Thornton Lockwood, *Aristotle on Justice*. *The Virtues of Citizenship*
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CHAPTER SUMMARIES

Introduction: Citizenship in the age of autocracy

The book commences with a brief reflection on the intellectual problems that contemporary political and ethical theorists face in trying to make sense of citizenship and democracy in an age of autocracy. Relevant, I think, is Blaise Pascal's claim that Plato and Aristotle "ont écrit de politique c'était comme pour régler un hôpital de fous" (or that Plato and Aristotle wrote about politics as if politics were like governing an "insane asylum"). My book argues that the best way of understanding Aristotle's political thought is to see that although Pascal may be right about Plato, he is completely wrong about Aristotle, and that their disagreement generates much of Aristotle's framework and model for civic engagement which may still provide resources for challenges we face today. The introduction then situates the work in a brief literature review that documents (1) the anachronistic weaknesses of the "political naturalism" of Keyt (1991a), Keyt (1991b), and Miller (1995); (2) the exegetical weaknesses of contemporary neo-Aristotelian

virtue ethics accounts of the virtue of justice (especially in the work of LeBar [2014], LeBar [2020a], and LeBar [2020b]); (3) the strengths and weaknesses of recent scholarship on Aristotle's account of justice (such as Johnson (2015), Weber (2015), Riesbeck (2016a), Pellegrin (2017), Rogan (2018), Skultety (2019), Duke (2020), Connell (2021), Morel (2021), and Deslauriers (2022)); and (4) the need for a comprehensive study of justice in both the ethical treatises and the *Politics* that is historically contextualized (rather than in dialogue with contemporary philosophical debates), one that is largely sympathetic with those found in Lee (2014), Lee (2021), and Lee (2022).

Ch.1: Politics and justice in Aristotle's ethical and political works

My first chapter establishes the framework of Aristotle's account of justice through an examination of three of its contexts. Part I of the chapter explores the context of Aristotle's intellectual personality by establishing his relationship to Plato and Isocrates, the two 4th century contemporaries whom I believe Aristotle most prominently engages in his account of justice. Part II of the chapter lays out the structure of what Aristotle calls πολιτική, which is the term he uses to characterize the programmatic or disciplinary context of two of his treatises, namely the *Nicomachean Ethics* and the *Politics*. Part III of the chapter argues that Aristotle's notion of politics embeds his account of justice with the institutional context of the classical Greek polis. Thus, we see Aristotle thinking of justice—especially the particular virtue of justice—primarily as the excellence of a citizen in a polis community. Aristotle defines a citizen as one who has the right to share in the judicial and deliberative offices of a community and such roles seem to

presuppose the civic space in which the just citizen exercises the intellectual excellences of deliberative and judicial science.

Ch. 2: The varieties of πρὸς ἕτερον justice: Lawfulness and complex equality (*EN* 5.1–5)

Like Kraut (2002), I recognize the complaints that Aristotle's readers—and Aristotle specialists— make about his account of that which is just in *EN* 5. But also like Kraut (2002), I find that such narrow exegetical problems obscure the radical conceptual re-orientation that Aristotle's treatise on justice seeks to accomplish, a re-orientation inspired by the notion of politics that I described in the previous chapter. Part I of the chapter examines how Aristotle contrasts two radically different senses of "other-related" justice that I argue derive from two different Greek intellectual traditions concerning justice, one found in the poetry and prose of Hesiod, the other in the legislation of Solon. Part II of the chapter examines how Aristotle's notion of ethical justice arises out of a radical critique of the "judgment-based" notion of justice one finds in the political discourses of Isocrates, one of Aristotle's 4th century contemporaries. Part III of the chapter argues that Aristotle grounds the two different domains of Solonian justice in the political experience of a citizen, namely as one whom Aristotle defined as "someone who is eligible to participate in deliberative and judicial office" (*Pol*. 3.1.1275b18–19).

Ch. 3: Reciprocity, commerce, and justice (*EN* 5.5)

Scholars have characterized Aristotle account of proportionate reciprocity in *EN* 5.5 in several ways. My chapter argues that the objective of *EN* 5.5 is neither the articulation of a third form of particular justice nor the description of the subdivision of voluntary instances of justice in

correction, but rather a form of "proto-justice" that emerges out of Aristotle's inter-textual critique of Plato's Socrates in *Republic* 2 concerning the necessary conditions of communities of exchange. Part I of the chapter analyzes the reciprocity that Pythagoreans (and others) identify as "unqualified justice" and argues that it is wrong to view *EN* 5.5 as providing an account of a third domain of particular justice, independent from justice in allocation or justice in correction. Part II of the chapter analyzes Aristotle's discussion of proportionate reciprocity and argues that it is wrong to view it as a subdivision within that which is just in correction. Rather, I claim that proportionate reciprocity is not a human virtue, but rather a social institution that the πολιτικός needs to understand and even promote insofar as a political community requires resources. Part III of the chapter examines Aristotle's inter-textual engagement with Socrates' city of necessity, which I argue provides both the context for Aristotle's discussion of proportionate reciprocity and elucidates the goal of his investigation insofar as it goes beyond what Socrates shows about the relationship between communal exchange and need. Finally, in Part IV of the chapter I step back from *EN* 5.5 and consider Aristotle's attitude towards commerce more generally within the frameworks of household management and political science. Although both the οἰκονομικός and the πολιτικός need to incorporate exchange and commerce into their communities, it does not follow that Aristotle's citizen exercises commercial virtue. Indeed, in his best constitution, Aristotle in fact insulates his citizens from commerce, which is inexplicable if Aristotle believes that commercial virtue is a perfection of human capacity that is requisite for a flourishing life.

Ch. 4: Civic justice and legal hylomorphism (*EN* 5.6–7)

If the fifth book of Aristotle's *Nicomachean Ethics* has a reputation for being a disorganized collection of perhaps independent discussions pasted together by an unscrupulous Alexandrian editor, then a prominent example of such an independent discussion is Aristotle's analysis of "civic justice" (τὸ πολιτικὸν δίκαιον) in *EN* 5.6–7, one which seems elliptical, disconnected to other discussions in the book, and perhaps philosophically incoherent. In order to support the claims that πολιτικὸν δίκαιον in *EN* 5.6–7 is best understood as civic justice that hylomorphically combines natural and legal components, Part I of the chapter examines civic justice in order to determine the domain in which that which is natural and that which is legal combine. Parts II and III of the chapter examine each of those two aspects of that domain, namely that which is natural and that which is legal within the domain of civic justice. Part II focuses on Aristotle's example of that which is natural, namely the human characteristic of ambidexterity, and Part III focuses on Aristotle's example of that which is legal, namely his claim that "even constitutions are not the same everywhere, although only one is everywhere best in accord with its nature" (5.7.1135a4–5). In Part IV of the chapter, I provide an account of how civic justice combines what is natural and what is legal in the form of legal hylomorphism.

Ch. 5: The puzzles of πρὸς ἕτερον justice (*EN* 5.8–11)

Although clearly the first half of Aristotle's *Nicomachean Ethics* 5, namely *EN* 5.1–5, advances towards a definition of the virtue of particular justice, the second half, namely *EN* 5.6–11, embraces a very different methodology (or perhaps methodologies) to explore the nature of justice, often through the analysis of puzzles (ἀπορίαι). Less clear, at least to some commentators, is the overall argumentative coherence of the second half of *EN* 5. I contest the

claim that the puzzles of *EN* 5.8–11 are "disjointed and follow no clear overall plan" (Bostock [2000, 54]). Indeed, a careful reading shows that they truly are what I will call *pros heteron* puzzles, namely intellectual puzzles that derive from Aristotle's definition of *pros heteron* particular justice in *EN* 5.5 (1133b29–a13). Rather, the *pros heteron* puzzles are rather closely connected insofar as they elaborate upon and even revise the definitions of just and unjust action in *EN* 5.5. To show that Aristotle's analysis of the puzzles of *pros heteron* justice exhibit such interconnection, internal organization, and philosophical significance, this chapter examines each of the five puzzles individually in order to show the puzzles relationship to *pros heteron* justice, how Aristotle resolves the puzzle, and how the resolution builds upon and contributes to the solution of other puzzles in *EN* 5.8–11.

Ch. 6: Justice and politics in Aristotle's city by nature (*Pol*. 1)

Prominent among Aristotle scholars over the last three decades is the view that *Politics* book 1 is primarily concerned with providing a teleological account of the polis. Such an interpretation, sometimes called "political naturalism," claims that the goal of the first book is showing that (1) The polis exists by nature. (2) A human being is by nature a political animal. (3) The polis is prior by nature to the individual. But although *Politics* 1 clearly makes such teleological claims, I argue that *Politics* book 1 makes a very different kind of argument: since different communities (such as between husband and wife, parents and children, and households in general) have different ends as a function of their teleological natures, epistemic mastery of rule within those communities cannot be homogenous because the communities themselves are heterogenous in nature. I argue that *Politics* book 1 is primarily concerned with proving an epistemological claim,

namely that Aristotle's notion of political rule is qualitatively different from and more authoritative than any other form of ruling expertise and that thus the basis of its expertise, political science, is in fact architectonic. On the basis of such an interpretation, Aristotle's teleological claims about different communities are thus subordinate premises (rather than the main conclusions) in an epistemological argument against a Socratic claim—found in both Plato and Xenophon—that there is a single science of ruling. In order to show that *Politics* book 1 is primarily an epistemological defense of architectonic political science rather than the articulation of the teleological doctrine of "political naturalism," Part I of the chapter identifies Aristotle's opponents and the epistemic nature of their Socratic claim that there is a unitary science of ruling. Part II of the chapter examines Aristotle's first anti-Socratic argument (namely that rule is heterogeneously differentiated) and the parts of the polis and household management upon which it is based. Part III of the chapter examines Aristotle's second anti-Socratic argument, namely that political science, the basis of political rule, is in fact an architectonic science that comprises and exercises authority over all the other subordinate sciences. Although Aristotle clearly makes teleological claims in both of his anti-Socratic arguments, I argue that they need to be understood as embedded in the epistemological critique of the Socratic unitary ruling science.

Ch. 7: Pluralistic justice in hylomorphic political communities (*Politics* 3.6–3.13)

Book 3 of Aristotle's *Politics* presents an extended dialogical debate that investigates the tension between aristocratic excellence and the just inclusion of non-aristocratic parts of a political community. The debate addresses the following question: In a city that includes free-born citizens, wealthy citizens, virtuous citizens, and the rule of law, which "part" makes the best claim

to be solely authoritative within its *politeia*? Aristotle's answer exhibits both a pluralistic conception of institutional justice and a doctrine that I will call his political hylomorphism. Determining whether a political community is just is not only a question of who participates in which political offices, but also how different socio-economic parts of a city are incorporated into or excluded from that political community. In order to show that Aristotle has a pluralistic conception of justice that is a function of his political hylomorphism, Part I of the chapter examines how the *politeia* framework in which Aristotle situates institutional justice in *Politics* 3.6 arises from agreements and disagreements he has concerning Plato's analyses of justice and *politeia* in the *Republic* and the *Statesman*. Part II examines Aristotle's qualitative differentiation of constitutions in *Politics* 3.7–8, for instance that democracy is a *politeia* in which the poor (rather than the many) exercise political authority, and its ramifications for what I call Aristotle's political hylomorphism. Part III of the chapter argues that Aristotle recognizes pluralistic accounts of justice in *Politics* 3.9, in juxtaposition with the exclusive or expertise-based accounts of justice found in Plato's *Statesman* and *Republic*. Part IV shows how Aristotle uses debate and dialogue to contrast pluralistic and exclusivist principles of political participation. In Part V I show that *Politics* 3.17 returns to Aristotle's political hylomorphism in its evaluation of the plurality of just constitutions. Rather than rank *politeiai* as "better" or "worse," *Politics* 3.17 characterizes them in terms of how they fit different populations.

Ch. 8: *Politeia* justice and stability in Aristotle's political science (*Pol*. 4–8)

The previous chapter elucidated two aspects of Aristotle's account of institutional justice, namely his hylomorphic understanding of political communities and the problems with exclusive or non-

pluralistic accounts of participatory justice in *Politics* book 3. This chapter commences with two stark contrasts to the pluralistic account of justice: Part I first examines justice in Aristotle's "best constitution" in *Politics* books 7–8, which appears to be an instantiation of aristocratic justice and then Part II examines justice within the framework of a "hypothetical" constitution (specifically, the account of democratic justice in *Politics* book 6) in which Aristotle evaluates features of a democratic politeia on the basis of a form of normative internalism. Parts III and IV of the chapter focus on the relationship between justice and constitutional stability, first in the case of Aristotle's "mixed" or "middle" constitution in *Politics* 4.11 and then in the case of Aristotle's account of political discord or στάσις. The chapter concludes, in Part V, with the argument that *Politics* 5.10–11 presents arguments (in the "way of moderation") that implicitly support a "just revolution" that mitigates the injustice of tyranny even while paradoxically providing explicit recommendations for its preservation.

Ch. 9: Beyond the civic and the political: justice for non-human animals, households, and cities

The first five chapters of the book argued that Aristotle envisions the paradigmatic case in which the ethical virtue of justice operates as that between citizens within one and the same political community. Just like Aristotle characterizes the paradigm case of courage as it applies to a citizen-solider defending his polis, the virtue of justice applies to the citizen-jurist and the citizen-assemblyman, exercising the virtue of justice within the domains of the assembly and the law-courts. The last three chapters have argued that Aristotle conceives of justice as an institutional characteristic paradigmatically in the case of *politeiai*, both in how they are governed and which citizens they incorporate into the governing of the political community. But how does Aristotle

understand justice outside the framework of adult male citizens within a political community? Does justice have purchase in other "*pros heteron*" or other-related domains? The final chapter of the book maps out how Aristotle understands justice in three domains that are significantly different than the paradigmatic citizen roles. Part I of the chapter argues that although Aristotle denies that there is justice between human and non-human animals, he nonetheless recognizes inter-species friendships that generate their own forms of moral obligations. Part II of the chapter examines how justice within the household (specifically, towards slaves, children, and female spouses) can both approximate citizen-justice and show that justice admits of approximation within different forms of community, including in the case of a human being as such. Finally, Part III of the chapter argues that although Aristotle recognizes some moral ties between different political communities, ultimately inter-polis relations go beyond his κοινωνία framework that underlies his account of justice. Although Aristotle privileges the citizen domain for explicating the ethical virtue of justice, he is not without conceptual resources for making sense of obligations between species, between household members, and between poleis.

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