this concept where it insures a genuine balance of class interests. This objection is not without merit.¹¹ To the extent that Aristotle has an answer, it would seem to be that once the goal of achieving proportional equality between competing class interests has been adopted glaring disparities between the value assigned to one set of class interests in a degenerate form of oligarchy or of democracy and that assigned to the other set of class interests would become apparent. Once apparent, the desirability of achieving a more satisfactory balance of class interests would also become apparent to policy makers.

While the principle of proportional equality seems to do relatively little work in giving explanations of historical changes of constitutions, it is evident in Aristotle's idealized conception of constitutional rule.

There is a rule of another kind, which is exercised over freemen and equals by birth – a constitutional rule, which the ruler must learn by obeying, as he would learn the duties of a general of cavalry by being under the orders of a general of cavalry. (1277b7-11)

Constitutional rule involves a dynamic relationship between the rulers and the ruled. A state of this sort exists only insofar as it achieves a dynamic balance of interests among its citizens. This balance is achieved through having a large middle class that shares some interests with the wealthy and other interests with the poor. Proportional equality finds concrete expression in a predominantly middle class state. Not only does constitutional rule require the existence of a large middle class; this class must also meet the other requirements for citizenship, as Aristotle goes on to argue in IV.10. Because of these requirements, this type of rule may not be the best form of constitution for an existing state. A state whose population does not meet these requirements may be more just if it has a constitution appropriate to it. If these constitutions are ranked according to their approximation to the best state, the ordering coincides with Aristotle's ordering of oligarchies and democracies (1296b3-9). This is further evidence (he believes) that his explanation of political unrest and change is correct.

Aristotle also appeals to his conception of equality in *Politics* VI when he gives a more abstract account of the characteristics of democracies and oligarchies.

One principle of liberty is for all to rule and be ruled in turn, and indeed democratic justice is the application of numerical equality not equality according to worth. (VI.2 1317b3-4)

Democrats seek to establish numerical equality as a way to secure liberty. Nevertheless, Aristotle explains that there are various strategies for obtaining the

¹¹ I thank the editors of this volume for calling this objection to my attention.

desired end and this leads to the different forms of democracies that exist. That is, despite adopting a conception of justice as numerical equality, democracies may and do adopt governmental institutions that have the consequence of limiting the equal entitlement to exercising political power. This is just, Aristotle suggests, because in practice, there must be a balance found between the interests of the rich and poor and a notion of equality that allows for the balance (1318a26-27).

10.3 Equality and the Ideal Constitution

Does Aristotle's conception of equality play any role in his design for the ideal state in *Politics* VII to VIII? Aristotle takes as his starting point the life of virtue.

Let us assume then that the best life, both for individuals and states, is the life of virtue, when the life of virtue has external goods to the extent needed for the performance of good actions. (VII.1 1323b40-1324a2)

This leads Aristotle to conclude that the best form of constitution enables citizens to live virtuously and as a consequence to be happy. Aristotle does not believe that the life of virtue is possible for everyone and so in his best state, a distinction is drawn between the citizens of the state and the many other persons living in it, who perform necessary functions, such as farmers and artisans. As Aristotle explains the latter are to be viewed as necessary conditions for the existence of the state but not as parts of it. The parts are the warriors and councilors (1329a35-37). He briefly considers the possibility that some members of the necessary classes should play a role in governance, but dismisses that possibility on the grounds that none of them would possess virtue. They lack virtue because they lack the means and leisure to acquire it (1328b-1329a2).

The ruling class should be owners of property for they are citizens, and the citizens of a state should be in good circumstances, whereas artisans or any other class which is not a producer of virtue have no share in the state. This follows from our first principle, for happiness cannot exist without virtue and a city is not to be termed happy in regard to a portion of the citizens, but in regard to them all. (1329a18-24)

Here Aristotle excludes a large number of people from taking part in governance on grounds, which are (for the propertied citizen class) fundamentally democratic. The equal standing of every citizen is justified by an implicit appeal to numerical equality and giving all citizens an equal share in the good life. It is striking that Aristotle has arrived at a model for the ideal state that is very similar to his account of the constitution consisting in a unified mix of oligarchic and democratic elements. The latter account was justified by an appeal to proportional equality, which is required to balance conflicting class interests. While every viable constitution is one in which some sort of proportional equality has been achieved, used as a test of justice in a normative sense, proportional equality insures a genuine balance of conflicting class interests. In Book VII, by contrast, a similar account of the best constitution is arrived at without appeal to proportional equality. Its justification is derived entirely

from Aristotle's conception of a good and happy life. Since the citizens will be equally virtuous, proportional equality could have been used to justify an equal distribution of political authority based on excellence. The good life in effect has a property qualification similar to that required of rulers under the better form of democracy. Aristotle's description of the ideal state is fully consistent with his discussion of the strengths and weaknesses of existing constitutions in Books IV–VI. That he arrives at his conclusions in Book VII based on his account of human virtue in the ethical treatises is all the more impressive, at least with respect to the comprehensiveness of his approach to constitutions, actual and ideal. That said, the limitations placed on citizenship in the ideal state are in striking contrast to the democratic ideal governing the relation among its citizens.

Women are seldom mentioned in Book VII. It is clear, however, from a discussion of childbirth that the wives of citizens, like artisans, are viewed as persons performing a necessary function but who are not capable of virtue in the full sense.

Women who are with child should take care of themselves, they should exercise and have a nourishing diet. ... Their minds, however, unlike their bodies, they ought to keep quiet, for the offspring derive their natures from their mothers as plants do from the earth. (VII.16 1335b12–19)

The larger context for this discussion is the production and education of future members of the citizen class. While it is not clear why the mother's having an active mind would disturb the embryo, this restriction would be yet another reason justifying her exclusion from full civic participation. There is an unfortunate circularity in the grounds for placing restrictions on civic participation by women of all classes and all the people belonging to the classes that produce the material necessities for the state. None of these people will have the leisure or education to acquire the characteristics required for virtue and this becomes a justification for excluding them from full membership in the state. Their being excluded insures that they will not acquire the necessary character traits.

In Aristotle's description of the best conceivable constitution, equality is simultaneously universal for the adult male citizens and largely invisible as an explanatory principle. Apart from noting that it is important for the citizens to have an equal share in the common good and thus important that they be ruled and be rulers in turn, Aristotle develops his account of the state from the characteristics of and requirements for the good life. Proceeding in this way allows him both to acknowledge that the desire for equality is shared by all and to avoid letting this recognition have an impact on the distinction he draws between citizens and others living within the city (cf. 1332b27–28).

10.4 Conclusion

Three concluding thoughts: first, Aristotle's conception of equality is psychologically perceptive, making the desire for equality fundamental in the explanation of political structures; it is flexible enough to accommodate a variety of political motivations and constitutional forms; and it provides support for balancing oligarchic and democratic interests in a constitution by assigning special significance to proportional equality. Second, despite its importance, Aristotle treats his principle of equality as a rough rule of thumb, leaving the details of how to apply it unspecified; in particular, he does not explain how it applies to the hard case of balancing competing claims to political authority by different classes. Third, even when applied as a normative principle, his conception of proportional equality proves to be compatible with the exclusion of the majority of adults within a city from unqualified citizenship. This is problematic from a democratic standpoint and all the more so because it raises related issues for Aristotle's conception of the good life.

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Chapter 11

Aristotle on Inequality of Wealth



Paula Gottlieb

Abstract One might think that inequality of income and wealth are a special cause for concern only nowadays. But, perhaps surprisingly, equality and inequality of resources are issues addressed by Aristotle in his *Politics*. I first discuss Aristotle's suggestion that equality of resources is a way of avoiding faction (e.g., *Pol.* V.3 1304a38-b5). I then discuss Aristotle's relatively neglected critique of Phaleas of Chalcedon's proposal for equal plots of land (*Pol.* II.7), arguing that Aristotle actually improves on Phaleas's ideas in his own proposal for a second-best constitution. In such a constitution, Aristotle avoids the hour-glass distribution of rich and poor that is a modern problem (*Pol.* IV.11). His proposal also incorporates some aspects of his famous doctrine of the mean. I then briefly discuss the question of resources in Aristotle's ideal city of the *Politics* and in his ethical works, speculating on the question why distributive justice in relation to wealth is not addressed in the passages of the *Politics* I discuss. I conclude with some brief reflections on modern and ancient views.

Keywords Equality · Inequalities · Land · Middle class · Wealth

In modern political and economic discourse, inequality of income and wealth are considered especially bad if they are so great as to lead to a shrinking middle class.¹ Robert Reich, a leading economist, writes: "Some inequality of income and wealth is inevitable, if not necessary. If an economy is to function well, people need incentives to work hard and innovate. The pertinent question is not whether income and wealth inequality is good or bad. It is at what point do these inequalities become so

¹In common parlance, the amount of resources of the "middle class" is vague, just as it is in Aristotle's own discussion. Reich defines those in the middle class not by wealth, but by the median level of income, about \$75,000 for a family of four.

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great as to pose a serious threat to our economy, our ideal of equal opportunity and our democracy” (Reich 2014).

Of course, no ancient philosopher would give an argument for inequality based on the necessity of incentives for making more profit. Nor would an ancient philosopher argue, as Reich does, that great inequalities adversely affect the purchasing power of the middle class and therefore are bad for the economy.

Thus at first sight these modern economic ideas seem very far from the concerns of Aristotle, and the views of modern philosophers seem to fare no better in this regard. For example, modern philosophers may connect inequality of income and wealth with other types of inequality, inequality of status, inequality of opportunity, inequality of political power and so forth and argue that great inequality of income and wealth is bad because it leads to these other bad inequalities or is a symptom of them. But on the face of it these issues do not seem to concern Aristotle either. Inequalities of status, money, power, opportunity and so forth between men and women, between slaves and freemen (and between Greeks and non-Greeks) are acceptable in his philosophy, although there are many reasons for thinking that they should not be, and on grounds that Aristotle himself accepts.²

I should like to consider three passages in Aristotle’s *Politics* that, perhaps surprisingly to a modern reader, do address inequality and equality of resources.³ I first discuss Aristotle’s suggestion that equality of resources is a way to avoid faction (e.g., *Pol.* V.3 1304a38-b5). I then discuss Aristotle’s relatively neglected critique of Phaleas of Chalcedon’s proposal for equal plots of land (*Pol.* II.7), arguing that Aristotle actually improves on Phaleas’s ideas in his own proposal for a second-best constitution (*Pol.* IV.11). In such a constitution Aristotle avoids the hourglass distribution of rich and poor that is a modern problem. Aristotle’s proposal also incorporates aspects of Aristotle’s famous doctrine of the mean. I then briefly discuss the question of resources in Aristotle’s ideal city of the *Politics* and in his ethical works, speculating on why distributive justice in relation to wealth is not addressed in the passages of the *Politics* I discuss.⁴ I conclude with some brief reflections on modern and ancient views.

First, some preliminary comments about Aristotle and wealth. In his *Nicomachean Ethics*, Aristotle defines wealth (*chrēmata*, things) as anything whose worth is measured by money (*NE* IV.1 1119b26-7). There, he simply takes it for granted what such things are. In *Politics* I.8-9, Aristotle discusses two kinds of acquisition of property, one being natural, getting food from animals and plants, or capturing slaves (all also occurring before the introduction of money) and bartering goods, and the other unnatural, making money from exchanging commodities only for profit.

²See, for example, Ober (2013) on paying attention to Aristotle’s views independently of such claims, and Keyt (2017) on how such exclusions are unwarranted on Aristotle’s own principles. I have also argued that these views contradict Aristotle’s own doctrine of the mean (Gottlieb 2009, p. 32).

³Aristotle’s critique of Plato has been extensively discussed by others. Here I concentrate on the comparatively neglected discussion of Phaleas.

⁴This puzzle was raised by Gerasimos Santas.

The appropriate amount of wealth to have, according to Aristotle, has a limit, but the limit is not mathematical; it is relative to the good life. He remarks, “It follows that one form of acquisition is naturally a part of household management (*oikonomia*), in the sense that the manager of a household must either have available or ensure the availability of a supply of objects (*chrēmatōn*) which are capable of being stored and are either necessary for life or useful to the association of city (*polis*) or household. These are the objects to be regarded as true wealth (*ho g’alēthinos ploutos*), for the amount of household property which suffices [literally, the sufficiency of possession] for a good life is not unlimited” (*Pol.* I.8 1256b26–32).⁵

Just as there is no *mathematical* algorithm for showing what a particular good action is, according to Aristotle, so there is no mathematical algorithm for showing what the right amount of wealth is. The right amount is relative to the good life. When Aristotle later speaks of the correct amount of property being a *measured* amount (*metrion*) (often translated “moderate”), this is a relative and not absolute notion. For Aristotle, there is an ethical and not merely economic side to how much wealth one should have.

Now some of these ideas may seem archaic, especially the idea of human chattel, but defining the right amount of property in terms of the good life can be applied across the ages.

11.1 Avoiding Faction: *Politics* V.3 1304a38–b5

Our first passage occurs within Aristotle’s discussion of the causes of faction and revolution in cities that have different constitutions, constitutions being defined not simply by the arrangement of government offices but also by the substantive good that is the constitution’s goal, for example, freedom for democracy, wealth for oligarchy and so forth. Before discussing stasis in each type of constitution in turn, Aristotle makes a number of observations, including the following points: “Constitutions are also altered when the opposites that are held to be parts of the city, such as the wealthy and the people (*dēmos*), become equal to one another, and there is no middle class (*meson*) or a very small one. For if either of the parts become much superior, the remainder is not willing to venture against the manifestly stronger part. That is precisely why those who excel in virtue do not cause faction, generally speaking, for they are few against many” (*Pol.* V.3 1304a38–b5, trans. Keyt 1999). Aristotle here seems to imagine a large middle class as a buffer preventing the rich or poor from taking over the city. This is no doubt an oversimplification, because there are cases even in ancient Greece where someone from the wealthiest class stirs up those at the bottom for his own ends.⁶ Nevertheless, Aristotle

⁵Except when otherwise noted, translations of Aristotle’s *Politics* are by Barker (1995), sometimes with my own modifications.

⁶See, e.g., Peisistratus in Aristotle’s *Athenian Constitution* 13–17.

does here present a rationale for avoiding large as opposed to graduated inequalities of wealth in the populace.

If Aristotle is here saying that hourglass inequalities of wealth among the citizens (he does not seem to be alluding to the slave population here) are bad because they may foment revolution, this may seem a Machiavellian or perhaps a Hobbesian rationale for avoiding such inequalities. Such an interpretation would be incorrect. Aristotle may be stressing this rationale here because the present discussion is in the context of how to avoid revolution. As we shall see, Aristotle does not take the Machiavellian route. He thinks that a broader rationale for why inequalities of wealth are bad is that they lead to vice.

11.2 Phaleas of Chalcedon's Proposal for Equality of Property and Aristotle's Critique: *Politics* II.7

Even if Aristotle does not think that the only reason for avoiding hourglass inequalities is to avoid revolution, the avoidance of revolution certainly seems to have been an important motivation for ancient writers who propose equality of wealth. One such example discussed by Aristotle is the proposal of Phaleas of Chalcedon: "Thus there are some who hold that the proper regulation of property (*tas ousias*) is more important than any other object, because, so they say, it is about this issue that factional conflicts arise" (*Pol.* II.7 1266a36-38).

Phaleas was probably a contemporary of Plato, but we only know of him through Aristotle. His proposal, as explained by Aristotle, concerned the distribution of *land* in equal plots. Phaleas suggested that this could most easily be achieved by setting up a new colony. Otherwise, he suggested that equality could be achieved by the regulation of dowries. The rich would be allowed to give but not receive dowries, and conversely for the poor. Interestingly, Aristotle does not address Phaleas's second suggestion, no doubt because it is hard to see how the specifics of this suggestion would achieve Phaleas's aim unless the rich did not marry other rich people. But the idea of regulating how wealth can be passed on from one generation to another to prevent large concentrations of wealth is still a live one today.

Aristotle concludes his discussion with the gnomic utterance that "these observations on the constitution proposed by Phaleas will enable one to judge whether his suggestions are good or bad" (*Pol.* II.7 1267b19-21). Certainly, one can highlight those of Aristotle's comments that are serious criticisms of Phaleas's account, but, alternately, one can take some of them as ways to improve Phaleas's views in an Aristotelian direction.⁷ By an Aristotelian direction, I mean the direction Aristotle takes in *Politics* IV.11, which I will discuss in Sect. 11.3.

⁷ Compare Balot (2001, p. 35, footnote 14). Contrast, for example, Kraut (2002, pp. 348–351) and Simpson (1998, p. 103), who takes Aristotle's discussion as a criticism of political materialism in general. On Aristotle's method here, see Terry Penner (in conversation) on Socratic "warping," the way in which Socrates takes an interlocutor's view and then brings it round to ideas that he wants to develop himself.

Aristotle's first objection to the equal distribution of land that Phaleas proposes is that one would also need to regulate the number of children per family, so that some people would not become impoverished as time went by, causing instability in the city. This is a practical objection,⁸ but the limitation of families is something Aristotle himself seems to consider later in the *Politics* (VII.16 1335b19-25). Aristotle also mentions Solon for not allowing people to acquire land to any extent, and the Locrians for preventing the sale of land except in dire circumstances. Aristotle seems to favor limits on wealth, a view consistent with his account of the natural acquisition of wealth described in my introduction (*Pol.* I.8).

Aristotle's next point is that the most desirable amount of property should be a measured (*metrion*) amount. If the aim is a measured amount of wealth, presumably the actual amount need not be exactly equal. If wealth includes more than just land, people can have a measured amount of wealth without having *equal* plots of land. Measured wealth covers a range of wealth. Aristotle does not explain what the measured amount of wealth for each individual is in this passage, but he does say something further on in the chapter about what counts as a measured amount for the city, in what looks like a digression addressing Phaleas's failure to provide properly for the defense of his polis. Here Aristotle explains that the citizens' property must be enough to sustain the political activities of the citizens within the city proper, but also that the property of the whole city must not be so large as to invite neighboring and more powerful cities to attack, nor must it be so small that those who own it are unable to resist attack by cities equal and similar to their own. "Measured" here is a relative notion. Measured wealth is what is enough to enable various civic functions to be carried out. As for what counts as a measured amount for a household, it is reasonable to turn to the discussion in *Politics* I.8, where the proper amount of household wealth is held to be relative to the good life.

According to Aristotle, equalizing property turns out to be less important than equalizing people's desires through proper education, i.e., educating people to want only a measured amount of goods. However, it is not enough to have *equal* education as Phaleas suggests; it must induce people not to want more than their fair share of wealth (*chrēmata*) or honor or both (*Pol.* II.7 1266b37). *Pleonexia*, which is the motivation for injustice as spelled out in Aristotle's ethical works (*NE* V; *EE* IV.2), is to be avoided by both the poor and the rich.⁹ For example, Aristotle complains that the poor are insatiable. Two obols are not enough.¹⁰ Aristotle even suggests that the poor should lack the opportunity of acquiring greater wealth. For reasons that will emerge later, however, Aristotle is probably quoting others' views that he himself does not endorse. While Aristotle agrees that the masses will become

⁸ See also Ober (1991, pp. 112–135).

⁹ On the importance of *pleonexia*, see Balot (2001).

¹⁰ In Athens, two obols were paid for various services including a benefit for disabled veterans. See, for example, *Lysias* 24 "On the Refusal of a Pension," a speech defending one who was taken to court for apparently flaunting wealth he should not have (see *Lysias* 1930). It is not clear whether the speech was ever given. Thanks to Claire Taylor for the reference.

revolutionary if the distribution of property is unequal, he notes that sophisticated people, the *charientes*, become revolutionary when the distribution of political office is equalized (presumably when it is not based on their own assumed superiority). But Aristotle also points out that great crimes are committed not for the sake of necessities, but for the sake of superfluities. “Men do not become tyrants to avoid exposure to cold” (*Pol.* II.7 1267a14).

According to Aristotle, moral education is essential for the polis: temperance and even philosophy can prevent people from having insatiable desires. Moreover, he observes that Phaleas has not expressed his own view correctly. He needs to discuss other forms of wealth than just land, like slaves, cattle, money, movable stock. Aristotle says, “The proper course is either to deal with all these forms of wealth by an equal distribution or by some measured order (*taxin tina metrian*), or to leave all alike unregulated” (*Pol.* II.7 1267b24).¹¹ As we have seen and shall see, the measured order, not strict equality of land or wealth in general, is Aristotle’s preferred solution. Strict equality is not possible, especially when the goods involved may be incommensurable, but a measured order will entail that everyone’s wealth remains in the same range.

11.3 Aristotle’s Own Second-Best Constitution, in Which a Measured Amount of Resources Are Held by Most of the Citizens: *Politics* IV.11

There are three correct kinds of constitution, according to Aristotle, and three deviant versions. The correct kinds, which aim at the benefit of each and all (*to koinēi sumpheron*) are monarchy; aristocracy, in which the rulers are all virtuous; and Polity (*Politeia*), in which they are not. The deviant versions, which only aim to benefit the rulers, are tyranny; oligarchy, rule by the wealthy with the goal of wealth; and democracy, rule by a poor majority with the goal of freedom (*Pol.* III.7). As Aristotle says at the beginning of *Politics* IV.8, “It remains for us to speak of the so-called Polity and of tyranny” (IV.8 1293b22-23). Polity, he explains, is a mixture of (the political procedures used in) democracy and oligarchy, although in common usage the name is confined to those mixtures that incline more to democracy (*Pol.* IV.8 1293b33-36). However, it is not identical with Aristotelian democracy. It is controversial whether Aristotle’s Polity is to be identified with the middle constitution of *Politics* IV.11 as well, but this seems to be a reasonable hypothesis given that Aristotle distinguishes it from democracy and oligarchy, as set up by the Athenians and Spartans respectively, and describes it as the best that can be achieved in non-optimal circumstances. I therefore accept Fred Miller’s characterization of the middle constitution as “the second sailing” of politics, a “second best” (Miller 1995, pp. 252, 262-269). While it falls short of “the polis of our prayers” of aristocracy, it

¹¹ Here, I am departing from Barker’s translation of “moderate maximum” (1995, p. 61).

is the best practical possibility, as explained in *Politics* IV.11. Aristotle says that only one man in authority has been persuaded to set up such an order (*taxin*) (*Pol.* IV.11 1296a39-40). The identity of the man in question is a mystery, but Stalley reasonably conjectures that Aristotle may have hoped to influence Antipater, whom Alexander the Great left in charge of Greece, to favor such constitutions (in Barker 1995, p. 374).

What is interesting about the middle constitution from the point of view of my discussion is the way in which Aristotle augments Phaleas's account in presenting his own.

The most distinctive feature of the middling constitution is that the people in the middle form the majority of citizens. Those who have very great or no resources, the *sphodra euporoi* and *sphodra aporoi* (also called *penētes* or poor later on in the chapter, *Pol.* IV.11 1295b30), are in the minority (*Pol.* IV.11 1295b2-3).¹²

Aristotle expands the notion of wealth even further here. Aristotle is not just talking about slaves, livestock and land, but strength, beauty, birth, and friends as well. Aristotle does not provide a rationale for including these in this passage, but they are all also goods that are external to the goods of the psyche (the ethical virtues), and they also contribute to a good life. In any case, presumably, Aristotle thinks that all of the latter do contribute to one's wealth and power, even if one cannot give them a precise monetary value.¹³

According to Aristotle, this middling polis is least liable to faction and so is most stable. In modern economic terms, there will be the greatest stability in the society in which the middle class is largest and the poor and very rich are on the margins. If one were to draw a graph with the x axis going from poorest to richest and the y axis representing the amount of resources, the graph will describe a bell curve (the figurative inverse of the hourglass).¹⁴ Aristotle adds that a large middle section of citizens also makes democracies more stable and safer than oligarchies. They are more numerous and have a larger share in the political offices of the polis.

Aristotle argues that those who have a middling amount of resources will obey reason, whereas this is harder for those who have too much or too little. Those lacking resources become petty criminals, whereas those with too much suffer from hubris and carry out great crimes. While the middling people may lack full Aristotelian virtue of character (although they may include some people possessing complete virtue), they will lack the vices of excess and deficiency. In particular, they will lack the vice of greed (*pleonexia*). They will not desire others' property, and others (presumably other middling people) will not desire theirs, so they will live safely.

In the discussion of Phaleas, both rich and poor came in for criticism, the poor perhaps more so. In the present discussion, Aristotle makes the striking claim that if people are brought up in luxury, they will only know how to rule despotically, and

¹²Translations below are by Robinson (1995). On the Athenian usage of *plousios* and *penētes* (rich and poor) which are often relative and not absolute terms, see Ober (1990, pp. 194–196).

¹³On this point, see too the chapter by Christopher Rowe in this volume.

¹⁴Thanks to Josh Ober for this suggestion.

if they have deprived childhoods, they will be slavish. Without a large middle, a city of masters and slaves will arise with no affinity between the two.

It is important to note that Aristotle is not discussing how one might distribute goods so that the middling people are in the majority—it is not possible to distribute strength and beauty (except, perhaps, by access to education in health and fitness). Rather, he is describing what the middling constitution would have to look like. Moreover, if mixed constitutions are examples of Polity, then Aristotle thinks that the establishment of Polity is to be achieved by political means, not by the direct redistribution of wealth. For example, if the city does not award honors on the strength of beauty or good birth alone, those who have these goods will not benefit disproportionately and will not be subject to the hubris that Aristotle's Polity is aiming to avoid.

11.4 Aristotle and the Doctrine of the Mean: *Politics* IV.11 Continued

At the beginning of the chapter, Aristotle draws a parallel with the doctrine of the mean of his ethics:

If we were right, when, in the Ethics, we stated that the truly happy life is one of virtue lived in freedom from impediments and that virtue consists in a mean, it follows that the best way of life is one which consists in a mean, and a mean of the kind attainable by each individual. Further, the same criteria should determine the virtue or vice of the city and that of the constitution, for a constitution is the way in which a city lives. (*Pol.* IV.11 1295a35-1295b1)

Richard Robinson is indignant:

If this is to be analogically transferred from the man to the city, the conclusion will be that the happy and good city is in a mean and not an extreme way. It will, for example, conquer the right amount of cities, neither too many nor too few. What Aristotle draws from the analogy, however, is that the happy and good city will have a large and politically influential middle class. This does not follow because it is nothing to do with action. (Robinson 1995, p. 103)

According to Aristotle's doctrine of the mean in his ethical works, the good person will have the right feelings at the right time in the right way, directed at the right people, and so forth and will act accordingly. Robinson is applying this view to the city, but incorrectly. First, on Aristotle's account of the doctrine of the mean, it may be appropriate for the good person, for example, the mild person, to be very angry or not angry at all on some occasions.¹⁵ Therefore, it does not follow that there is a

¹⁵ On this interpretation, see Gottlieb (2009, pp. 19–37). The interpretation is controversial. For example, Howard Curzer seems to hold that the correct amount counts as moderate. For the debate between Curzer and the rival interpretation of the doctrine of the mean by Rosalind Hursthouse, see Curzer (2012, especially pp. 53–54, 79) and Hursthouse (1981, 2006). For a further critique of Curzer, see Gottlieb (2015).

set number of cities a city should conquer, not too few and not too many. In addition, while one might think that the doctrine of the mean applies to the city providing education for its citizens, the right type, in the right way and so forth, there is no reason to think that “conquering cities” is analogous to providing education, or that there is such a thing as doing it well. As we have seen previously, when Aristotle talks of a measured or mean amount, this is relative to the good or happy life of the individual or the polis.

Therefore we need a different way of applying the doctrine of the mean in this context. For that, let us return to Fred Miller’s discussion of the second sailing. In Aristotle’s *Nicomachean Ethics*, there is a second best way to hit the mean, if one is unable to do so directly, and that is to avoid the vices to which one is prone (*NE* II.9), just as Circe advised Odysseus to avoid Scylla and Charybdis by sailing nearer to the less dangerous of the two. Aristotle’s middling constitution aims not at virtue directly, but at avoiding vices in its populace, a “second sailing.” Therefore, the majority of the populace must have measured resources so that they are less likely to harm one another. Having measured resources is a way to avoid vice. In addition, those in the best state in the city, those in the middle, are between the two extremes of riches and poverty (both broadly construed), just as the best state of the soul, virtue of character, comes between two vices, one of excess and one of deficiency. The triadic model applies to both.

Aristotle comments that “the city aims at consisting as much as possible of equal and similar persons, and this state of affairs exists most in the middle” (*Pol.* IV.11 1295b25–27). Equality of citizens has replaced equality of resources, and having a measured amount of resources has replaced the ownership of *equal* plots of land in Phaleas’s system. In sum, Aristotle is correcting Phaleas’s system in putting forward his own.

11.5 The Polis of Our Prayers, and the *Nicomachean* and *Eudemian Ethics*

In the discussion of his own city (*Pol.* VII.10), Aristotle argues for the division of property into public and private. Half of the public property is to be used for religious purposes (although these often have utilitarian rationales) and the other half put towards common meals. Aristotle holds that common meals are to the advantage of well-ordered cities, but it is difficult for the poor to contribute their allotted quota from their own resources. It is therefore reasonable to assume that the half of the public property used for common meals goes to help the poor who are unable to contribute.¹⁶ This substantiates my claim earlier on that Aristotle was merely quoting but not endorsing those who denigrated the ancient equivalent of “welfare queens.” His city does provide a safety net in the form of food for the poor.

¹⁶ Kraut (1997, pp. 114–115) argues that common meals will be free not just for the poor, but for everyone.

In terms of land distribution, Aristotle suggests that each citizen own two plots of land, one near the city and one near the frontier. According to Aristotle “this arrangement combines equality with justice” (*to te gar ison houtōs echei kai to dikaion*)” (*Pol.* VII.10 1330a16-17), though he fails to elaborate and does not explain how this arrangement will last over more than one generation. Perhaps he thinks he has already explained how one would do this in his criticisms of Phaleas. In addition, Aristotle argues, this arrangement will eliminate bias in decisions about going to war. Those who live at the frontier are usually wary of war, whereas those who live in the center of the city are more gung-ho. Barker notes that Aristotle criticized Plato for the suggestion that people have two houses because it is difficult to live in both (Barker 1995, p. 401; referring to *Pol.* II.6 1265b24-26). However, in the particular passage to which Aristotle is alluding, Plato’s *Laws* V 745C, Plato seems more interested in the geometrical arrangement of housing than in considerations of warfare. If we return to Aristotle’s discussion of Phaleas, recall that Aristotle complains that Phaleas does not pay enough attention to military matters in relation to property.

In the present passage in the *Politics*, Aristotle is in favor of private ownership of property and public use (*Pol.* VII.10 1329b41-1330a2). This is consistent with his ethical works, where he argues that the good person who has any property should have the virtue of generosity and that the virtuous very wealthy person will have the virtue of magnificence (*megaloprepeia*), a combination of philanthropic virtue and aesthetic sense. These virtues are based on private property, but their exercise benefits others. Aristotle gives as examples of magnificent actions, fitting out a trireme or tastefully funding a chorus for the public theatre. In his *Ethics*, therefore, Aristotle thinks that wealth can be used for the common good through the virtuous conduct of good human beings, some of whom are extremely wealthy and others of whom are not. Here Aristotle is assuming that extremely wealthy people will not have hubris, but will use their wealth to benefit the polis. One can only speculate that this could also be a way of redistributing wealth and tamping down the riches of the super-rich. Such public service was required in Athens and Sparta, but in Aristotle’s ethics it is voluntary.

In his ethical works, Aristotelian distributive justice does not refer to the equal distribution of wealth, but to the distribution of equal shares, most probably of honors (political office and so forth), proportionate to the worth of each citizen. A citizen’s worth is not absolute, but is relative to a particular political system. For example, since supporters of democracy value free citizenship, supporters of oligarchy favor wealth and supporters of aristocracy favor virtue, justice in such societies would give honors to free citizens, or only the wealthy or only the virtuous (*NE* V.3 1131a20-29; *EE* IV.3 1131a20-29). (Of course, Aristotle also argues that only one political system is naturally the best everywhere, presumably the absolutely best polis [*NE* V.7 1135a3-6; *EE* IV.7 1135a3-6].)

In the polis of our prayers, ethical virtue underwrites the primary goal of the city, so the virtuous should expect the highest honors of the polis. In his discussion of the middling constitution, Aristotle does not address the issue of who *deserves* wealth. He is describing a system in which most people can enjoy a measured amount of

resources. The point of the system is to free everyone of the vices, especially the vice of greed (*pleonexia*), a vice opposed to the virtue of justice. Aristotle's virtue ethics thus plays an important role in what may appear to be a strictly structural discussion of the middling constitution.

11.6 Aristotle and Moderns

So does Aristotle's argument about the middling constitution in the *Politics* show him to be a precursor of those in modern times who are concerned about the "shrinking middle class"? Not if the remedy for present woes is to have a large number of men who have the property qualification for hoplite armor, as Aristotle explains elsewhere (*Pol.* III.7 1279a37-b4).¹⁷ But it is unfair to give serious weight to this passage since it was just put forward as an example, as inapplicable to Aristotle's own time as it is to our own. The main idea after all is that the majority should have a measured amount of resources, and that is something with which many moderns agree.

When Phocylides said that he wanted to be "in the middle," according to Aristotle, he was aiming to avoid the faction between the others in the polis. Aristotle also wants to avoid faction, but he also wants a large middle in order to avoid the Aristotelian vices that are exacerbated by being rich or poor. Here, Aristotle is relying on his own virtue ethics, expounded at length in his *Eudemian* and *Nicomachean Ethics*. And unlike modern theorists, he sees a causal connection between the privileges of the rich and the plight of the poor. According to Aristotle, left to their own devices, the rich treat the poor as slaves. (If only Aristotle had seen that it is bad for anyone to be treated as a slave.)

Modern political philosophers and economists are generally loath to inject virtue ethics into their theories. For example, Rawls, arguably the most eminent political philosopher of the twentieth century, argues for principles of justice that are to apply to the basic institutions of society, but does not discuss the character traits of those who would live in a "Rawlsian society." That is not to say that it was not open to him to do so. Presumably the Aristotelian vice of greed, being disposed to take more than one's fair share at the expense of others, would be anathema to those in a Rawlsian society, too. Aristotle says at the beginning of the *Nicomachean Ethics* that ethics (presumably, his virtue ethics) is politics of a sort *politikē tis* (I.1 1094b11). By the same token, Aristotelian economics, if it deserves that name, is ethics of a sort *ēthikē tis*.¹⁸

¹⁷ Compare Keyt in Robinson (1995, p. 135).

¹⁸ Special thanks to Gerasimos Santas and Georgios Anagnostopoulos for detailed comments and encouragement. Thanks also to the participants at the conference in San Diego for their helpful suggestions and comments: David Keyt, Deborah Modrak, Josh Ober, Terry Penner, Christof Rapp, Christopher Rowe, Claire Taylor, Nicholas Smith, Bob Wallace, and Charles Young. Thanks also to Monte Johnson, Blythe Greene, and Susan Sauvé Meyer.

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Chapter 12

Aristotle on Democracy and the Marketplace



Fred D. Miller Jr.

Abstract Aristotle includes democracy among the deviant constitutions. Democracy, as he understands it is, is not merely rule by the many but rule by a multitude lacking in virtue. Democracy takes different forms, but among the worst, he contends, is one like the Athenian democracy which numbers merchants among the citizens. For occupations such as commerce and banking are inherently vicious. Consequently, the democracies in which the mercantile class is prominent are especially unjust, corrupt, and unstable. In this essay I examine and evaluate Aristotle's indictment of commercial democracy. Since his argument ultimately rests on his theory of moral virtue, I set forth the basic principles of Aristotle's theory of virtue and consider how he applies them to common commercial practices. I then reflect on whether Aristotle would have arrived at similar conclusions about these practices if he had been acquainted with the basic principles of microeconomics. Finally, I consider the implication of this assessment for Aristotle's critique of Athenian democracy.

Keywords Constitutions · Commerce · Democracy · Exchange · Justice

Aristotle ranks democracy among the deviant constitutions. For democracy, as he characterizes it, is not merely rule by the many but rule by a multitude lacking in virtue. Though he concedes that democracy is the “most moderate” of the deviant constitutions, democracy takes different forms, and among the worst of these, he contends, is commercial democracy, which includes merchants among the citizens (*Pol.* IV.2 1289b4, VI.4 1319a24-8).¹ In this essay, I reconstruct Aristotle's argument in support of this claim. The core of his critique is that tradesmen are unavoidably vicious because they must treat their customers unjustly in order to make a profit. If they are admitted as citizens, they will communicate their moral contagion

¹Translations from Aristotle's *Politics* are from Reeve (1998).

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to the body politic. Since Aristotle's indictment of commercial democracy rests on his theory of moral virtue, I set forth the basic principles of Aristotle's theory of virtue and consider how he applies them to common market transactions. I then employ a thought experiment to reflect on whether Aristotle would have arrived at similar conclusions about these practices if he had been acquainted with modern economics. Finally, I consider the implication of this analysis for his critique of commercial democracy.

12.1 Aristotle's Indictment of Commercial Democracy

In *Politics* III in an oft-quoted classification of constitutions into six kinds, Aristotle numbers democracy among the deviant constitutions which aim at the benefit of the ruling class as opposed to the correct constitutions which aim at the common benefit. He distinguishes three types of constitution based on whether the governing class is one, few, or many. The three correct constitutions are kingship, aristocracy, and what Aristotle calls "polity" (in Greek *politeia*, which more generally means 'constitution'). The incorrect or unjust constitutions are deviations from these: "Tyranny is rule by one person for the benefit of the monarch, oligarchy is for the benefit of the rich, and democracy is for the benefit of the poor" (*Pol.* III.7 1279b9). Although polity and democracy both involve rule by the multitude, the two multitudes differ fundamentally in terms of moral quality. In a polity the multitude possesses military virtue, which though inferior to the outstanding virtue possessed by kingly and aristocratic rulers, is still a form of virtue. However, the ruling multitude in a democracy is almost always lacking in virtue. For in most city-states the many are poor and uneducated, and they seek their own advantage at the expense of the rich minority. Indeed, Aristotle maintains that democracy and oligarchy are to be defined in terms of the economic status of their rulers: "It is a coincidence that the few have authority in oligarchies and the many in democracies, a result of the fact that everywhere the rich are few and the poor many" (*Pol.* III.8 1279b34-8). The implication of Aristotle's discussion is that the moral judgments of the poor and rich alike are distorted by their different economic status. This is reflected in

what people say the defining marks of oligarchy and democracy are, and what oligarchic and democratic justice are. For they all grasp justice of a sort, but they go only to a certain point and do not discuss the whole of what is just in the most authoritative sense. (*Pol.* III.9 1280a6-10)

Thus both parties agree that distributive justice implies that political power should be shared equally by equals, but the rich believe that equality in wealth is the only kind of equality that matters, so that the governing class should be confined to the rich, while the poor believe that equality in free birth (the only kind of equality they possess) is what matters, which will justify an equal share of political rights by all free men, and hence rule by the majority who happens to be poor (*Pol.* III.9 1280a7-25). A constitution dominated by the poor will lead to unjust practices, including

confiscations of property and redistribution to the poor by demagogues: “They distribute any surplus, but people no sooner get it than they want the same again. Helping the poor in this way, indeed, is like pouring water into the proverbial leaking jug” (*Pol.* VI.5 1317a29-35).

In Book IV of the *Politics*, Aristotle remarks that there are many more constitutions than the few he has previously mentioned. The reason for this is that the city-state has a number of necessary parts or classes, not merely the rich and the poor. These require a more fine-grained analysis:

[T]he people comprise a farming part, a trading part, and a vulgar craftsman part. And among the notables there are differences in wealth and in extent of their property – as for example, in the breeding of horses, since this is not easy for those without wealth to do. (*Pol.* IV.3 1289b32-6)

These different components are necessary for the city-state, and he enumerates them more fully as follows:

One of these parts is the multitude concerned with food, the ones called farmers. A second is those called vulgar craftsman. These are concerned with the crafts without which a city-state cannot be managed (of these some are necessary, whereas others contribute to luxury or fine living). A third is the traders (by which I mean those engaged in selling and buying, retail trade, and commerce). A fourth is the hired laborers. A fifth is the defensive warriors, which are no less necessary than the others, if the inhabitants are not to become the slaves of any aggressor.² ... Seventh are those who perform public service by means of their property. This is the class we call the rich. Eighth are the civil servants, those who serve in connection with the various offices since a city-state cannot exist without officials. (*Pol.* IV.4 1290b39-1291a8, 33-6; cf. VI.7 1321a5-6)

Consequently, there will be several kinds of democracy and oligarchy, due to the fact that there are “several kinds of the people and of the so-called notables.” Among the kinds of people he mentions are farmers, craftsmen, the class “involved in trading, which is engaged in buying and selling,” shipmen including ferry operators and fishermen, and “the manual laborers, those who have too little property to enable them to be at leisure”, as well as persons of doubtful parentage (*Pol.* IV.4 1291b16-28). Democracies in particular will take different shapes depending on the relative size and strength of these different classes. On the basis of these distinctions, Aristotle presents a ranking of democracies from best to worst depending on their composition in *Politics* Book VI. The best kinds of democracy have for their citizens the farmers and, after them, the herdsmen.

The other multitudes, of which the remaining kinds of democracy are composed, are almost all very inferior to these. For their way of life is bad, and there is no element of virtue involved in the task to which the multitude of vulgar craftsmen, tradesmen, and laborers put their hand. (*Pol.* VI.4 1319a24-8)

Aristotle is dismissive of vulgar craftsmen and menial laborers: he declares that “it is impossible to engage in virtuous pursuits while living the life of a vulgar craftsman or a hired laborer” (*Pol.* III.5 1278a20-1). Hence, “the best city-state will not confer citizenship on vulgar craftsmen” (*Pol.* III.5 1278a7). A vulgar craftsman

²This list omits the sixth class, which are called priests (*Pol.* VII.8 1328b11-13).

has a kind of slavery, because “it does not belong to a freeman to live for another” (*Pol.* I.13 1260a41-b1; cf. *Rhet.* I.9 1367a31-2). Working at the beck and call of others is essentially servile: “Those who perform necessary tasks for an individual are slaves; those who perform them for the community are vulgar craftsmen and hired laborers” (*Pol.* III.5 1278a11-13). Aristotle maintains that

there is a difference between the tasks of the free and those of the unfree, and that [young future citizens] should share in such useful things as will not turn them into vulgar craftsmen. (Any task, craft, or branch of learning should be considered vulgar if it renders the body or mind of free people useless for the practices and activities of virtue. That is why the crafts that put the body into a worse condition and work done for wages are called vulgar; for they debase the mind and deprive it of leisure.). (*Pol.* VIII.3 1337b5-15)

Aristotle observes that it is possible for vulgar craftsman to become citizens in some oligarchies if they become rich enough to meet the high property assessments. However, he notes with approval that “in Thebes there used to be a law that anyone who had not kept away from the market for ten years could not participate in office” (*Pol.* III.5 1278a21-6; cf. VI.8 1320b26-9). This suggests that those who engage in mercantile activity are subversive of political morality wherever they have an opportunity.

In the ideal constitution described in *Politics* VII to VIII, only a limited or marginal role is permitted for commerce. He concedes that “city-states must import the commodities that are not available at home and export those of which they have a surplus. For a city-state should engage in trade for itself, not others” (*Pol.* VII.6 1327a25-8). However, the city-state should not set itself as a trading center for other cities. Nonetheless, Aristotle’s ideal constitution will presumably include magistrates to supervise the market, which Aristotle elsewhere lists as the first among necessary offices without which the city-state cannot exist:

there must be some office to supervise contracts and maintain good order. For in almost all city-states people have to be able to buy and sell in order to satisfy each other’s necessary needs. This is also the readiest way to achieve self-sufficiency, which is thought to be what leads people to join together in one constitution. (*Pol.* VI.8 1321b12-18)

However, in Aristotle’s ideal city-state,

the citizens should not live the life of a vulgar craftsman or tradesman. For lives of these sorts are ignoble and inimical to virtue. Nor should those who are going to be citizens engage in farming, since leisure is needed both to develop virtue and to engage in political actions. (*Pol.* VII.9 1328b39-1329a2)

Here Aristotle follows Plato, who in the *Laws* has an unnamed Athenian Stranger outline a constitution for a new colony to be established in Crete. Because profit-seeking is morally corrupting, the Stranger would prohibit citizens from partaking in commerce and trades and confine them to foreign residents (*Laws* V 736e-741e, VIII 846d-847b, XI 918a-920c). The Stranger is especially critical of the import-export business, calling the sea “a briny and bitter neighbor”: “It infects a place with commerce and the money-making that comes with retail trade, and engenders shift and untrustworthy dispositions in souls; it thereby takes away the trust and

friendship a city feels for itself and the rest of humanity” (*Laws* IV 705a).³ Aristotle’s “city of our prayers” faces a dilemma: all the citizens should lead a life of virtue, but the city-state requires tasks which make such a life impossible. Aristotle escapes the dilemma by again following Plato’s *Laws*: the necessary tasks must be performed by non-citizens. Aristotle observes that this is a common expedient: “city-states inevitably contain a large number of slaves, resident aliens, and foreigners” (*Pol.* VII.4 1326a18-20). In Aristotle’s ideal city only public officials, soldiers, and priests will be citizens. Although the farmers, herdsmen, and craftsmen can be slaves, this does not seem feasible in the case of tradesmen (who are missing from the list of necessary classes in *Politics* VII.8). It seems more likely that they will be resident aliens and foreign visitors. Indeed, Aristotle implies that the import-export business is carried on by foreign visitors, and he worries that they will have a subversive influence because they have been brought up under different laws (*Pol.* VII.6 1327a13-15). He accordingly recommends some legal precautions. The level of population should be controlled because otherwise it will be easy for resident aliens to escape detection and become citizens (*Pol.* VII.5 1326b20-22). Also, the ideal city-state will have two market-places. The free market-place reserved for citizens is

one that should be kept clear of all merchandise, and that no vulgar craftsmen, farmers, or the like may enter unless summoned by officials. ... The marketplace for merchandise, on the other hand, should be different from the free one. It should have a separate site, conveniently located for collecting together goods sent in from both land and sea. (*Pol.* VII.1 1331a30-5, 1331b1-4)

This will help prevent foreign tradesmen and vulgar craftsmen from corrupting the ordinary citizens.

The foregoing remarks insinuate that although craftsmen and hired laborers are unfit to be citizens, the mercantile class is even worse. Commerce is a dirty business which the city-state cannot do without, but ideally its practitioners should not be citizens, and they should be closely regulated to prevent them from corrupting the citizens. The implications for democracy are ominous. To the extent that a city-state numbers merchants among its citizens, it will to that extent be a worse form of democracy. The reason is obvious: the personal moral failings of the merchants will be reflected in their public choices.

It is unclear to what extent Aristotle intended this condemnation to apply to the ancient Athenian democracy, since Athens also relied heavily on resident aliens and foreign visitors for commerce and banking. However, a passage from Xenophon’s *Memorabilia* suggests that merchants played a direct role in Athenian politics. Here Socrates admonishes the young Charmides for being too timid to speak before the popular assembly:

I want to teach you that although you are neither in awe of the wisest persons nor afraid of the strongest, in the midst of the most foolish and weakest persons you are ashamed to speak. Do you feel shame before fullers and cobblers and carpenters and bronze-smiths and farmers and merchants and those who traffic in the marketplace and think about nothing but

³Translation from Pangle (1980).

buying for less and selling for more? For it is out of all these that the assembly is composed. (*Memorabilia* III.7 6-7)

Socrates here includes the merchants among the citizens and reserves special criticism for them. If this passage is reliable, it indicates that merchants were active in the Athenian assembly. They would qualify as citizens for Aristotle because he defines a citizen as someone who has the right to participate in deliberative and judicial office, for example, to be a member of the assembly or jury (*Pol.* 1275a18-20).⁴ Thus his critique of commercial democracy would apply to the Athenian democracy at least in its more extreme phases.⁵

The contempt for business people expressed by Socrates, Plato, and Aristotle was widespread in ancient Greece, as Kenneth Dover has observed:

People who acquired wealth do not seem to have been admired by the Greeks for commercial acumen, inventiveness, flair for the exploitation of opportunities, or the single-minded pursuit of profit which causes the self-made millionaire to be an object of admiration in some modern societies. In comedy, some use is made of the assumption that dishonest men become rich and honest men remain poor; this is the theme of Aristophanes' *Wealth* and cf. Menander *Colax* 43, "No one gets rich quickly by being honest."⁶

The commentator W. L. Newman makes similar observations and suggests, "We may trace, perhaps, in the background the influence of prejudices which he shared with his age and nation, and which made a dispassionate examination of this subject unusually difficult for him."⁷ Though there may be truth in this, in fairness to Aristotle it should be emphasized that his condemnation of business was based not on mere prejudice but on philosophical arguments which must be carefully analyzed and evaluated. These arguments presuppose his moral theory, which is a form of virtue ethics. It is accordingly necessary to distinguish between two different questions: What conclusions does Aristotle himself draw from his theory of virtue? And are his conclusions justified on the basis of that theory? A reexamination of these must begin with the underlying ethical theory.

⁴See Miller (Miller 1995, chapter 4). Noncitizens were barred from participating in the assembly by law; cf. Demosthenes 25.42, 92.

⁵Aristotle describes the Athenian democracy as extreme at *Pol.* II.12 1274a7-11 and VI.4 1319b21; see also *Const. At.* 42.1. The Xenophon passage contradicts the widespread scholarly opinion that the Athenian citizens played no role in commerce; e.g. especially Hasebroek (1978) and Finley (1982). For arguments that Athenian citizens included tradesmen and bankers, see Cohen (1992, 2000).

⁶Dover (1994, pp. 172-173).

⁷Newman (1887, p. 138).

12.2 Aristotle's Virtue Ethics

Before examining Aristotle's critique of commerce, then, it is necessary to review his theory of virtue, which may for our purposes be summed up in four main principles.

The first principle is that happiness is the highest good for human beings. Human action has an ultimate end: "there is some end of the things which we do, which we desire for its own sake (everything else being desired for the sake of this)" (*NE* I.2 1094a18-22).⁸ Aristotle holds that happiness is the only thing fitting this description:

this we choose always for itself and never for the sake of something else, but honor, pleasure, reason, and every excellence we choose indeed for themselves ... but we choose them also for the sake of happiness, judging that through them we shall be happy. Happiness, on the other hand, no one chooses for the sake of these, nor, in general for anything other than itself. (*NE* I.7 1097a34-b6)

Aristotle's second principle is that happiness consists in virtuous activity. Happiness is not a passive condition like pleasure or a subjective state such as the satisfaction of whatever desires we happen to have. Instead happiness consists in doing well as a human being, which Aristotle explains by analogy with the activity of an artist such as a lyre-player or sculptor. Just as we say that flute-players do well when they succeed in performing their function, which is to play music, we should say the same of human beings if they perform their function. Aristotle argues that this function involves the unique faculty of human beings, their rational soul. Hence, happiness consists of an activity of the soul in accordance with reason. Furthermore, human beings are virtuous when reason rules over their souls and keeps their desires and passions in check. Therefore, "the human good turns out to be the activity of the soul in conformity with virtue ... in a complete life" (*NE* 1097b22-1098a20).

Aristotle's third principle is that virtue involves choosing a mean between extremes. Human beings constantly confront alternatives, which typically involve a choice between more or less of something. For example, when we eat a meal we choose how much food to consume. We can eat too much, not enough, or the right amount for us, which Aristotle calls "the mean." We find this mean by using our rational faculty. In moral situations virtue enables us to choose the mean while vice leads to the extremes. For example, when people are in perilous situations, cowards tend to be overly fearful and to lack confidence, and foolhardy persons tend to be overly confident and fearless to a fault, whereas courageous people experience these feelings to the right degree and act accordingly. The same sort of analysis applies to the actions which are the expressions of such passions and desires, for example, whether a soldier attacks needlessly, retreats under fire, or takes a stand and fights when the commander orders. In general, then, "virtue is a state concerned with

⁸Translations from Aristotle's *Nicomachean Ethics* are by W. D. Ross (revised by J. O. Urmson) in Barnes (1984).

choice, lying in a mean relative to us, this being determined by reason” (*NE* II.6 1106b36–1107a1).

Aristotle’s fourth principle is that justice is one of the virtues and is thus analyzable in terms of the mean. This is clear in the case of distributive justice: when some common asset is distributed to individuals, the distribution is just provided that each party receives an amount that is intermediate in the sense that neither gets too much nor too little. Each must receive a share that is fair or equal (*ison*)—but this does not mean that each gets exactly the same amount.⁹ For example, imagine that two farmers are dividing a harvest which they planted, tilled, reaped, and sold at market together. But suppose that one of them worked twice as hard as the other. It would seem hardly fair for the less productive farmer to insist that their earnings be split 50–50 (assuming he made no other contribution). The harder working farmer clearly deserves a greater share. Aristotle analyzes this in terms of what he calls a “geometrical proportion,” or equality of ratios. That is, the ratio between two persons A and B in terms of their desert or merit should be equal to the ratio between their shares C and D. That is, $A/B = C/D$. In the example above, if the diligent farmer is twice as deserving as his lazy partner, it is only just that he receive twice the share (see *NE* I.3 1131a29–b16).

Now let us see how Aristotle applies his ethical theory to common market transactions.

12.3 Aristotle’s Critique of Market Transactions

12.3.1 *Bartering*

Aristotle’s analysis of justice in exchange is similar to his analysis of distributive justice. Both types of justice involve proportionate equality, but they raise different issues. In the case of distributive justice, the problem is how to “equalize” the recipients of the distribution in terms of their desert. In the case of justice in exchange, the problem is how to “equalize” the commodities exchanged in terms of their value, as Aristotle shows in the following example of bartering:

Let A be a builder, B a shoemaker, C a house, D a shoe. The builder, then, must get from the shoemaker the latter’s product, and must himself give him in return his own. ... They must therefore be equated. ... The number of shoes exchanged for a house must therefore correspond to the ratio of builder to shoemaker. For if this be not so, there will be no exchange and no interaction. And this proportion will not be effected unless the goods are somehow equal. (*NE* V.3 1133a7–14)

How is this equalization supposed to take place? Let one hundred shoes equal one house. For this to be so, there must be some unit of measurement such that one shoe equals N units and one house equals 100 times N units. But what might this unit be?

⁹Aristotle’s term *ison* can mean either “equal” or “fair” and is equivalent to *dikaion* in this context. See *NE* V.1 1129a31–b1.

It cannot be a mere coin, because the monetary price might vary and may not reflect the commodity's true value. But Aristotle offers a solution:

All goods must therefore be measured by some one thing. ... Now this unit is in truth need (*chreia*), which holds all things together (for if men did not need one another's goods at all, or did not need them equally, there would be either no exchange or not the same exchange); but money has become by convention a sort of representative of need. (*NE* 1133a25-9)

This solution is, to put it mildly, opaque.¹⁰ For Aristotle does not explain how we can assign units of need to a shoe and units of need to a house in order to establish an equality. It is correct that in a monetary system a certain quantity of shoes will be regarded as equal in price to a house, but it is unclear how money can become a "representative of need" in the sense that a certain amount of money is equivalent to a certain unit of need. It is noteworthy that Aristotle assumes that if there is a just exchange there is an objective equality between the goods exchanged. This has a further implication, made explicit by medieval Aristotelian scholastic theorists, namely that this equality can be measured in monetary terms in terms of the *just price* of a shoe or a house.¹¹ If the shoemaker manages to obtain more than the just price for his shoes, the builder must receive less than the just price for his house, so that the exchange is unjust. This just price defines the mean which virtuous agents must observe when they exchange goods with each other, and it could be imposed on businesspeople through laws and regulations.

12.3.2 Commerce

Aristotle argues that a possession such as a shoe has both a proper and an improper use:

Every piece of property has two uses. Both of these are uses of it as such, but they are not the same uses of it as such: one is proper to the thing and the other is not. Take the wearing of a shoe, for example, and its use in exchange. Both are uses to which shoes can be put. For someone who exchanges a shoe, for money or food, with someone else who needs a shoe, is using the shoe as a shoe. But this is not the proper use because it does not come to exist for the sake of exchange. (*Pol.* I.9 1257a6-13)

When used for exchange the shoe becomes a commodity, which is not its proper use.¹² Nonetheless, Aristotle allows that barter is consistent with moral virtue because "it arises at first from what is natural, from the circumstance that some have too little, others too much." For example, the shoemaker and the farmer swap until the farmer has the shoes he needs and the shoemaker has the grain he needs. As long

¹⁰ Aristotle's analysis has spawned a vast scholarly literature, including the valuable articles in Blaug (1991). This includes M. I. Finley's influential and highly critical essay, "Aristotle and Economic Analysis." Meikle (1995) offers a sympathetic interpretation. For a critical review of Meikle, see Miller (1998).

¹¹ See de Roover (1958) and Baldwin (1959).

¹² See Mei (2009).

as individuals are accumulating what they require to maintain their households, Aristotle regards this as an honorable and natural activity. Things change dramatically, however, after the discovery of coinage. For currency makes commercial exchange possible. “Commerce,” Aristotle says, “has to do with the production of goods, not in the full sense, but through their exchange. It is held to be concerned with money, on the grounds that money is the unit and limit [i.e., goal] of exchange” (*Pol.* 1257b20-3). For example, a merchant can buy a pair of shoes from the shoemaker for a drachma and resell them to the farmer for two drachmas, which serves his aim of increasing his cash holdings.

Aristotle contends that such profits are inimical to moral virtue: “Commerce is justly disparaged, since it is not natural but is [a mode of acquisition in which people take] from one another” (*Pol.* I.10 1258b1-2). He contrasts commerce (*kapêlikê*) with what he calls “natural property acquisition (*chrêmatistikê*),” which includes agriculture, animal husbandry, hunting, and even the capture of natural slaves. This natural art acquires “natural wealth” in order to promote the self-sufficiency and well-being of the household and city-state (see *Pol.* I.8-10).¹³ Aristotle assumes here that if either party to an exchange makes a profit or gain (*kerdos*), he must be doing so unjustly. This seems to follow directly from Aristotle’s analysis of just exchange. If, in the previous example, a merchant buys shoes from a shoemaker for a drachma and resells them to a farmer for two drachmas, he can make a profit of one drachma only by paying the shoemaker *less* than the just price of the shoes or by charging the farmer *more* than their just price (or by doing both). Either way the merchant has deviated from the virtuous mean between two vicious extremes.¹⁴

12.3.3 Banking

Among the various forms of retail exchange, according to Aristotle, “the most hated sort, and with the greatest reason, is usury” (*Pol.* I.10 1258b2-3). He has two objections against usury, or lending money at interest.¹⁵ The first is that usury “makes a gain out of money itself, and not from the natural object of it. For money was intended to be used in exchange, but not to increase at interest.” This assumes that money like other goods has two uses: its proper use is to facilitate exchange between ordinary commodities, but using it to collect interest is an improper use. Aristotle’s second objection is related to the fact that *tokos*, the Greek term for “interest,” literally means “offspring.” He adds, “That is how it gets its name; for offspring resemble their parents, and interest is money that comes from money. Hence of all the

¹³ On the relationship of wealth to virtue, see Hadreas (2002).

¹⁴ See Meikle (1996) and Collins (1987) for further discussion.

¹⁵ “Usury” translates *obolostatikê*, which means literally “the art of weighing coins” (an obol was an Athenian coin). For the ancient Greeks the related term *obolostatês*, “coin weigher,” had a connotation like “loan shark.” Nowadays “usury” commonly means “charging exorbitant interest,” but it formerly referred to any charging of interest on a loan. On medieval theories see Noonan (1957).

kinds of wealth acquisition this one is the most unnatural” (*Pol.* I.10 1258b2-8). This assumes Aristotle’s earlier point that the origin of money is merely conventional and not natural. (Later scholastic commentators disparage coinage as “sterile metal.”) To collect interest is to take a value in return for a non-value, so that it is even more unjust than other forms of retail exchange.

12.3.4 *Commodity Speculation*

Aristotle gives a report of commodity speculation in ancient times involving Thales of Miletus, the first philosopher:

People were reproaching Thales for being poor, claiming that it showed his philosophy was useless. The story goes that he realized through his knowledge of the stars that a good olive harvest was coming. So, while it was still winter, he raised a little money and put a deposit on all the olive presses in Miletus and Chios for future lease. He hired these at a low rate, because no one was bidding against him. When the olive season came and many people suddenly sought olive presses at the same time, he hired them out at whatever rate he chose. He collected a lot of money, showing that philosophers could easily become wealthy if they wished, but that this is not their concern. Thales is said to have demonstrated his own wisdom in this way. But ... his scheme involves a generally applicable principle of wealth acquisition: to secure a monopoly if one can. Hence some city-states also adopt this scheme when they are in need of money: they secure a monopoly in goods for sale. (*Pol.* I.11 1259a9-23)

By cornering the market on olive presses, Aristotle implies, Thales was able to charge more for them than their just price—to engage in what is now called “price gouging.”

12.4 A Critique of Aristotle’s Critique

12.4.1 *A Thought Experiment*

Let us now consider whether the foregoing criticisms of business practices represent a correct application of Aristotle’s own theory of moral virtue. This leads to the question of whether Aristotle has correctly understood these practices. For if he has a mistaken view of the nature of market transactions, he may also have erred regarding their moral character. In order to clarify this issue let us conduct a thought experiment. Imagine a “twin Earth” which is exactly like our Earth and which contains a philosopher exactly like Aristotle except that he has come across an ancient treatise of microeconomics, which leads him to reconsider his previous views about commerce. We may call this counterpart “Aristoteles Oikonomikos,” or “Aristecon” for short. We shall assume that Aristecon fully agrees with the basic principles of Aristotelian virtue ethics. But would he apply these principles to economic

examples in the same way as Aristotle? Let us imagine that Aristecon did in fact understand these examples the same way as our Aristotle, but after he has discovered economics, Aristecon sees these examples in a new light.

First of all, we may imagine Aristecon reconsidering his thesis that in economic transactions the virtuous mean is defined in terms of an equal value which each party gives and receives. He will recall that “virtue is a state concerned with choice, lying in a mean *relative to us*, this being determined by reason.” However, he will note that the “mean relative to us” must be distinguished from the “mean in the object” in the following manner:

By the intermediate *in the object* I mean that which is equidistant from each of the extremes, which is one and the same for all men; by the intermediate *relative to us* that which is neither too much nor too little—and this is not one, nor the same for all. For instance, if ten is many and two is few, six is intermediate, taken in terms of the object; for it exceeds and is exceeded by an equal amount; this is intermediate according to arithmetical proportion. But the intermediate *relative to us* is not to be taken so; if ten pounds are too much for a particular person to eat and two too little, it does not follow that the trainer will order six pounds; for this also is perhaps too much for the person who is to take it, or too little—too little for Milo, too much for the beginner in athletic exercises ... Thus a master of any art avoids excess and defect, but seeks the intermediate and chooses this—the intermediate *not in the object but relative to us*. (NE II.6 1106a26-b5; emphasis added)

As he ponders Milo the Olympic champion, Aristecon realizes that this analogy can shed new light on market transactions. He first of all reconsiders the case of bartering.

12.4.2 *Bartering*

Suppose that the mean relative to Milo is eight pounds of food, while the mean relative to Micro (an amateur athlete) is four pounds. However, each has six pounds of food, which is too much for Micro but not enough for Milo. Suppose also that Milo has collected twenty-four logs of firewood, which is more than he needs to cook his food, but Micro has no wood (he is too feeble to chop down trees). If Milo offers to exchange eight logs to Micro for two pounds of food and Micro agrees, they will both be better off and enjoy what economists call “mutual gains from trade.” The result of their exchanging with each other is that in effect *new value* has been created where *none* existed before.¹⁶ Not only that, but each will wind up with what Aristotle calls the mean relative to him, since Milo will have eight pounds of food and sixteen logs and Micro will have four pounds of food and eight logs. Aristecon

¹⁶This discussion is indebted to the analysis by A. R. J. Turgot in an essay written in 1769 and republished as “Value and Money” in Turgot (1977, p. 133–148). Turgot observes that “the introduction of exchange between our two men increases the wealth of both of them, that is, it gives them both a greater quantity of satisfaction in return for the same resources” (1977, p. 144). The example used here is adapted from Turgot but is modified in order to relate it to Aristotle’s virtue theory.

also realizes that it would be a fool's errand to continue in his search for a unit of measurement whereby a pound of food is equalized with two logs. Seeking such an equalizing unit might have a point if the mean were "in the object," but, as the above passage reveals, the mean must be "relative to us and not the same for all." Thus, this analysis provides a way of understanding the insight that barter-exchanges are based on mutual need without accepting the puzzling claim that there is some "unit of need" by which commodities can be equalized.

12.4.3 *Commerce*

Now Aristecon imagines a new scenario: suppose that Milo and Micro are in the same condition except they live in separate villages and are unaware of each other's existence. However, an itinerant merchant named Emporos learns of their willingness to trade, and he also knows that food costs twice as much in Micro's village, for example, two drachmas per pound as opposed to one in Milo's village. There is also no market for logs in either town. Emporos spends two drachmas to buy two pounds of food in Milo's village and trades them with Milo for eight logs. He then takes the eight logs to Micro and trades them for two pounds of food which he resells for four drachmas in Micro's village. Although Emporos has netted two drachmas, neither Milo nor Micro is worse off. On the contrary, Emporos has enabled both of them to attain the mean relative to themselves. Indeed, they are just as well off as they were after bartering in the previous example! If it was alleged that Emporos made his profit by "taking it from" Milo and Micro, Aristecon could reply that both Milo and Micro are both better off due to his services and that Emporos deserves his profit as a just return for his entrepreneurial virtue.

12.4.4 *Banking*

Aristecon next returns to the example of lending for interest. He now recalls that the virtuous mean can be intermediate between extremes in several respects as follows:

[M]oral virtue ... is concerned with passions and actions, and in these there is excess, defect, and the intermediate. For instance, both fear and confidence and appetite and anger and pity and in general pleasure and pain may be felt both too much and too little, and in both cases not well; but to feel them *at the right times*, with reference to the right objects, towards the right people, with the right aim, and in the right way, is what is both intermediate and best, and this is characteristic of excellence. Similarly with regard to actions also there is excess, defect, and the intermediate. (*NE* II.6 1106b16-24; emphasis added)

It is noteworthy that the first respect mentioned here is "at the right times." Economists observe that agents prefer to have beneficial outcomes sooner (i.e.,

closer to the time of action) than later.¹⁷ This seems reasonable. For example, it is better, other things being equal, for Phormio the banker to have 100 drachmas at his disposal right now than to have them a year from now. Phormio might, however, prefer having 110 drachmas a year from now to having 100 drachmas right now. On the other hand, in order to carry out a current project, Aiteon might value having the 100 drachmas right now over having 110 drachmas a year from now. In this case, if Phormio lends the 100 drachmas to Aiteon who agrees to repay him 110 drachmas a year from now, this is consistent with the principal plus interest being the mean relatively to each of them when time-preference is taken into consideration. If so, Phormio is not in the least compromising his virtue by lending his money to Aiteon for interest. Indeed this may be putting the money to the best use for both of them. Aristecon concludes that a fair financial exchange can be based on mutual need even when there is payment of interest.¹⁸

12.4.5 *Commodity Speculation*

Aristecon finally reconsiders Aristotle's earlier allegation that Thales secured a monopoly over olive presses so that he was able to charge "at whatever rate he chose." This involves a couple of questionable claims. The first is that Thales established a monopoly. Though literally true because the Greek word *monopôlia* means "only one seller," it is misleading to identify Thales' scheme with that of city-states. For a state is able to establish a monopoly by legally permitting only one seller and erecting barriers to any competitors. Although Thales succeeded in becoming the only lender, he was not in a position to prohibit competitors from entering the market. Hence, his advantageous position would be short lived since others could make new olive presses and offer them for sale which would tend to drive down the price. The second questionable claim is that Thales was able to charge "at whatever rate he chose." In fact, olive growers would not rent the presses for a higher amount than they expected they could earn from selling their oil. Hence, if Thales continued to increase the rate, more growers would be unwilling to rent, until beyond a certain price there would be no renters. Thales' optimal strategy would be to seek the rate at which he could maximize his earnings.

As for the accusation that Thales reaped "windfall" profits by charging more for the olive presses than their just price, several questions might occur to Aristecon. Why did the olive-press owners not keep their presses until harvest time and lend them out themselves? Was it perhaps because they did not know whether the rate would go up or down, and, being disinclined to run the risk of a poor harvest, they

¹⁷ See Rothbard (1987).

¹⁸ Turgot explains originary interest in terms of time preference in a paper written in 1770 and republished in condensed form as "Extracts from 'Paper on Lending at Interest'" (1770) in Turgot (1977). Turgot rejects the view that exchange should be judged as just or unjust based on the "intrinsic value" or "metaphysical equality" of the commodities exchanged.

were willing to pass the risk on to Thales? Were not Thales' profits the result of assuming this risk which the olive-press owners wanted to avoid?¹⁹ Granted that Thales possessed knowledge which put him in an advantageous position, how did he come by this knowledge? Knowledge is not a free good. It is costly to acquire, though it can yield benefits in a scenario like that of Thales and the olive presses. Does this not create an incentive for others to gain access to such useful knowledge?²⁰ Even if others lack Thales' prescience, if he were to make a successful career of commodity speculation, would he not serve as an "early warning signal" of future gluts or shortages? Such reflections might well lead Aristecon to conclude that a speculator such as Thales is playing a valuable social role and is not a mere exploiter.

In conclusion, Aristecon would conclude that business practices such as commerce, banking, and speculation should not be condemned as vicious. It would seem that people could engage in these sorts of practices with their virtue intact.

12.5 Is a Career in Commerce Inherently Vicious?

Aristotle's *Politics* also contains a more sweeping denunciation of the vocation of commerce on the grounds that it aims at the unlimited accumulation of wealth. "For medicine aims at unlimited health, and each of the crafts acts to achieve its end in an unlimited way, since each tries to achieve it as fully as possible. (But none of the things that promote the end is unlimited, since the end itself constitutes a limit for all crafts.)" Commerce is unnatural in Aristotle's view because it takes wealth, which should be a means to the highest human good, and transforms it into an end in itself. Aristotle goes on to argue that people's baser desires attract them to this occupation: "they are preoccupied with living, not with living well. And since their appetite for life is unlimited, they also want an unlimited amount of what sustains it. And those who do aim at living well seek what promotes physical gratification. So, since this too seems to depend on having property, they spend their time acquiring wealth." Commerce arose because of this. "For since their gratification lies in excess, they seek the craft that produces the excess needed for gratification" (*Pol.* I.9 1257b23-1258a8).

This argument rests on the principles of Aristotle's virtue ethics: the best life consists in rational, morally virtuous activity. Moreover, true happiness does not consist in mere physical gratification and the indulgence of whatever desires and appetites one happens to have. Material possessions are merely means to achieving the good life, and the same goes for the money needed to buy these things. Therefore,

¹⁹Modern economists distinguish between risk (where an outcome has an objective probability) from mere uncertainty. See Knight (1921).

²⁰Sowell (1980, p. 26) remarks that "knowledge can be enormously costly," and that a basic problem of any society is how to communicate and coordinate the knowledge which is scattered throughout the population. See also Hayek (1945).

it would be “unnatural” (i.e., not in accord with the human function of rationality) for human beings to treat the accumulation of money as their ultimate end.

But let us now consider how Aristecon on “twin Earth” might view this argument. Although he would accept all of Aristotle’s moral principles, he would find it hard to concur with the condemnation of commerce as an occupation. For the argument could be understood in different ways. First, the point might be that commerce is objectionable because it has as its end the unlimited accumulation of wealth, which is in fact only a means to the good life. The problem with this argument is that in this regard commerce seems analogous to medicine. For medicine aims at health, which is also a means to the good life and not an end in itself. Even if Aristotle is correct that “medicine aims at unlimited health,” it does not follow (nor would Aristotle suggest) that medicine is an unnatural art. Aristecon might agree that anyone (including a physician) who made unlimited health care his *summum bonum* would be acting unnaturally and irrationally. But the highest end of an art can be subordinated to the end of another, higher end, for example, the aim of living well. The same goes for business: even if business has as its sole end making profits, it does not follow that its end cannot be subordinate to a higher end such as living well (see *NE* I.1-2). Alternatively, the argument might be that commerce is unlike respectable arts like medicine because commerce sets no limits to the means to its goal. Unlike the doctor who limits a dose of a drug in order to cure a particular patient, the merchant strives for money without limit.²¹ But it is unlikely that Aristecon would be persuaded by this. For, as indicated in the example of Thales and the olive presses, Thales can make a profit only if he limits the price he charges a particular customer. If he tries to raise the price without limit, he will have no customers. Finally, the argument might be that anyone engaged in business has unlimited self-gratification as a personal goal. But this seems like a gross exaggeration. Granted, some people enter business because they want to amass as much wealth as possible in order to indulge as many desires as possible. But many other businesspeople have other motives which do not involve wealth maximization as a goal. They may simply want to become well off enough to support their families, to raise money for a church or favorite charity, to support a non-lucrative avocation, and so forth.²² In whichever way he might construe the argument for condemning commerce as a career, Aristecon would find it problematic.

There is however an important implication of Aristotle’s virtue ethics that Aristecon would accept. Business occupations, like medicine, shoemaking, and other “walks of life,” have specific aims which should not be confused with our highest ends as human beings. Human happiness or flourishing consists in the full actualization of our highest potentialities. “We must strain every nerve to live in accordance with the best thing in us” (*NE* X.7 1177b33-4). The best thing in us according to Aristotle is our rational capacity which we should devote as much as we can to the pursuit of knowledge. He further remarks that because we are human beings with bodies as well as souls who must live in society with other human beings, our happiness also involves practical wisdom and moral virtue. “Insofar as

²¹ See Hadreas (2002, p. 370) for this interpretation.

²² Compare Hadreas (2002, p. 371).

someone is a human being and lives with a number of people, he chooses to do virtuous acts" (*NE* X.8 1178b5-6). And in order to perform these actions he will require what Aristotle calls "external goods," including bodily health and strength, family and friends, education, material possessions, and—Aristecon would doubtless add—money. The provision and preserving of these external goods constitute the function of a wide range of arts and crafts, including commerce.

If we may suppose that businesspeople could recognize these moral truths and become habituated to moral virtue to some extent, then they could belong to the sort of enlightened multitude which exhibits the sort of collective wisdom which Aristotle describes:

For the many, who are not as individuals excellent men, nevertheless can, when they have come together, be better than the few best people, not individually but collectively, just as feasts to which many contribute are better than feasts provided at one person's expense. For being many, each of them can have some part of virtue and practical wisdom, and when they come together, the multitude is just like a single human being, with many feet, hands, and senses, and so too for their character traits and wisdom. (*Pol.* III.11 1281a42-b7)

Is it reasonable to suppose that a businessperson who has had the benefit of a moral education could have sufficient virtue and practical wisdom in order to belong to such an enlightened multitude? Aristecon would without a doubt answer in the affirmative.

12.6 Summing Up

Aristotle's critique of the commercial democracy rests on four main premises:

1. A constitution is deviant to the extent that it allows vicious citizens to play an important role.
2. People will become vicious if they have occupations which necessarily involve vicious actions.
3. Commercial democracies such as the Athenian allow the commercial class to play an important role.
4. The commercial occupations necessarily involve the performance of vicious actions.

Given these assumptions Aristotle's indictment of commercial democracies such as the Athenian seems justified. The first two premises are granted here as integral to Aristotle's moral and political philosophy, and the third is an empirical claim which is evidently correct. The fourth premise, however, is open to question. One might challenge it by asking whether Aristotle has a defensible theory of moral virtue and vice. I have followed a different course here, accepting the basic principles of Aristotle's virtue ethics and asking whether he has correctly applied them to commercial practices. This involves the further question of whether he has a correct understanding of these practices. I have dramatized (and hopefully clarified) this issue by means of a thought experiment featuring Aristecon, who accepts Aristotle's ethics but is conversant with microeconomics. Such a counterpart, I have argued,

would reason that it is possible to carry out retail trade, banking, and commodity speculation in a morally virtuous manner. A similarly enlightened Aristotle himself would, I conclude, have to withdraw his wholesale condemnation of ancient Greek commercial democracies such as Athens.²³

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²³ This paper draws on my article, “Aristotle and Business: Friend or Foe?” in *Wealth, Commerce, and Philosophy* ed. Eugene Heath and Byron Kaldis (Chicago: University of Chicago Press, forthcoming). I thank the University of Chicago Press for permitting the reuse of material from that article in revised form here. I am grateful to David Keyt for helpful suggestions on the penultimate draft.

Chapter 13

Equal But Not Equal: Plato and Aristotle on Women as Citizens



Dorothea Frede

Abstract Plato is commonly credited with a much more enlightened view concerning the equality of women and their political rights than Aristotle. This is due to the fact that he acknowledges, in the *Republic*, the possibility that women possess abilities that are equal to those of men and therefore assigns to them the same functions in the state. Plato's principle of equality is, however, limited to the women of the upper classes in the *Republic*, and it is, at least in part, a consequence of the separation of the classes. Because these conditions no longer obtain in the "second-best state" designed in the *Laws*, women are assigned, there, a much inferior role. In the *Timaeus*, women are treated not only as the weaker but also as the decadent form of humankind in the cycle of births and rebirths. Plato's views on the worth of women change, if not with time, then with context.

Aristotle throughout supports the traditional view on the exclusion of women from politics and public life. He does so because he ascribes to women only a limited form of practical rationality. Though he ascribes to women the status of citizens, he regards them as citizens that stand in need of a permanent rule by their male superiors, in public as well as in the family. Aristotle never questions whether the same kind education would lead to the intellectual equality of men and women. The rigidity of Aristotle's position in that respect seems to be based on a kind of "conservative naturalism." He accepts as constituted by nature the social conditions that are observable throughout the world as he knew it. This not only explains his view on the natural inferiority of women, but also his justification of slavery as a natural institution.

Keywords Citizenship · Equality · Inequalities · Rights · Women

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13.1 The Evidence in Plato's *Republic*

So far as we know, only Plato among the philosophers of the classical age advocated the equality of women as citizens. For in *Republic* Book V, he argues that men and women are equal in all respects that entitle them to share the rule of his ideal state. Socrates suggests there, without much ado, that men and women should have the same functions if they share the relevant features:

If it is apparent that they differ only in this respect, that the females bear children while males beget them, we'll say that there has been no kind of proof that women are different from men with respect to what we are talking about, and we'll continue to believe that our guardians and wives must have the same way of life. (453d)

The only difference between men and women that Plato acknowledges at this point is a difference in degree of their abilities: "It is true that one sex is much superior to the other in pretty well everything, although many women are better than many men in many things" (455d). As Plato sees it, this inequality in degree does not affect the basic equality of men and women. For between women there are the same differences in quality as there are between men:

Isn't one woman philosophical or a lover of wisdom, while another hates wisdom? And isn't one spirited and another spiritless? So one woman may have a guardian nature and another not, for wasn't it qualities of this sort that we looked for in the nature of the men we selected as guardians? (456a)

Plato therefore concludes that women should participate in all the activities in the city they are capable of, and claims to have nature on his side (456c).¹ And though in the long discussion of the future ruler's education and its metaphysical underpinning, Plato uses only the masculine form and does not mention philosopher-queens over a long stretch of the text, at the very end of that discussion he emphasizes, once again, the inclusion of women: "And ruling women (*archousai*), for you must not think that what I have said applies any more to men than it does to women who are born with the appropriate natures" (VII 540c).

Plato is fully aware that this suggestion is nothing short of revolutionary. For Socrates admits that it will earn him an even bigger "wave of laughter and criticism" than the communality of women and children, a wave that will only be topped by his third injunction, namely that philosophers should be kings and kings philosophers (472a).² Plato was obviously quite aware of the fact that his ideal city would do away with the mainstays of Greek society: private property and family. Comedy apart, such "communist" ideas at his time were totally unheard of and quite inconceivable. The family was considered as the inviolable basis of civilized life; it constituted at the same time one's personal base, one's social status, and one's social

¹He is silent on the question of the ratio between men and women, i.e., whether he thinks that the distribution of natural abilities is roughly equal so that there will be an equal amount of women and men in the upper classes.

²David Sedley even interprets the waves as "tsounamis" (2005, pp. 205–214).

security.³ If Plato insists on abolishing the family, it is because of his conviction that there is no other way to prevent the kind of family-egoism within the ruling-class that undermines the unity of the state.

This is not the occasion for a detailed discussion of the viability of Plato's suggestions concerning the arrangements of communal life in the *Republic*, arrangements that supposedly ensure unanimity within the ruling class, such as the eugenic selections and the manipulations that lead to the "marriages." Nor shall we touch on the question whether communal child-rearing is likely to lead to the desired result. Through history the evaluation of these recommendations has been quite mixed. But it is worth keeping them in mind, for they express Plato's conviction that only a total reconstitution of the society's structure can lead to a state that guarantees what he regards as justice and stability. An evaluation of Plato's conception of social justice, with its separation of three classes and the disfranchisement of the "working class" is also not our task here. And we are not concerned with the question of whether Plato has women's best interest in mind in any sense that would satisfy the expectations of feminists.⁴ We shall look, rather, for further indications on his view on women elsewhere to ensure that the *Republic* is not just a special case. Now in most of Plato's other dialogues, women are barely mentioned. There is, of course, the fact that the central doctrine of the *Symposium* is attributed to the wise priestess Diotima, whose disciple in "matters of love" Socrates claims to have been. And in the *Menexenus*, Socrates claims that Aspasia, the consort of Pericles, is the author of his half-ironical diatribe on war and death in war. But the only "live woman" in any of Plato's texts is Xanthippe, loudly lamenting Socrates' impending death, so that she has to be escorted home (*Phd.* 60a). Otherwise Plato's texts occasionally reflect certain stereotypes about feminine weaknesses such as timidity or lacrimosity, as feminist critics have observed; but if we disregard the *Meno's* claim of separate virtues for men and women (*Men.* 71e-73a), there is at least not much emphasis on those stereotypes.⁵

³It is hard to say whether other earlier utopian ideas had an influence on Plato, like those of Hippodamus of Miletus, a fifth-century legislator and city-planner, or Phaleas of Chalcedon, an older contemporary. But in his discussion of their ideas Aristotle states that the innovations they proposed were much closer to the existent conditions than Plato's and did not concern either women or children (*Pol.* II.7 31-35).

⁴See Annas' (1976) critical review of the position held by some feminists in the 1970s that Plato was the first feminist.

⁵On this point, see Annas (1976, pp. 316-318). A veritable controversy of Plato as a feminist was started by Vlastos (1994). Tuana (1994) contains further discussions of various aspects of Plato's philosophy from a feminist perspective, both positive and negative.

13.2 Evidence in the *Laws*

There is important evidence in Plato's *Laws*, the major political work of his late years.⁶ The *Laws* do not represent a fundamental revision of Plato's view of the ideal state as such, as is sometimes assumed, but there is a certain retrenchment due to his reassessment of the viability of such a state. Plato affirms very clearly that he still regards the constitution that he has sketched in the *Republic* as the best:

You will find the ideal society and state, and the best code of laws, where the old saying "friends' property is genuinely shared" is put into practice as widely as possible throughout the entire state. Now I don't know whether in fact this situation—a community of wives, children and all property—exists anywhere today, or will ever exist. ... But to sum up, the laws in force impose the greatest possible unity on the state—and you will never produce a better or truer criterion of an absolutely perfect law than that. (*Laws* V 739c-d)

The aim in the *Laws* is, therefore, to find the second-best constitution that comes as close as possible to the best (739 c-e).

As the second-best form of state, Plato recommends the rule of the laws, a nomocracy, instead of the aristocracy of philosopher-kings. This revision is not prompted by the insight that humankind will never accept the abandonment of family and property, but rather by a more pessimistic attitude towards human nature. Plato has come to the conclusion that human beings, no matter how clever and well-educated they may be, cannot to be trusted with absolute power:

[I]f a man did get an adequate theoretical grasp of the truth of all this, he might then attain a position of absolute control over a state, with no one to call him to account. But in these circumstances he would never have the courage of his convictions; he would never devote his life to promoting the welfare of the community as his first concern. ... His human nature will always drive him to look to his own advantage and the lining of his own pockets. ... That is why we need to choose the second alternative, law and regulation, which embody general principles. (IX 875a-d)

In Plato's nomocracy, therefore, even the best people are no more than the servants or guardians of the laws:

We insist that the highest office in the service of the gods must be allocated to the man who is best at obeying the established laws and win that sort of victory in the state; ... such people are usually referred to as "rulers" and if I have called them servants (*hypêretês*) of the laws it is not because I want to mint a new expression, but because I believe that the success or failure of a state hinges on this point more than on anything else. Where the law is subject to some other authority and has none of its own, the collapse of the state, in my view, is not far off. (IV 715c-d)

So it is pessimism about the corruptibility of human nature that led Plato to design a second-best form of state, not any doubt about the acceptability of his "communist" views. But the fact that he restores the institution of family and private property does not show that Plato has changed his views concerning the equality of

⁶Diogenes Laertius (III 37) reports that the *Laws* were said to have been edited by Philippus of Opous after Plato's death, because they were left on wax tablets, indicating that the work had not received its final form.

women. It is necessary, therefore, to look at the evidence concerning Plato's views on this issue. This is not an easy task. For Plato does not explicitly address this question here in the way he had done in the *Republic*. His remarks on women are spread out far and wide in the rather convoluted text of the *Laws*. But there are at least some indications concerning the position he attributes to women in his "second best" form of state with respect to their (i) legal, (ii) political, and (iii) social status.

13.2.1 *Legal Status*

By law women in ancient Greece were hereditary citizens in the same way as their male counterparts, that is, they were citizens if both parents had been citizens. They also equally enjoyed the protection of the laws, so in that sense they had legal rights. But they could do nothing to assert these rights. In court-cases women had to be represented by a male relative: their father, their husband, their son—and if none of these were available, then by some other male members of the family. Women could not take cases to court or defend themselves in court. Nor could they testify in other court-cases. Their testimony had to be reported by a male relative. Women also did not have the right to handle or dispose of their own property. Women could not make a will; the so-called "heiresses" had a fortune to bring, not to dispose of.⁷

In view of these constraints Plato's innovations in the *Laws* seem quite significant. For he enjoins that women should have certain rights to manage and to dispose of their own property, and that, at least under certain circumstances, an heiress should have the right to choose a husband for herself, if there are no suitable male relatives (XI 925a-c).⁸ The discussion of laws of divorce also indicates that Plato recognizes that a woman is her own person. There are to be, for instance, female *officials* (*archousai*) that act as arbitrators on the side of the woman in case of childlessness (VI 784b). And in case of "incompatibility of temperament" in a marriage there are to be 10 male and 10 female arbitrators who jointly decide whether the situation is really hopeless and also give advice of what to do about the children and the property (XI 929e-930c). Women over 40 who have no husband should have the right to bring to court their own cases and to act as witnesses in other cases (*Laws* XI 937a). This is, of course, a far-cry from the total equality of women in the *Republic*; but the legal rights assigned to women represent a considerable improvement over the rights enjoyed by women in the actual Greek city-states.⁹

⁷There are some indications that being an heiress (*epiklēros*) gave a woman a certain power in the household (cf. Aristotle *NE* VIII.10 1161a1-3); Aristophanes in *The Clouds* lets old Strepsiades complain about his high-born wife because she holds the purse-strings and spoils her son.

⁸See MacDowell (1978, pp. 95–99). Girls could be claimed in marriage by their fathers' oldest near relative, regardless of the difference in age and her inclination. If she was already married she could, after her father's death, even be forced to divorce her husband and marry that relative.

⁹As Glen Morrow has observed in his magisterial analysis of Plato's *Laws*, its legal and institutional design is quite close to the legislation in Attica in the fourth century: "It is not a Hellenic city in general that Plato draws for us, but an idealized Athens" (1960, p. 592). That explains, to some extent, why Plato treats the rights of women in a more restrictive way.

13.2.2 *Political Rights*

In classical Greece women had no political rights at all: they were not admitted to the assembly, they could not sit in court, and they could not serve in any of the offices. The political scene was exclusively male. Aristophanes' *Ekklesiazousai*, the Assembly of Women, depicts a never-never-land. In view of the complete absence of woman from the political scene it is therefore worth noting that in the *Laws* Plato suggests that women from age forty on can hold office—the age 40 is set, because supposedly they will then be beyond child-bearing age: “A woman may hold office (*archê*) from age forty, a man from thirty” (VI 785b). Plato does not specify any kind of office, that is, whether in principle any office should be open to women; but there are at least certain indications that women should have the right to attend the public assembly and perhaps also to function as magistrates. For he mentions that both men and women deserve the honors that are due to those who lived a distinguished life (VII 802a). More importantly, at one point he enjoins that women should generally share all the duties of men:

The state of affairs in our corner of Greece, where men and women do not have a common purpose and do not throw all their energies into the same activities, is absolutely stupid. Almost every state, under present conditions, is only half a state, and develops only half its potentialities, whereas with the same cost and effort, it could double the achievement. What a staggering blunder for a legislator to make. (VII 805a-c)

Plato is obviously convinced that not to make use of women is a waste of half of a state's potential.¹⁰

13.2.3 *Social Rights*

There is more information in the *Laws* on social than on legal and political rights. First of all, Plato pleads for mandatory public education for both boys and girls (VII 804e-806c). Public education does not just consist in reading and writing and such, but also in sports: in riding, gymnastics, archery, javelin-throwing and all else—and girls are supposed to share in those exercises as well. Education starts at age 6 for both sexes, although boys and girls will be taught separately and will also play separately (VII 794c-d). Women also get military training and get to do military service so that they are able to fight, “if the need should arise”: “As for women, whatever military service may be thought to be necessary to impose (after they have finished bearing children) should be performed up to the age of fifty; practicable and appropriate duties should be specified for each individual” (VII 785b).

¹⁰As Morrow's summary has it: “it is certainly Plato's expressed intention (though not fully carried out) to give women a more equal status under the law” (1960, p. 113, note 55).

Furthermore, women are to participate in the institution of the “common meals” (*syssitia*), an institution customary in Sparta and Crete, that was supposed to maintain not only the public spirit and morality, but also to prepare the men for the camp-life in times of war.¹¹ Plato extends this institution also to women, but with a significant modification: just as boys and girls are educated and play separately, so the common meals of women will also be kept separate and arranged at a different place from that of the men. One of the reasons Plato gives for this separation is quite significant for his attitude concerning women:

There is nothing that the female sex is likely to put up with more reluctantly: women are used to a life of obscurity and retirement, and any attempt to force them into the open will provoke tremendous resistance from them. (V 781c)

That this resistance has to be overcome is justified by various reasons, among them the need to keep up discipline among women. For, a little later Plato adds that women stand all the more in need of that kind of disciplining institution “inasmuch as the nature of woman is inferior to that of man” (VI 781a).

As to women’s participation in education and participation in higher culture, the evidence is uneven. No mention is made of women in the discussion of the education by music and dance in the first two books.¹² And though Plato later includes women in the singing of hymns to the gods (VII 802a), their hymns are to be in different musical modes and to be performed as a separate chorus (802d-e; for dancing see 813b). No mention is made of women at all in the discussion of higher education that consists of mathematics and astronomy, albeit in a less demanding curriculum than that of the *Republic* (VII 817e-822c). And most significant is the fact that no mention is made of women in the discussion of the highest institution of the second best city, namely in the collegiate of the “servants of the laws” in Book XII. Thus the so-called “Nocturnal Council” seems not to contain women, and women are also not mentioned in the discussion of the philosophical training that makes that elite fit for its task, a training that seems to include insights into the Forms of the four “cardinal” virtues (XII 961a-968e).

13.3 Plato’s “Fall from Grace”: The *Timaeus*

If Plato’s overall record concerning the equality of women in his dialogues dedicated to politics and the state is way above the standard of his time, especially if we include his often repeated appeal to “wise men and women” (see *Phdr.* 235b, with the wise and beautiful Sappho, 235c; *Men.* 81a), his “cosmological” classification of women in the *Timaeus* comes as an unexpected shock. For Plato there introduces

¹¹ At any rate, Plato finds the inclusion of women in public life preferable to confining women to the house and to “taking charge of our stores and the spinning and wool-working” (VII 805e).

¹² The three choruses consist only of men: the chorus of the boys in the spirit of the Muses, the chorus of grown-up males under the spirit of Apollo, and the chorus of the old men under the guidance of Dionysus (*Laws* II 652a-656b).

a rather curious system of cycles of reincarnation: In the first “round of creation” all souls will be born as males to ensure that all have the same chance to prove themselves in their subsequent life. All the souls that have lived well will, then, in the next round, be reincarnated as men:

But if he failed in this, he would be born a second time, now as a woman. And if even then he still could not refrain from wickedness, he would be changed again, this time into some wild animal that resembles the wicked character he has attained. (*Ti.* 42c)

So, to be born as a woman is the first step down on a slippery slope.

Plato’s “fall from grace” is not confined to this one passage in the *Timaeus*. He refers several times to the inferior state of the female incarnation (70a; 76d), and he confirms it again in his summary at the end of the *Timaeus* (90e) that depicts the decadence of soul and body, with the addition of some physiological details, from the best state, that of the male, via the reincarnation as a female, and then in the forms of various wild animals down to the fish, the dumbest of all animals.

Apart from the fact that it is difficult to see how the best and first generation is supposed to have children, if it consists only of men, one wonders what made Plato suddenly assign to women a position between man and beast. His only explanation is that human souls are necessarily subject to the influx of the emotions: “If they could master these emotions, their lives will be just, whereas if they were mastered by them, they would be unjust.” That women tend to be more susceptible to emotions is a view iterated in many sources.¹³ But given the fact that according to the *Timaeus* only the soul’s rational part survives death, while the emotional and the appetitive parts perish with the body (*Ti.* 69c–72d), it is hard to see how they influence the state of the soul to be reincarnated, unless Plato assumes that the rational parts’ “circles” have received permanent damage from the impact of the emotions and appetites. Be that as it may, apart from the *Timaeus*, Plato does not claim that women are more emotional than men, and where he addresses lack of control Plato talks about men, not women. In his mythical depictions of cycles of reincarnations elsewhere, there is hardly any reference to women.¹⁴ The *Timaeus* is quite unique in the role it assigns to women in the cycle of reincarnations.

Plato’s views on women seem to vary, then, depending on the context. It is at least not clear that even in the *Republic* Plato holds an egalitarian view concerning women in general. To be sure, the principle of division of labor is introduced as a

¹³ See Dover (1974, p. 98–101) and Just (1989, esp. chapter 8). Both present somewhat one-sided depictions that neglect positive figures in Greek literature, from the goddesses and human women, such as Antigone, Alcestis, Iphigenia, or Electra, to name just a few.

¹⁴ No two stories are exactly alike: compare, for instance, the fate of the impure souls in the *Phaedo* (81c–84b) with that of the *Republic* (617d–620d), where at least of one the Homeric craftsmen chooses to become a craftswoman—obviously after the model of Athena. The *Phaedrus*’ “law ofAdrasteia” contains a ranking of the souls and different forms of reincarnation of the souls as philosophers, lawful kings or warlike commanders, statesmen, managers of households or financiers, doctors and trainers, prophets and priests, poets and artists, farmers and manual laborers, with the tyrant in last place. There is also the possibility of being turned into a wild animal (*Phdr.* 248b–249c). But women are not mentioned in that version.

general principle (*Rep.* II 369d-370c). And Plato appeals to it again in his justification of the claim that the fact that women give birth is as irrelevant as is baldness or hairiness when it comes to working as a cobbler, a doctor, or any other craft (*technê*) (*Rep.* V 453b-455c). But there are reasons for doubting that Plato really had the lower class in mind. For given that he allows the class of the “money-lovers” (*philochrêmatoi*) not only the handling of money but also the possession of large houses, land, and other goods (*Rep.* IV 419a-420a), it seems that for the class of the workers he leaves not only private property, but also the structure of the family intact.¹⁵ He may, rather, have regarded the sharing of women and children as unnecessary in their case and the enforcement of such “communism” as too disruptive in the class of citizens that is in any case deprived of political rights. Why should they not know their own children, but rather hand them over to be raised anonymously in publicly maintained children’s homes by nurses and other educators? And why should the lower class let themselves be persuaded to participate in a lottery that assigns sexual partners to each other?¹⁶

Because Plato apparently restricts these institutions to the elite, we have to take a closer look at his reasons for including women in the upper classes and for letting them share the life of its men. There are two reasons: (i) There is Plato’s belief in *eugenic* selection: “golden” and “silver” parents most of the time, if not invariably, produce golden offspring. Hence gold and silver women are to be kept separate and are to mate only with the corresponding men, and should therefore not be integrated in the population at large. (ii) Given that the upper classes live an austere camp-life, without either property or family, the women have to be properly integrated into that life. Otherwise they would have no work to do, given that no one is to know their own offspring and that the nurturing and rearing of children is done by professional nurses.¹⁷ Noting these factors does not justify the claim that Plato was not convinced that at least certain women have the same abilities as men, or of the principle of the division of labor that requires equal work for people with equal abilities. But the practical question of how to organize such a society with a strict separation of three classes must have been one of the main reasons that prompted Plato to reflect on the place of women in the first place and to adopt an egalitarian point of view for the

¹⁵ On that issue see Weinstein (2007). The article discusses the question of the impact of the existence of the market with its shift to selling and buying from the communality of goods. Thus the upper classes are said to receive their material support as a kind of “wage” from the lower class (*Rep.* III 416e, see Weinstein 2007, p. 442, note 8). The inclusion of women is not discussed, but Weinstein assumes that families are still in evidence (Weinstein 2007, p. 445, note 16; see also p. 456, note 35).

¹⁶ Aristotle in his criticism in the *Politics* complains about the uncertainty concerning these questions—how the removal of children from one class to the other is supposed to work (II.4) and quite generally whether the communality of women and children extends to the third class (II.5). The latter seems to be indicated by his remark that Plato makes the upper classes live in a kind of garrison, while the craftsmen and workers live the lives of citizens proper, so that there are in fact two cities, opposed to each other, rather than one (II.5 1264a24-27).

¹⁷ This suggestion is rejected by Vlastos on the ground that Plato could have made women collective consorts, nurses for the children and factotums for the men, rather than making them guardians, and not granted them equality (1994, p. 21).

elite, even if that is a view that he does not fully support in other places in the *Republic*,¹⁸ and even drops in other connections.

13.4 Aristotle on the Status of Women

Unlike Plato, Aristotle has no egalitarian tendencies concerning women and does not intend to integrate them into the citizen body. He acknowledges, of course, that women are citizens in the sense that they are included on the list of citizens if they are free-born descendants of citizens. But Aristotle persistently asserts that a woman's place is in the house. So why even include him in a discussion that is concerned with the equality and inequality of women in the state? The reason is that we should take a closer look at the reasons for Aristotle's conservative stance. For he does not display any tendency to denigrate women per se, and he is not the misogynist he is sometimes made out to be.¹⁹ But he also does not elevate women to equality with men in the way Plato sometimes does. Instead, Aristotle presupposes that there is, by nature, a clear division of labor among people, and that women, in a political sense, are subordinate, because of the natural distinction between those designed to rule and those designed to be ruled. We should note in that connection, however, that Aristotle makes a distinction between three types of rulership, distinctions that he presupposes for both the state and for the family (*Pol.* I.12; *NE* 10). There is kingly rule, there is political rule, and there is despotic rule. The kingly rule is that of a benign monarch, and in the family it is exerted by the father over the children. There is the "political rule" of citizens over citizens, which in the family is exerted by the husband over the wife, and there is the despotic rule of the tyrant over his subjects, which in the household is exerted by the master over slaves.²⁰

What concerns us here is the question why the "political" rule between husband and wife should consist in his permanent lordship over her. For Aristotle holds the view that political rule ideally consists in ruling and being ruled in turn: "In most

¹⁸ Critics refer to the fact that Plato in his caricature of democracy as a kind of anarchy in *Republic* VIII 563b mentions "legal equality" (*isonomia*) of men and women as one of the deplorable features of that disordered state. Critics regard this as a lapse into the conventional picture of women in Plato's time, on the par with his depiction of an indulgence in grief as "womanish" and not worthy of a man in *Republic* X 605c-e.

¹⁹ Consider, for instance: "for from the start the functions (*erga*) are divided, and those of man and woman are different; so they help each other by throwing their peculiar gifts into the common stock (*eis to koinon ta idia*)" (*NE* VIII.12 1162a22-24). Husband and wife are not only jointly responsible for the procreation of offspring, they also form the basic unit of the household (*oikos*; *oikia*), the unit on which all social units are based (*Pol.* I.1 1252a24-31). And on friendship: "Between man and wife friendship seems to exist by nature; for humans are naturally inclined to form couples (*syndyastikon*), even more than to form cities, inasmuch as the household is earlier and more necessary than the city" (*NE* VIII.12 1162a116-29).

²⁰ Why Aristotle—who is quite averse to tyranny in states—should condone slavery in the household is a question that we shall leave untouched. It has been amply discussed in recent decades, and to take up that subject would require a separate paper. On this issue, see Schofield (1999).

cases of rule of a statesman ... people take turns at ruling and being ruled (*metaballei to archein kai archesthai*), because they tend by nature to be on an equal footing" (*Pol.* I.12 1259b4-10). And this maxim is repeated several times.²¹ But readers of the *Politics* will also remember that this ruling and being ruled comes with a condition: that both should be both *free* and *equal* (*Pol.* I.7 1255b20-24 et pass.). And that is the crux, as far as women are concerned. For though Aristotle acknowledges that women are born free and in that respect are the equal of men, he does not regard them as equal to men with respect to "political virtue." And that distinction justifies, in his eyes, that the husband should exert a kind of "permanent aristocracy" over his wife that she readily accepts. And, one should add, this distinction in virtue justifies a fortiori that women are not fit to participate in political matters, for Aristotle never even mentions that possibility.²² As a justification of that distinction he claims that the male is "naturally more fitted to lead" (1259b2: *hêgêmonikôteron*) and that there is a natural permanent difference between male and female in that respect (1259b9 ff.: *aei*). The reason for this preferment is soon specified. While all human beings have human souls, they do not all possess them in the same way: "The soul by nature contains a part that rules and a part that is ruled, and we say that each of them has a different virtue, that is to say one belongs to the rational and the other to the non-rational part ... so that most instances of ruling and being ruled are natural" (*Pol.* I.13 1260a5-9). And that is the crucial difference on which Aristotle bases his difference in the kind of rule:

For free rules slave, male rules female, and man rules child in different ways, because, while the parts of the soul are present in all these people, they are present in different ways. The deliberative part of the soul (*bouleutikon*) is entirely missing in the slave; a woman has it, but it lacks authority (*akuron*); a child has it but it is immature (*ateles*). We must suppose, therefore, that the same applies to the virtues of character too (*êthikai aretai*), all must share them, but not in the same way; rather, each must have a share sufficient to complete their own task. (1260a9-14)²³

Leaving aside the problem of how a slave is supposed to do his work without any kind of practical wisdom we shall turn to the question what is meant by the claim that woman possesses the deliberative faculty but that it "lacks authority." In Aristotle's eyes the difference is not just a matter of degree, it rather is a difference in kind: "It cannot be that the difference between them is a matter of degree (*tôi*

²¹ See *Pol.* III.4 1277a25-27: "Yet the capacity to rule and be ruled is praised, and being able to do both well (*kalôs*) is held to be the virtue of the citizen"; 1277b13-16: "a good citizen must have the knowledge and ability to both be ruled and to rule, and this is the virtue of a citizen, to know the rule of free people from both sides (*ep' ampotera*)." In what follows in the *Politics* Aristotle refers to this distinction several times (III.13 1283b42 ff.; VII.14 1332b25-29).

²² The expression "*politês*" = female citizen is used twice in *Politics*, and in a non-real or negative way (III.1 1275b33; III.5 1278a28).

²³ In *Nicomachean Ethics* VIII.10 (1160b33-11, 1161a23), he assigns a higher kind of virtue to the husband than to the wife. But he also holds that there is a natural friendship between them (VIII.12 1162a17-29): it is both necessary, pleasant, and in some cases based on virtue. In *EE* VII.1 (1234b34-1235a2), Aristotle mentions that the good life presupposes that people want to spend their days with others: with friends and relations, children, parents, and one's wife.

mallon kain hêton diapherein). Ruling and being ruled differ in kind (*eidei*), but things that differ in degree don't differ in that way" (*Pol.* I.13 1259b36-38). Because the ability to deliberate in *Nicomachean Ethics* VI is defined as *phronêsis*, it would seem that women do possess *phronêsis*, but that for some reason their *phronêsis* lacks authority.

What that means has been under discussion for quite a while. There are different schools of thought concerning this question. One of the most influential explanations, originally proposed by William Fortenbaugh, is that women are not able to control their emotions.²⁴ That position has found various defenders, most of all because Aristotle seems to mirror the stereotypical attitude towards women in Greek society that presupposes that women are inherently unable to control themselves.²⁵ Other interpretations have rejected this explanation but for quite different reasons.²⁶ For brevity's sake, it will only be argued here that positions following Fortenbaugh are implausible for two reasons: (i) linguistic observations, (ii) the fact it turns all women into acraties by nature.

13.5 Women's Lack of Authority: The Meaning of *akyron*

13.5.1 Linguistic Observations

The linguistic point can be settled very quickly. *Akyros/n* in the general use never refers to a psychological inability to control oneself but rather refers to "authority" in a legal or quasi-legal sense with a socio-economic and political dimension. A woman in Athens throughout her life is considered "*akyros*" in the sense that she is under some man's guardianship—her father's, her husband's, and after their death that of the nearest male relative; there is always some male who is *kyrios* over her. She has no authority over her own money; if she is an "heiress," some male has to claim her inheritance for her and manage it, and a woman cannot make a will.²⁷ Most importantly, she cannot act as the head of her own household, the *oikos*. For every household there has to be a male head; that is why, in case of the man's demise, guardians are appointed and heads of households in their will often designated a guardian and often suggested someone who should marry the widow. Similarly, women cannot act as their own legal representatives or testify in court—their testimony has to be presented by their *kyrioi*.

²⁴ See Fortenbaugh (1997).

²⁵ See Just (1989). He uses Aristotle as a witness that women were by nature no better than slaves (Just 1989, pp. 188–191), but he does so in a rather selective discussion of the texts. For a more balanced general view on the social and legal position, see Lacey (1968).

²⁶ See Deslauriers (2003, 2009). Deslauriers rightly points out that physiological differences cannot in Aristotle's eyes affect intellectual capacities because the latter are incorporeal. See also Karbowski (2013).

²⁷ See Just (1989, chapter 2).

A survey over the use of *akyros/n* would confirm the claim that the term always means “lack of authority” in that sense. It is not just people who are *akyroï*, but also laws, decrees, and political decisions. In fact, *akyros* applies most often to invalid laws, decrees, or treaties. When it is applied to people it means that they lack certain powers. In that sense women are “powerless”: a woman’s life-long supervision by a guardian, her *kyrios*, summarizes her status in Athenian law. She is not considered a legally competent, autonomous individual capable of making her life’s decisions and looking after her own financial interests.²⁸

What applies to the use of *akyros* in general usage also applies to that in Aristotle. In the *State of the Athenians*, he uses that term with reference to invalid laws and decrees and also to politicians who lack the power to carry out their own decisions.²⁹ In the *Rhetoric*, *akryon* occurs twice in connection with agreements that become invalid or where a later contract supplants an earlier one (III.15 1376b12, 27). In the *Nicomachean Ethics*, the expression is used only once: obstinate people get annoyed if their decisions become “null and void as decrees sometimes do” (VII.9 1151b16 ff.). In his biological writings Aristotle uses *akryon* to designate lack of power in a physiological sense. In short, he never uses it as a synonym for lack of control in the sense that characterizes the “*akratês*.” But the confirmation that *akyros/n* is generally used in a legal and political sense or in a sense that refers to “power” in general only tells us *that* it is used in that way; it does not tell us *why* it was so used, and least of all does it tell us why Aristotle presupposes that women should by right be denied authority.

13.5.2 Observations from Moral Psychology

It is therefore necessary to turn to moral psychology for possible reasons for why Aristotle regards the woman’s rational part as lacking authority. Aristotle might, of course, apply “*akyros*” to women in a non-standard way and want to claim that they are in fact unable to control their emotions. What speaks against the assumption that he regards women as by nature prone to *akrasia*? There is, first of all, the observation that Aristotle nowhere makes any such claims about women. He occasionally mentions that weak women are prone to laments,³⁰ but there are few indications that he shares the prejudices of his time that women are generally prone to rage, glut-

²⁸ Cf. Just (1989, chapter 5).

²⁹ See *Const. Ath.* 45.4, 1: *akyros boulê*; 47.2.9; the rulers lose authority.

³⁰ In *Nicomachean Ethics* (IX.11 1171b10-12), he uses the diminutive *gynaiai*, not *gynaikes*. In *Politics* II.9 (1269b12-1270a34), he criticizes the Spartan state because of the license (*anesis*) given to women and the fact that in many ways the state was ruled by women (*gyneikokratoumenoi*) because of the frequent absence of men in military matters. He notes in addition that during the Theban invasion the Spartan women “were no use at all, like women in other city-states, but caused more confusion than the enemy” (1269b36-39). But this only shows that women, for Aristotle, are not able to rule the state and are not competent in military matter, not that they can’t control themselves.

tony, self-indulgence, or drunkenness, prejudices that would, indeed, support such an interpretation.³¹ The only woman he refers to in the discussion of *akrasia* in the *Nicomachean Ethics* is Niobe (VII.4 1148a32-34). She fought against the gods because of her excessive love of her children. But this is a case of *akrasia* “in a metaphorical or extended sense,” not of *akrasia* unqualifiedly.

More importantly still, Aristotle’s pronouncements on the difference between men and women in *Politics* I are quite incompatible with the assumption that women are by nature unable to control their emotions. For he insists that women and children must be virtuous:

both women and children must be educated with an eye to the constitution, if indeed it makes any difference to the virtue of a state that its children be virtuous, and its women too. And it must make a difference, since half the free population are women, and from children come those who participate in the constitution. (I.13 1260b13-20)

This is not a mere side-remark, for Aristotle repeats the requirement concerning virtue in the case of women several times, as he would certainly not have done if women were unable to control their emotions, for that would mean that in and of themselves, they cannot be fully virtuous.³² But he requests that women and children must be good, “for every household is part of the state, these (women and children) are part of the house, and the virtue of a part must be determined by looking to the virtue of the whole” (I.13 1260b13-18).

But what is it, then, about women’s *phronêsis* that makes it “lack authority”? It is to be observed that in the *Nicomachean Ethics*, Aristotle does attribute a certain authority and “rule” to women, albeit only within the household:

The association of man and wife seems to be aristocratic; for the man rules in accordance with his worth, and in those matters in which a man should rule, but the matters that befit a woman he hands over to her. If the man rules in everything the relation passes over into oligarchy; for in doing so he is not acting in accordance with their respective worth, and not ruling in virtue of his superiority. (VIII.10 1160b32-36)

This suggests, then, that women do have the ability to make certain decisions and to carry them out, but lack the ability to make decisions over the household as a whole. This indicates that Aristotle presupposed for women a cognitive limitation of their ability to determine the human good as such, so that they are not able to make decisions concerning their lives as a whole and the good of the family, let alone make decisions concerning the good of the city-state.

This is quite in agreement with the explanation in *Politics* I that a man’s reason is a more “hegemonic,” leader-like reason (1259b2), in contradistinction to the “assistant” kind (*hypêretikê*, 1260a22). And concerning the leader-like reason he adds that it is of the “architectonic” kind (1260a17-24: *architektôn*) and identifies it with perfect virtue, using the term that he has attributed to the statesman before. Of this kind of reason he says in the *Politics* that it is capable of rational foresight (a31:

³¹ See Hursthouse (2007).

³² Only for slaves is it denied that they are virtuous (*Pol.* I.6 1255a40-b2) although even that claim is modified later at least for some of them (I.13 1160a33-b7).

têi dianoia prooran).³³ And this must be the crucial difference that he assumes between men and women. That there are different “ranges” of practical wisdom is indicated in *Nicomachean Ethics* VI. Aristotle distinguishes there between the masterly type of *phronêsis* of the legislator and the type that is concerned with “the particulars” and that characterizes the ordinary citizen, here compared to a handyman (VI.8 1141b23-29). Before, Aristotle has made a distinction between the wide-ranging *phronêsis* of statesmen like Pericles who are able not only to take care of their own good, but of that of the state as well, because they recognize the human good as such, not just that of an individual (VI.5 1140b7-11). At the same time, he emphasizes that *phronêsis* does apply most and foremost to the individual: one kind concerns the household (*oikonomia*), the other legislation (*nomothesia*), the third politics in general, namely the deliberative (*bouleutikê*) and judicial (*dikastikê*) kinds (VI.8 1142a29-33). This distinction accords well with the initial distinction in the *Nicomachean Ethics* between the “most authoritative competence” (*kyriôtatê*) of the legislator, which comprises the good of the entire community, and the competence that is sufficient for running one’s own life. It is the most architectonic science that is “more beautiful and godlike” than the ability to take care only of one’s own good (I.2 1094a26-b11). The latter characterizes the ordinary citizen. And it is precisely that kind of cognitive ability to make decisions concerning their own life that Aristotle does not grant to women.

This “cognitive limitation” also explains the fact that Aristotle asserts in the *Politics* that men and women, ruler and ruled have different kinds of virtue of character:

It is evident, then, that all those mentioned have virtue of character, but that temperance, courage, and justice of a man are not the same as those of a woman: the one courage is that of a ruler, the other that of an assistant, and similarly in the case of the other virtues too. ... Consequently, we must take what the poet says about a woman as our guide in every case: “To a woman silence is a crowning glory”³⁴—whereas this does not apply to a man. (I.13 1260a20-24)

If passages that at the same time affirm and limit the virtues of women are often overlooked, the main reason must be that Aristotle in the *Nicomachean Ethics* does not even hint at such a distinction between different kinds of virtues as such. That his limitation of virtue on the side of women is based on a distinction between two kinds of *phronêsis* is confirmed by the fact that Aristotle resorts to it again in Book III of the *Politics*. He is concerned there not with women, but with the citizens’ ability and willingness to rule and to be ruled in turn. For “taking turns in ruling and being ruled” is for Aristotle the characteristic of a well-run community. For our purposes, it is most significant that Aristotle somewhat strangely assumes that this turn-taking requires the possession of *two* different sets of virtues on the side of the citizens: one set for the time when they rule, and one set for the time when they are ruled: “And whereas the virtues of these are different, a good citizen must have the knowledge and ability to both be ruled and to rule, and this is the virtue of a citizen,

³³ See Witt (1998).

³⁴ Sophocles *Ajax* 293, repeated in Pericles’ Funeral speech in Thucydides *Hist.* II 45.

to know the rule of free people from both sides” (*Pol.* III.4 1277b13-16). That this differentiation also concerns the virtues of character is stated there in no uncertain terms:

In fact, a good man possesses both, even if a ruler does have a different kind of justice and temperance. For if a good person is ruled, but is a free citizen, his virtues (justice, for example) will clearly not be of *one* kind, but includes one kind for ruling and another for being ruled, just as a man’s and a woman’s courage and temperance differ. For a man would seem a coward if he had the courage of a women, and a woman would seem garrulous if she had the temperance of a man, since even household management differs for the two of them (for his task is to acquire property, hers to preserve it). (b16-25)

This dichotomy does not only concern the virtues of character. It also concerns *phronêsis*, as Aristotle hastens to add, and that capacity he regards as quite limited in the case of the ruled: “Practical wisdom is the only virtue peculiar to a ruler; for the others, it would seem, must be common to both rulers and ruled. At any rate, practical wisdom is not the virtue of the ruled, but true opinion is (*alêthês doxa*)” (1277b25-29). This strange dichotomy and reduction of *phronêsis* in the case of male citizens while they are ruled does not have any parallel in Aristotle.³⁵ But the comparison of the virtue of the ruled with the virtue of women shows that he has not only different degrees but also different kinds of practical wisdom in mind, so that the limitations presupposed in the case of women’s *bouleutikon* is not without parallel. Its rationale in the case of the citizens should be clear: Aristotle is concerned with public order and peace. The citizens’ willingness to be ruled by others, even if only temporarily, presupposes the disposition to carry out the rulers’ decisions and to confine themselves to “true opinion” about those decisions. Otherwise they would “meddle” and upset the order of the state, for it would lead to *stasis*. Such insubordination and its consequences was one of the well-known ills in the Greek *polis*, democracy included.³⁶

How does this “second set” of virtues of obedience come about? Aristotle offers a simple explanation. Political rule over free and equal citizens is first learned by being ruled by others:

Just as one learns to be a cavalry commander by serving under a cavalry commander, or to be a general by serving under a general, or a major or a lieutenant by serving under one. ... Hence too it is rightly said that one cannot rule well without first having been ruled. (4 1277b7-12)

Good citizens have to acquire both sets of character-dispositions. And the “obedient set” is the kind that Aristotle attributes to women, with the difference that women are to be permanently ruled over in a “political rule” by the male and will not advance to the position of rulers.³⁷ This explains then why Fortenbaugh’s (and

³⁵ I have discussed the twofold qualification for citizenship elsewhere (Frede 2005).

³⁶ If this strikes us as strange, we should remember what may be called the “paradox of Greek political life”: the Greeks all hated tyrants—to live under one—but many of them were quite ready to become tyrants, should the opportunity arise. Wealth, power, and the glory of writing one’s name into the golden book of history were often found irresistible.

³⁷ It agrees with the type of virtues Aristotle attributes to women in *Politics* I.13.

others') claim that women cannot control their emotions is mistaken. Women, rather, have a limited kind of practical wisdom, and therefore they also have a different set of character-virtues, including their well-controlled emotions.

13.6 Aristotle's Naturalistic Conservatism

The distinction between two kinds of *phronêsis* and two sets of virtues will leave readers dissatisfied for many reasons. But most of all, it does not provide a real answer to the question of why Aristotle is so convinced that women have only limited cognitive abilities so that they are to be confined to certain kinds of tasks in the house and are therefore *a fortiori* unfit for participation in the political life of the community.³⁸ This is not the point to delve into Aristotle's views about women from a biological perspective, because that would open up a quite different set of questions. That the males contribute the form and the females only the matter applies to other animals as well, and that distinction clearly does not affect *phronêsis*. For practical wisdom, like all rational capacities, is not determined by physiological conditions.³⁹ Instead, I want to suggest, as a kind of conclusion, that Aristotle views concerning both women—and slaves—are based on what may best be called his *naturalistic conservatism*. By that I mean, to put it in a nutshell, that Aristotle regards as natural and necessary what is always the case or is the case for the most part. That he holds to this principle is familiar from his philosophy of nature. That he also accepts it for human beings should therefore come as no surprise. Aristotle simply had no knowledge of societies where women were not treated as the "weaker vessels." Similarly, Aristotle had no knowledge of civilized societies where slavery did not exist. If the nomads and other primitive tribes were an exception, such examples would not count in his eyes, because such tribes had not yet reached the stage of living in politically organized societies. For Aristotle the Greek *polis* represented the height of the development of human society—the organization that represents the natural *telos* of humankind. So the socio-economical conditions prevailing in the *poleis* represent the best attainable stage.

There are other examples of Aristotle's "naturalistic conservatism" in his political thought. There is his famous anthropological distinction of three basic types of human beings that he assigns to the different climate-zones on earth:

The nations in cold regions, particularly Europe, are full of spirit (*thymos*) but somewhat deficient in intelligence (*dianoia*) and craft knowledge (*technê*). That is precisely why they

³⁸ It also does not answer the question why he was equally convinced that slaves possess no or only insufficient *phronêsis* to take care of their own lives. Aristotle admits, in the case of slavery, that in some cases this is not true and that slavery has been regarded as unjust by certain people (*Pol.* I.4–8). The argument about injustice is addressed in I.6—and Aristotle acknowledges that some people get into slavery through war and don't deserve that kind of treatment, while others who would by nature be slaves are free.

³⁹ On this issue, see Deslauriers (2009).

remain comparatively free, but are apolitical and incapable of ruling their neighbors. Those in Asia, on the other hand, have souls endowed with intelligence and craft knowledge, but they lack spirit. That is precisely why they are ruled and enslaved. The Greek race, however, occupies an intermediate position geographically, and so shares in both sets of characteristics. For it is both spirited and intelligent. That is precisely why it remains free, governed in the best way. (*Pol.* VII.7 1327b20-32)

By the people in the north Aristotle means the belligerent Thracians, including the Celts, and the Scythians. Germans were at that time unheard of in Greece.⁴⁰ By the “people in Asia” Aristotle means the Egyptians and the Persians. If he claims that the people in Persia and in Egypt live in permanent slavery, it is because the Great King and the King of Egypt not only had absolute power but they also “owned” the land. In those empires there was, of course, no sharing of power or taking turns in ruling and being ruled:

Because the non-Greeks are by nature more slavish in their character than the Greeks, those in Asia being more so than those in Europe, they tolerate rulers as masters without complaint. So for reasons of this sort these kingships are tyrannical, but they are stable because hereditary and based on law. (*Pol.* III.14 1285a19-24)

Living under an absolute monarch in Aristotle’s eyes constituted slavery, even if it was a government based on good legal regulations. As Aristotle has it, women and children were also treated like slaves, in contradistinction to the way the Greeks treated their wives and children, namely as the children and wives of free and equal citizens.⁴¹

This is not the occasion to discuss the reasons for these convictions of Aristotle any further, nor to question the justification of his judgment. What is significant for our purposes is that the thought of “historical contingency” does not seem to have occurred to him at all. By that I mean that Aristotle seems not to have considered the possibility that the way of life, even the permanent way of life in a region of the earth, is not the product of the *nature* of the human beings concerned but is determined, most of all, by the historical conditions under which people happen to live, and that they might have been quite capable of living different lives had the circumstances been different. Thus, in a way, Aristotle is an adherent of the old adage that every country has the government it deserves, at least if the form of ruling has lasted for a long time.⁴² But this assumption is open to question. For if in the dawn of prehistory no absolute monarchies had evolved, the Egyptian and Persian people might no doubt have lived differently. And the same verdict applies, *mutatis mutandis*, to the Greeks, had their historical conditions been different. This claim cannot be backed up by an excursion into ancient history. But historians are agreed that the independent small Greek city states would never have emerged and stayed alive as long as they did, had there not been a power-vacuum in the Near East for

⁴⁰ The Cimbri and Teutones threatened the Romans around 100 BC.

⁴¹ *NE* VIII.10 1160b27-32; on Tyranny in Persia, see *Pol.* V.11 1313a34-10.

⁴² The author of this maxim was Joseph Comte de Maistre, *Lettres et opuscules inédits*, I, Paris 1861, St. Petersburg August 15, 1881, Lettre 76, 264: “Toute nation a le gouvernement qu’elle mérite.”

many centuries, a vacuum that permitted relative independence for the Greek city-states. This independence became endangered and abolished in parts of Asia Minor, once the Persian Empire began expanding to the west. In mainland Greece, certain *poleis* famously managed to keep their independence for more than a century and a half—until Philipp of Macedon and his son Alexander put an end to it, never to be restored. Aristotle did not realize that it is historical conditions beyond an individual's or even a peoples' control that give shape to human life, and that under different circumstances their political organizations and their way of life might have developed in a quite different way.

If Aristotle did not entertain revolutionary ideas of a kind sometimes advocated by Plato, he must have done so, then, because he thought he had nature on his side. But did he not encounter exceptional women that would have influenced his judgment, as it seems to have influenced Plato, who reportedly had admitted women to the Academy?⁴³ It would seem that such exceptions would not have influenced Aristotle's judgment about the naturalness of "what happens for the most part," just as it did not influence the general judgment in the many centuries after him.⁴⁴ Personally, he seems to have held quite humane attitudes towards women and slaves. This is witnessed by the generous provisions he made in his will for his second and much younger wife, for his two children, and for his slaves, all of whom eventually are to be set free.⁴⁵ And with respect to his first wife he adds: "And wherever they bury me, there the bones of Pythias shall be laid, in accordance with her own wishes." So a woman's wishes were to be respected.

Aristotle clearly was not a hard-hearted man, nor was he a man who despised women.⁴⁶ He was just a man of his time. And unusual and innovative as he was in much of his thought and research, as is obvious throughout his work, he was not a social revolutionary, especially not when it came to human conditions that he regarded as natural and unchangeable. This is not meant as an apology. It is meant as an explanation. But not much of an apology should be necessary anyway, if we remind ourselves of the fact that women's emancipation began in Europe and Northern America little over a hundred years ago, and that it owes its progress and

⁴³ See Diogenes Laertius 3, 46 and 4, 2.

⁴⁴ The fact that there were poets like Sappho, able rulers like Elizabeth I, the empress Maria Theresia, or Catherine the Great, gifted mathematicians like Ada Lovelace, or scientists like Marie Curie and Lise Meitner, did not change the general opinion, because they were always treated as the exception of the rule.

⁴⁵ See Diogenes Laertius V 13: "Nicanor and the executors in memory of me and of the steady affection which Herpyllis has born towards me, shall take care of her in every other respect and, if she desires to be married, shall see that she be given to one not unworthy; ... and if she chooses to remain at Chalcis, the lodge by the garden, if in Stagira, my fathers house." Some of his slaves seem to have been freed already and are to receive extra funds. With respect to others Aristotle enjoined: "And Tycho, Philo, Olympius and his child shall have their freedom when my daughter is married. None of the servants who waited on me shall be sold but they shall continue to be employed; and when they arrive at their proper age they shall have their freedom if they deserve it."

⁴⁶ This emerges from his discussion of the structure of the family and from the way he treats a mother's love as paradigmatic in his discussion of friendship (*NE* VIII.8 1159a27-36 *et pass*).

general expansion, to quite some degree, to World War I and its aftermath. War acts as the father of all sorts of things, and sometimes even of good ones. After women had been compelled to form a crucial part of the work-force and became heads of households in large quantities, there was no turning back. Subsequently women's ability to take care of their own lives, to participate in higher education and science, and to be active in politics could not be denied in the long run, even if it took a long time till it reached general consciousness. But even so, there are still large parts on earth where people hold on to their traditional views about women, despite the fact that they can see—what Aristotle could not see—that women are treated differently elsewhere and that it makes all the difference if they are given the opportunity to develop their minds without impediment and to employ their talents without hindrance in the way Aristotle regards as crucial for human virtues, both intellectual and emotional.

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