

Aristotle's conception of justice in Nicomachean Ethics, and Politics.

Ramadan Al-atrsh

University of New Brunswick

IDST

(Fall 2018).

Abstract

On the one hand, that the substantial standpoint offered by Aristotle in his view about the conception of justice is based on the knowledge of the good that related to the ethical virtues in Nicomachean ethics, which based on the two main parts, the universal justice, and particular justice. On the other hand, in his most important book "Politics," Aristotle classify justice as the intrinsic nature of just citizen "The political good is justice, and this is a common advantage" in Nicomachean Ethics and Politics.

Keywords: *Aristotle. Justice. Nicomachean Ethics. Politics.*

Introduction.

Justice conception is considered as one of the essential concepts in ethics and politics in Aristotle's political thought. Therefore, there is an ongoing controversy about the concept of justice in his books "Politics and Nicomachean ethics." In this context, that Aristotle justice definition based on an integration between both political concerns and ethics concerns, where political justice belongs to ethics. From Aristotle perspective, that the integration among both of them can undoubtedly shape the best political city-state in political life. To illustrate and to analyze the basic structure of the concept, we will trace the concepts of Aristotle about justice in his books, and we will examine how he does explain and formulate that concept under the same meaning.

Miller describes Greek life by saying, "Attica was the most populous polis, had Aristotle's time a population of about 300,000, including 30,000 adult male citizens, 70,000 female citizens, and children in 10,000 metics (resident aliens), and 150,000 slaves".* ⁽¹⁾ According to the statement

* The half of Attica city population were slaves, where is the slavery was considered as a natural at the ancient time.

⁽¹⁾ Fred D. Miller. *Nature, Justice, and Rights in Aristotle's Politics*, (Oxford: Glarendon press, 1995). P. 4.

above, Aristotle argues, "Living together and sharing any human concern is always difficult" (Pol. 1263a15). Living together and sharing political concerns, we have tried to show, is especially tricky. For this respect, the most fundamental of Aristotle thought is the idea that the principle of justice* could and should guide the human reason in order to establish the individual and the city. Thus, to an unprecedented extent, Aristotle political life was subject to a rational reflection especially when we are attempting to define justice as concept and virtue. In this sense, Aristotle contends that human beings acquire the ethical virtues through habituation and the influence of laws. Moreover, Justice virtue arising in a different context may call for different but compatible solutions. For this reason, although Aristotle took issue with Plato's conceptions of rationality and with many of his political prescriptions, he followed Plato on the most critical point: politics ought to have the character of a science (episteme), with the aim of establishing and preserving a just polis.** (2) Also, according to Yack account, Aristotle argues that although the political community comes into being for the sake of survival and comfort, its final purpose is to enable us to lead the good life of rational and virtuous behavior. We need to understand the political community in order to political conflict, and we need to understand political conflicts in order to identify and explain the nature of the good life. (3)

In that sense, we will raise the most fundamental question of what is the Aristotle concept of justice in his books Politics and Nicomachean ethics? The supposed answer is that the concept of justice of Aristotle depends on the knowledge of the good, which is connecting to the ethical virtues in Nicomachean Ethics and Politics. The following points seek to show that definitions in

* Aristotle attempted to identify the determinant standards of the concept of justice dictated by nature, God, human reason, our shared experiences, our implicit consensus, or any combination thereof.

** The special science devoted to the polis is called political science. See, Ibid PP. 5-8.

(2) Fred D. Miller, *Nature, Justice, and Rights in Aristotle's Politics*, Ibid, P. 5.

(3) Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, (California: University of California Press, 1993). PP. 2-3.

the different parts of the Politics and Nicomachean ethics belong to unity and coherent argument.*

In short, that Aristotle uses a similar approach to justice definition in Politics and Nicomachean Ethics. So, the primary task it will be to describe the concept of justice which is given in his books. Firstly, we will be explaining the concept of justice in Nicomachean ethics. Secondly, we will attempt to an explication of the concept of justice in Politics.

I. Aristotle's "Nicomachean Ethics".

Substantially, that the Nicomachean Ethics is based on viewing morality definition in the city-state as a fundamental principle, where scholars argue that Aristotle theory of justice concentrated on the concept of ethics as human nature. In this regard, based on Aristotle view about justice in Nicomachean Ethics, where he supposed justice is present in all human beings, which is open to his teleology explanation. In this passage, we will explain the concept of justice NE in Aristotle theory of justice that focuses on morality matters. So, to illustrate the importance of the concept of justice, Aristotle presupposed an account of ethically to the construction of justice in his city. So, what is the Aristotle concept of justice in Nicomachean ethics?

First and foremost, as Huang says, "People currently regard justice as the main principle of institutions and society, while in ancient Greek people took it as the virtue of citizens."⁽⁴⁾ So, Aristotle defines that virtue of justice as the character of justice foreshadows a tendency that the virtue of justice turns into virtuous actions of justice. Thus, justice becoming the intrinsic nature

* The Nicomachean Ethics is a treatise on intellectual virtue, and the Politics is a treatise on Justice, which are both seeking to the good.

⁽⁴⁾ Huang, Xianzhong. *Justice as a virtue: An analysis of Aristotle's virtue of justice*, Trans Zhongguo Renmin, Higher Education Press and Springer, 2007, 2(2): 265– 279. P. 265.

of just men does not imply that justice is confined within the soul.* In this context, according to Aristotle's argument proceeds from the teleological premiss that nature, as we say, does nothing in vain. (NE. I2 1253a9).** For this argument above, Swanson and Corbin view that human beings can realize natural justice by way of deliberate and conscious means, on the one hand, such as law and education, and by way of habitual and unconscious means, on the other, such as custom and social practices .⁽⁵⁾ In the other side, Miller says, Aristotle's view about justice concept is indicated substantial evidence, where any young child has the capacity to perceive justice because human beings can acquire ethical virtue.⁽⁶⁾ Besides, Miller defends, that justice has a high place among human goods, which is that argument based on Aristotelian perfectionism.⁽⁷⁾ In this regard, we can divide the concept of justice to the political and social side. First, politically, Aristotle introduces the concept of "political justice" in the middle of the NE, book VI, immediately following his discussion of reciprocity and immediately preceding his discussion of natural and conventional right. He introduces the concept with a reminder that we "must not forget that what we are seeking is both unqualified [haplos] justice and political justice" (NE 1134a25).⁽⁸⁾ In that sense, Aristotle view that the character of justice*** is not science or ability, he meant that living and practicing capacities are different. The character of justice not only produces just actions but makes justice come into truth in political practice. Aristotle indeed insists that right or justice exist "by nature

* According to Yack, the majority of Aristotle's remarks about community appear in his discussion of friendship in the Nicomachean Ethics, rather than in the Politics. See, Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, P. 25.

** That argument used justice in the universal sense identified with the lawful, and this type of justice is concerned with producing and safeguarding the happiness of the city.

⁽⁵⁾ Judith A. Swanson and C. David Corbin. *Aristotle's Politics*, (New York: Continuum International Publishing Group, 2009). P. 5.

⁽⁶⁾ Fred D. Miller. *Nature, Justice, and Rights in Aristotle's Politics*, Ibid, p34.

⁽⁷⁾ Ibid, PP. 56-57.

⁽⁸⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, P.133.

*** Aristotle's Terminology: Natural Justice, Legal Justice and Political Justice one point of central importance to note about this passage are that in it Aristotle appears to refer to three different types of justice. See, Tony, Burns. *Aristotle and Natural Law*, Nottingham: Trent University, History of political thought. Vol. XIX. No. 2. Summer 1998, PP.

(Pol)" as well as by agreement (NE 1134b30). For that reason, that political justice is found only in a political community, that is, among free and equal persons living together in order to establish a self-sufficient community. (1134a 26-8). According to Swanson, that apprehension of the best way to live in a given situation requires apprehension of political justice which, according to Aristotle, is part natural and part legal. Accordingly, Aristotle ethics-political treatises presuppose and defend the concept of natural right or justice. Natural justice indeed has the same force and applicability universally, in all times and places. Its variability, however, makes it difficult to perceive. However, that recognize in ethical matters human beings are obliged to heed certain truths; just as there are physical facts of nature so too there are moral facts of nature.⁽⁹⁾ Indeed, Aristotle's treatise on justice deals not only with the virtues of justice but also with what might be called 'formal' principles of justice, i.e., abstract principles admitting of different, correct as well as incorrect, applications. Aristotle's says that the homonymy of universal and particular Justice and injustice is close (1129a27). Particular injustice is a part of universal injustice, for the latter can include other vices, cowardice, self-indulgence, bad temper, and excessive possessiveness (2 1130a 14-b5).⁽¹⁰⁾

Second, socially in every community, there is thought to be some form of justice, and friendship too; at least men address as friends their fellow-voyagers and fellow-soldiers, and so too those sharing with them in any other kind of community. Also, the extent of their community is the extent of their friendship, as it is the extent to which justice exists between them. (NE 1159b27–31).⁽¹¹⁾ In contrast, to the way in which we ordinarily describe social relations, Aristotle can speak

⁽⁹⁾ Judith A. Swanson and C. David Corbin. *Aristotle's Politics*, Ibid, P. 4.

⁽¹⁰⁾ Fred D. Miller. *Nature, Justice, and Rights in Aristotle's Politics*, Ibid, PP. 68-69.

⁽¹¹⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, PP. 33-34.

of social phenomena such as the form of friendship that among those who exchange goods or the form of justice that develops among family members. So, justice, in contrast, asks us to give precisely "what is due" to others (NE 1163b15). Aristotle also argues that some form of justice develops in every human community, even in communities, such as families, that are bound by an intense and intimate form of friendship. Accordingly, he suggests that there are a variety of different forms of justice, such as domestic, despotic, and political justice (NE 1134b), corresponding to the different forms of communal life. Like the other Aristotelian moral virtues, justice is a socially acquired "characteristic" rather than a natural disposition. The disposition toward friendly behavior, like other natural capacities, develop before and then express themselves in acts of friendship. In contrast, the disposition to act justly, like all the other moral virtues, emerges only after we have repeatedly performed just actions. It requires extensive training and moral education (NE1103a).⁽¹²⁾ For that reason, in Book V of "NE," Aristotle attempted to apply his theory of the mean to define justice. In this sense, he dissects justice into its smallest components, causing him to postulate three kinds, from two main types. There are two distinct forms of justice: Universal and Particular. Universal Justice is concerned with obeying laws and with virtue as a whole. Particular Justice is seen as one of the virtues and is divided into two types, a Distributive Justice and, Corrective or Rectificatory Justice.⁽¹³⁾ To sum up, that Aristotle's conception of justice in Nicomachean Ethics is a moral concept, where is political natural seems to require standards of justice that are natural for citizens, where the rule of law is a form of right natural.

⁽¹²⁾ Huang, Xianzhong. *Justice as a virtue: An analysis of Aristotle's virtue of justice*, Trans Zhongguo Renmin, Ibid, P. 39.

⁽¹³⁾ Stanford Encyclopedia of Philosophy. *Aristotle, Justice*, <https://plato.stanford.edu/entries/justice/>.

II. Aristotle's "Politics".

In the Politics opening, Aristotle gives us what looks like a kind of natural history of the city-state. In the beginning, the family, then a tribe, then a village, and then an association of village that create the city-state. Accordingly, to Aristotle sight, that the Politics explain and build of the best political city and community accordance with ethics virtue, which is existed in his time and shows where and how these cities create the moral-political community of virtuous citizens. In this respect, that the concept of justice in Politics relatively related to Aristotle's hypotheses that justice is present in all human beings, but can only be realized existence the natural city, which is during to allows human beings to the achievement of human excellence and perfection. In this regard, we will explain the concept of justice Politics in Aristotle theory of justice that concentrate on morality issues. To illustrate the importance of the concept of justice, Aristotle presupposed an account of ethically to the construction of justice in his city-state. So, the question raised here what is the Aristotle concept of justice in Politics?

In basic, that the precise meaning of Aristotle's about the concept of justice is built on the perfect form of the political community, where the justice which it embodies is the perfect form of justice. Hence, justice is so far as it is natural series as a normative constraint on the politics. Also, according to Aristotle, political justice is in part natural and in part legal. (7 1134b 18-19). In the early objection, Yack pointed out, that teleological account of the nature of political community raises many troubling questions, the most important of which is, how does one get from the existence of natural capacities to the existence of a particular kind of community among us? The teleological reasoning usually attributed to Aristotle in response to this question that since the human capacity for a just and virtuous life can be perfected only in a community, there must exist, by nature, a community devoted to the good life, which requires us to treat the political community

as if it was a living organism.⁽¹⁴⁾ In contrast, Aristotle's defence of political naturalism in "Politics" contains two important references to Justice. First, in the argument that human beings are by nature political animals (1253a7-18), there is the claim that human beings are uniquely endowed by nature with the ability to form the concept of justice and hence with the capacity for political cooperation. Second, the argument that the lawgiver is a great benefactor (1253a 31-9) contains the claims that human beings became perfected only by acquiring virtue and practical wisdom,* and that this requires the administration of justice in the city. In this context, Aristotle insists that "there is in everyone by nature an impulse toward this kind of community" (Pol. 1253a29). He is arguing that the members of the human species are, for the most part, disposed of in the course of following their natural inclinations and exercising their specific natural capacities to form self-sufficient communities based on sharing the practices of political justice.⁽¹⁵⁾ From that reason, the proper aim of the polis is the happiness of its citizens, and the proper task of the science of politics is to perfect them by providing them with a Just political order embodied in constitution and laws. In order to establish and preserve such an order, the lawgivers and politicians must have a real understanding of the nature of the human beings who are to share in the polis.⁽¹⁶⁾ In the same side, that the argument at (1253a1 – 9) contends that Justice is of paramount importance, in that human beings cannot achieve perfection without it. Substantially, Yack argues that the way in which Aristotle uses the adjective political confirms this interpretation. For Aristotle, the specifically "political good" is justice or the "common advantage" of the polis rather than shared happiness (Pol.

⁽¹⁴⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, P. 63.

* Political rule or statesmanship for Aristotle is rule by virtuous individuals that nevertheless requires for its success the participation of the people. See, Mary P. Nichols. *Citizens and Statement, A Study of Aristotle's Politics*, (London: Rowman & Littlefield publishers, 1992). PP. 5-10.

⁽¹⁵⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, P. 62.

⁽¹⁶⁾ Fred D. Miller. *Nature, Justice, and Rights in Aristotle's Politics*, Ibid, P. 67.

1282b16). The "political good" is the interest that all members of the political community share in promoting the conditions that make virtuous activity possible, rather than that activity itself.⁽¹⁷⁾ Moreover, Yack confirms, that Aristotle's general conception of justice is thus a much more political conception than the theories of fairness with which it has frequently been identified in the past. It is a distinctly political conception of justice, first of all, in its political understanding of the common good, an understanding that reflects the nature and intensity of the claims made by competing groups within the political community.⁽¹⁸⁾

Therefore, according to Beever view, for Aristotle, that "justice" has both a particular and a general meaning. In its general sense, it is a synonym for virtue; the just man being the virtuous or good man. Conversely, in its more particular sense, the only sense with which we are interested here, justice is concerned with only part of virtue: giving persons their due.⁽¹⁹⁾ In the same respect, Miller pointed out, that the centrality of justice to Aristotle's political theory is confirmed by his theory constitutions: All constitutions are a form of justice, for [a constitution is] a community, and everything common is established through Justice, (Pol VII9 1241b 13-15).⁽²⁰⁾ In general, the justice itself takes different specific forms, each of which distinctively promotes the common advantage. Thus, the concept of justice divides into three sorts. Firstly, distributive justice is concerned with the distribution of a common asset, such as honour or property among those who have a constitution in common. Secondly, corrective justice is concerned with rectifying previous unjust transaction between them. Corrective justice has further subparts involving either voluntary

⁽¹⁷⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, P. 103.

⁽¹⁸⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, P. 172.

⁽¹⁹⁾ Allan, Beever. *Aristotle on equity, law and justice*, Cambridge University Press, 2004, Legal theory., 10 (1). PP. 33-50. P. 33.

⁽²⁰⁾ Fred D. Miller. *Nature, Justice, and Rights in Aristotle's Politics*, Ibid, P. 67.

transactions (e.g., selling, buying, renting, hiring) or involuntary transactions (including acts of secrecy, e.g., theft and adultery; and acts of force, e.g., assault and murder). (1130b30-1131a9). Finally, reciprocal or commutative justice, which is found in communities of exchange. e.g., when a farmer and a shoemaker exchange food for shoes (5.1132b 31-3).⁽²¹⁾ According to the division of justice above, we could realize why Aristotle's attempt to link the concept of the city with the concept of justice politically. In other words, without justice or ethical virtue, human beings use their natural arms for unjust ends, feeling into conflict, where is the issue of faction appear up.*

Indeed, Aristotle formulates the concept of justice in Politics, where is deeply aware of the special conflicts associated with human communities. The intensity of our conflicts, he notes, increases with the closeness of our relationships. Anger is something that individuals "express more strongly against their companions when they think they have been treated unjustly. Hence the sayings 'Cruel are the wars of brothers' and 'Those who love extravagantly will hate extravagantly as well.'⁽²²⁾ As a result, Yack says, that standards of justice, as Aristotle conceives of them, inevitably reflect a choice that some individuals make and impose on others. The ways in which different kinds of community construct and distribute the power to impose these standards will largely constitute the specific forms of justice that develop within them. What most distinguishes political from domestic justice, for example, is the public legislation and alternation in positions of authority that domestic justice lacks (NE 1134a).⁽²³⁾ To conclude, that Aristotle's

⁽²¹⁾ Fred D. Miller. *Nature, Justice, and Rights in Aristotle's Politics*, Ibid, P. 70. See also, Ronald L. *Weed. Aristotle on Stasis: A Moral Psychology of Political Conflict*. (Berlin: Logos Verlag Berlin, 2007). PP. 34-43.

* The mixed regime and political justice Aristotle's analysis of stasis suggests that mutual suspicion, competition, and conflict between rich and poor citizens are normal states of affairs in political life. As for the problem of faction is addressed in books IV and V Pol, where Aristotle goes on to describe by the term polity, the regime that he believes most successfully controls for the theme of faction.

⁽²²⁾ Bernard, Yack. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought*, Ibid, P. 40.

⁽²³⁾ Ibid, P. 42.

definition of justice in Politics, "is designed to indicate the advantageous and the harmful and therefore also the just and unjust, and it is a community in these things that make a household or a polis" (Pol. 1253a). In short, the concept of justice is related to ethical virtue, which natural for human beings.

Conclusion.

To sum up, one thing we will quickly note is that there are no permanent answers in what the concept of justice is. In other words, the freedom of the human mind builds on similarity and differences to determine for us what's right about justice definition. This paper has attempted to show that Aristotle justice in the Politics and Nicomachean Ethics takes a clear concept to a clear destination, which is a just and stable constitution. According to Aristotle, justice concept, assumes a natural teleology and reflections for his theory of the good, contending that human beings can attain the objective good only if the justice with which it is naturally endowed is used in a just or virtuous manner. Thus, that the concept of justice, like any value, is rooted in human beings natural as well as resulting from habituation and education. Hence, the Aristotle theory of justice based on three principles. First, the principle of teleology, where human beings have distinctive natural ends. Second, the principle of perfection, where that the good for human beings consists in the attainment of these ends. Third, the principle of community, where those individuals can attain the good only if they belong to and are subject to the authority of the political community. Moreover, Aristotle's both books emerge as a document in defense of best (mixed constitution) whereby is a government by the rule of law that offers justice for all. To sum, Justice along with virtue and practical wisdom is necessary for the full realization of human nature, and justice is indispensable for the perfection for human beings.

References

Beever, Allan. Aristotle on equity, law and justice, *Cambridge University Press*, 2004, *Legal theory.*, 10 (1). PP. 33-50.

Burns, Tony. Aristotle and Natural Law, Nottingham: Trent University, *History of political thought.* Vol. XIX. No. 2. Summer 1998, PP. 141-166.

Miller, Fred D. *Nature, Justice, and Rights in Aristotle's Politics.* Oxford: Clarendon Press, 1995.

Nichols, Mary P. *Citizens and Statement, A Study of Aristotle's Politics.* London: Rowman & Littlefield Publishers, 1992.

Stanford Encyclopedia of Philosophy, *Aristotle, Justice.*

Swanson, Judith A. and Corbin, C. David. *Aristotle's Politics.* New York: Continuum International Publishing Group, 2009.

Weed, Ronald L. *Aristotle on Stasis: A Moral Psychology of Political Conflict.* Berlin: Logos Verlag Berlin, 2007.

Xianzhong, Huang. Justice as a virtue: An analysis of Aristotle's virtue of justice, *Trans Zhongguo Renmin, Higher Education Press and Springer*, 2007, 2(2): 265– 279.

Yack, Bernard. *Problems of a Political Animal Community, Justice, and Conflict in Aristotelian Political Thought.* California: University of California Press, 1993.