

JUSTICE IN ARISTOTLE'S HOUSEHOLD AND CITY

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Abstract: In *Nicomachean Ethics* V.6 Aristotle contrasts political justice (which exists between citizens) with household justice (between husband and wife), paternal justice (between father and son), and despotic justice (between master and slave) (1134b8–18). My paper expands upon Aristotle's sometimes enigmatic remarks about political justice through an examination of his account of justice within the *oikia* or 'household'. Understanding political justice requires explicating the concepts of freedom and equality, but for Aristotle, the children and wife within the household are free people even if not citizens, and there exists proportionate equality between a husband and wife. Additionally, Aristotle's articulation and defence of political justice arises out of his examination of despotic justice in the first book of the *Politics*. Not only are the polis and the *oikia* similar insofar as they are associations, but *Nicomachean Ethics* VIII.9–11 suggests they are even isomorphic with respect to justice and friendship. Thus, in this paper I explore the relationships between father and son, husband and wife, master and slave, and between siblings in order to see what they tell us about Aristotle's understanding of freedom, equality, and justice.

In the centre of the fifth book of the *Nicomachean Ethics* [EN] Aristotle undertakes an examination of political justice (*politikon dikaion*)² that can be perplexing. Within political justice, he claims, one can discern two parts, one natural, one conventional (EN V.7: 1134b18–19). Some have erroneously thought that since the latter part is changeable — different cities have different customs, laws, and norms — it follows that the whole of political justice must also be changeable. Such a claim overstates the extent of normative variability: Although it is true amongst humans, Aristotle writes, that all norms are changeable, nonetheless there is something which is by nature and something which is not (1134b29–30). How to understand Aristotle's remarks about such 'changeable' and 'natural' normativity is a difficult question which has animated thinkers as varied as Aquinas and Gadamer.³ Not only is the problem of relating nature and convention philosophically important, but

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² I have rendered *dikaion* as 'justice', although its more literal meaning is 'that which is just (or right)', i.e. the concept of justice as opposed to the virtue of justice (*dikaiosynē*), a just man (*ho dikaios*), or doing justice (*dikaiopragein*). (See further EN V.1: 1129a6–10, V.5: 1133b–34a6.) Translations in the paper are my own based on the OCT editions except where noted: *Aristotelis Ethica Nicomachea*, ed. I. Bywater (Oxford, 1894); *Aristotelis Politica*, ed. W.D. Ross (1957); *Aristotelis Ethica Eudemia*, ed. R.R. Walzer and J.M. Mingay (1991).

³ See P. Destrée, 'Aristote et la question du droit naturel (*Eth. Nic.*, V.10, 1134b18–1135a5)', *Phronesis*, 45 (2000), pp. 220–39, for a thoughtful review of the different interpretative traditions.

determining Aristotle's position is also relevant to understanding his relationship to the natural law tradition and what today we call 'moral realism'.⁴

Given the controversy which *Nicomachean Ethics* V.7 and its discussion of nature and convention has generated through the ages, one may lose sight of the fact that Aristotle's discussion of political justice actually begins in V.6, wherein he takes up its necessary conditions, namely freedom, equality, association (*koinônia*), self-sufficiency, and law (1134a26–30). In order to explicate those conditions, Aristotle contrasts political justice (which exists between citizens) with household justice (between husband and wife),⁵ paternal justice (between father and son), and despotic justice (between master and slave) (1134b8–18). In this paper I propose to expand upon Aristotle's elliptical remarks about political justice through an examination of his account of justice within the *oikia* or 'household'.⁶ Understanding political justice requires explicating the concepts of freedom and equality, but for Aristotle, the children and wife within the household are free people even if not citizens, and there exists proportionate equality between a husband and wife.⁷ Additionally, Aristotle's articulation and defence of political justice arises out of his examination of despotic justice in the first book of the *Politics*.⁸ Not only are the polis and the household similar insofar as they are associations, but *Nicomachean Ethics* VIII.9–11 suggests they are even isomorphic with respect to justice and friendship. Thus, in this paper I explore the relationships

⁴ See, most recently, T. Burns, 'Aristotle and Natural Law', *History of Political Thought*, 19 (1998), pp. 142–66, and the papers in *Aristotle and Moral Realism*, ed. R. Heinaman (Boulder, 1995).

⁵ 'Household justice' (*oikonomikon dikaion*) is not the same thing as justice within the household. The latter is a broader category which includes the former, but also *patrikon dikaion* and *despotikon dikaion*.

⁶ Aristotle uses *oikia* ('house', 'household') and *oikos* ('house', 'one's property', and 'family') inter-changeably (see e.g., *EN* VIII.10: 1160b24, X.9: 1180b4; *Pol.* I.2: 1252a13, b17, 1253b6, etc., with *Pol.* I.7: 1255b20, II.6: 1265b13). Throughout the paper I translate both *oikia* and *oikos* as 'household' within the text, although the reader should be aware of the extent of the terms' meanings. For an overview of interpretative problems concerning the household in antiquity, see L. Nevett, *House and Society in the Ancient Greek World* (Cambridge, 1999), pp. 4–20. For Aristotle's account of the household see W.L. Newman, *The Politics of Aristotle* (Oxford, 1887), vol. I, pp. 118–202; J.A. Swanson, *The Public and the Private in Aristotle's Political Philosophy* (Ithaca, 1992), pp. 9–94; W. Booth, *Households: On the Moral Architecture of the Economy* (Ithaca, 1993), ch. II; O. Ceder, *Family, The State, and Citizenship in Aristotle's, G.W.F. Hegel's, and J.S. Mill's Political Thought* (Ph.D., Stanford, 2000), ch. I; E. Belfiore, 'Family Friendship in Aristotle's Ethics', *Ancient Philosophy*, 21 (2001), pp. 113–32, and L. Pangle, *Aristotle and the Philosophy of Friendship* (Cambridge, 2003), pp. 79–104.

⁷ *Pol.* I.12: 1259a39–b1, *Pol.* I.13: 1260b18–20; *EN* VIII.10: 1160b 25–61a3, 61a20–25; *EE* VII.9: 1241b33–41; *Oec.* I.3: 1342b24–44a8, I.6: 1345a12–18; cf. *Pol.* I.2: 1252b5–11.

⁸ See *Pol.* I.7: 1255b17–21; cf. I.1: 1252a7–18, I.3: 1253b17–23, I.5: 1254b2–6.

between father and son, husband and wife, master and slave, and between siblings in order to see what they tell us about Aristotle's understanding of freedom, equality, and justice. Before examining these relationships, let me first explore in what sense the household may be a model for the city.

The Relationship between City and Household⁹

Aristotle famously notes in the beginning of his *Nicomachean Ethics* and *Politics* that man is by nature political or a political animal (*politikon zōon*).¹⁰ But the *Eudemian Ethics* [*EE*] also claims that man is a 'household animal' (*oikonomikon zōon*) and the *Nicomachean Ethics* claims that 'man is by nature a pairing thing (*syndyastikon*) more than he is a political thing'.¹¹ The first book of the *Politics* makes clear that the claims are consistent. Although the polis is a more self-sufficient and complete *koinōnia* than the household, the household is not dissolved into the polis, but instead it endures as the most basic part of which the polis is composed.¹² Rather than view the polis and household in radical tension, or have the authoritative polis supersede the pre-political household — a theme some have found in Sophocles' *Antigone* or Aeschylus' *Oresteia* trilogy — Aristotle instead claims that in both polis and household one arrives at a sense of the beneficial and harmful, the just and the unjust.¹³ Still, it remains to be said what is the relationship between household and political animals. An excellent place to probe their relationship is *Nicomachean Ethics* VIII.9–11 (and its parallel discussion in *Eudemian Ethics* VII.9–10), midway through Aristotle's two-book account of *philia*¹⁴ or

⁹ For the tradition of modeling the state on the family, see further D. B. Nagle, 'Aristotle and Arius Didymus on Household and polis', *Rheinisches Museum für Philologie*, 145 (2002), pp. 198–223; J.M. Blythe, 'Family, Government and the Medieval Aristotelians', *History of Political Thought*, 10 (1989), pp. 1–16; and G. Schochet, *Patriarchalism in Political Thought* (Oxford, 1975), pp. 18–36.

¹⁰ *EN* I.7: 1097b: *physei politikon ho anthropos*; *Pol.* I.2: 1253a2–3: *ho anthropos physei politikon zōon*; cf. *EN* IX.9: 1169b20–22, *Pol.* III.6: 1278b19, *Hist. Anim.* I.488a7 ff., VII.589a2.

¹¹ *EE* VII.10: 1242a24; *EN* VIII.13: 1162a17, IX.9: 69b18. See also *EN* I.7: 1097b8–12, VIII.11: 1161a33–35, VIII.12: 1161b11–17; *Pol.* I.2: 1253a2. See further R. Bodéüs, 'L'animal politique et l'animal économique', in his *Politique et philosophie chez Aristote* (Namur, 1991), pp. 153–63.

¹² *Pol.* I.2: 1253a19–20, 1252b16–18, 28–9; I.3: 1253b3.

¹³ *Pol.* I.2: 1253a14–18. See further C.A. Bates, 'Aristotle and Aeschylus on the Rise of the Polis: The Necessity of Justice in Human Life' (*Polis*, this volume); cf. C. Patterson, *The Family in Greek History* (Cambridge, 1998), pp. 83–4, 140–9.

¹⁴ For Aristotle, *philia* encompasses not only friendship, but also the relationships between parent and child, husband and wife, two business associates, and even two citizens within a city. Although *philia* encompasses more relationships than the modern terms used to translate it (e.g., friendship, *Freundschaft*, *amitié*), within the text I translate it as 'friendship'. See further D. Konstan, *Friendship in the Classical World* (Cambridge, 1997).

friendship, where he examines justice and friendship in the household based on the claim that within the household one may find likenesses and models, as it were, for regime-types (*politeiai*).¹⁵

Nicomachean Ethics VIII.9 grounds a detailed comparison of structures in regime-types and households by furnishing proof that justice, friendship, and *koinōniai* are coextensive, and vary together in form since ‘friendship and justice seem to be concerned with the same things and to be found in the same people, for in every association (*koinōnia*) there appears to be some justice, and some friendship’.¹⁶ All associations exhibit justice and friendship regardless of whether they are voluntary or not. Thus Aristotle applies the right/deviant division of regime-types of the *Politics* to specific associations in the household (see table below, p. 5).¹⁷ For example, just as rule of the few is either aristocracy (if correct) or oligarchy (if deviant), so is the husband/wife relationship either aristocratic — if rule is shared according to virtue — or oligarchic — if rule is unilateral or based on power (1160b33–61a3).

In order to characterize the relationships between regime-types and households, one may ask is the household a model for the city or the city a model for the household? One finds two kinds of claims about their relationship in the *Nicomachean* and *Eudemian Ethics*. First, with respect to the existence of justice in the household prior to the polis, the *Eudemian Ethics* claims that since man and woman do not couple (*syndyazetai*) with any chance partner, it follows that

Man is characteristically not a solitary (*monaulikon*) but an associating animal (*koinōnikon zōon*) with those whom he shares a natural kinship (*physei syggeneia*). There would therefore be a *koinōnia* and some justice (*dikaion ti*) even if there were no polis (VII.10: 1242a24–28).

A close parallel passage in the *Nicomachean Ethics* claims that:

The friendship between man and woman seems to exist by nature, for man is by nature a coupling (*syndyastikon*) thing more than a political one, inasmuch as the household is prior and more necessary than the polis (VIII.12: 1162a16–18).

¹⁵ *EN* VIII.10: 1160b22–4; cf. *EN* I.6: 1097a2, *Rep.* IX. 592a10–b2.

¹⁶ *EN* VIII.9: 1159b25–27; for detailed commentary, see M. Pakaluk, *Aristotle, Nicomachean Ethics Books VIII and IX* (Oxford, 1999), pp. 107–11.

¹⁷ *EN* VIII.10: 1160a31ff.; cf. *Pol.* III.6: 1278b16 ff. The schema of regimes and relations within the household is not a perfect fit, and insofar as it implies that monarchy is Aristotle’s best regime (e.g. VIII.10: 1160a36–37), some commentators have thought it inconsistent with the *Politics* (see, e.g., A. Grant, *The Ethics of Aristotle* (London, 1857), vol. II, pp. 269–70).

Justice and Friendship in Regimes and Households (EN VIII.10–11)

Character of Rule	Regime type model	Character of justice or ruling (<i>archê</i>) in the household	Character of friendship in the household
Correct (<i>Orthos</i>) Rule in the interest of the ruled	Monarchy/ Rule of one	Paternal rule of father over free son.	Asymmetrical superiority in doing good (<i>euergesia</i>) on father's part.
	Aristocracy/ Rule of few	Equal but separate aristocratic rule according to virtue or worth.	Proportionate equality of affection; potentially a 'complete' friendship based on virtue.
	Timocracy or Polity/ Rule of many	Timocratic exchange of ruling and being ruled.	Like-minded friendship of equal comrades (<i>hetairoi</i>).
Deviant (<i>Parekbasis</i>) Rule in the interest of the ruler	Tyranny/ Rule of one	Persian or tyrannical rule of a free son as a slave.	Little or no friendship since, like the relationship between master and slave, there is nothing in common.
	Oligarchy/ Rule of few	Unilateral rule of either spouse according to power or wealth.	Not discussed.
	Democracy/ Rule of the many	Anarchic rule of a household without a master.	Minimal friendship based on shared equality.

Secondly, with respect to the origins of justice one finds in the *Eudemian Ethics* the claim that:

In the household are found the origins and springs (*archai kai pēgai*) of friendship, of political organization (*politeia*), and of justice.¹⁸

And a Nicomachean parallel claims that:

One may find likenesses (*homoiōmata*) and, so to speak, models (*hoion paradeigmata*) of regimes (*politeiai*) in households (VIII.10: 1160b23–24).

The first set of parallel passages is consistent with traditional interpretation: the *Politics* grants that the household is temporally prior to the polis, just not that it is ‘logically’ or conceptually prior.¹⁹ Nonetheless, the parallel passages concerning the origins of justice force us to ask to what extent, and in what fashion, is the household the ‘origin’ (*archê*) or ‘model’ (*paradeigma*) of the polis?²⁰

One can suggest three positions to demarcate the question. One might claim that the polis and household are different in kind: in the former we find equality, participation, and leisurely virtue, in the latter inequality, obedience, and necessity.²¹ Alternatively, one might argue that ‘the difference between marital relations and political relations among free citizens is a difference of degree, rather than kind’ and that Aristotle ‘considers political and marital association to be, to some degree, continuous rather than different forms of association’.²² Between these two views lies the more nuanced claim that the household and polis are continuous but only with respect to certain qualities. For instance, Judith Swanson argues that ‘as to the claim that the ideal household is a model for the best regime, it should be recalled that it is claimed to be such in that it exemplifies the principle of just rule: to each according to his or her virtue. It is not claimed that the best household is a microcosm or reflec-

¹⁸ *EE* VII.10: 1242a24–28, 42b1–2. The authenticity of the text has been recently challenged: see M. Schofield, ‘Political Friendship and the Ideal of Reciprocity’, in his *Saving the City* (New York, 1999), pp. 82–99; and M. Pakaluk, ‘The Egalitarianism of the Eudemian Ethics’, *Classical Quarterly*, 48 (1998), pp. 411–32.

¹⁹ *Pol.* I.2: 1253a19–25; cf. *Categories* 12: 14a26–b23, *Metaphysics* V.11: 1018b9–19a14.

²⁰ Arius Didymus’ *Epitome of Stoic and Peripatetic Ethics* (Stobaeus II.148.7–13) shows that such a question was answered differently by the peripatetic tradition after the subsequent decline of the polis in Hellenistic and Roman political philosophy. See further Nagle, ‘Aristotle and Arius Didymus’, pp. 202–4, and J. Annas, ‘Aristotelian Political Theory in the Hellenistic Period’, in *Justice and Generosity*, ed. A. Laks and M. Schofield (Cambridge, 1995), pp. 74–94.

²¹ So argues Newman, *Aristotle’s Politics*, vol. I, p. 182. Hannah Arendt attributes to ‘the Greeks’ (and Aristotle) a similar position in her *Human Condition* (Chicago, 1958).

²² So argues Ceder, *Family, the State, and Citizenship*, pp. 65–7, 80, 112–23.

tion of the best regime'.²³ Both the household and polis are complex or heterogeneous associations which observe the principle of just rule in that equals receive equals, and unequals receive unequals.²⁴ Just as the household is composed of qualitatively different parts which need to be ruled differently, so too does the polis comprise qualitatively different parts in need of being made one while retaining their difference.²⁵ Let me now turn to the four 'parts' of the household — the relations of the parent/child, husband/wife, that between siblings, and master/slave — in order to show how each is different and to see what each shows us about nature, equality, and freedom.

Parents and Children

The parent/child relationship illuminates political justice in several ways. First, with respect to nature, Aristotle differentiates parental roles according to sexual differences and ascribes the role of nurturer to the mother, that of educator to the father (*Oeconomica* [*Oec.*] I.3: 1344a7–9). Such roles are grounded in the complementary virtues of the two sexes: in numerous places Aristotle draws upon maternal affection as a paradigm of friendship, and often he draws upon the example of paternal guidance and instruction as a model of rational obedience.²⁶ But the division of labour is not mutually exclusive: Although mothers love their children more than fathers, Aristotle claims that a father's affection is also the source of his son's obedience and respect.²⁷ Indeed, in his analysis of the 'city of one's prayers' in *Politics* VII Aristotle seizes upon respect for elders as a natural marker to justify the demarcation between the ruler and the ruled (*Pol.* VII.14. 1332b36–33a1).

Secondly, with respect to equality, in *Nicomachean Ethics* V.6 Aristotle argues that there can be no unqualified or political justice — only something 'similar' (*homoion*) — between a father and child, and so strictly speaking no 'wrong' (as opposed to harm) done to a child, because 'there is no injustice in an unqualified sense towards one's own things ... and a child, until it reaches a certain age and is separated, is, as it were, a part of one's self'.²⁸ At the same

²³ Swanson, *The Public and the Private*, p. 28; cf. D. Dobbs, 'Family Matters: Aristotle's Appreciation of Women and the Plural Structure of Society', *American Political Science Review*, 90 (1996), pp. 74–89.

²⁴ *Pol.* III.9: 1280a12–14; Cf. *Pol.* III.12: 1282b18–23, III.12: 1283a27–29; *EN* V.3:1131a24–29.

²⁵ *Pol.* III.12.1283a16–23, III.13.1283b.1–9, IV.4.1290b24 ff., VII.8.1328a23 ff.; cf. *Republic* II.369b–371e. See further A.W. Saxonhouse, *Fear of Diversity: The Birth of Political Science in Ancient Greek Thought* (Chicago, 1992), pp. 212–31.

²⁶ *EN* VIII.12: 1161b27–9, VIII.8: 1159a27–32, IX.4: 1166a7–10; I.13: 1102b32–33; X.9: 1180b3–6.

²⁷ *EN* VIII.11: 1161a16–20, IX.9: 1180b3–6.

²⁸ *EN* V.6: 1134b9–12; cf. VIII.12: 1161b18–29. See further A.W. Price, *Love and Friendship in Plato and Aristotle* (Oxford, 1989), p. 165.

time, Aristotle groups the father/son relationship under those asymmetrical friendships that exist between the young and old, husband and wife, and ruler and ruled, and asserts that specific claims or obligations exist for each party (VIII.7: 1158b20–24). The gift which parents give their children — existence, nurturing, and education — can according to Aristotle never be adequately reciprocated, but nonetheless children need to try to return what they can.²⁹ In Athens, for example, children were expected to perpetuate the household (including familial religious obligations) and maintain their parents in old age, and parents were expected to observe partible, male-oriented succession.³⁰ Thus, although fathers and sons are not equals, Aristotle recognizes claims of justice on both sides of their relationship.³¹

Lastly, although children are not their parents' equals, nonetheless sons are 'those who will become partners (*koinônoi*) in the regime', and are to be ruled 'as freemen'.³² Although both children and slaves are 'parts' of the head of the household, they are ruled in opposite fashion.³³ A useful comparison can be made between Athenian fathers and their Roman counterparts. Dionysius of Halicarnassus reports that whereas the Roman *paterfamilias* possessed the power of life or death over all within his household (even after they have attained their majority), once an Athenian father recognized the legitimacy of progeny within his household, the child became a free Athenian and potentially a citizen.³⁴ Perhaps reflecting such practice, Aristotle claims that the proper 'model' of justice between father and son is that of 'royal' or kingly rule, which is the legitimate rule of a superior over an inferior but, unlike a tyranny, is rule in the interest of the ruled (VIII.10: 1160b25–6). Aristotle claims that the Persian 'household' is an undifferentiated unity in which the household head rules as a tyrant over all within. Such a 'father' treats his sons no differently than his slaves, nor does such a 'husband' treat his wife any differently than a female slave.³⁵ Although Aristotle believes that the relationship between parent and child and husband and wife are unequal friendships, nonetheless ruling a wife like a child or a slave is fundamentally unjust.

²⁹ *EN* VIII.11: 1161a16–23, VIII.12: 1162a4–9, VIII.14: 1163b15–28, IX.1: 1164b3–6.

³⁰ See W.K. Lacey, *The Family in Classical Greece* (Ithaca, 1968), p. 165; S.C. Todd, *The Shape of the Athenian Law* (Oxford, 1994), pp. 217–9.

³¹ Would Aristotle consider such claims as rights? Such a question poses interesting problems for Fred Miller's claim that Aristotle possesses a qualified rights-theory. See further *Nature, Justice and Rights in Aristotle's Politics* (Oxford, 1995), ch. IV. I return to the issue briefly in my conclusion below.

³² *Pol.* I.13: 1260b20–21, I.12: 1259a40. See further D. Tress, 'Aristotle's Child: Development Through Genesis, Oikos, and Polis', *Ancient Philosophy*, 17 (1997), pp. 63–84.

³³ *EN* V.6: 1134b12, VIII.12: 1161a18; *Pol.* I.4: 1254a1–17, I.6: 1255b10–14.

³⁴ Dionysius of Halicarnassus, *Roman Antiquities*, trans. E. Cary (Cambridge, 1937), vol. II, pp. 26–7.

³⁵ *EN* VIII.10: 1160b28–32; *Pol.* I.2: 1252b7–8.

Husbands and Wives

Aristotle's claim that household justice between husband and wife is similar to political justice seems to imply that husband and wife are equals like fellow citizens. But further, since Aristotle claims that friendship between a husband and wife 'may be based on virtue, if the partners be decent, for each of the two sexes has its own excellence, and this may be the ground of attraction', it seems that that highest relationship — character friendship in which another person becomes a 'second self' who completes the first — is possible for men and women.³⁶ Indeed, the *Oeconomica* even claims that it is useful for master and mistress of the household to rise before daylight to pursue philosophy, one imagines, together (*Oec.* I.6: 1345a6–17).³⁷ How can Aristotle — who has been accused not only of typical Greek sexism and chauvinism, but also of out and out misogyny — consistently maintain such claims?³⁸ To explain, one must examine Aristotle's understanding of natural sexual difference and equality.

Although Aristotle's treatment of biological sexual difference is complex and controversial, one may ask in general whether he believes that women are naturally destined to inferiority and subordination. For example, in the *Politics* Aristotle asserts that 'the male' (*to arren*) is better fitted to command than 'the female' (*to thēly*) by nature, and that the female possesses the deliberative part of the soul, but only 'without authority' (*akyrion*).³⁹ Does it follow that Aristotle's biology is metaphysically anti-woman? As Judith Swanson has argued, one cannot deduce the characteristics of a man (*anēr*) and a woman (*gynē*) from the *archai* of male and female, for in the generation of life

'Male' and 'female' are opposite principles, the one being of movement, the other of material cause (*GA* [*Generation of Animals*] 715a5–7). But as *archai* they are abstractions; neither can exist without the other. They are compelled to unite. The result is necessarily a combination of male and

³⁶ *ENV*.6: 1134b15–16, VIII.12: 1162a24–26; see Ceder, *Family, State, and Citizenship*, pp. 65, 80–82.

³⁷ Although the authenticity of *Oeconomica* Books II and III is doubtful, the contents of the first book are unambiguously peripatetic and if not from Aristotle's hand, then consistent with Aristotle's other writings. See further W.D. Ross, *Aristotle*, 5th ed. (London, 1959), p. 22; U. Victor, *OIKONOMIKOS: Das erste Buch der Ökonomikos* (Königstein, 1983).

³⁸ For a review of the substantial literature on the 'woman question' in Aristotle see R. Mulgan, 'Aristotle and the Political Role of Women', *History of Political Thought*, 15 (1994), pp. 179–202. For the classic exchange concerning the biological writings see M. Horowitz, 'Aristotle and Woman', *Journal of the History of Biology*, 9 (1976), pp. 183–213, and J. Morsink, 'Was Aristotle's Biology Sexist?', *Journal of the History of Biology*, 12 (1979), pp. 83–112. See also D. Tress, 'The Metaphysical Science of Aristotle's *Generation of Animals* and its Feminist Critics', *Review of Metaphysics*, 46 (1992), pp. 307–41, whose account I find most persuasive.

³⁹ *Pol.* I.12: 1259b2–3; I.12: 1260a13–14.

female (GA 766b5–6) . . . In sum, Aristotle seems to be claiming that, although there are male and female qualities, actual men and actual women manifest various combinations of these qualities.⁴⁰

Thus, although Aristotle believes that there exist fundamental differences between male and female principles in biology, it does not follow that such differences destine actual women to subordination. What does follow?

On the one hand, Aristotle accepts the structural inequality incorporated into the Greek practices of marriage and child bearing which are pegged to the natural strengths and weakness of the household. The union of man and woman originates out of a natural impulse to further the species, and is thus not a matter of choice (*proairesis*) but of necessity.⁴¹ Aristotle suggests that in the city of one's prayers, men should be married in their mid-30's, and women in their late teens so that neither will a father be too old to help raise his children, nor will he be too young and close in age to his children to preclude a natural respect from them.⁴² To the husband in his mid 30's fell the task of perfecting the virtues of his teenage wife, and together, as father and mother, they attended to the virtues of the children, and as master and mistress of the household, to those of their servants.⁴³ Inequality within the household aimed at the interest of the inferior, and for husband and wife, their age difference is perhaps its most significant cause.⁴⁴

But on the other hand, although Aristotle believes that actual men and women are generally different, he rejects the claim that equality requires sameness. Instead, he argues that men and women can approach equality without interchanging sexual roles, that they can instead best make use of their different but complementary virtues.⁴⁵ Unlike other animals, humans couple not only for the making of children, but also for the promotion of living

⁴⁰ Swanson, *The Public and the Private*, p. 51; cf. Ceder, *Family, State, and Citizenship*, pp. 130–33.

⁴¹ *Pol.* I.2: 1252a26–30, cf. *EN* VIII.12: 1162a16–18, *Oec.* I.4.1344a20–24.

⁴² *Pol.* VIII.16: 1335a28–30, 1334b39–35a4; cf. *Rhet.* II.14: 1390b9.

⁴³ *Pol.* I.12: 1259a38–40, I.13: 1260b3–8, 18–27; cf. *Pol.* I.7: 1255b31–40. *Oec.* I.4: 1343b8–23, I.5: 1344a29–33, 1344b5–12, I.6: 1345a7–18.

⁴⁴ Xenophon, in his *Oeconomicus* (which is consistent with the *Oeconomica's* view of women) has the model householder Ischomachus say of his wife's education: 'Why, what knowledge could she have had, Socrates when I took her for my wife? She was not yet fifteen years old when she came to me, and up to that time she had lived in leading strings, seeing, hearing, and saying as little as possible. When she came she knew no more than how, when given wool, to turn out a cloak, and had seen only how the spinning wheel is given out to the maids.' Xenophon, *Memorabilia and Oeconomicus*, trans. E.C. Marchant (Cambridge, 1923), VII.§§4–6; cf. III.§§10–12, 13–15. See further S. Pomeroy, *Xenophon: Oeconomicus* (Oxford, 1994).

⁴⁵ For extended argument that Aristotle rejects male/female complementarity in favour of 'sex polarity' in which male and female differ and the male is superior, see P. Allen, *The Concept of Woman: The Aristotelian Revolution* (Grand Rapids, Mich., 1997), pp. 3–4, 83–126.

and, indeed, happiness.⁴⁶ Thus the *Ethics* claims that men and women 'supply each other's wants, placing their complementary talents towards their common project' (VIII.12: 1162a23–24); the *Oeconomica* expands upon the point and claims that 'men and women are distinguished from each other by the possession of faculties not adapted in every case to the same tasks, but in some cases for opposite ones, though contributing to the same end' (I.3: 1343b28–30). Thus men are more suited for defending the household from external foes and bringing in produce from without, whereas women are more suited for guarding over and preserving that which is within (1344a1–8). Aristotle still maintains that the virtue of man is 'commanding' (*archikê*), and that of woman 'obeying' (*hypêretikê*) (*Pol.* I.13: 1260a22–24); but the position he espouses is neither a radical rejection of tradition — like that of Socrates, whose 'equal' women in the *Republic* seem to be neutered men — nor simply an ideological endorsement of current mores — like those of Athens, whose legal system treated women as things 'to be protected, controlled, and manipulated by those who held the monopoly of authority'.⁴⁷ Let me examine household justice to see why.

With respect to justice in the husband/wife relationship, Aristotle claims that

The association of husband and wife seems aristocratic, because it is according to worth that the husband rules and over those things which a husband should, and whatever is appropriate for a wife, he hands over to her. But if a husband lords over all, he converts it into an oligarchy, for then he does things contrary to worth, and not insofar as he is better. And sometimes when wives are heiresses (*epiklêroi*), they rule, and in this case the rule is not according to virtue, but on account of wealth and power, just as in an oligarchy.⁴⁸

For the husband to extend his authority to all things within the household is a usurpation of his wife's rightful dominion, but Aristotle also envisions the case of an heiress who exceeds her authority and usurps the authority of her husband. What does he have in mind? An *epiklêros* (literally someone 'who comes with the estate') is the legal term for an unmarried, brotherless woman who had inherited her father's estate. Several conflated factors made her status complex and the object of significant testamentary legislation.⁴⁹ For example, in Athens, on the one hand women were not allowed to enter into contracts for more than the value of one *medimnos* of barley (enough to buy a week's grain) but rather he who was *kyrios* of her *oikos* — her father before

⁴⁶ *EN* VIII.12: 1162a19–21, *Oec.* I.4: 1343b17–25.

⁴⁷ R. Just, *Women in Athenian Law and Life* (London, 1989), p. 105. Cf. S. Salkever, *Finding the Mean: Theory and Practice in Aristotelian Political Philosophy* (Princeton, 1990), ch. IV.

⁴⁸ *EN* VIII.10: 1160b32–61a4, Pakaluk trans. adapted. Cf. *EE* VII.9: 1241b33–41.

⁴⁹ See Lacey, *The Family in Classical Greece*, p. 139, D. Schaps, *Economic Rights of Women in Ancient Greece* (Edinburgh, 1979), pp. 25–47, and Todd, *Shape of Athenian Law*, pp. 228–31.

she was married, her husband afterwards, and her sons in the case of separation from her husband — had control over the administration of her property.⁵⁰ On the other hand, a woman's dowry (*proix*) or inheritance (*klêros*) provided a means of controlling suitors and, if of significant size, gave her real power even without ownership.⁵¹ The dowry was provided for a woman's maintenance and to discourage divorce, and although her husband controlled whatever interest it earned, the principal could not be spent and remained separate from the husband's household. In the case of the dissolution of a childless union, the principal was returned to the woman's father; in the case of the dissolution of a union with children, it passed directly to them.⁵²

Aristotle's invocation of the *epiklêros* in *Nicomachean Ethics* VIII.10 only touches upon the issue of dowries and heiresses, but an examination of his criticisms of the Spartan regime in *Politics* II.9 makes clear that the issue is hardly a tangential or unusual one. Aristotle blames several of Sparta's problems on the 'looseness' of her women, and all of them are related to the Spartan practice of dowries and the *epiklêrate*, at least as Aristotle understands them.⁵³ According to Aristotle although Sparta discouraged the selling of estates, fathers were at liberty to provide unlimited dowries, the control of which remained with women either *de jure* (through inheritance laws) or *de facto* (because of constant military campaigning).⁵⁴ The results according to Aristotle? First, the inheritance policies led to an amalgamation of estates, massive disparity between rich and poor, and the oligarchic quality of the regime.⁵⁵ Secondly, the consequent loss of independent estates curtailed the size of Sparta's army: although her land could support 1,500 cavalry and 30,000 hoplites according to Aristotle, Sparta's armed forces amounted to less than a 1,000.⁵⁶ Lastly, with women in possession of 2/5ths of the country

⁵⁰ Just, *Women in Athenian Law and Life*, p. 29; A.R.W. Harrison, *The Law of Athens* (Oxford, 1968), vol. I, pp. 236, 52.

⁵¹ A Euripidean fragment describes her husband as 'even though free, he is a slave of his marriage bed, having sold his body for his dowry'. Eur. Fr. 775 Nauck [A. Nauck, *Eur., Fragmenta* (Leipzig, 1869)], cited in Schaps, *Economic Rights of Women*, p. 76.

⁵² See H.J. Wolff, 'Marriage Law and Family Organization in Ancient Athens', *Traditio*, 2 (1944), pp. 53–4, 60–61; Lacey, *Family in Classical Greece*, p. 108; and G.E.M. de Ste Croix, 'Some Observations on the Property Rights of Athenian Women', *Classical Review*, 20 (1970), pp. 273–8.

⁵³ The accuracy of Aristotle's criticisms is contentious. See P. Cartledge, 'Spartan Wives: Liberation or License?', *Classical Quarterly*, 31 (1981), pp. 85–105 and S. Hodkinson, 'Land Tenure and Inheritance in Classical Sparta', *Classical Quarterly*, 36 (1986), pp. 378–406. For a review of the literature, see E. Schütrumpf, *Aristoteles Politik Buch II/III* (Berlin, 1991), pp. 283–98. See also Xenophon, *Constitution of the Lacedaemonians*, I.10, II.10–11, VI.1.

⁵⁴ *Pol.* II.9: 1270a1–7. See further Hodkinson, 'Land Tenure', pp. 398–404.

⁵⁵ *Pol.* II.9: 1270a18–20, cf. *Pol.* V.7: 1307a34–37.

⁵⁶ *Pol.* II.9: 1270a29–33; see further W.G. Forrest, *A History of Sparta 950–120 BC*, 3rd ed. (London, 1995), pp. 131–7.

and their training in virtue neglected by the regime, men came under their control and fell into a form of avarice in peacetime.⁵⁷

Can one generalize from the case of Sparta's problems, assuming Aristotle's diagnosis is correct, to the claim that property rights for women inevitably lead to political turmoil? Let me summarize the relevant lessons even if Aristotle's critique of Sparta is controversial. First, his central claim is that women make up half of the polis, and the widespread neglect of their virtue is scandalous and, in the case of Sparta, an immediate cause of the regime's ills. As Aristotle puts it in his *Rhetoric*, 'all those cities in which the state of women is poor, as in Sparta, may be considered only half-happy' (I.5.1361a10-12). Secondly, if Aristotle frowns on the oligarchic control of the household by the wife, he is equally critical of the despotism he finds in the Persian household and the oligarchic usurpation of the women's sphere by men: his goal is a form of equality in rule which approximates to political equality, and to claim that Aristotle is in favour of any sort of paternalism or despotic control of women is a serious misrepresentation of his position.⁵⁸ Thirdly, the household as an institution regulated the population of the city, and was directly responsible for mitigating such dangers as poverty (through over-population) or military weakness (through under-population).⁵⁹ Aristotle recognizes both that poverty was not simply a matter of the unequal distribution of wealth and that it was necessarily related to population control and the structure of the household. Aristotle's defence of the household and his retention of it as the primary part of which the polis is composed stem from his recognition of its central importance to the polis.⁶⁰ Indeed, one can argue that the household — as distinct from e.g., the nuclear family or the extended clan — is a necessary condition of the polis.⁶¹

Brothers and Comrades

As modern tropes remind us — from the rallying cry of 'Liberté, Egalité, Fraternité', to the martial image of a 'Band of Brothers' — the relationship between brothers is the quintessential republican model. But although

⁵⁷ *Pol.* II.9: 1270a23–7, 1269b15–24, 1270a15–17.

⁵⁸ Cf. S. Moller Okin, *Women in Western Political Thought* (Princeton, 1979), pp. 73–96.

⁵⁹ *Pol.* II.6: 1265a3ff., II.7: 1266a39 ff., II.9: 1270a15 ff., II.10: 1272a23–6.

⁶⁰ Solon transformed Athens from an oligarchy to a democracy in part by strengthening households and preventing their amalgamation through adoption laws for the epiklêrate and laws of testate succession which encouraged the preservation of property within independent households rather than with the genê. See *Athenian Constitution* II–VI, IX; Plutarch, *Life of Solon*, XX–XXI; Harrison, *The Laws of Athens*, vol. I., pp. 132–8; Todd, *Shape of Greek Law*, pp. 221–31; Lacey, *Family in Classical Greece*, pp. 53–4, 84–8; Patterson, *Family in Greek History*, pp. 84–6.

⁶¹ See Nagle, 'Aristotle and Arius Didymus', pp. 220–3.

Aristotle thematizes the sibling relationships in *Nicomachean Ethics* VIII.10, he does not pick up on it in the *Politics*. Let me describe the relationship and briefly speculate about its relationship to justice in the city. With respect to justice, Aristotle claims that brothers' relationship, akin to timocracy, is grounded in a similarity of age (VIII.10: 1161a4–7). The 'deviant' form of their association — a democratic model — is like a household without masters in which each has *exousia* or license (1161a9). One suspects that what Aristotle had in mind was that the 'deviant' brotherly relationship takes place in an household in which siblings grow unruly without supervision, but such a scenario does not fit into the classificatory scheme of regime-types.⁶² In any case, the friendship between brothers is rivalled in intensity only by the love of a mother for her children. Aristotle likens friendship between brothers to that between members of the *hetairia*, or voluntary social and political clubs, yet he also distinguishes it from the friendship between citizens.⁶³ Unlike all the other relations within the household — which are between unequals (1158b12–14) — that between brothers is one of equality: if brothers are of similar age and were similarly raised and educated, Aristotle claims that they will be equals, like-minded in passions and character, rule each other in turn, and observe frankness in speech.⁶⁴ Aristotle goes so far as to claim that since brothers derive their existence from the same source, 'they are, so to speak, the same being, though embodied in separate persons'.⁶⁵ Indeed, it is brothers and 'comrades' (*hetairoi*) that Aristotle thinks should follow the proverb *koina ta philōn* or 'the things of friends are common' and the community of possessions it implies.⁶⁶ As *Politics* II makes clear, such a community of possessions is not appropriate to all.⁶⁷

Aristotle's explicit juxtaposition of friendship between brothers and that between citizens invites further speculation about the content of *politikē philia* or 'civic friendship'.⁶⁸ It is possible that Aristotle drops the brotherly

⁶² To call a democracy a regime without a strong ruler is inconsistent with the very notion of differentiating rule according to the one, few, and many. See *Pol.* III.6: 1279a23 ff.; III.7: 1279a37–b10.

⁶³ *EN* VIII.5: 1157b23, VIII. 11: 1161a25–26, VIII.12: 1162a9–15, VIII.12: 1161b11–13, IX.2: 1165a16–29.

⁶⁴ *EN* VIII.10: 1161a6–7, VIII.11: 1161a26–27, 30–31, VIII.12: 1162a13–14, IX.2: 1165a29.

⁶⁵ *EN* VIII.12: 1161b33, Rackham trans., adapted.

⁶⁶ *EN* VIII.9: 1159b31–2, cf. IX.8: 1168b6; IX.2: 1165a29–30. In Athens, where partible succession was the norm, male siblings received equal shares of the family's estate.

⁶⁷ See further *Pol.* II.1.1261a6ff., II.4.1262b3–25.

⁶⁸ *EN* VIII.12: 1161b12–16, IX.2: 1165a29–32; cf. VIII.1: 1155a21–23, VIII.3: 115a32, VIII.9: 1159b28–9. See *Rep.* IV: 424a. Compare A. Kronman, 'Aristotle's Idea of Political Fraternity', *American Journal of Jurisprudence*, 24 (1979), pp. 114–38. Aristotle's sparse use of the term *politikē philia* has invited a communitarian eisegesis (see, e.g., J. Cooper, 'Political Animals and Civic Friendship' with the poignant criticisms of

model of association in the *Politics* because he finds it inappropriate as a model of political association.⁶⁹ As we noted above, Aristotle claims that brothers *eisi dê tauto pôs* or 'are the same, somehow'. Such a trope — that two become one — is also familiar to us from Aristophanes' speech in the *Symposium* in which he claims that lovers are like two halves of a whole seeking to be one.⁷⁰ But as Aristotle points out in one of his criticisms of Socrates' attempt to unify the polis, 'in such a union both personalities, or at least one, would be bound to be obliterated; and in the polis friendship would inevitably become diluted in consequence of such association' (*Pol.* II.4: 1262b13–16). Perhaps Aristotle does not drop the model of brotherly affection — and its identity of lover and beloved or its community of possessions — as much as he implies a critique of the use of such a model for the city in his criticisms of the 'family policy' which Socrates proposes in the *Republic*.

Masters and Slaves⁷¹

Although Aristotle does not thematically relate the master/slave relationship to the division of regimes in *Nicomachean Ethics* VIII.9–11 (or the parallel discussions in *Eudemian Ethics* VII.9–10), his remarks are instructive insofar as he makes use of the relationship as a limit case of sorts, namely a kind of relationship which is not a *koinônia* or 'association'. According to the *Eudemian* and *Nicomachean Ethics*, master and slave (qua slave) share neither a common interest nor a *koinônia*, and their relationship manifests neither friendship nor justice.⁷² Indeed, the *Ethics* seems to use the relationship between master and slave as an illustration of the extent to which friendship and justice are absent in a tyranny.⁷³ Such remarks seem to conflict with the account of slavery in *Politics* I in which Aristotle differentiates masterly and political rule in order to disprove the claim that 'the same person has expertise

Julia Annas, 'Comments on J. Cooper', in G. Patzig, ed., *Aristoteles: Politik* (Göttingen, 1990), pp. 221–49. For a review of the literature, see K. Kalimtzis, *Aristotle on Political Enmity and Disease* (Albany, 2000), pp. 64–84.

⁶⁹ See further B. Yack, *Problems of the Political Animal* (Berkeley, 1993), pp. 110–18.

⁷⁰ Plato, *Symposium*, 192c–d.

⁷¹ Aristotle cites Hesiod — 'first a house (*oikos*), a wife, and an ox for ploughing' (and as the *Politics* points out, the ox served as the household slave (*oiketês*) for the poor) as proof for the necessity of servants within the household. See Hesiod, *Works and Days*, 405, *Pol.* I.2: 1252b13, *Oec.* I.2: 1343a22; cf. *Pol.* VI.8: 1323a5, *Pol.* IV.15: 1300a7. Although Aristotle's ideal city ultimately includes non-Hellenic slaves, in general Aristotle prefers domestic as opposed to public slaves, and most likely far fewer in number than existed in Athens in his time (*Pol.* II.7: 1267b14–19, VII.6: 1327b11, VII.10: 1330a35 ff). For a selective review of current literature, see A. Preus, 'Aristotle on Slavery: Recent Reactions', *Philosophical Inquiry*, 15 (1993), pp. 33–47.

⁷² *EN* VIII.11: 1161a33–b11, cf. *EE* VII.9: 1241b12–24, VII.10: 1242a28–31.

⁷³ *EN* VIII.10: 1160b28–31, VIII.11: 1161a31–35.

in political rule, kingly rule, household rule, and the rule of a master'.⁷⁴ Aristotle rejects the Socratic notion of a unitary science of ruling in *Politics* I on the basis of the difference in kind between ruling a free man and ruling a slave,⁷⁵ but in the process of his argument he asserts not only that the relationship of master and slave is just, but also that it is beneficial.⁷⁶ Although reconciling the accounts of the master and slave relationship in the *Politics* and *Ethics* goes beyond the scope of my present inquiry, let me examine what the master and slave do and do not share.

Aristotle denies that there exists a *koinônia* between master and slave because they are inseparable as persons or selves. The Eudemian articulation of the point is most clear: A *koinônia* presupposes two separate persons, but in the cases of soul and body, craftsman and tool, and master and slave, each pair is 'not two, but the former is one and the latter a part of that one, not one itself; nor is the good divisible between them, but that of both belongs to the one for whose sake they exist'.⁷⁷ There exists no 'common' good between the two because commonality, oddly enough, implies difference. Although two separate people can seek some common project, there is no 'common' goal between my right and my left hands working in unison. The rest of Aristotle's claims seem to follow from that insight: without a 'common' project or goal between master and slave there can be no *koinônia* or community; and community would seem to be a necessary condition of justice and friendship between any two people.⁷⁸

Aristotle's denial of any common interest between master and slave in the ethical treatises paradoxically supports his claim in the *Politics* that natural slavery is 'beneficial' (*sympheron*).⁷⁹ The *Politics* and *Ethics* consistently deny any commonality (either something *koinon* or a *koinônia*) between master and slave, but rather claim that the slave is a part of the master.⁸⁰ Since the ethical treatises deny a common advantage or benefit (*to koinê(i) sympheron*) to master and slave, some have found problems insofar as the *Politics* claims

⁷⁴ *Pol.* I.1: 1252a7–8, Lord trans. adapted.

⁷⁵ *Pol.* I.7: 1255b17–21; cf. I.1: 1252a7–18, I.3: 1253b17–23, I.5: 1254b2–6. See further M. Schofield, 'Ideology and Philosophy in Aristotle's Theory of Slavery' (orig. 1990), in his *Saving the City*, pp. 128–32. For the Socratic 'science of ruling' being criticized, see Plato, *Statesman*, 258e–59d; Xenophon, *Memorabilia*, III.4, 12; III.6, 12; *Oikonomikos*, XIII.5, XXI.10.

⁷⁶ *Pol.* I.5.1255a1–3; cf. I.5: 1254a18–20, 23; 1254b10, b13, b18–21, I.6: 1255b6–9.

⁷⁷ *EE* VII.9.1241b18–23; cf. *EN* VIII.10: 1160b28–33, VIII.11: 1161a31–b5.

⁷⁸ Necessary but not sufficient: the schema of relations in the household and regimes suggests that in the deviant *koinônia* between siblings there exist a minimum of friendship but no justice (*EN* VIII.11: 1161b9–11).

⁷⁹ *Pol.* I.5.1255a1–3, I.6: 1255b10–16.

⁸⁰ See, e.g., *EN* V.6: 1134b12, VIII.11: 1161a33–b3, *EE* VII.9: 1241b18–21; *Pol.* I.4: 1254a9–18, I.5: 1254b3–10. *Pol.* I.5.1254a29–30 and I.13: 1260a35–40 are interesting, but only apparent, exceptions to the claim.

that slavery is beneficial to the slave and master.⁸¹ But what Aristotle actually says in the *Politics* is more subtle: throughout, he consistently maintains that the interest between master and slave is the same (*tauto sympherei*), and he does so on the grounds that 'the same thing is advantageous for both part and whole, body and soul, and a slave is some part of a master, a sort of living but separate part of his body'.⁸² Aristotle distinguishes between the case of a 'common benefit' which is shared by two separate individuals and the 'same benefit' which is shared by any whole and one of its parts. Because Tom and Harry are two separate people they can not have the same interest, but rather a common interest, and because my hand is a part of my body it does not have an interest or benefit common to it and the rest of me, but rather the interest of my hand is the same as the rest of me. Thus it is perfectly consistent for Aristotle to deny that master and slave have any common interest while at the same time to assert that they possess the same interest.⁸³

Unfortunately, some tensions remain. First, with respect to justice, Aristotle claims that there exists despotic justice between master and slave, but denies that there is a *koinônia* between them. As we have seen previously, Aristotle distinguishes between unqualified or political justice between free and equal citizens, and paternal justice between a father and son and despotic justice between master and slave (*EN* V.6: 1134b8-10), and perhaps when he denies that there is justice between master and slave, what he means is only that they do not share political justice. Since both children and slaves are 'parts' of the household head, then it would seem that there exists justice without a *koinônia*. But *Nicomachean Ethics* VIII.9-11 presupposes that there is a *koinônia* between father and son, and explicitly denies one between a master and slave. Most likely, although a male child is always his father's son, with time he also become his own man, his own self, and it would seem that paternal justice between father and son allows for the establishment of a *koinônia* between what began as a whole and a part. But such a development seems impossible for the master and slave. By definition the natural slave of *Politics* I is by nature 'not his own self' (*mê hautou physei*).⁸⁴ Although there are passages

⁸¹ See Price, *Love and Friendship in Aristotle and Plato*, pp. 176–8; P. Garnsey, *Ideas of Slavery from Aristotle to Augustine* (Cambridge, 1996), pp. 124–6; P.A. Brunt, 'Aristotle and Slavery', in his *Studies in Greek History and Thought* (Oxford, 1999), pp. 366–71; and M. Schofield, 'Appendix 2: Slaves and Friendship' in his *Saving the City*, pp. 137–40.

⁸² *Pol.* I.6: 1255b10–16, I.2: 1252a30–5; cf. I.5.1255a1–3.

⁸³ Does *Pol.* III.6: 1278b33–37 raise a problem of consistency? The passage claims both that the benefit of master/slave rule is ultimately the same and that the advantage to the slave is 'accidental' (*kata symbebēkos*). But 'accidental' does not mean non-existent: in the subsequent text, Aristotle says that a pilot of a ship captains the vessel in the interest of the crew, and only 'accidentally' in his own interest, but insofar as he is a sailor in the ship, he participates in the benefit (1279a6–10).

⁸⁴ *Pol.* I.4.1254a15, cf. I.5: 1254b22.

where Aristotle holds out the freedom of slaves as a desideratum, his discussion of ‘despotic justice’ in the *Politics* seems irreconcilable with the notion that a slave over time could gradually become separate and free from his master.⁸⁵ The distinction between free and slave seems to be a crucial component of Aristotle’s argument for the existence of qualitatively different kinds of rule.

Secondly, with respect to friendship, the *Politics* unambiguously asserts that since master and slave have the same benefit, there is friendship between them whereas the *Ethics* asserts that qua slave, such friendship is impossible.⁸⁶ The ethical treatises seem especially attuned to the tension: The Eudemian version claims that although there is no justice between a part and a whole, there is instead an *analogon*, viz., a four-termed proportion like, as health is the proper relationship between body and soul, friendship is the analogous relationship between slave and master.⁸⁷ The Nicomachean version is slightly more enigmatic. It claims that

For master and slave have nothing in common (*koinon*), since a slave is a living tool, just as a tool is an inanimate slave. Therefore, there can be no friendship with a slave qua slave, though there can be qua human being. For there seems to be some room for justice in the relations of every human being with every other that is capable of sharing (*koinônêsai*) in nomos and contract, and hence friendship is also possible, in so far as one is human.⁸⁸

Perhaps some minimum rationality is the common thing which master and slave share (*koinônein*) between them.⁸⁹ The problem is that such a bare minimum of rationality is insufficient for being an Aristotelian ethical agent, and so one presumes, a friend. As Aristotle reminds us at numerous points, neither children nor slaves possess *proairesis* or choice,⁹⁰ but friendship — as opposed to mere *philêsis* or ‘liking’ — seems to require such a degree of mature agency.⁹¹ Perhaps friendship of a slave is more like that which is felt for an inanimate object, which although likable, is incapable of a return of affection.⁹²

⁸⁵ *Pol.* I.13: 1260a40–b8; *Oec.* I.5: 1344b5–22; *Pol.* VII.10: 1330a32. Cf. N. Smith, ‘Aristotle’s Theory of Natural Slavery’, in *A Companion to Aristotle’s Politics*, ed. D. Keyt and F.D. Miller (Oxford, 1991), pp. 153–4.

⁸⁶ *Pol.* I.6: 1255b13–14, *EN* VIII.10: 1161b5–6; cf. *EE* VII.10: 1242a30–32.

⁸⁷ *EE* VII.10: 1242a29–32; cf. *EN* V.11: 1138b7–14.

⁸⁸ *EN* VIII.11: 1161b3–8, Rackham trans. adapted; cf. *EN* VIII.1: 1155a20–23. In the *Politics*, Aristotle is deeply suspicious of such love of humanity as a political remedy of any sort (*Pol.* II.2: 1263b15–28).

⁸⁹ Cf. *Pol.* I.5: 1254b23–24, I. 13: 1259b28–29, 1260a11–14.

⁹⁰ *EN* I.4.1095a2–10, I.9: 1099b32–1100a5, II.4: 1105a26–b1, III.1: 1111a27, b8–10, III.2.1111b6–7, V.10.1137b35–8, VII.4: 1148a9, VII.8: 1151a7, VII.9: 114a29–b4, VII.10: 1152a17.

⁹¹ *EN* VIII.5: 1157b30–2, VIII.13: 1163a22–24.

⁹² *EN* VIII.2: 1155b26–33; cf. VIII.5: 1157b25.

Although now is not the time to defend or even provide a detailed analysis of Aristotle's account of slavery, our examination of the master/slave relationship has set in contrast and so illuminated the other household relationships. My analysis brings into greater clarity the difference or separateness implied by the existence of a 'common' goal or good, and the interrelatedness of association, justice, and friendship. Secondly, the juxtaposition of paternal and despotic justice — namely that which exists between two very different parts of the household head — further underscores the importance which Aristotle places on the distinction between free and slave. Although Aristotle claims that there is both friendship and justice between people who are radically unequal, he denies that such is the case between those who are and are not 'one's own self'. Finally, although it looks beyond the present context, insofar as one understands that ruling over a wife or child is qualitatively different from ruling over a slave, then one grasps the rudimentary premise which defeats the Socratic claim that all rule is ultimately a single science and its implication that all politics is a despotism of the wise.

Conclusion: From the Household to the Polis

Let me now summarize my central claims and point to paths of inquiry they suggest for the larger goal of understanding political justice. I note first that Aristotle seizes upon the comparison of the household and polis because as *koinônai* or associations both are heterogeneously differentiated unities. The household is composed of qualitatively different parts — a wife is not a child, and neither is a slave — and it is wrong to rule each part the same as if there was just one kind of justice or ruling. So too in the polis: Aristotle believes that each of the heterogeneous parts of the city may equally share in the regime without requiring that the city become a homogeneous unity in which all do the same thing. It seems likely that Aristotle's understanding of the household follows from his understanding of associations in general, but it also seems to point towards disagreements which Aristotle had with Socrates over topics such as the nature of the self, the unity of the city, the notion of what is virtue, and whether or not there is a unitary science of ruling.⁹³ Perhaps Aristotle's disagreements with 'Socrates' go beyond a practical disagreement over family policy and point to novel aspects central to his own practical philosophy.⁹⁴

⁹³ See, e.g., *EN* V.11: 1138b7–15, *Pol.* I.1: 1252a8–18, I.3: 1253b15–24, I.7: 1255b21–26, I.13: 1260a20–29. Michael Pakaluk notes that *EN* VIII.9–12 'seem to develop a criticism of the communism of Plato's *Republic* resembling that of *Politics* II . . . Here too, Aristotle apparently wishes to argue that affection within the family provides a model for, and perhaps is some sort of necessary condition for, the affection that citizens should aim to foster for one another'. Pakaluk, *Nicomachean Ethics Books VIII and IX*, pp. 107–08.

⁹⁴ Cf. *Pol.* II.1: 1260b33–37, II.6: 1265a12–14.

Secondly, although I have focused upon the similarities between justice in the household and political justice, the most fundamental point of difference between the two — the law which political justice presupposes and which looks beyond the household — directs us to an examination of *paideia* or education. Aristotle believes the household offers certain advantages in the training of virtue — based on the love and respect between children and parents — but he is also forced to turn to the polis and its law for a model of education. Although Aristotle equivocates on the question of whether or not paternal authority within the household is sufficient to inculcate virtue therein, if a father must become a *nomothetikos* to raise his children, he still must learn which laws fit which regimes.⁹⁵ Such a head of household must turn to political science.⁹⁶

A third observation: Aristotle's account of justice within the household poses some interesting problems for contemporary neo-Aristotelian accounts of justice. Modern accounts of justice give pride of place to rights as claims invoked in cases of dispute which the state adjudicates and enforces.⁹⁷ Within such a framework both 'public' rights (such as the right to assembly) and 'private' rights (such as the interest that the state takes in protecting children within the household from abuse) flow from and are enforced by the state. Aristotle's emphasis upon the similarity of justice within the household and the city suggests there may be problems with attributing to him an account which make rights in the household derivative from rights in the city. One of course could argue for natural rights within the family, but I suspect that Aristotle would find such an argument unpersuasive.⁹⁸ If justice is viewed only as adhering in publicly disputable and adjudicable rights claims, it is hard to see how the household could be analogous to the state.

I note finally that although Aristotle's discussion of the household seizes upon numerous components which we could say are natural — for instance, the various kinds of affection or friendship appropriate to household relations or the division of labour according to sexual differences — it would be wrong to conceive of the household as being a self-regulating natural entity independent from convention or law.⁹⁹ Rather — as we know from the last two books of the *Politics* — Aristotelian political philosophy envisions extensive legal regulation of the household, including the regulation of the procreative age (and even season) of parents, the mandatory exposure of deformed children, and compulsory exercise for pregnant women.¹⁰⁰ Furthermore, the

⁹⁵ *EN* X.9: 1180b3–13, b23–6, *Pol.* IV.1.1289a1–15; cf. II.6: 1289a12–25.

⁹⁶ *EN* X.9.1181b23–24, *Pol.* I.13: 1260b13–26.

⁹⁷ See, e.g., Miller, *Nature, Justice, and Rights in Aristotle's Politics*, p. 108.

⁹⁸ See, e.g., Leo XIII, *Rerum Novarum* (1891), §§19–21, and Aquinas, *Summa Theologica* II–II, Q.10, art. 12.

⁹⁹ Cf. Swanson, *The Public and the Private*, pp. 2–4.

¹⁰⁰ *Pol.* VII.16: 1335a7 ff., a36–9, 35b12–15, b20–24.

structure of the household in the majority of the world with which Aristotle was familiar — namely that of the *barbaroi* or non-hellenic world — is ‘contrary to nature’: for Aristotle to suggest that the household as he envisions it in the *Politics* is in accord with nature hardly implies that it is ‘normal’ or usual.¹⁰¹ Indeed, in his *Sophistical Refutations* Aristotle condemns the *nomos/physis* antithesis as a ‘commonplace rule which makes men utter paradoxes’, one based on an antiquated notion that everything according to nature was true and everything according to law was the opinion of the many.¹⁰² An examination of the household suggests that one cannot divide nature and convention as antitheses and instead must find a way to interweave them in such a manner that legislation, through the inculcation of habit, can help nature achieve its own rare, but beautiful, end.¹⁰³

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¹⁰¹ *EN* VIII.10: 1160b28–32, *Pol.* I.2: 1252b5–9, 1252b32–53a2; I.5: 1254b28–34; I.6: 1255b3–5; VII.6: 1327b23–34.

¹⁰² *Soph. Elen.* 12: 173a6–19. See further Yack, *Problems of a Political Animal*, p. 144.

¹⁰³ My thanks to Klaus Brinkmann, Arthur Madigan, Marina McCoy, and an anonymous reviewer for the journal *Polis* for comments on earlier drafts of this paper. An earlier version of this paper was presented to the Society for Greek Political Thought at the Midwest Political Science Association 61st Annual Meeting (at which time George Anastaplo and Edward Clayton commented) and to the Ancient Philosophy Society at their 3rd Independent Meeting (at which time Steven Gardner commented).