Human Being, Rhetoric, and Legislation:

Aristotle's Solution to the Tension between Private and Common Good

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Abstract of thesis entitled:

Human Being, Rhetoric, and Legislation: Aristotle's Solution to the Tension between Private and Common Good

Submitted by Liu Wei

for the degree of doctor of philosophy in philosophy

at The Chinese University of Hong Kong

English Abstract

The tension between private and common good is a problem for any human political society, and a central question for any political philosophy. This thesis tries to examine some attempts of solving this tension in ancient Greek context, and focuses on Aristotle's practical philosophy.

The first part presents two solutions given by Aristotle's predecessors. On the one hand, Gorgias, the representative rhetorician of that time began to reflect and champion the power of rhetoric. Such a theoretical reflection brought huge impact on Athenian political life. I treat Pericles and Alcibiades under Thucydides' depiction as spiritual heirs of Gorgias. They both try to solve the tension through rhetoric. On the other hand, Plato, fully realizing the limitation of rhetoric, attacks it in his *Gorgias*, and further in his *Republic* tries to solve this tension through legislation.

Aristotle's own solution is treated as a series of responses to his predecessors. His dialectical character and his subtle understanding of the complexity of human condition enable him to reach a dialectical and dynamic mean between these two extremes solutions. Aristotle objects Plato's attack of rhetoric, acknowledges its value, and secures its legitimate status in political life. But he also realizes the innate limitations of rhetoric. His theoretical solution to the tension lies in his theory of virtue and happiness. According to his ethics, virtue bridges these two series of goods, and in a virtuous person the tension does not exist. But this theory also has the same limitation of rhetoric in general, i.e., the lack of compulsory power. Therefore Aristotle, like Plato, tries to establish an ideal city, habituating the people to be truly virtuous through a series of legislative efforts. Good as it is, legislation cannot solve the tension permanently either, due to the universality of law. Therefore, when facing new situations or in critical moments, the system of law needs the supplement of decent and prudent politicians and through rhetoric. Thus, Aristotle establishes a virtuous circle between rhetoric and legislation, and such a dynamic system will give enough flexibility to deal with the complexity of human political life, and enables him to solve this tension successfully.

中文摘要

个人善与共同善之间的张力是人类政治社会必然面对的难题，也是一切政治哲学理论所要处理的一个核心问题。这篇论文尝试展现古希腊语境下解决这一张力的一些尝试，并重点讨论亚里士多德的实践哲学如何给解决这一张力提供有益的资源。

论文的第一部分讨论作为亚里士多德思想背景的两种解决途径。一方面，以高尔吉亚为代表的修辞学家开始自觉地反思和倡导修辞术的巨大力量。高尔吉亚的理论反思在雅典现实政治生活中产生了重要的影响，我将修昔底德笔下的伯里克利和亚希比德处理成高尔吉亚的精神后裔，依靠修辞术的力量解决个人善与共同善之间的张力。另一方面，柏拉图充分认识到修辞术在解决这一张力上的缺陷，他在《高尔吉亚》中展开了对政治修辞的猛烈批判，并在《理想国》中尝试利用立法解决这一张力。

在这样两种极端的解决方案构成的思想语境下，我强调亚里士多德政治哲学的辩证特征和对人类状态复杂性的深入理解，并由此在这两条道路之间取得带有辩证和动态特征的中道。亚里士多德反对柏拉图对修辞术的抨击，承认修辞术对于解决这一张力所具有的价值，并在政治生活中为修辞术确立了合法的地位；但是他也并不片面强调修辞的力量，而是像柏拉图那样清楚地认识到修辞的内在局限。亚里士多德从理论上解决这一张力的核心在于他的德性和幸福理论。根据这一理论，德性在这两种善之间搭建了桥梁，在一个有德性、能够实现幸福的人身上并不存在这种张力。但是这种理论解决却有着和修辞术同样的局限——缺乏强制力从而保证其实现。于是亚里士多德力图通过构建一个理想城邦，通过立法教育公民，使他们具有真正的德性，以此为他的理论提供现实上的保障。立法术虽然能够提供强有力的保障，但也并非一劳永逸，因为亚里士多德对于法律过于普遍的特征有着清醒的认识。在面对新形势或者在危急关头，建基于普遍性的法律系统就需要明智的政治家和处理个别事务的修辞术作为补充。这样，亚里士多德就在修辞与立法之间建立起了一个良性的循环，这样一个动态的系统将给他的政治哲学系统提供足够的灵活性，来面对人类政治生活的复杂情况，从而使他的理想城邦得以成功地解决这一张力。

Preface and Acknowledgement

The entire project of this doctoral dissertation had a rather incidental starting point. About six years ago, when I was still a master student, I studied Machiavelli's political philosophy. Once I read such remark in his *Discourses*: "in truth there has never been any giver of extraordinary laws to a people who did not have recourse to god, because they would otherwise not have been accepted and because of prudent man is aware of many benefits that are not so evident to reason by themselves that he can convince others of them. Therefore wise men who want to avoid this difficulty have recourse to god. Thus did Lycurgus, Solon, and many others who had the same objective as they did" (I.11). It struck me immediately. Why cannot wise men who know many good things persuade others to accept the same good things? Even if they really cannot do it, do they have to recourse to god? Are there any other means to achieve conviction instead of pretending to have special relation with deities? Since then these question obsessed me all the time.

As I was reading more and thinking more, a grand picture gradually became clear. The answer to the first question seems to be primarily in the self-interest of human being. They care so much about their own good, or better put, the apparent good of themselves, that they do not easily give up their here-and-now goods, even if the wise men have many great things to tell them. This problem is not only Machiavelli's concern, but also one of the most critical problems of political philosophy as such. Then how can we solve it? The power and limitation of persuasion led me to rhetoric, the art of persuasion, and to the origin and heyday of this art in Western world, ancient Greece. Machiavelli thinks that when persuasion fails, the best way, or even the only way to introduce new laws (i.e., to legislate) is to recourse to god, but Plato, my favorite philosopher at that time, seems to think otherwise, and I would like to explore more in this direction.

When I joined the doctoral program at The Chinese University of Hong Kong, the first two semesters were crucial to shape the initial ideas of this project. In the first

semester I took a course with my present supervisor Wang Qingjie, reading Aristotle's *Nicomachean Ethics*. A semester of close reading and lively conversation on Aristotle's *NE* and other related texts gave me a fresh understanding of Aristotle, and naturally linked his political philosophy to the question obsessed me since I first read that Machiavellian remark. After that semester, I was almost converted to an Aristotelian, although my interest in Plato was still strong. I proposed for the first time a rough idea about my project of a doctoral dissertation, focusing on Aristotle's solution to the tension between private and common good. It was welcomed and encouraged by Professor Wang. I clearly remember an occasional remark he once made when we had lunch together: "in the fight with relativism, I do not see any hope in Plato, but there might be some opportunity to succeed in Aristotle." These words sounded curious to me, for Plato is such a resolute fighter against relativism. But I never asked him what he precisely meant. And now, after more than three years of reading and thinking, I think I understand better the deeper meaning of this curious comment: to fight against relativism, there is no hope to simply claim something absolute, as Plato did; but rather, we need to make the truth move in certain way, to allow and absorb certain relativity into the system of truth, as Aristotle did and as I will argue in this present study.

The second semester I took Professor Kwan Tze-wan's seminar, *Special Topics in the History of Western Philosophy*. His profound knowledge of the history of philosophy inspired me in a number of ways, and this course remains one of the most memorable courses I have ever taken. I spent a whole month preparing a lengthy survey of the development of rhetoric in Western tradition, keeping my central concern in mind. The preparation for that presentation turned out to be a cornerstone of the entire dissertation.

Before writing this dissertation, I discussed my project with a number of people and received warm encouragement, thoughtful suggestions, and provoking challenges. Carlo Natali, Yu Jiyuan, Etienne Helmer, G. R. F. Ferrari, Kwan Tze-wan, Lau Chong-fuk, Daniel Chen, and Ci Jiwei all helped in various ways in the process of conceiving and pursuing this project. In the process of writing and revising this

dissertation, Carlo Natali read Chapter V, gave me, as usual, his encouragement, and sent me detailed comments and suggestions. Part of Chapter V was presented in a workshop of ancient philosophy held by Department of Classics, UC Berkeley, and I would like to thank David Crane for the invitation, and all the participants, especially Professor A. A. Long, and Dorothea Frede, for the lively discussion. I am also very grateful to my dissertation committee, Kwan Tze-wan, Ci Jiwei, Christopher Lowry, and my supervisor Wang Qingjie, for their thoughtful comments and suggestions during my oral defense and later in their reports. They helped me think more both about some details and the overall project. Even if I cannot incorporate all their wonderful points in the final version of this dissertation, I will definitely keep them in mind when pursuing this project further.

Besides these people, I would also like to thank several institutions. First I want to thank Department of Philosophy of CUHK for the free academic atmosphere, giving me the freedom to write a doctoral dissertation in the field of ancient Greek political philosophy, a rather unusual topic in the history of our department, and thank CUHK for the generous studentship in my first three years of doctoral study. I want to thank Hong Kong America Centre for granting me Fulbright scholarship in the 2009-2010 academic year, which gave me the opportunity to work with Professor G. R. F. Ferrari at UC Berkeley. And I also want to thank Department of Classics, UC Berkeley for the hospitality and excellent academic resources.

At last, I save my greatest gratitude to two persons in particular. The first is G. R. F. Ferrari, Chair of Department of Classics of UC Berkeley (I insisted calling him "Giovanni" instead of "John" as most people do). Before we met each other in person, he first encouraged me to develop the virtuous circle in Aristotle's discussion of rhetoric and legislation, which was only touched upon in a rather implicit way in an earlier draft of my dissertation proposal, and which now has become the most obvious characteristic of this study. The main body of this dissertation was written at Berkeley under his supervision. Giovanni is such a superb supervisor that he, being Chair of the department and engaged with so many issues, generously offered me, a visiting student, countless time and efforts. He sent me comments both on the general

structure of the dissertation and the details of my arguments chapter by chapter, and we had a number of fruitful conversations. His profound knowledge of both classical rhetoric and political philosophy broadened my perspective, saved me from many mistakes and hasty inferences, and improved my dissertation greatly. The interspersed footnotes of acknowledgement mark his contribution to this study. If I was the one who carried a baby, Giovanni was surely the best Socrates who was a master of the art of *maieusis*.

Last of all, I have to give my deepest gratitude to my wife Xia Zhifeng, the one who really carried a baby. When I was finishing this dissertation at Berkeley, she alone took the burden and hardship of bearing a baby back in China. In the last ten years, I have owed her much more than I can ever express or repay. Without her enduring love and generous support, I will never be the present me. So this dissertation is most suitably dedicated to her and our newly born son, Liu Muzhe, as a gift of mine, to honor her constant unselfish love, and to celebrate the birth of the fruit of our love!

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A Note on the Translations of Greek Texts

No translation is perfect. So in citing Greek texts in English, my strategy is to use a well accepted translation as basis, and make amendments according the authoritative Greek texts. And at the same time, I also consult a few other English translations and commentaries to check my amendments. For the sake of clarity, I list the main English translations I have referred, the Greek texts, and other English translations I have consulted in the following chart.

English Translation Cited	**Greek Text**	**Other Translation Consulted**
Gorgias. *Encomium of Helen*, trans. G. A. Kennedy, in *Aristotle on Rhetoric*, New York: Oxford University Press, 1991.	H. Diels and W. Kranz. *Die Fragmente der Vorsokratiker*, Berlin: Weidmannsche Verlagsbuchhandlung, 1952.	
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Thucydides. *Peloponnesian War*, trans. Richard Crawly, in R. B. Strassler ed. *The Landmark Thucydides*, New York: The Free Press, 1996.	*Historiae*, ed. H. S. Jones and J. E. Powell, Oxford: Oxford University Press, 1942.	*The Peloponnesian War*, trans. S. Lattimore, Indianapolis: Hackett, 1998; *The Peloponnesian War*, trans. M. Hammond, Oxford: Oxford University Press, 2009.
Plato. Gorgias, trans. D. J. Zeyl, in J. M. Cooper ed. *Plato: Complete Works*, Indianapolis: Hackett, 1997.	Plato. *Gorgias*, ed. E. R. Dodds, Oxford: Oxford University Press, 1959.	*Gorgias*, trans. T. Irwin, Oxford: Clarendon Press, 1979.
Plato. *Republic*, trans. G. M. A. Grube, rev. C. D. C. Reeve, in J. M. Cooper ed. *Plato: Complete Works*, Indianapolis: Hackett, 1997	*Platonis Rempublicam*, ed. S. R. Slings, Oxford: Clarendon Press, 2003.	*Republic*, trans. A. Bloom, New York: Basic Books, 1991. *Republic*, ed. G. R. F. Ferrari, trans. T. Griffith, Cambridge: Cambridge University Press, 2000.
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Aristotle. *Nicomachean Ethics*, trans. T. Irwin, 2nd ed., Indianapolis: Hackett, 1999.	*Ethica Nicomachea*, ed. I. Bywater, Oxford: Oxford University Press, 1894.	*Nicomachean Ethics*, trans. W. D. Ross, rev. by J. O. Urmson, in J. Barnes ed. *The Complete Works of Aristotle*, revised ed., Princeton: Princeton University Press, 1984; *Nicomachean Ethics*, trans. by Christopher Rowe, comm. by Sara Broadie, Oxford: Oxford University Press, 2002.
Aristotle. *Politics*, trans. C. Lord, Chicago: University of Chicago Press, 1984.	*Politica*, ed. by Alois Dreizehnter, Münich: Wilhelm Fink Verlag, 1970	*Politics*, trans. by B. Jowett, in J. Barnes ed. *The Complete Works of Aristotle*, revised ed., Princeton: Princeton University Press, 1984.
Aristotle's other texts are all cited from J. Barnes ed. *The Complete Works of Aristotle*, revised ed., Princeton: Princeton University Press, 1984.	*Anatytica Priora et Posteriora*, ed. W. D. Ross, Oxford: Oxford University Press, 1964; *Topica* et *Sophistici Elench*, ed. by W. D. Ross, Oxford: Oxford University Press, 1958; *Physics*, ed. W. D. Ross, Oxford: Oxford University Press, 1958; *Metaphysics*, a revised text with introduction and commentary by W. D. Ross, Oxford: Oxford University Press, 1924.	

Introduction

The tension between private good and common good is a central issue in any political community, primordial and developed alike; the solution to such a tension is a central task of political philosophy, ancient and modern alike. The main interest of this present study is mainly historical. In it I try to elaborate the solution to this problem provided by Aristotle, arguably the most influential political philosopher in the entire history of political philosophy, by means of seeing his inquiry as a response to some of his predecessors. Therefore, the context of this study is set in the classical period of ancient Greece, especially Athens, the center of this world. Unavoidably some of the key concepts have their peculiar meanings in this context, and it is best to give some qualifications of those themes at the outset of our journey.

Private good here largely means the self-interested dimension of human being, not only consisting of one's material and spiritual goods such as wealth, honor, social status and so forth, but also of the interest of one's friends, family, and small factions, which is also taken as private among the Greeks. Common good or public good refers to the interest of a city (*polis*) as a whole. The most fundamental common goods include the independence of the city from external force, freedom of autonomy, and the growth of power or influence in inter-city affairs. Of course, common good is largely the self-interest or "private good" of a city, for in this period of time, the Greeks had not developed the idea of cosmopolitanism which would later emerge during the Hellenistic and early Christian ages. These two series of goods are entangled in human beings. On the one hand, they are by nature concerned primarily with their private goods, and in many cases would like to sacrifice common good for the sake of their private interests; but on the other hand, the common good cannot allow them to maximize their private good, and in some cases also requires the sacrifice of these private interests. Therefore, conflict arises, and in all the major figures discussed in this study, Thucydides, Plato, and Aristotle, this tension is conspicuous enough.

Since early modern time political philosophers began to construct political theories from the starting point of individual, and thus there emerged modern democratic and individualist political philosophy. Therefore the debate between private and common good in its modern context often takes the form of two poles, some championing the absolute right of the individual, such as Locke and Spinoza, whereas others defending the priority of community, such as Rousseau and Hegel. But such a contrast was unknown to the Greeks. Greek political thinkers, when dealing with such a tension, consider it primarily from the perspective of political community. In general they are all in favor of common good, though not completely neglecting private good. They are concerned, first of all, not with the preservation of private right, but with the security of common good. For those Greek political philosophers, the end is the same, i.e., to reconcile the two series of good in order to guarantee the common good to prevail; whereas they make use of divergent means to achieve such an end. Such a concern is analogous to Aristotle's discussion of deliberation (*bouleusis*):

> We deliberate not about ends, but about what promotes ends. A doctor, for instance, does not deliberate about whether he will cure, or an orator about whether he will persuade, or a politician about whether he will produce good order, or any other about the end. Rather we lay down the end, and then examine the ways and means to achieve it. (*NE* III.3, 1112b11-16)

As will be argued in this study, rhetoric (*rhētorikē*) and legislation (*nomothetikē*), which represent the power of persuasion and compulsion respectively, are two major weapons or means in the attempt to solve this tension.

The safest description of *rhetoric* throughout classical antiquity is "the art of persuasion," and this term in Greek context specifically denotes the civic art of public speaking as it developed in deliberative assemblies, law courts, and other formal occasions under constitutional government in the Greek cities, especially democratic Athens. *Legislation* is the art of making laws, and is generally taken as the highest art of politics, since laws are the foundation of a political community. Legislator (*nomothetēs*) sometimes refers to the founder of a political community, and

sometimes refers to a special group of citizens who are entitled to make new laws. It is not difficult to see both rhetoric and legislation can serve as means to solve the tension between the private and common good. Rhetoric appeals to persuasion and persuades people to submit their private good to common good when these two are in conflict, whereas legislation appeals to certain kind of compulsion and forces people to do the same.

The general structure of this study revolves around these two central themes, rhetoric and legislation, and the different weights endowed to them in different thinkers on the one hand depend on their different understanding of the powers of these two weapons, and on the other hand on their different understanding of human being and human condition. Here is a preview of the main line of argument.

The exploration of Aristotle's solution to this tension starts with two chapters of Aristotle's intellectual background. Chapter I focuses on rhetoric. Gorgias of Leontini represents the earliest self-awareness of the power of rhetoric in human affairs. His *Encomium of Helen* famously celebrates the divine or omnipotent power of speech. Although Gorgias did not involve himself much in real politics, his theoretical reflection and his teaching activities in many Greek cities greatly influenced politicians. In Athens in particular, we can see Pericles and Alcibiades depicted in Thucydides' *Peloponnesian War* (in contrast to the two historical figures) as spiritual heirs of Gorgias, and put his art into large scale practice. In principle they give identical solution to the tension at stake, i.e., through political rhetoric. Pericles, in his three speeches, exhibits supreme skills of persuasion, and through his good character, rational arguments, and emotional appeals, he manages to unite the Athenians for the common good, and to sacrifice their temporary private interests. In the heart of his persuasion, we see the reconciliation, even identity of the two series of good through the love of glory. Glory, best represented in the service of the city, is said to be the highest individual good one can ever achieve, and the greatness of Athens justifies any sacrifice of the individual. In his eyes, the model citizen is an animal of glory. Alcibiades is the most talented Athenian politician and speaker since Pericles' death. But in contrast to Pericles, the exemplary statesman who is truly concerned with the

common good, Alcibiades is truly an animal of glory and ambition, but the glory he cares is not something essentially tied to common good, but his own victory, wealth, and honor. Common good is his pretense, and he sacrifices the common good for his own private glory. Abused by such politician, the great power of political rhetoric will only bring disastrous outcomes.

Chapter II presents the other extreme position of the solution, i.e., legislation. In Plato's time, glamorous speeches had dominated all the political stages. As philosopher, lover and pursuer of knowledge, Plato expresses his worry and discontent of such a phenomenon in the dialogue named after the great rhetorician Gorgias. He reveals the internal inconsistencies of the claims of rhetorician, and condemns rhetoric as a knack or a pseudo-art. More innate limitations of rhetoric are further disclosed in the *Republic*. Having accused rhetoric as deceitful and unreliable, Plato turns to legislation as the solution to the tension at stake. In his most beautiful city (*Callipolis*) conceived in the *Republic*, a system of law imposed by the philosopher-king will guarantee the achievement of common good. But Plato's understanding of human being is rather single-dimensional, because based on his tripartite of the soul, Plato insists on the principle "one man one task," and thus deprives the guardians of private life and the craftsmen of public life. And his view of human condition is rather pessimistic, for on the one hand, it is not possible to make anyone really happy in the *Callipolis*, and for the sake of the common, each class has to sacrifice some of their happiness, and on the other hand, the starting point of his *Callipolis* is so difficult (i.e., either philosopher becomes the king or the king becomes philosopher) that this *Callipolis* can only remain a city in speech. These are the points Aristotle clearly departs from his master.

From this point we turn to Aristotle, who responses to his predecessors with much confidence. Aristotle is famous for his yes-and-no character, and his doctrine of mean. And this is exactly what he does in his solution to this tension. Aristotle takes his stance between the extreme champions of rhetoric such as Gorgias, Pericles and Alcibiades, and the extreme champions of legislation such as Plato. And he takes rhetoric and legislation both in a yes-and-no manner. Based on his subtler

understanding of human being, and more optimistic understanding of human condition, Aristotle weaves these two arts into a dialectical and dynamic system.

The main body of Chapter III is an elaboration and defense of Aristotle's dialectical method in his practical philosophy, emphasizing the subtle and dynamic characters of Aristotelian philosophy. Then I apply this methodological analysis to his discussion of the tension itself and his understanding of human being. Aristotle famously claims that human being is political animal, but he does not want to sacrifice the private for the political. Although the common good takes priority, the purpose of political community is precisely to promote the happiness of individuals. He thus aims at a real balance or a real reconciliation of the two series of good. His understanding of human being is more complicated and more real than Plato. He sees the private and public dimensions of a human being as two complementary elements, and the root for peaceful and efficient political relationship. Therefore citizens should be granted both private and public life in the community. And in contrast with Plato's rigid division of human soul and the dominance of one part, Aristotle discusses more of the interaction between different parts of the soul in his moral psychology. In particular, his extensive discussion of *enkratēs* and *akrasia* (continence and incontinence) leaves much room for moral improvement. This chapter sets the basic tone for the following discussions.

Chapter IV deals with Aristotle's view of rhetoric. Against Plato's harsh condemnation of political rhetoric, Aristotle juxtaposes rhetoric with dialectic, his main philosophical method, calling it "the counterpart of dialectic," and defines it as a real art in pursuit of the available means of persuasion. He distinguishes rhetoric into three genres, judicial, deliberative, and epideictic, and thus reconfirms and stresses the political use of rhetoric. In this chapter I will argue that all three genres of rhetoric, and all three modes of persuasion, i.e., character (*ethos*), argument (*logos*), and passion (*pathos*), can contribute to the solution of the tension between private and common good. Although Aristotle grants rhetoric a legitimate, even solid, position in political realm, he never exaggerates the power of this art. Rather, like his master Plato, Aristotle is clearly aware of the danger and innate limitations of rhetoric.

Therefore, the appeal to rhetoric is only the first step of his dynamic solution to this tension.

Chapter V broadens the notion of persuasion from rhetoric to ethics, and presents Aristotelian ethics as a series of rational argument in order to persuade the audience or reader to live a virtuous and happy life. In the particularly Aristotelian sense of the word virtue (*aretē*) and happiness (*eudaimonia*), there would be no real tension between private good and common good, because when one pursues his private virtue and happiness, he simultaneously contributes to the common good, since, as I will argue, moral and intellectual virtues bridge the two series of good. The discussion in this chapter culminates in a reconciliation of the inclusive and exclusive/intellectualist interpretations of happiness, a central question in the understanding of Aristotle's *Nicomachean Ethics*. I will argue by means of Aristotelian principles, if not his explicit words, that in the contemplator or philosopher, who is usually thought as most alien to political life, there is no such tension either, because such a person possesses all the virtues and is willing to serve his political community. Thus understood, the rational arguments in the *Nicomachean Ethics* provide the ultimate *theoretical solution* to the tension. But at the same time Aristotle has more *practical interest*, i.e., to make people good, so we have to turn to his political philosophy in the narrower sense.

The rational persuasion articulated in the *Nicomachean Ethics* has its innate limitation as any kind of persuasion, i.e., lack of compulsory force. The ideal theoretical solution cannot be carried out without the assistance of the enforcement of law, and this is the topic of Chapter VI. The acquisition of moral virtues and the related intellectual virtue prudence (*phronēsis*), which are the foundation of any good political community, is through habituation or moral improvement, and habituation is through law. Thus legislation is central to such a task. Like Plato in the *Republic*, Aristotle depicts his ideal city (*Politics* VII and VIII) by means of a series of legislative guidelines, most of which focus on the education of children and aim at modeling them into virtuous citizens. A comparison between Platonic and Aristotelian legislation for the ideal city shows that the happiness of the Aristotelian ideal city is

achieved through the happiness of each individual, and thus sacrifices none of their private good. Aristotle's ideal city preserves the multi-dimensional nature of human being, and is more resistant to corruption. And most importantly, this Aristotelian ideal city can be brought about through gradual reform, through the education of current and potential politicians and legislators by the philosopher, rather than through the radical change of philosopher-king.

Aristotle's yes-and-no character emerges again in his reservation of the power of legislation, as will be argued in Chapter VII. As there are innate limitations of rhetoric, the rule of law, though good in itself, cannot immune from its own unavoidable limitation, i.e., its universal nature. The necessarily universal regulations of laws will have difficulties in certain particular situations, and they also have to face the challenge of ever changing human condition. Therefore, however good a legal system is, it requires the supplement of prudent men as its guardians and revisers, keeping an eye on the spirit, instead of the word, of the law. In a well-ordered political community with a body of virtuous citizens who would like to follow their reason (a community constructed in Chapter VI), there is little need to supplement the rule of law by compulsion. Instead, the further changes of law and the pass of decrees in emergency can be done through persuasion, and thus through political rhetoric, though it is a more ideal kind of rhetoric than the actual practice of classical Athens. And again, when new laws are established, they certainly have compulsory force. Here we reach an Aristotelian *Callipolis*, a polity of a special kind, and a incorruptible city open to the possibility of kingship, the very best regime in Aristotle's mind, a kingship probably also ruled by a philosopher-king.

The multi-stepped reconstruction of Aristotle's solution to the tension between private and common good ends up with a virtuous circle, a circle between rhetoric and legislation, between persuasion and compulsion. This dialectical and dynamic solution reflects both Aristotle's deep understanding of human condition, and the character of his philosophy as a whole.

Part One Aristotle's Intellectual Background

> The investigation of the truth is in one way hard, in another easy. An indication of this is found in the fact that no one is able to attain the truth adequately, while, on the other hand, no one fails entirely, but everyone says something true about the nature, and while individually they contribute little or nothing to the truth, by the union of all a considerable amount is amassed.
>
> Aristotle, *Metaphysics* II.1 993a30-b3

Although Aristotle sometimes gives harsh judgment to his predecessors,[1] his general attitude towards them is rather modest. He is always ready to learn from them in every aspect of his own philosophical inquiry. This kind of methodological statement can be found throughout Aristotelian oeuvre, not only in his investigations into metaphysics, but also in his inquiries concerning physics, zoology, psychology, ethics and politics. In all these cases Aristotle sets out his own enterprise by first of all viewing what his predecessors have said and then absorbing the valuable elements of their thinking. It is no exaggeration to say that Aristotle's own thinking emerges out of a dynamic dialogue with the past, "a 'dialogue' in which the future asks questions of the past embodied in the present, and the present replies—by generating a new philosophy."[2]

Therefore, we are justified to take a brief look at Aristotle's intellectual debts in regard to the problem and different solutions to the tension between private and common good before we explore Aristotle's own view, which is built upon in one way mistaken but in another very solid foundation provided by those great thinkers before him. I will focus on two most obvious lines of inquiries before Aristotle. One the one hand I will present Gorgias as the representative of the first Greek rhetoricians, who, among a few others, attributes omnipotent power to rhetoric. Then I will take Pericles and Alcibiades as Thucydides depicted in his *Peloponnesian War* (hereafter abbreviated as *PW*) as the representatives of the political outcome of the fifth century enlightenment. They take political rhetoric as the ultimate means to solve the tension

[1] As an example, Aristotle claims that Xenophanes "gave no clear statement...these thinkers...must be neglected for the purposes of the present inquiry—two of them entirely, as being a little too naïve, viz. Xenophanes and Melissus" (*Metaphysics* I.5, 986b21-27).

[2] Randall (1963), p. 27. A detailed discussion of Aristotle's dialectical method will be given in Chapter III.

between private and common good. On the other hand I will present Plato's straightforward condemnation of this kind of rhetoric which Gorgias develops and which Pericles and Alcibiades put into large-scale practice. Being the most direct intellectual source of Aristotle, Plato also gives his solution to the tension at issue, i.e., through the compulsory power of legislation.[3]

[3] In these first two background chapters I will restrict myself to a discussion of the original texts which closely related to the general thesis and touch upon a few lines of interpretations, but never involve myself into extensive scholarly debate.

Chapter I Omnipotent Power of Rhetoric: Gorgias, Pericles, and Alcibiades

I.1 Gorgias: Divine Power of Rhetoric

Gorgias of Leontini was one of the first Greeks who stirred up the interest in rhetorical theory and practice based on a clear self-reflection. "In many cases," as Jeroen Bons puts it, "he is portrayed as the *eminence grise* of Greek rhetoric, responsible for the first attempts at theorizing about eloquence."[4] His visit of Athens as an ambassador from Leontini in 427 BC was traditionally seen as a landmark in the history of rhetoric. He dazzled the Athenians with the brilliance of his speech so much that he was seen as the "magician of speech." He placed great emphasis on the value of figures (*schemata*) of speech, i.e. the various forms of expression deviating from the normal arrangement or use of words, which are adopted to give beauty, variety, or force to a composition, especially antithesis, assonance, and parallelism with exactly or approximately equal length and rhythm. His speeches were well decorated and with a highly artistic style, which is called "Gorgianic style."[5]

In addition to his brilliant stylistic achievement, Gorgias was also among the first Greeks who showed clear self-consciousness of the power of persuasion and the role of rhetorical speech in civic life. In his *Encomium of Helen* (hereafter abbreviated as *Helen*), probably a model speech for his students to imitate, Gorgias argues for the innocence of Helen on the ground that she was taken away by Paris only for the following possible causes: (1) obeying gods' wish, (2) being reduced by force, (3) being seduced by words, and (4) being induced by love, but she is innocent on the basis of any of them. And in defending his third point, Gorgias offers a brilliant eulogy of the power of *logos*. There is certainly a lot to be commented on this famous passage, but I will only confine myself to remark on a few most important and most relevant points.[6]

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[4] Bons (2007), p. 37.

[5] For a general account of Gorgias' achievement as a rhetorician, see Kennedy (1994), pp. 17-21.

[6] It has been noticed by every commentator of Gorgias' *Helen* that the very last word of this speech is *paignion*

First, Gorgias lays out a quasi-theoretical ground for the supreme power of speech. It is precisely because there is hardly any certainty in human life (contrasted with gods' life), that we have to, almost exclusively, rely on opinion, but opinion is always changeable and open to the influence of many factors. He says,

> If everyone, on every subject, had memory of the past and knowledge (*ennoia*) of the present and foresight of the future, speech would not do what it does; but as things are, it is easy neither to remember the past nor to consider the present nor to predict the future; so that *on most subjects most people take opinion* (*doxa*) *as counselor to the soul* (*psychē*). But opinion, being slippery and insecure, casts those relying on it into slippery and insecure fortune. (*Helen*, 11)[7]

The Greek philosophical tradition generally discredits opinion, and the best representative of this tradition before Gorgias is certainly Parmenides. But contrary to this tradition, which seeks knowledge beyond opinion through right use of *logos* (or reason), Gorgias simply assumes that there is hardly anything more than opinion in human affairs.[8] We have to argue on the basis of probability or likeliness (*eikos*). This is certainly a kind of reasoning, as Gorgias mentions in *Helen*, "I wish to provide some reasoning (*logismos*) to free the accused of blame" (2), but it is a kind of reasoning or rationality very different from the infallible reasoning leading to ultimate truth adopted and celebrated by major fifth and fourth century philosophers. The main difference lies in the fact that to argue from probability, especially the rhetorical use of this kind of argument, means to be able to argue from both sides, both for and against a given case. We can well imagine that Gorgias must be able to compose an equally brilliant piece of "*Condemnation of Helen*"; whereas the infallible philosophical reasoning can never argue from both sides, and thus a kind of one-direction argument, as we cannot imagine Parmenides had argued that the way of

("plaything," "recreation," "trifle" and the like), and the last sentence is "I wished to write a speech that would be Helen's celebration and my own *paignion*" (20). I would like to set aside all the scholastic disputes about the purpose of this speech, and partly take Gorgias' own words (Aristotle quotes it with approval: "one should spoil the opponents' seriousness with laughter and their laughter with seriousness," DK 82B12, or Aristotle, *Rhetoric*, III.18, 1419b3) as my guide (although I am certainly not trying to spoil Gorgias), and take this whole speech, especially the part on the power of *logos*, as a serious statement of his own view.

[7] Without special indication, all the italics in quotations throughout this dissertation are my own.

[8] This position is consistent with Gorgias' more philosophical work *On the Non-Existence* (or *On Nature*) which we only have some fragments (see Sprague (1972), pp. 42-46). This is a severe challenge to the Eleatic assertion of a single changeless being grasped by an infallible reason as opposed to the changing world of appearance.

opinion was the way toward truth.[9] This reverse movement leaves large room for *logos per se* to operate. This tendency to remove the absolute criterion of right and wrong not only fitted perfectly with but also further advanced the democratic regimes in classical period.[10] Under Greek democracy, people had freedom to speak publicly, often one against another, in assemblies and passed political decisions on the basis of the speeches just made, and law courts required both the accusers and the defendants to speak in front of the juries. In both political assemblies and law courts, truth was invoked and indeed the goal of all the debates, but unlike a well-disciplined enquiry which has a neutral or common method in order to make the aimed truth accessible to all, the debates in these political occasions had presupposed or identified neither the truth itself or the path toward truth. The truth about an injustice of the past has to be established by the speaker in his contest with the other side of the case, and the truth about a policy under deliberation is still vaguer, for it is about future, and it has to be established by the politician in the competition with his rivals. Gorgias is certainly right in saying "it is easy neither to remember the past nor to consider the present nor to predict the future."

Second, among the many factors which can influence opinion, Gorgias sees speech as the most powerful one, for

> Speech is a *powerful lord* (*dunastēs magas*) that with the smallest and most invisible body accomplished *most divine works* (*theiotata erga*). It can *banish fear and remove grief and instill pleasure and enhance pity*....All poetry I regard and name as speech having meter. On those who hear it come fearful shuddering and tearful pity and grievous longing, as *the soul*, through words, experiences some experience of its own at

[9] Giovanni, when leading me to clarify this difference, made another interesting point related to the one I made. I cannot put it better than his own words: "What makes Gorgias different from a Parmenides or Plato is the impression he gives of delighting in paradox for paradox' sake, which is what cause people to wonder how seriously he took the positions for which he argued. So the *Helen*, for example, is an encomium that would make all encomia impossible! If you accept its reasoning, then no one can be blamed for anything, and if no one can be blamed, then they cannot be praised either, since no one can be held responsible for what they do." And the relation is that the two-direction argument made by Gorgia, or more generally, by the argument from probability as such, almost necessarily has the power of self destruction (as shown by the famous "Paradox of the Court," an anecdote between Protagoras and his pupil Euathlus), whereas the one-direction argument certainly does not have such a problem.

[10] This interaction between rhetoric and democracy also consists of part of the reason why rhetoric arose from Sicily after the expulsion of the tyrants. We can see this from the testimony of Cicero (1962) in his *Brutus* 46: "Aristotle says that in Sicily, after the expulsion of the tyrants, when after a long interval restitution of private property was sought by legal means, Korax and Tisias the Sicilian, with the acuteness and controversial habit of their people, first put together some theoretical precepts."

others' good fortune and ill fortune. (8-9)

Although Greek language in general takes the contrast between word (*logos*) and deed or work (*ergon*) as a commonplace, in Gorgias the superhuman power of logos erases this contrast. Speech is not only able to achieve deeds, but also to accomplish "divine works." On the one hand, Gorgias exalts speech up to the divine realm, and on the other hand, he also decreases the previously divine status of poetry, the only divine form of language taken by the Greeks (since poetry is taken as inspired by Muses), to that of speech. To call poetry "speech with meter" is probably as revolutionary to the Greek ears as to call speech "powerful lord." Now for Gorgias, all kinds of speeches are on the equal ground to achieve something divine. One major means through which those divine works are achieved, as Gorgias lists, is through the manipulation of emotion or passion (pathos). Passion is seen as passive by the Greeks, and it hardly has anything do with reason or argument. According to Gorgias, the power of rhetoric primarily lies in its capacity of arousing and ceasing passions. And the mutable passions also seem to be a source of equally mutable opinions. This point also fits democratic procedure very well, since both assemblymen and jurors had to make decision right after the speeches given by different parties, and under this situation, passion, instead of careful calculation or rational reasoning, was usually the most powerful stimulus, swinging people to favor one proposal or one party over another.

The last and perhaps the most astonishing aspect of the *Helen* is that Gorgias goes as far as to identify the power of persuasive speech with pure necessity, or brutal force, which human beings are not able to resist:

> [*P*]*ersuasion has the same power as necessity* (*anankē*), although it may bring shame; for speech, by persuading the soul that it persuaded, constrained her both to obey what was said and to approve what was done. The persuader, as *user of force* (*bia*), did wrong; *the persuaded, forced by speech, is unreasonably blamed*...The power of speech has the same effect on the condition of the soul as *the application of drugs to the state of bodies* (*hē te tōn pharmakōn taxis pros tēn tōn sōmatōn physin*); for just as different drugs dispel different fluids from the body, and some bring an end to disease but others end life, so also some speeches cause pain, some pleasure, some fear; some instill courage, some drug and bewitch the soul with a kind of evil persuasion. (12-14)

To say it most striking is because in Greek thought and almost all human thoughts in general, persuasion is systematically taken as opposed to force or compulsion,[11] and forensic speeches usually try to win the exoneration by arguing that the defendant commits a certain crime not through his own will, whereas persuasion is counted as doing something voluntarily. But Gorgias dares to claim the opposite, a real paradox (*paradoxologia*, iterally meaning what opposes the opinion). Here Gorgias brings his figurative language from heaven down to the earth, and compares words with irresistible drugs, which directly functions on our physical or biological aspect. They could cure or harm; whereas the soul is only the victim, having no resource to defend herself. The genders of speech (*logos*, musculine) and soul (*psychē*, feminine) are precisely the gender of Paris and Helen, the former active whereas the latter passive, the former persuading while the latter being persuaded, the former forcing while the latter being forced. "Thus, perhaps, every male citizen who yields to rhetorical *logos* is comparable to a man who suffers the physical violence of another…the successful orator performs psychic rape."[12]

I.2 Gorgianic Art in Practice

In this chapter, Gorgias is primarily seen as a symbolic figure. He symbolizes the earliest self-consciousness of the prodigious power of rhetoric or the art of persuasion in Greek world. As for the idea of persuasion itself, it is certainly as old as human civilization. For Greek culture in particular, the notion of persuasion can be traced back to Homer and Hesiod, and persuasive speeches increasingly took their central place in public life when the transformation from aristocracy to democracy occurred to Greek world.[13] Gorgias' theoretical reflection of the power of *logos* played a significant part in the history of rhetoric, both in later theoretical inquiries and in its political practice. We will discuss the theoretical resonances of Gorgias' major themes

[11] An example of this contrast in pre-Socratic framework of thought could be seen in Aeschylus' *Eumenides*, when Athena persuaded the Furies and thus broke the compelled cycle of homicides in *Oresteia*. For a good study of the polarity between persuasion and force, see Buxton (1982), pp. 58-63. This pair of antithesis will repeatedly appear in following chapters.
[12] Wardy (1996), p. 43.
[13] For a good brief account of rhetoric before the theory of rhetoric emerged, see Kennedy (1994), pp.11-30.

in Plato and Aristotle, and in the remaining sections of this chapter we will see more of the practical outcome of his art.

In spite of his service of his fatherland as ambassador, his being invited to give speeches in the Olympic Games,[14] and his awareness of the power of rhetoric in public life,[15] Gorgias himself, for most of the time, conducted a rather private life, remained to be a professor of rhetoric and did not apply his art to the political stage. We do not even know his basic political stance.[16] Not being deeply involved in politics or political thinking, Gorgias was not directly encountered with the tension between private and common good.

But as a matter of fact, a number of people who both witnessed and were greatly influenced by the development of this new art did put it into political practice, and tried to solve the tension at stake with this new weapon. We have some ancient testimonies of the great influence of Gorgias to Athenian politics and politicians. Philostratus, a late second and early third century biographer, writes in his *Lives of the Sophists*, "it is no wonder if he was admired by many when he spoke in Athens, although by then an old man, and I understand that he attracted the attention of the most admired men, Critias and Alcibiades who were young, and Thucydides and Pericles who were already old" (I.9.1).[17] Among the four most admired men named by Philostratus, we see the two politicians, Pericles and Alcibiades, who directly impacted the fate of Athenian empire. We also see the name of Thucydides, the principal narrator of their words and deeds.[18] It is difficult to judge whether the influence reported by Philostratus was historically true;[19] still more difficult is to determine the exact degree of this influence. To put it in a slightly anachronistic way

[14] See the fragments of his speeches at the Olympic Games in Sprague (1972), pp. 49-50

[15] Besides the implications of his *Helen*, this point is also testified in Plato's *Gorgias*, which will be discussed in the next chapter.

[16] In contrast, we know that most sophists are inclined to oligarchic ideas. See Romilly (1992), pp. 214-216.

[17] In *Suidas*, Gorgias is said to be the "teacher of Polus of Acragas and Pericles and Isocrates and Alcidamas of Elaea" (DK82 A 2).

[18] Critias, uncle of Plato and one of the leading member of the so-called "Thirty Tyrants," also played some part in Athenian history, although largely negative.

[19] For one thing at least, when Gorgias astonished Athenians with his speeches in 427 BC, Pericles had been dead for two years. It is possible that Gorgias visited Athens on some other occasions before that time and became teacher of Pericles, and even if that is not the case, we also have the testimony that another equally great sophist and rhetorician Protagoras probably arrived in Athens around 450 BC and accompanied Pericles at least in 443 BC (see Romilly [1992], p. 2, and Podlecki [1998], pp. 93-99).

(for Pericles is older than Gorgias and it is not determined whether he really met him and was influenced by him) and to emphasize one more time the symbolic significance of Gorgias, it is not inappropriate to call the Pericles and the Alcibiades *under Thucydides' depiction* spiritual heirs of Gorgias, because like their spiritual master, they both rely their successes as political figures primarily, if not exclusively, on the power of political rhetoric, and seek to achieve their political ends through persuasive speeches.

It is certainly possible that their image as spiritual heirs of Gorgias in the *PW* is not as historically true as the fact that the narrator himself was a real heir of Gorgias.[20] But it does not matter too much here, for I am not so much concerned about the historical Pericles and Alcibiades as the two politicians portrayed in Thucydides' work.[21] In this study, I take Thucydides more as a political philosopher than a political historian. Such a theme can be traced back at least to Werner Jaeger's landmark work *Paideia*.[22] According to Jaeger, it is in the speeches composed, instead of recorded, by Thucydides, that he is most of all a philosophers.[23] So in the following two sections I will examine a number of speeches of Pericles and Alcibiades, some direct, and some indirect, with the belief that, Thucydides the political philosopher portrays them more as stereotypes or paradigms of certain types of politician than as concrete historical figures, and through them, Thucydides also shows us, without using his own voice, the problematic nature of their way of solving the tension at stake.

In the *PW*, both Pericles and Alcibiades are primarily depicted as speakers, in contrast to such doers as Demosthenes, Brasidas or Nicias. Although Thucydides' work is saturated with the antithesis between *logos* and *ergon*,[24] in the cases of

[20] The influence of Gorgias on Thucydides is documented as early as Dionysius of Halicarnassus, a first century BC historian and literary critic, see his (1975), ch. 24. Romilly (1992) sees Pericles' masterpiece, Funeral Oration, as an example of Thucydides' admiration and imitation of Gorgias' style (p. 64).
[21] For more historical accounts of Pericles, see Kagan (1991) and Podlecki (1998), and those of Alcibiades, see Ellis (1989) and Gribble (1999).
[22] See Jaeger (1943-1945), vol. I, Book 2, ch. 6 "Thucydides: Political Philosopher." To see Thucydides as a political philosophers was later developed by Strauss (1964), ch. 3, and influenced a number of Thucydides studies. For a more recent defense of Thucydides as political philosophers, see Palmer (1992), pp. 1-14.
[23] Jaeger (1943-1945), vol. I, p. 392: "these speeches are the most direct expression of Thucydides' thought, which rivals the work of the greatest Greek philosophers both in obscurity and in profundity."
[24] This antithesis is arguably a central theme of Thucydides' work as a whole; see Hornblower (1987), p. 32 with footnote 78.

Pericles and Alcibiades, Thucydides appears especially like a disciple of Gorgias, believing the power of words in bringing about deeds, even if not quite divine.[25] But on the other hand, they are strikingly different. The primary difference is that Pericles, as a prudent statesman, always puts the public good to the first place. Using his eloquence as a powerful tool, Pericles always succeeds in persuading his fellow citizens to submit their private good for the public, even in some very critical and unfavorable moments. But the ambitious Alcibiades always applies his eloquence as the means to achieve his private glory, and thus sacrifices the common good. From these two figures, better than any other pair, we see the ultimate contrast between the concerns of private and common good, and following the sharp observation of Thucydides we also see the limitation and outcome of political rhetoric.

I.3 Pericles: Rhetoric Serving Common Good

Thucydides formally introduces Pericles, the leader of Athenian democracy in the first two and half years of Peloponnesian war, with the following words: "Pericles son of Xanthippos, the first man of his time in Athens, the ablest alike in both speaking and acting (*legein te kai prassein dunatōtatos*)" (I.139.4). Although Thucydides juxtaposes "speaking" and "acting" as two equally important aspects of Pericles' career, we will be disappointed if we expect a good amount of biographical information about Pericles based on what he did instead of what he said in the *PW*. Except some previous military operations at Corinthian Gulf, Euboea, Samos mentioned in the excursus of Book I (I.111-117), and two military campaigns after the breakout of Peloponnesian war (II.31 and II.56), in which Pericles' deeds are briefly recorded,[26] Thucydides in nowhere mentions Pericles' major achievements, such as winning fifteen consecutive generalships, leading important military campaigns, rebuilding the Parthenon, and reforming democratic regime, as if they are not relevant

[25] I thank Giovanni for his brining this connection implied in my earlier draft into a more explicit form.

[26] In both campaigns after the breakout of the war, Pericles led a large fleet yet achieved relatively little, especially the second, so they cannot demonstrate Thucydides' judgment that Pericles is the ablest in acting. For fuller accounts of these two campaigns, see Kagan (1974), pp. 63-64, and 71-78. Therefore, throughout the *PW* Thucydides only succeeds in demonstrating to his readers that Pericles is a ablest speaker.

or not important.[27] In contrast, his three direct speeches (I.139-145, II.34-46, and II.59-65) are the major depiction of this great statesman, and provide the reader with the most unforgettable impression of this first man of Athens. They also give us clear clue to Pericles' solution to the tension between private and common good.

Pericles' first speech (I.140-144) was delivered in the assembly discussing the Sparta ultimatum. The Athenians had to decide the momentous issue: war or peace. Pericles strongly opposed the proposal of concession[28] and advocated firmly to launch a necessary war against Sparta. He first of all urged the Athenians to stand firm since any concession would invite Sparta' further demands and would dismantle the empire and subordinate to Sparta (I.140-141.1), then he outlined the strengths of Athens, i.e., resources, naval power, and prompt decision and action (I.141.2-142.1), and thirdly explained his defensive strategy, i.e., all the Athenians should move into the city, protecting themselves with the city wall and the Long Wall connecting the city and Piraeus, avoiding a land battle with Spartan hoplites, and at the same time to send the Athenian navy to harass the Peloponnesus and other allies of Sparta (I.141.2-144.2). At last, he provoked the audience' patriotism by recalling the honor glory (*timē*) of their ancestors and by promising glory to them, as he said:

> It must be understood that war is a necessity (*anankē*), and that the more readily we accept it, the less will be the ardor of our opponents, and that *out of the greatest dangers emerge the greatest glory for both the city and the individual*. Did not our father resist the Persians not only with resources far different from ours, but even when those resources had been abandoned; and more by their intelligence (*gnōmē*) than by fortune (*tychē*), by greater daring (*tolma*) than by strength, did not they drive off the barbarian and advance their affairs to their present height? We must not fall behind them, but must resist our enemies in any way and in every way, and attempt to hand down our power to our posterity unimpaired. (I.144.4)

After this passionate appeal the Athenians seemed to follow Pericles' advice with

[27] The primary source of Pericles' life as a doer is Plutarch's *Life of Pericles*, in Plutarch (1914-1926), vol. 3.

[28] But Thucydides, presumably intentionally, omits the opposite view in his account (we can easily imagine there would be many different voices at this critical moment, for some possible candidates, see Kagan [1969], p. 326), probably implying that there was and also could not be any competitive rivals to Pericles' authority when he was at the heyday of his political career. Actually Thucydides never puts a rival in opposite to Pericles throughout the first two and half years of the war.

much ease (I.145). They answered the Spartans as Pericles recommended, and formally declared the war which would finally bring destruction and humiliation to this nowadays most glorious city.

Having briefly reviewed the basic structure and content of Pericles' first speech, we are basically prepared to summarize the essential characteristics or patterns of Pericles' "instructive rhetoric"[29] which will reappear in the other speeches. A good starting point is certainly what Thucydides puts into Pericles' mouth in his last speech:

> [I]f you are angry with me, it is with one who, as I believe, is second to no man either in *knowledge of the proper policy, or in the ability to expound it, and who is moreover not only a patriot but an honest one*. A man possessing that knowledge without that faculty of exposition might as well have no idea at all on the matter: if he had both these gifts, but no lover for his city, he would be but a cold advocate for her interests; while were his patriotism not proof against bribery, everything would go for a price. (II.60.5-6)

Pericles lists four necessary qualities of a good instructor of the people: (1) knowledge of proper policy, i.e., the knowledge of what best serves the common good of the city; (2) the ability to explain that policy to the people; (3) the love of one's city which provides strong enough motivation to prefer the good of the city to that of the self; and (4) honesty or the incorruptibility in front of money or any other kind of private gain. These four characteristics are, not surprisingly, coincide with Thucydides' own final judgment, the famous *encomium*, about Pericles (II.65.8-9).

With the deep belief that "a man may be personally ever so well off, and yet if his country be ruined he must be ruined with it; whereas a flourishing country always affords chances of salvation to unfortunate individuals" (II.60.3), and with the real love of his city,[30] Pericles always gave first priority to common good,[31] and with his

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[29] I am following Yunis (1996) to call it "instructive rhetoric." His discussion in ch. 2-3, especially ch. 2 on Pericles, are in many ways helpful, but our focuses are different, and accordingly our choices of the second major player are also different. His focus is how democracy works under the influences of different *rhētores*, whereas mine is how the intentions and skills of those *rhētores* influence the outcome of the choices of policies. With this difference of focus, Yunis chooses Cleon, the representative of flatterers of the *dēmos*, as the main successors of Pericles (pp. 87-103), whereas I see Alcibiades, the archetype of private political ambition, to articulate the contrast in intention. I also disagree with him in a very important aspect, i.e., whether Pericles' instructive rhetoric based exclusively on the rational appeal to the people (see the following analysis).

[30] We have seen this in I.144.4 and will see this theme in its climax in his Funeral Oration, and later in his last speech again.

[31] An episode in the *PW* will strengthen this point: when Pericles anticipated that the Spartan army led by Archidamus might spare his land in the country partly because of the private friendship between Archidamus and

supreme political knowledge and good judgment, he was always able to see where the common good lied and found out the best policy to achieve or to preserve it. His rhetorical skills enabled him to convey the best policy with appropriate words to the Athenian people without confusing, misleading, annoying or upsetting them. And finally, his good record in serving public good and his incorruptibility won him such a high estimation that he could exercise "an independent control over the multitude, never sought power by improper means...was never compelled to flatter them...he could afford to anger them by contradiction" (II.65.8); such an achievement was never achieved again by his successors.

This account of Pericles' characteristics of persuasion, good as it is, puts major emphasis to the character of Pericles himself (his patriotism and incorruptibility) and the rational features of his rhetoric (based on good knowledge of the common good and the ability to convey it to the people through a reasonable means). Understandably, it may lead one to conclude that "Periclean instructive rhetoric is speech that explains policy to the *dēmos* in such a way that they are persuaded to adopt it because they *understand* it."[32] It is certainly true that part of Pericles' success as a political *rhētor* lies in his ability of rational persuasion, the ability to explain rather complicated political reality and policy in terms of relatively plain and well-structured language. But if emphasis is exclusively given to this aspect of Periclean rhetoric, as Yunis does, something equally essential would be missing. That is the *emotional ingredient* in Periclean speeches. To say it is understandable is because this missing ingredient is probably something an orator, certainly including Pericles himself, would never like to advocate explicitly in front of his audience. In all three speeches, Pericles strives to transmit his own enthusiastic patriotism to his audience, through well-decorated sentences and emotional appeals (both are of clear Gorgianic flavor). He aroused their love of glory and their patriotism through reminding them of the glory that had been passed to them by their ancestors, the glory they were now enjoying, and still more

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Pericles partly because the Spartans, by so doing, might hope to stir ill-feeling against Pericles among Athenians, he spoke to the assembly that if that would be the case, he would give up his own field and building to the public (II.13.1).

[32] Yunis (1996), p. 85

glory that would await them in the future. In the two deliberative speeches (first and third) delivered in Athenian assemblies, Pericles puts this kind of emotional appeal at the very end of the speech, right before the vote of the people; whereas in the epideictic speech delivered in the funeral ceremony of the fallen,[33] he puts the lengthy passionate appeal at the very center, the climax of his speech. For a people deeply immersed in the manly culture which cherished honor or glory even higher than life,[34] we are justified to imagine, the passionate appeal probably worked even better than the rational calculation. Now let us turn back to the other Periclean speeches to see more closely how they achieve the end of persuasion through a good combination of different modes of persuasion,[35] and how Pericles manages to solve the tension between private and common good through these speeches.

As seen above, the people were rather readily persuaded by Pericles to declare war against Sparta. Yet as the war broke out, Pericles immediately faced the tension between private and common good in carrying out his defensive policy. For his policy meant that when the Spartans invaded Attica, the Athenians could only crowd uncomfortably behind the wall, and the peasants, who had been living on the countryside for generations, would see their homeland destroyed, their crops, vines, and olive trees trampled.[36] For a people as active and daring as the Athenians, this kind of humiliation was hardly bearable, even if they had been warned by Pericles in his first speech, certainly on a rational ground, to avoid a large scale battle with the Spartans, and not to take care of the near loss but to expect the bright future (I.143.5). Anger, one of the strongest passions in human being, easily dominated the Athenians, especially the ordinary people, throwing their previous rational calculation out of mind. People accused Pericles for his cowardice, held him responsible for the present situation, and turned their fury against him. This was the first outbreak of popular

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[33] Both "deliberative" and "epideictic" are, to be sure, terms borrowed from Aristotle's *Rhetoric*

[34] This is best represented in the heroes of Homer's *Iliad*, the "bible" of Greek culture.

[35] In emphasizing the emotional aspect of Periclean speeches which is unjustly neglected by Yunis, I believe those speeches are the best model of a balanced mixture of three modes of persuasion defined by Aristotle, i.e., through character, passion, and rational argument.

[36] Indeed, Pericles was leading his people to fight a very untraditional war, untraditional both for the Athenians and the Spartans For the novelty of this war and in what way it was beyond Pericles' expectation, see Kagan (1969), pp 340-341

feeling against him (II.21). Pericles, who had foreseen this situation in his first speech (I.143.5), managed to hold the Athenians firm in the original strategy by "not calling either an assembly or a meeting of the people, fearing the fatal results of a debate inspired by passion and not by prudence" (II.22.1).[37] The Athenians followed him as usual, though with much pain. They did not risk a hoplite battle with the Spartan invaders to protect Attica from devastation.

In his second speech, the famous Funeral Oration (II.35-46) at the end of the first year of war, Pericles delivered a eulogy for the fallen Athenians. It becomes the climax of epideictic rhetoric as such,. In this oration Pericles exhibited his eloquence and talent of persuasion in full. On this public gathering, he was facing the greatest tension between private and common good: *the sacrifice of life for the good of the city*. He tried to persuade his fellow citizens to believe and to keep believing in the future that their sacrifices and sufferings were justified, and their continued dedication was necessary. He argued that the private good which they were sacrificing and the common good to which they were contributing can be reconciled, or even identified in the pursuit of glory.

Prefaced by some remarks about the tradition of funeral speech, Pericles started the main body of his eulogy by recalling the great deeds of their ancestors, recounting the glory and honor they won and passed to the present generation (II.36), similar to what he did in the previous speech but in a more forceful manner. Then he praised the present Athenian regime, as the model of other cities, for its freedom, law-abiding, games and festivals, wealth, openness in warfare, good education and training, and bravery in fighting (II.37-40), which culminated in the words "as a city we are the school of Hellas" (II.41.1). Having probably aroused a great passion of self-pride and patriotism, Pericles turned to one of the main themes of his speech, the reconciliation of private and common good. He says:

Our public men have, besides politics, their private affairs to attend to, and our ordinary

[37] It is probably only Pericles who can achieve this, for it is unlikely that a general, one among ten in all, could prevent the regular assembly meeting. His good reputation and character certainly played an important role. For the historical issue of this unusual achievement, see the discussion of Kagan (1974), pp. 54-56.

citizens, though occupied with the pursuits of industry, are still fair judges of public matters; for unlike any other nation, *we regard the citizen who takes no part in these duties not as unambitious* (*apragmonōn*, lit. inactive) *but as useless*. (II.40.2)

For Pericles, one of the unique features of the Athenians, is that they deem the private and the public not as separate and conflicting, but as co-existent and reconcilable. Indeed, they are like the two sides of the same coin.[38] And the key Pericles finds to uniting the private and the public good is the love of glory. An earlier passage in the *PW*, in which some Athenians happened to be present in the Spartan assembly when they tried to decide whether to wage war against Athens, gives us a peculiar hint to this Periclean solution. These Athenians tried to justify the expansion of Athenian empire on the ground that it was the result of human nature, and "the strongest motives (*megistōn nikēthentes*)" of human beings are honor (*timē*), fear (*deos*), and interest (*ōphelia*) (I.76.2).[39] It seems that Pericles picks out one of them, the first in the list, and takes the love of honor as the dominant motivation, or perhaps more properly, the most worthy motivation in political activities.

Pericles' solution is based on a fairly straightforward reasoning: his first premise is that the love of glory is one's strongest motivation, and gives one strongest reason to take action which increases his glory (a premise he never really argues, but only claims to be so); the second premise is that the honor or glory of an individual in political realm can never be achieved if his fatherland or the city to which he belongs is always a loser or is always kept weak (a premise most of us would accept); and the conclusion is that to realize his strongest motivation he has to make his city more glorious.[40] In the Athenian context, the glory of an individual Athenian citizen is closely tied to the glory of the Athenian empire. At that time, Athens was the strongest

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[38] This depiction of the common mind of Athenian people forms in a good contrast with Pericles' disdain of the slowness of Spartan allies in his first speech: "...by the want of the single council chamber requisite to prompt and vigorous action, and the substitution of a congress composed of various peoples, in which every state possesses an equal vote, and each presses its own ends—a condition of things which generally results in no action at all. The great wish of some is to avenge themselves on some particular enemy, the great wish of others to save their own pocket...they devote a very small fraction of the time to the consideration of any matter of common concern, most of it to the prosecution of their own affairs. Meanwhile each fancies that no harm will come of his neglect, that it is the business of somebody else to look after this or that for him" (I.141.6-7).

[39] These motives will be constantly seen throughout this study.

[40] As we will see later in Chapter V, Aristotle, at least to some important extent, would agree with Pericles in his uniting or even identifying the private good with common good. But Aristotle would do it through a series of more systematic arguments.

and most glorious city and she also seemed to be the most promising city to be remembered in the future:

> Athens alone of her contemporaries is found when tested to be greater than her reputation…the admiration of the present and succeeding ages will be ours, since we have not left our power without witness, but have shown it by mighty proofs; and far from needing a Homer as our eulogist…we have forced every sea and land to be the highway of our daring, and everywhere…have left imperishable monuments behind us. (II.41.3-4)

Pericles strikingly disdained the role of a (divine) Homer, who would keep people's memory afresh. In his view the glory of Athens has proved to be so apparent and so everlasting that it can hardly fade from memory. Attached to such a city, the glory of an individual is almost guaranteed. Therefore the safeguarding and expansion of Athens' imperialism, through which its glory is acquired and maintained, becomes the end in itself, the end for individual commitment and sacrifice. To fight and to die for the city is said to be the highest individual good one can ever achieve, because as the glory of the city is achieved and remains in history, the name of an individual, along with the city he serves, is also memorized by history and his glory is achieved and secured as well. It is glory, not anything else, that primarily manifests the merit or virtue of citizen and even human being *per se*. This merit is, according to Pericles, is best seen from one's death, the very end of one's life, presumably because death, by putting a full stop to one's life, gives others the best occasion to judge the dead, as Thucydides gives the *encomium* right after Pericles' death (II.65.5-9). A good and noble death in fighting for the city can even cover the imperfections of the dead. Pericles expressed these ideas more eloquently than any possible commentary:

> [T]he Athens I have celebrated is only what the heroism of these and their like have made her, men whose fame…will be found to be no greater than what they deserve. And if a test of worth be wanted, it is to be *found in their closing scene*, and this not only in the case in which *it set the final seal upon their virtue*, but also in those in which *it gave the first intimation of their having any*. For there is justice in claim that *steadfastness in his country's battle should be as a cloak to cover a man's other imperfections*; since the good action has blotted out the bad, and *his merit as a citizen more than outweighed his*

> *demerits as an individual*....choosing to die resisting, rather than to live submitting, they fled only from dishonor, but met danger face to face, and after one brief moment, *while at the summit of their fortune, left behind them not their fear, but their glory.* (II.42.2-4)

After praising the dead Pericles turned to those who were present at the funeral, and encouraged them to imitate the dead, to "feed your eyes upon her [Athens] from day to day, and become her lovers (*erastas gignomenous autēs*) (II.43.1).[41] He then promised the dead and the present alike that to die for their city would acquire for them a kind of immortality:

> For this offering of their lives, made in common by them all, *they each of them individually* (*idiai*) received *that renown which never grows old*, and for a tomb, not so much that in which their bones have been deposited, but that noblest of shrines wherein *their glory is laid up to be eternally remembered* upon every occasion on which deed or story shall be commemorated. For heroes have the whole earth for their tomb; and in lands far from their own, where the column with its epitaph declares it, there is enshrined in every breast a record unwritten with no monument to preserve it, except that of the heart. (II.43.2-3)

His promise does not quite aim at the dead as a group of people, but rather at those *individuals*. To die for one's city is a true and even the greatest *contribution to one's own good*. According to Pericles, to die for the glory of a glorious city is not like being buried in a national cemetery, in which a number of unnamed soldier are buried, but rather, it is like the death of an ancient hero and impressing your *individual name* in people's heart eternally (Achilles would be a good image his audience had in mind).

Although we do not know the actual effect of this oration from Thucydides' work, we are nevertheless, by comparing what the audience possibly felt with what we feel when reading it, able to imagine that Pericles' actual audience in that particular circumstance must be filled with enthusiastic patriotism and the passion for glory, and more dedicated to the war and more willing to sacrifice than ever before. Funeral should be a scene of grievance and lament, but Pericles powerfully turned it

[41] Palmer (1992) raises a good point in commenting Pericles' word "lover": "the most private thing, *eros*, is given full due but its object becomes the most public thing, the city" (p. 26).

into a celebration of Athens and a scene of glory and pride.

But immediately following this Funeral Oration, perhaps the most glorious moment of the Athenians in the *PW*, Thucydides juxtaposes the great plague, probably the darkest moment of the same people (II.47-65). By so doing, Thucydides on the one hand emphasizes the power of chance (*tuchē*) in human affairs, for no matter how glorious a human ideal seems to be, it cannot afford the blow of chance as bad as the plague.[42] And on the other hand, if we go a little further, it is not completely unjustifiable to think that Thucydides at the same time expresses his silent doubt about Pericles' lofty solution to the tension. Pericles provides an argument for political devotion and sacrifice through the love of glory, but its first premise (love of glory is the strongest human motivation) is not always true. When the city was filled with corpses and dying people, and when each has the imminent danger of death, people became lawless, no longer followed the burial customs (the most sacred of all), and robbed the dying people (II.52.1-53.1). They "resolved to spend quickly and enjoy themselves, regarding their lives and riches as alike things of a day" (II.53.2); not only the noble ideals presented in Pericles' speech but also the slightest sense of decency were completely abandoned. Although honor is indeed one of the strongest motives in human action,[43] fear, the second item on the list, particularly the fear of death, was probably more fundamental in human nature, and it completely surpassed the love of glory and the love of one's city. When the first premise is no longer true in the face of extreme situations like the plague, the overall argument or the overall Periclean solution collapses consequently. Apparently, his solution is so lofty and so fragile that it cannot be held true all the time.[44]

Although his "theoretical solution" to the tension might not work all the time,

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[42] For an excellent study of the general theme or antithesis between *tuchē* on the one hand, and *gnomē/technē* on the other hand, see Edmunds (1975).

[43] Thucydides frequently mentions this motive when he explains the cause of war as a whole (e.g. I.84.2 and I.86.5) and the intention of various figures (e.g., Spartan king Agis and Persian King Darius II).

[44] What might be interesting to note at this point is that when Machiavelli, another master of political realism, discusses whether it is better for the prince to be loved by his subjects or be feared, he recommends the latter without any reservation: "since men love at their convenience and fear at the convenience of the prince, a wise prince should found himself on what is his, not on what is someone else's" (Machiavelli [1998], 68). And Hobbes, after Machiavelli, takes fear, especially the fear of violent death as the strongest motivation of human being, and it is this death and the rational ability that lead human being out of the state of nature and into political community (see Hobbes [1993], chs. 13-17).

Pericles never failed in practice, thanks to his supreme rhetorical skills. Even during the horrible plague, when his authority was unprecedentedly challenged and when the proposal for peace was made, Pericles still managed to hold his people firm to the previous strategy and even to cheer up their declined morale.

At this point of the war, the Athenians had suffered greatly from the ravage of their land, the humility of military inactivity, and the great loss caused by the widespread plague. So they turned their disappointment, anger, and despair all to Pericles, the one who led them into the war and proposed such a strategy. To hold them back from this desperate mood, Pericles called an assembly and delivered his third and last speech, and his only defense speech recorded by Thucydides (II.60-64),[45] "with the double object of restoring confidence and of leading them from these angry feelings to a calmer and more hopeful state of mind" (II.59.3).

This speech is composed of four parts. On the rational ground, Pericles made three points. First, he made his own defense. He argued for his own righteousness (as we see in the four points when we examined the characteristics of his instructive rhetoric), and argued that it was the decision of the assembly as a whole to declare war against Sparta and to pass such a defensive strategy, so it should not be him alone who took the responsibility of dragging Athens into such a mire. And they should stay firm in the present strategy and keep fighting with all resoluteness (II.60-61). Second, Pericles raised a relatively new point concerning the greatness of the Athenian empire, a more realistic point at this moment (II.62).[46] He argued that her power was primarily based on the naval power, and comparing with mastering the entire sea, the loss on the land and house at present is virtually nothing, because with their naval power which was almost untouched in the first two years, the "liberty preserved by your efforts will easily recover for us what we have lost" (II.62.3). Third, Pericles recounted the theme of the glory of Athenian empire, but from a somewhat negative perspective. He argued that, again on a rational basis, it was both too dangerous and not even possible to give

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[45] It is certainly not in the judicial sense of "defense," but to defend his policy. A few lines after this last speech, Thucydides says, "the public feeling against him did not subside until he had been fined" (II.65.3), and on that occasion, Pericles probably gave a real defend in the judicial sense, but Thucydides did not record it.

[46] This point was also partly foreshadowed in his first speech, where he says, "the rule of sea is indeed a greater matter…dismissing all thought of our land and houses, we must vigilantly guard the sea and the city" (I.143.5).

up their empire and recede at this moment. Here he famously likened Athens to a tyranny; "to take it perhaps was wrong, but to let it go surely is dangerous" (II.63.2).

The last part of the speech and the climax is again his emotional appeal to the audience. He, for the very last time in Thucydides' book, stressed the unity of the private and common good in the glory of the Athenian empire, and again looked forward to the eternal glory in the future, trying hard to put the same kind of prospect to the heart of his audience through his passionate words:

> Remember, too, that if your city has the greatest name in all the world, it is because she never bent before disaster; because she has expended more life and effort in war than any other city, and has won for herself a power greater than any hitherto known, the memory of which will descend to the latest posterity...Hatred also is short-lived; but *that which makes the splendor of the present and the glory of the future remains forever unforgotten.* (II.64.3-5)

As he always did, Pericles succeeded in persuading them and rekindling their passion to resist the Spartans and to fight the war as resolutely as before, i.e., to stay firm in guarding their common good, although the private anger caused by the private loss was not ceased. Thucydides provides a striking contrast:

> *As a community* (*dēmosiai*), they were persuaded by his words, and they not only gave up all idea of sending to Sparta, but applied themselves with increased energy to the war; but *as private individuals* (*idiai*), they could not help smarting under their sufferings, the common people having been deprived of the little that they ever possessed, while the higher orders had lost fine properties with costly establishments and buildings in the country. (II.65.1-2)

Although the Athenians were distressed, although different classes were deprived of different goods, although privately they were still angry at Pericles, they nevertheless submitted their private goods to the common good, persuaded for the very last time by Pericles' undefeatable rhetorical skills.

Pericles died next year, and left virtually no trace to the third year of the war, probably due to his illness. Throughout some thirty years of political career, Pericles proved again and again that he was truly concerned with the common good, and

through his incorruptible character and utmost rhetorical skills, he persuaded the Athenians to devote to the common good even in very critical and unfavorable situations. Thucydides composes a eulogy for Pericles in his own name with such powerful concluding words: "what was nominally a democracy was becoming in his hands government by the first citizen" (II.65.9).[47] His death ended an epoch in Athenian history, drew a close to the defensive strategy in Peloponnesian war, and opened the path to more dangerous and daring political and military conducts which finally led Athens to her total defeat.

I.4 Alcibiades: Rhetoric Serving Private Ambition

Throughout the *PW*, Thucydides never lays blame to Pericles or to Athenian democracy for either the decision to go to war or the strategies during the first two years of the war. After his death, Athenian democracy and its institutions substantially remained the same. But as the war proceeded, it did eventually destroy the once most powerful empire. We are compelled to raise the question: who or what should be responsible for the disastrous outcome? Different people may give different answers to this question, but Thucydides' own answer is clear. The successive politicians after Pericles, not individually but collectively, should be responsible for the final defeat. Thucydides believes that the Athenians lost the war because they abandoned Pericles' defensive policy (II.65.7). Thucydides clearly distinguishes better and worse democracy by distinguishing better and worse politicians leading the democracy. Pericles was a towering figure, but his successors were "more on a level with one another" (II.65.10). Unlike Pericles, who "was enabled to exercise an independent control over the multitude, to lead them instead of being led by them" (II.65.8), his successors "each grasping at supremacy, they ended by committing even the conduct of city affairs to the whim of the multitude" (II.65.10). More importantly for our present discussion, unlike Pericles who always attended to public good, his successors were more concerned with their private goods:

[47] Aristotle also praises him as the model of prudent statesman (*NE* IV.5, 1140b9-12), the representative of the right practical reasoning.

> [They are] allowing *private ambitions and private interests*, in matters apparently quite foreign to war, to lead them into projects unjust both to themselves and to their allies—projects whose success would only *conduce to the honor and advantage of private persons*, and whose failure entailed certain disaster on the city in the war. (II.65.7)

The change of politicians was the greatest change occurred in Athens after Pericles, and this change, again according to Thucydides, gradually brought about the disastrous defeat and the collapse of Athenian empire.

Among Pericles' immediate successors, the best known were Cleon and Nicias. They were an interesting pair of rivals: "Nicias a follower of the policy of Pericles, an advocate of peace, a man of probity and reserve, a gentleman; Cleon an opponent of Pericles, an advocate of war, a demagogue, a vulgarian; both men, of course, immeasurably inferior to Pericles."[48] Later, during the so-called "Peace of Nicias," a talented young man came up to the political stage and became a new and stronger rival of Nicias, and a central figure of the second half of Peloponnesian war. He was Alcibiades, another spiritual heir of Gorgias.

In some aspects Alcibiades was a worthy successor of Pericles and similar to his guardian: Alcibiades was the most talented politician arising in Athens after Pericles;[49] they were both primarily speakers rather than doers under Thucydides' depiction;[50] they were both very good at persuasion.[51] But Alcibiades represents the climax of the private political ambition which Thucydides deeply worries in II.65.7. It is Alcibiades, more than anyone else, threw Athenians into a huge whirl which would finally bring this empire to its end.

Since his very first appearance (V.43-46), Alcibiades' name is associated with

[48] Kagan (1974), p. 129. These words reflect the judgment of most historians dated back to Thucydides himself.

[49] Thucydides gives his very high evaluation concerning his political talent: "in his public life his conduct of the war was as good as could be desired" (VI.15.4).

[50] We have seen this in Pericles' political career above. As for Alcibiades, we have 14 speeches in the *PW*, 2 direct and 12 indirect (for a complete list of all the speeches in Thucydides, see Thucydides [1998], pp. 184-191), but only one military campaign was led by him together with two other generals, and more ironically, this campaign was the Sicilian Expedition from which he fled to Sparta. Considering Thucydides' comments at VI.15.4 ("his conduct of the war was as good as could be desired"), we are almost forced to draw the conclusion that Alcibiades was a perfect strategist, and everything seemed easy for him because of his supreme power of persuasion, but was probably not a good military commander in practice.

[51] Both Pericles and Alcibiades, when they made a speech, either direct or indirect, in order to persuade, they almost never failed (the only exception was Alcibiades' attempt to win Tissaphernes, the Persian satrap, over to Athens, which seemed quite successful in the early stages but failed at last). We will consider his contrast with Pericles after we take a brief look at his first appearance in the *PW*.

strong private political ambition; he is even the personification of this kind of ambition. On that occasion, Alcibiades felt that he was personally slighted by the Spartans when they made peace treaty with Nicias and Laches, completely overlooking him, whose ancestors had been *proxenos*[52] of the Spartans in Athens. Irritated by this *personal insult*, Alcibiades shifted his position from pro Sparta to against.[53] He opposed the peace treaty, and attempted to return to the previous war condition by bringing Argos into Athens' alliance. Thucydides remarked on his intention with the following words: "Alcibiades thought the Argive alliance *really preferable* [i.e., preferable to Athens], not that *personal pique* had not also a great deal to do with his opposition" (V.43.2). And he took a twofold course to realize his purpose. On the one hand he tried to persuade the Athenians that "the Spartans were not to be trusted," and on the other hand, "sent *privately* to the Argives" (V.43.3) and invited them to form alliance with Athens. When Sparta, upon hearing this news, sent an envoy to Athens to save the peace treaty, Alcibiades was afraid that they would persuade the people and fail the alliance he proposed. He deceived the representatives of Sparta before they spoke to the assembly, persuading them with "a solemn assurance" that he would change position and help them if they denied that they had full authority which they actually did, but when the envoys did as he suggested in the assembly, Alcibiades publicly denounced them of their lack of sincerity, he "carried away" the assembly, and "thundered more loudly than ever against the Spartans" (V.45). Only because of an earthquake no decision was made in this assembly.[54]

Although this is his first appearance, although we only have one or two indirect speeches and can only imagine what he actually said to the Spartan envoys and to the Athenian assembly, some of the key features of Alcibiades, in contrast with Pericles, have been apparent enough from this rather short episode. Pericles was honest and always told his people truth, whereas Alcibiades was cunning and sometimes

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[52] *Proxenos* is the agent or representative of a foreign state. In Alcibiades' case, his name was originally Spartan and his family served as the *proxenos* of the Spartans until his grandfather renounced it (V.43.2).

[53] Before this event, Alcibiades attempted to renew the role of *proxenos* and took good care of the Spartan prisoners in Athens, but after this personal insult, he became the bitterest enemy of the Spartans.

[54] This episode in Thucydides seems too dramatic to be reliable, so a number of scholars challenge this account. For these challenges and a reasonable defense, see Kagan (1981), pp. 67-70.

exaggerated and sometimes told lies; Pericles always dealt with issue above board and addressed a large audience, whereas Alcibiades in some cases tricked people in private or secret occasions; Pericles never flattered his audience and sometimes pursues unpopular policies with the danger of irritating the people, whereas Alcibiades catered for his audience and tended to choose the more popular course; Pericles was enthusiastically patriotic, whereas Alcibiades had no such attachment, so he shifted swiftly from pro to against Sparta, and later shifted from Athens to Sparta to Persia and back to Athens. Pericles and Alcibiades were both concerned about common good, but Pericles was for the common good itself, whereas Alcibiades' real goal was always his private ambition, and the common good of the community he happened to serve was no more than a means or pretext of his real goal. Pericles was able to persuade the people to submit their private good to common good, whereas Alcibiades also had the capacity to make them submit their private good to the "common good" which *he was advocating* (for common good would always be his disguise when addressing a large audience). Sometimes it was real common good for the city, but sometimes it was no more than a pretense of his private ambition. In Alcibiades's case, common good may be said to be symbolized and synthesized in him, a charismatic individual. As long as he stood in front of the people, he always had ways to identify himself with the common good or with the city. Such a Hitler-like person posed great threat of tyranny, the least thing the 5th century Athenians would like to accept. So when the Athenian people were not "carried away" by him, or when they were more sober, they were rather cautious about this kind of figure, as shown in their famous device of ostracism carried out since Cleisthenes' time, and also shown in Thucydides' remarks about the relation between Alcibiades and the Athenians, "alarmed at the greatness of the license in his own life and habits, and at the ambition which he showed in all things whatsoever that he undertook, the mass of the people marked him as an aspirant to the tyranny and became his enemy; and although in his public life his conduct of the war was as good as could be desired, in his private life his habits gave offense to everyone"

(VI.15.4).[55] The attitude of the Athenians toward Alcibiades was a complicated mixture of love, admiration, cautiousness, worry, fear, and hate.

We will now see Alcibiades' characteristics in more examples. In 415 BC, the Athenians, having restored their power after the horrible plague and six years of peace, decided to send a fleet with sixty ships to help their allies in Sicily and to conquer that island if possible. This movement was favored by the multitude, for they were daring and longing for ruling larger territory. They certainly had forgotten Pericles' warning not to expand their empire during the war (I.144.1).[56] Alcibiades, no wonder at all, was the main advocator of this expedition. His strong favor of a more extreme imperialism (see VI.15.2 and VI.90.2-3) was understandable. For it is based on the same reasoning as Pericles' put forward in his Funeral Oration: to reach personal glory one has to connect oneself with a strong state, ideally a state as strong and glorious as Athens of Pericles' time, and the best way to be remembered in such a country is certainly to lead it as Pericles did. In the second assembly concerning the expedition,[57] the conservative and moderate Nicias tried to dissuade the Athenians of sending a large fleet to Sicily, and revealed Alcibiades' self-interestedness:

> And if there be any man here, overjoyed at being chosen to command, who urges you to make the expedition, merely *for ends of his own*—especially if he is still too young to command—who seeks to be admired for his stud of horses, but on account of heavy expenses hopes for some profit from his appointment, do not allow such a one to *maintain his private splendor at his country's risk*, but remember that such persons injure the public fortune while they squander their own. (VI.12.2)

Before reporting Alcibiades counter-speech, Thucydides remarks on Alcibiades' intention of defeating Nicias, and keeps silence about whether this expedition would benefit Athens, as if it did not matter at all. He is in agreement with Nicias' attack, focusing on his private hostility with Nicias and private gain from the expedition:

[55] I thank Giovanni for pointing out the thesis of symbolization or synthesis of common good in an individual, and thus the danger of the rise of Hitler-like tyrannical figure.

[56] Nicias made a similar warning in VI.10.4-5.

[57] Five days after they decided to send 60 ships, the Athenians held a second assembly "to consider the speediest means of equipping the ships, and to vote whatever else might be required by the generals for the expedition" (VI.8.3). But it turned out that they greatly enlarged the expedition in this assembly.

> By far the warmest advocate of the expedition was, however, Alcibiades son of Clinias, who wished to thwart Nicias both as *his political opponent* and also because of the attack he had made upon him in his speech, and who was, besides, *exceedingly ambitious of a command* by which he hoped to reduce Sicily and Carthage, and *personally to gain in wealth and reputation by means of his successes*. (VI.15.2)

In his counter-speech Alcibiades first defended his way of life, and did it by connecting his private glory closely with that of Athens. He interpreted his luxuriousness as a benefit of the city, as a way to display the power and glory of Athens (VI.16.1-4).[58] Then he tried to persuade the Athenians that the expedition was not as difficult as Nicias expected, and ironically the most lengthy reason he gave was that the people there did not care common good: "being without any feeling of patriotism…every man thinks that either by fair words or by party strife he can obtain something at the public expense, and then in the event of a catastrophe settle in another land" (VI.17.3). It is ironical, because what Alcibiades complained here was exactly what he would do later. He had no sense of real patriotism, pursued his private ambition under the guise of common good, fled to another city when things went wrong, and even took the responsibility to destroy the previous city. He further argued for the easiness of this expedition, for Sicilian cities were lack of organization, and did not have as great army as they boasted, whereas the Athenians would be assisted by local barbarians, and the Spartans were not able to harm Athenian navy (VI.17.4-8). Alcibiades also listed other reasons of launching this expedition (VI.18.1-5) and toward the end of his speech Alcibiades, very similar to what Pericles did in his last speech, appealed to the glory of their fathers and the nature and strength of their regime, arousing both their patriotism and their imperial desire of expansion (VI.18.6). But the difference was also obvious. When Pericles made those points, he tried to encourage the Athenians when the desperate atmosphere spread, whereas Alcibiades only catered for his audience and fueled their imperialist passion when they had

[58] Alcibiades also puts forward the idea, whether it is for the first time in political thought I am not sure, that private behavior should be separated from public service, a somewhat individualistic view, for he boasts "however I am abused for them in my private life, the question is whether anyone manages public affairs better than I do" (VI.16.6)

already been overconfident and ambitious. When addressing the people, Alcibiades also mixed rational calculation and passionate appeal in a perfect way, and was just as powerful as Pericles. But unlike Pericles, who always provided true information to the people, Alcibiades apparently misled his audience by underestimating the difficulties of this expedition, which was demonstrated by Thucydides' words at the beginning of Book VI,[59] by the difficulties listed in Nicias' second yet exaggerated speech (VI.20),[60] and would also be demonstrated as the expedition actually proceeded.

The Athenians were easily persuaded by Alcibiades' glamorous speech. After Nicias' very untimely and terribly calculated speech,[61] the Athenians decided to send a still larger fleet[62] to secure the success of conquering Sicily, and ultimately abandoned the more moderate goal set in the first assembly concerning this expedition. And thus began their nightmare, for "the Athenian expedition was of such a size that its defeat could mean almost total disaster."[63]

Just a couple of months after the expedition was launched, the Athenians summoned Alcibiades back to face the charge of sacrilege (VI.53.1, 61.1-5).[64] He chose to flee, and fled to Athens' formidable enemy Sparta, rather than defended himself in front of the juries (VI.61.6, 88.9).[65] He chose personal safety instead of loyalty. Thucydides reported his second direct speech in front of the Spartan assembly, in order to justify his flee, to reveal Athens' war strategy, and to counsel the Spartans how to defeat Athens, his fatherland.

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[59] He says that "most of them [the Athenians] being ignorant of its size and of the number of its inhabitants, Hellenic and barbarian, and of the fact that they were undertaking a war not much inferior to that against the Peloponnesians" (VI.1.1). Thucydides probably exaggerates the ignorance of the Athenians, for they had sent a fleet made of sixty ships to Sicily in 424 BC. His purpose is probably to pain a still more ominous prospective for this expedition.

[60] The points he made there were the Greek cities in Sicily were not in turmoil, not demoralized; most of them were hostile to Athens; they did have good number of all kinds of armies and good amount of money; and most importantly they had the two crucial things which the Athenians lacked: many horses and sufficient supply of grains. Even if the first few were exaggerated, the last two elements were very true and partly anticipated the failure of Athens.

[61] He exaggerated the magnitude of fleet in need in order to hold the Athenian back, but his speech only further fueled their enthusiasm for the expedition (VI.16-26). For an analysis of his motive, see Kagan (1981), pp.186-190.

[62] The final number was 134 ships with 5,100 hoplites, 700 thetes, 1,300 light-armed troops, the biggest force Athens ever sent abroad.

[63] Kagan (1981), p. 190.

[64] For a fuller account of this sacrilege, see Kagan (1981), pp. 193-209

[65] It is true that to defend himself when the expedition had been launched was much more difficulty than did it before the expedition, for a big number of his supporters were now in Sicily and his accusers were more likely to get enough jury to condemn him. That is why he was more willing to be tried before the expedition, and chose to flee during it (cf. VI. 29 with VI.61.1-4).

To win the favor of the Spartans and to justify his flee, Alcibiades stressed the role of *proxenoi* of his ancestors and his attempt to renew it, and complained that the Spartans neglected him, as if he was a victim. Then he claimed that his favor of the people was simply a necessity and he himself was rather hostile to the regime itself, for "as democracy was the government of the city, *it was necessary* in most things to conform to established conditions...As for democracy, the men of sense among us knew what it was...but we did not think it safe to alter it under the pressure of your hostility" (VI.89.4).[66] To win the trust of the Spartans, he exposed the entire plan of Athenian expedition (VI.90.2-4), and boasted that "you have thus heard the history of the present expedition from the man who most exactly knows what our intentions were; and the remaining generals, will, if they can, carry these out just the same" (VI.91.1). To counsel the Spartans, he provided the most efficient advice that the Spartans should send an army and a Spartiate commander to Sicily to aid the Syracusans blocked by the Athenians, and at the same time fight an open war with Athens to reassure the Syracusans and to prevent Athens from sending more reinforcements (VI.91.2-7).

From this strategically important speech, which decisively shifted the momentum of the war,[67] we see more clearly than any other place that Alcibiades was an independent political man who had no sense of political commitment or loyalty, as he eloquently and somewhat movingly said toward the end of his speech:

> My worst enemy are not you who only harmed your foes, but they who forced their friends to become enemies; and *love of country is what I do not feel when I am wronged*, but what I felt when secure in my rights as a citizen. Indeed, *I do not consider that I am now attacking a country that is still mine; I am rather trying to recover one that is mine no longer*; and *the true lover of his country is not he who consents to lose it unjustly rather than attack it, but he who longs for it so much that he will go to all lengths to recover it*. (VI.92.3-4)

Unlike his teacher Socrates, who was wronged by Athens yet accepted the sentence

[66] This position was probably truer than his praise of Athenian regime in front of the Athenians, for he later conspired to overthrow the Athenian democracy.

[67] If the Spartans had not taken any prompt action to assist Syracuse, we can well imagine the soon capitulation of Syracuse. And it would give Athens a perfect base to further and enlarge the war with Sparta.

and the death penalty,[68] Alcibiades was always primarily concerned about himself, his safety and interest. His loyalty and love of a city was highly conditional, i.e., as long as he did not feel that he was wronged (but given his character, he was probably very easy to feel so), and paradoxically, he went as far as to express his "love" of his city by attacking her and overthrowing her present government as remaking it as he wished. What is still more astonishing is that he dared to define this as the true love of one's city![69] At this point, his private ambition becomes the personification of the city herself. And he ended his well-structured and passionate speech by urging the Spartans into prompt action:

> I urge you to send without hesitation the expeditions to Sicily and Attica; by the presence of a small part of your forces you will save important cities in that island, and you will destroy the power of Athens both present and prospective; after this you will dwell in security and enjoy. (VI.92.5)

Alcibiades was indeed concerned about Sparta' common good, i.e., to defeat her strongest enemy and to enjoy security from then on. But as have been seen, his suggestions were more based on his own ambitious prospective to "recover" his Athens than for the sake of Sparta's good *per se*.

His Spartan audience, like those Athenians, was persuaded. Part of the reason was certainly that they were impressed by Alcibiades' speech, by his strong argument (though not all true) and emotional appeal; the other part of the reason was that Alcibiades, again, picked up a more popular course (VI.93.1). This success of persuasion was of some historical importance, for the decision of sending troops to Syracuse was against the will of the ephors and other Spartan authorities (VI.88.10), who, in this largely oligarchic regime, usually controlled the decision making process, as Rhodes puts it, "it so happened that, if Thucydides is right, Alcibiades' persuasion

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[68] See Plato's *Apology of Socrates* and *Crito*. For the intriguing relation between Socrates and Alcibiades, see Plato's *Alcibiades* I and II, *Symposium* 212d-223b, and Plutarch's *Live of Alcibiades*, 7, in Plutarch (1914-1926), vol. 3.

[69] As Aristotle later defines, the identity of a city is tied to its regime or constitution (Aristotle, *Politics*, III.3, 1276b9-10). So strictly speaking, when oligarchic government replaces a democratic government, Athens is not longer the Athens before. That is to say, to reshape Athens as Alcibiades planed to do, is to turn his fatherland into another city

resulted in the clearest instance we have of the Spartan assembly's reaching a decision contrary to a firm recommendation put to it by the authorities."[70]

Without Alcibiades as their commander, and still worse, with the ablest Athenian politician now serving their enemy, the Athenians under the command of the too pious and too cautious Nicias were disastrously defeated at Sicily in 413 BC, losing virtually everything.[71] Sicilian Expedition marked the downfall of the Athenian empire, it is only left us to wonder, and indeed Thucydides wonders together with us (II.65.12), how and why Athens could still endure the war for another ten years before her final loss in 404 BC.

After the defeat at Sicily Athens was greatly weakened, and many of her allies revolted against her, and some of the revolts were provoked by Alcibiades. Thucydides comments on Alcibiades' self-interested intention when he tries to arouse the revolts of Chians and Erythraians,[72] and to persuade the Persian king to ally with Sparta: "he also represented to Endius himself *in private* that *it would be glorious for him* to be the means of making Ionia revolt and the King become the ally of Sparta, instead of that honor being left to Aigs, for Agis was the enemy of Alcibiades" (VIII.12.2).

Being a private enemy of the Spartan king Agis,[73] it is no wonder when he was suspected by the Spartans after the defeat at Miletus, Alcibiades chose to flee again, and this time moved on to the third major party of the later stage of the war, Persian Empire, and "immediately began to do all he could with him [Tissaphernes] to injure the Peloponnesian cause" (VIII.45.1). He counseled Tissaphernes, the Persian satrap of Sardis, and the Persian King how to wear down both Athens and Sparta (VIII.46.4). Thucydides, again, reveals his ambition in doing this:

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[70] Rhodes (1985), p. 11. But he does have some reservation about whether this episode was really as Thucydides told us.

[71] With the later reinforcement in 413 BC, the Athenians totally lost 216 triremes (leaving only less than 100 at home), at least 3,000 hoplites, 9,000 thetes, and thousands of metics; and they also lost the most capable generals: Nicias, Lamachus, Demosthenes and Eurymedon were killed, and Alcibiades was in exile.

[72] He did this again through exaggeration and lies: "stating that many more ships were sailing up, but saying nothing of the fleet being blockaded in Spiraeum" (VIII.14.2). Kagan remarks that in persuading Chios to revolt, Alcibiades "appears to have done Athens more harm in this particular affair than ever before" (Kagan [1998], p 338).

[73] This private hatred was probably due to his seduction of Agis' wife. For this episode, see Xenophon's *Hellenica* (Xenophon [1979]), III.3.1-4; it is also mentioned in Plutarch's *Live of Alcibiades*, 23.

Alcibiades gave this advice to Tissaphernes and the King...not merely because he thought it really the best, but because *he was seeking means to bring about his restoration to his city*, well knowing that if he did not destroy it he might one day hope to persuade the Athenians to recall him, and thinking that his best chance of persuading them lay in letting them see that he possessed the favor of Tissaphernes. (VIII.47.1)

Alcibiades advised the Persians for their best benefit, as he did for the Spartans, but he did this to win the trust of Tissaphernes, and the further purpose to win him over was to restore himself in Athens. In the following complicated interaction among Alcibiades, Tissaphernes and Athens, Alcibiades managed to deceive or to conceal certain unfavorable information to both parties, and succeeded in overthrowing the Athenian democracy and in establishing an oligarchic regime, "The Four Hundred."

But as the words Thucydides puts to the Athenian general Phrynichos revealed: "Alcibiades, he rightly thought, cared no more for an oligarchy than for a democracy, and only sought to change the institutions of his country in order to get himself recalled by his associates" (VIII.48.4). Here we see again the familiar loom of the threat of a tyrannical figure. His way of restoring himself was to put his fatherland to a desperate situation and compelled his fellow citizens to see him as the very last resort, or the only savior, so that they would have to put all their fate on such an individual and to identify the city with him. After that he could once again "carry away" or win over the Athenians through his excellent skill of rhetoric, as best shown in an indirect speech reported by Thucydides,[74] when he was brought back from three years of exile and stood again in front of the Athenian soldiers:

Alcibiades complained of and deplored his private misfortune in having been banished, and speaking at great length upon public affairs, highly incited their hopes for the future, and extravagantly magnified his own influence with Tissaphernes...Alcibiades accordingly held out to the army such extravagant promises as the following: that Tissaphernes had solemnly assured him that if he could only trust the Athenians they should never want for supplies while he had anything left...and that he would bring the Phoenician fleet now at Aspendus to the Athenians instead of to the Peloponnesians; but that he could only trust the Athenians if Alcibiades were recalled to be his security for

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[74] It is well known that the last book of the *PW* lacks any direct speech. Whether this is a sign of incompleteness of the *PW* is too big a topic to pick up here. For a good discussion of this issue, see Gomme, Andrews and Dover (1945-1981), vol. 5, 361-383

them. (VIII.81.2-3)

But actually Alcibiades had not really persuaded Tissaphernes and finally failed to do so, but we can imagine how glamorous his speech could be, and it is not surprising at all that "upon hearing this and much more besides, the Athenians at once elected him general" (VIII.82.1).

The PW we now have ends soon after the restoration of Alcibiades, and Thucydides seems to leave some bright hope to the Athenians. It is only toward the very end of his work, Thucydides says "now it was Alcibiades for the first time did the state a service, and one of the most outstanding kind" (VIII.86.4). Through his speech, Alcibiades prevented the Athenians from sailing back to Athens against their own people because of the transition of from Four Hundred to Five Thousand. It was also the first time that Alcibiades chose a less popular course of action and tried to restrain their excessive passion. Furthermore, Thucydides, for the first time, gives his appreciation of Alcibiades without any reservation: "at that moment, when no other man would have been able to hold back the multitude, he put a stop to the intended expedition, and rebuked and turned aside the resentment felt" (VIII.86). It is toward the very end of the PW, after doing a series of harms to his fatherland, that Alcibiades was most similar to Pericles.[75]

When we take another look at the entire career of Alcibiades, we see that he also faced the tension between his private good and the common good of a state. Like Pericles, he was also trying to "reconcile" these two series of good by the love of glory, but what is contrary to Pericles is that his personal glory was always the supreme end, and he always managed, through his outstanding rhetorical skills, to put the common good in service of his own private good.

[75] As we know from other sources, Alcibiades was later welcomed back to Athens with much glory in 407 BC, and was elected as supreme commander, the only time Athens made one general officially superior to his nine colleagues (see Xenophon, *Hellenica*, I.4.20 and Plutarch, *Live of Alcibiades*, 33.3), but only six months later he was exiled again after a defeat at Notium. He tried to become commander of Athens again in 405 BC but was rejected (see Xenophon, *Hellenica*, II.1.25-26, and Plutarch, *Lives of Alcibiades*, 36-37).

Chapter II Plato's Condemnation of Rhetoric and the Attempt to Solve the Tension through Legislation

Given the limited scope and purpose of this chapter, I will only discuss the most relevant parts of three Platonic dialogues, the *Gorgias*, the *Republic* and the *Laws*. The *Gorgias* is the best representative of Plato's attitude towards political rhetoric; the *Republic* is arguably the best representative of Platonic political philosophy as such[76] and also the best representative of Plato's solution to the tension at issue; certain part of the *Laws* will only be discussed briefly as a prelude or complement of the *Republic*, serving to clarify some points which the latter does not make clear enough.[77]

II. 1 Plato's Awareness of the Tension and the Priority of Common Good: the *Republic*

As a keen and profound political philosopher, Plato certainly cannot be ignorant about the tension between private good and common good. This theme can be seen explicitly in Socrates' remark in the *Republic*:

> [O]ne cares most for what one loves...And someone loves something most of all when he believes that the same thing are advantageous to it as to himself and supposes that if it does well, he'll do well, and that if it does badly, then he'll do badly too" (III.412d)

Although this remark occurs in the context of the discussion of the criteria of selecting

[76] There might be some disagreement about this judgment. I think Ferrari's very first sentence in his "Introduction" to Plato (2000) is fundamentally right: "Plato's *Republic* is the first great work of Western political philosophy" (p. xi). For a moderate defense of this view, see Schofield (2006), pp. 7-13. One of the major champions of the significance of the *Laws*, Laks, offers an interesting contrast in the very first sentence of Laks (2000): "The *Laws* can be considered the first work of genuine political philosophy in the Western tradition" (p. 258).

[77] I take the *Republic* as my central document for Plato's solution, both because of its significance in the history of political philosophy and because of its thoroughness in regard of its solution to the tension at issue (i.e., it *intends* to solve the tension from its root). I believe that Plato's political teachings in other dialogues such as the *Gorgias*, the *Crito*, the *Statesman*, and the *Laws* are in large agreement with those in the *Republic*. I am fully aware that the more popular view is a developmental or revisionist understanding of Plato's political philosophy, taking the *Republic* as a largely failed early attempt and being revised in the *Statesman* and the *Laws*. Some representatives of such a view are Laks (1990 and 2000), Bobonich (2002) and Klosko (2006). To fully argue for my belief will require another study at least as long as this one, so I will largely keep it in the shape of a *doxa* at this moment. For some attempts to argue for such a coherence thesis, see, for example, Shorey (1914) and Lewis (1998). The most recent and probably also the most ambitious attempt is Zuckert (2009). But at the same time, whether we take the general picture as developmental or coherent, there is also a large common ground in between, so the two views can be seen, to certain extent at least, as two different perspectives, not quite as contrary as the first sight appears.

rulers from the guardians, Socrates' phrases show that it is a general judgment rather than having some special kind of people in mind. It reveals the general motivation of human actions; they care first of all about themselves and the things related to themselves. When the good of the city is different from that of themselves, the conflict will unavoidably arise. One good example of this conflict is shown in Socrates' warning that the guardian class, if allowed to have their own good, will cause disaster to the city:

> But if they acquire private land, houses, and currency themselves, they'll be household managers and farmers instead of guardians—hostile master of the other citizens instead of their allies. They'll spend their whole lives hating and being hated, plotting and being plotted against, more afraid of internal than of external enemies, and they'll hasten both themselves and the whole city to almost immediate ruin. (III.417a-b)

When facing this tension between private and common good, Plato, *as a political philosopher*,[78] clearly sides with the latter, and strives to constrain or check the former, as he explains the ultimate purpose of founding the ideal city: "we aren't aiming to make any one group outstandingly happy but to *make the whole city so*" (IV.420b). Socrates refuses, in a strict sense, to call a city composed of different parts which primarily care about their own good *one city*, but "each of them is a great many cities, not a city... At any rate, each of them consists of two cities at war with one another, that of the poor and that of the rich, and each of these contains a great many. If you approach them as one city, you'll be making a big mistake" (IV.422e-423a). Socrates defines the greatest evil in a city as tearing "it apart and making it many instead of one" and the greatest good as binding "it together and making it one" (V.462a).

Having seen Plato's clear position when facing this tension, our next task is to see his solution to this problem. The ultimate way of solving this tension, according to Plato, is to solve it from the root, i.e., to identify the self-interest with *the love of or the attachment to the city*, and this is especially important for the most important class

[78] We will see his struggle when he discusses whether a true philosopher should go back to the cave, or to involve himself in political realm. But when he is establishing the ideal city, his takes an apparent position.

in his ideal city, the guardians, both because they are the protectors of the city, and because the rulers will be selected from them.

To solve the tension through the love of or the attachment to the city, or to put it in another way, through the identification of the private good with the common good, is precisely what we have seen in Pericles' speeches, especially his Funeral Oration. Indeed, Plato's solution, on this fundamental level, is similar to Pericles'. The most important difference is their different ways to achieve it, or the different ways to make people believe that the devotion to the common good of the city is at the same time the best way to improve their own good. In Pericles' view this kind of love or identification can be achieved through the love of glory, and he, as a public speaker, can reinforce and sometimes even directly bring about this love or identification through his tremendous rhetorical skills, a well-balanced combination of character, argument and appeal to passion; whereas Plato, based on his low view of political rhetoric of his day, and the innate limitations of the power of persuasion, relies primarily on legislation to make the guardians attach to the city and to instill such a kind of love of the city that they would be willing to sacrifice their private good for the good of the city. Unlike rhetoric, legislation has more compulsory power and thus can better ensure success.[79]

In the following sections I will first present Plato's low view of political rhetoric, first from the perspective of the practice of rhetoric of his days (in the *Gorgias*), and then from the perspective of the innate limitations of persuasion (in the *Republic*). Section four, in which I will briefly discuss some related themes in the *Laws* by focusing on the nature of legislation and law, serves as a prelude to the more specific discussion of legislation in the *Republic*, the central topic of section five. After examining legislation, the next natural question is legislator, and in section six I will discuss in the context of the *Republic* how a philosopher-legislator comes into being. Finally I will assess whether Plato's ultimate solution is successful, or whether

[79] There is another difference between Plato and Pericles as Giovanni points out: the former only aims at instilling this kind of identity to the most important class of the citizens (for the craftsmen are exclusively leading their private life without any real involvement of public matters), whereas the latter, known as a democrat, advocated this identity to all the citizens, as many as possible.

it really solves the tension at issue, in the light of Aristotle's criticism.

II.2 Plato's Condemnation of Political Rhetoric: the *Gorgias*[80]

In Plato's time, the political atmosphere in Athens was one that was dominated by skilled rhetoricians and decorated political speeches. It can hardly be better depicted than by the complaint Thucydides puts into Cleon's mouth:

> The person to blame are you who are so foolish as to institute these contests [of oration]; when speeches are to be heard, you behave like spectators, but where actions are concerned, you are content to be a mere audience; you judge the practicability of actions on the basis of fine speeches, and trust for the truth as to past events, not to the fact which you saw more than to the clever strictures which you heard; the easy victims of newfangled arguments, unwilling to follow received conclusions; slaves to every new paradox, despisers of the common-place; the first wish of every man being his own speaking ability, the next to rival those who can speak by seeming to keep up with their ideas by applauding every hit almost before it is made, and by being as quick in catching an argument as you are slow in foreseeing its consequences; seeking, if I may so say, something different from the conditions under which we live, and yet comprehending inadequately those very conditions; very slaves to the pleasure of the ear, and more like the spectators of sophists (*sophistōn theatais*) than the councils of a city (*poleōs bouleuomenois*). (*PW*, III.38.4-7)

The dominance of political rhetoric deprived the people of the capacity to deliberate for the city. They were much more concerned about the new arguments, new paradoxes, and new ways of putting forward new ideas, than about the issues, sometimes very momentous, under discussion. At this time the extremely dangerous practical outcome of this Gorgianic art had emerged in full. Plato, as well as his teacher Socrates, was certainly among the people who deeply worried about this dominance of rhetoric, and fought against this uprising trend almost throughout their life.[81] Therefore it is completely reasonable that when Plato fired his criticisms on

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[80] The discussion here will focus on Plato's low view of *political rhetoric*, and will leave aside his account of another kind of different rhetoric, a more philosophical and more private art of communication (not just persuasion) in the *Phaedrus*. I will briefly compare Plato's ideal rhetoric with Aristotle's rhetoric in his ideal city in Chapter VII.

[81] There is little doubt that Plato fought with the sophists all his life, but Socrates, if we believed the depiction in Aristophanes' comedy *Clouds* (in Aristophanes [1998]), might have been similar to a sophist at one time, but he certainly started fighting with them as late as the Delphic oracle (see *Apology* 20cff). What is also worth noticing is that political concern, to be sure, is not the only reason, probably even not the primary reason why Plato condemns

political rhetoric, he picked out Gorgias as his major target and composed a dialogue named after him.[82]

In this dialogue, Socrates, and his companion Chaerephon go together to see Gorgias' public speech or public display (*epideixis*), but are late. Socrates blames Chaerehphon for this because "he kept us loitering about in the marketplace" (447a). But we are immediately led to suspect whether Socrates is really interested in the public display of Gorgias, whether the blame of Chaerephon is only a pretext. On the one hand, when Callicles offers Socrates the opportunity to see another display of Gorgias because this master of rhetoric is now living in his house, Socrates declines his offer politely by asking "would he be willing to have a *discussion* with us [*hēmin dialechthēnai*]?" (447b).[83] And on the other hand, what Socrates is really interested is, as usual, the nature of Gorgias' art, i.e, "what his art [*technē*],[84] can accomplish, and what it is that he both makes claims about and teaches" (447b), but not the speech itself.

But the very first encounter of sophistic rhetoric is not between Socrates and Gorgias, the two masters of their respective art, i.e., dialectic and rhetoric, but between Chaerephon and Polus, two much inferior pupils, like a warm-up before the real battle between the main figures (447d-448c). Polus offers a first display of rhetoric skills, a mimic of his master's style or form, but without any meaningful content (448c). In fact, Gorgias, in this dialogue, does not even get a chance to displays his more mature rhetorical skills (a better combination of matter and form), because Socrates requests for his brevity for the sake of dialectical discussion

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rhetoric. What is more important is probably a philosophical concern. For Plato, wisdom, truth, virtues, and the criteria of right and wrong, are the issues discussed or pursued by philosophy, but sophists claim to teach people exactly the same things, so in order to defend the superiority of philosophy, Plato has to condemn sophistic rhetoric, the main weapon of sophists. But under our present context, political concern will be the only focus.

[82] Plato also named a few other dialogues after famous sophists: *Protagoras* is on whether virtue can be taught, *Greater Hippias* on what *kalon* (beautiful, noble, fine, etc.) is, *Lesser Hippias* on whether truthful person can also be a liar, *Euthydemus* on the nature of language which lies at heart of the art of sophists; and more generally *Sophists* on what a sophist is.

[83] "Have a discussion" (or converse) is the same verb from which Socratic or Platonic "dialectic" is derived, and could be, though a little awkwardly on this occasion, translated as "conduct dialectic with us." The contrast between dialectic or philosophy and rhetoric appears for the first time.

[84] I systematically translate the word *technē* with "art" and the cognates with "artist," "artistic." But we have to bear in mind that this word has much richer meaning than any of the usual English words used to translate it, such as craft, skill, or even profession. The rich meaning of *technē* is well put by Yunis (1996): "the systematic, scientific application of a body of knowledge to reliably achieve the highest degree of excellence in a practical task" (p. 122).

(449b-c), and Gorgias boasts that "there's no one who can say the same things more briefly than I" (449c).

Plato, the artful author of this dialogue, gives his readers a very negative first impression of rhetoric through the mouth of Polus, a kind of empty talk in a decorated disguise, and prevents the real master from correcting this negative impression by imposing rigorous limits to the way of his speaking. We may even say that Plato first disables rhetoric by taking away its most powerful weapon, i.e., its appeal to the passion of the audience, and then fights against it. To certain extent, Plato also practices Gorgias' advice: "one should spoil the opponents' seriousness with laughter and their laughter with seriousness." Plato forces Gorgias, who plays the *paignion* in his *Hellen*, to face a serious discourse proceeded in the dialectical or philosophical manner.[85] It does not seem to be a fair battle, but it is, to certainly extent, an unavoidable result of the nature of rhetoric. Boasting as the best user of language of whatever kind, a rhetorician has to accept all kinds of requirements and limitations on the use of language; otherwise he will have to face the embarrassment of self-destruction even before the battle begins. So it is very likely that rhetoric would place itself in a very unfavorable position from the very beginning, and the master of this art has to make up this disadvantage through his skills.[86]

With the familiar thirst for the nature of a subject matter, Socrates begins his discourse with Gorgias with the question "what the art you're knowledgeable in is, and hence what we're supposed to call you?" (449d). Gorgias answers that his art is rhetoric [*rhetorikē*],[87] and he should be called rhetorician [*rhētōr*]. An artist or craftsman should be able to teach others to become the same kind of artist or

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[85] I may briefly summarize the differences between rhetoric and Platonic dialectic as follows: (1) Concerning the form of speech, rhetoric is usually long and like monologue, whereas dialectic is usually brief exchange between two parties; (2) still related the form or the way they are conducted, rhetoric is usually passionate whereas dialectic always impassionate; (3) as for the audience, rhetoric is usually facing a large audience (although it can certainly achieve persuasion in front of a smaller number of people as Gorgias suggests at 456b), whereas dialectic is a face to face conversation and the dialectician is always concerned about the particular interlocutor; (4) concerning the intention of the speaker, rhetoric is to persuade, i.e., always connected to certain private concern of the speaker, whereas dialectic is for the sake of *logos per se*; (5) on a deeper and more substantial level, as we will see shortly, rhetoric does not concern itself with the question of knowledge but only belief (*pistis*) or opinion (*doxa*), whereas dialectic always aims at knowledge.

[86] It is worth noticing that, quite contrary to what Gorgias' claim in the *Helen*, that all kinds of speeches are of the same power, the form of speech does matter a lot in a real discourse.

[87] A few lines earlier at 448d, Socrates mentions the word *rhetorikē*, literally meaning the art of *rhētōr*. It is the first time in extant Greek literatures that the word *rhetorikē* appeared

craftsman, so Gorgias admits that he can also make others rhetoricians. When Socrates asks him the subject matter of rhetoric, Gorgias first makes a universal statement, rhetoric is the knowledge [*epistēmē*] "about speech [*peri logous*]" (499e),[88] but Socrates points out that it cannot be about all kinds of speeches. Under Socrates' leading, Gorgias later refines his definition of rhetoric as the art "to persuade by speeches judges in a law court, councilors in a council meeting, and assemblymen in an assembly or in any other political gathering that might take place" (452e), i.e., an art with various political applications, especially when addressing a large audience.[89] Partly due to his confidence, partly due to his wish to attract more students,[90] Gorgias boasts that his art is concerned with "the greatest of human concerns and the best" (451d, also 452d). As Stauffer notices, Socrates tacitly changes the statement "*concerned with*" into a bolder claim that the *product* of this art *is* the greatest good (comparing 451d and 452a).[91] But Gorgias nevertheless accepts this revision and boasts that his art *is* the producer (*dēmiourgos*) of the greatest good, presumably because this claim extents the power of rhetoric to a broader scope and he would like to take more adventure to defend this stronger thesis, as he says, "it is the source of freedom for mankind itself and at the same time it is for each person the source of rule over others in one's own city" (452d).[92] Through rhetoric one may have the doctor or physical trainer as one's slave and the financial expert will turn out to make money for you not for himself (452e). According to Gorgias, rhetoric "is concerned with those matters that are just and unjust" (454b), i.e., particularly in the realm of politics, and "encompasses and subordinates to itself about everything that can be

[88] For the kinship between knowledge and *technē*, see n. 84.
[89] Although it is true that rhetoric is mainly applied on the occasions of large audience as Gorgias emphasizes here, and this kind of occasion will make the appeal to emotion especially easy, we should not think (as Yunis thinks, for example) that rhetoric is merely applicable in this kind of occasions (Yunis [1996], p. 125: "Gorgias then carefully insists that the *rhētōr*'s power of persuasion extends only over audiences that constitute a multitude."). For Gorgias is also confident about the power of his art in more private kinds of persuasion, such as the persuasion of a patient to take painful medicine or to accept surgery (456b). Furthermore, if Gorgias takes the power of rhetoric to be *only* applicable to a large audience, he will not feel embarrassed and quit the discourse when Socrates challenges him that his disciple after learning to be just from him should be persuaded to be just, for teaching students is a rather private conduct in contrast with the public gatherings emphasized here (see the following discussion).
[90] This conversation takes place on a public occasion; see 455c and 458c
[91] Stauffer (2006), p. 25.
[92] For similar descriptions of Gorgias' view of the greatest good, i.e., power over others, see *Meno* 73c-d and *Philebus*, 58a-b.

accomplished" (456b).[93]

Having known the subject matter of rhetoric, i.e., to persuade people in regard of the matter of justice and injustice, Socrates begins to lead Gorgias gradually into dilemma, if not sheer self-contradiction. The first step is to distinguish two different mental conditions, "to have learned [*memathēkenai*]" and "to have believed [*pepisteukenai*, or to be convinced]" (454c-d). The former is about knowledge [*epistēmē*], which is always true and cannot be false, whereas the later is about belief [*pistis*], which can be true or false. But both those who have learned and those who have believed are persuaded [*pepeisthai*]. So Gorgias is forced to make a distinction between the persuasion with knowledge and the persuasion without knowledge, and then is forced to admit that rhetoric is the kind of persuasion without knowledge,[94] and particularly without the knowledge of justice and injustice. Here Gorgias is encountered with the *first difficulty*: he claims to teach people about justice and injustice, but it turns out that "a rhetorician is not a teacher of law courts and other gatherings about things that are just and unjust, but merely a persuader" (455a). It is natural to believe, as Socrates believes, when the city holds a meeting to decide something, they *should* appoint experts or artists in the area of their subject matter, such as building city walls and dockyards, but not rhetoricians who are merely persuaders. Gorgias avoid this difficulty by appealing to *reality*: it is Themistocles and Pericles, two great political rhetoricians in Athens, instead of the experts, who advised the Athenian to build wall and dockyard. This rather successful rebuttal[95] leads Gorgias to talk at some length about the achievement of rhetoric, again boasting that "there isn't anything that the rhetorician couldn't speak more persuasively about to a gathering than could any other craftsman whatever" (456c).[96]

But at this time, Gorgias must also realize that his boast of the omnipotent

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[93] These claims are in complete agreement with what we have seen in his *Helen*, and the frequent emphasis on public gatherings reveals that Gorgianic rhetoric affects passion more than reason.
[94] Compare Gorgias' claim that rhetoric is knowledge of speech at 499e.
[95] This is the only place in the *Gorgias* that Gorgias forces Socrates to admit something he would not like to admit, for he did hear about the achievement of Themistocles and hear Pericles' public speeches himself. He says "my amazement at that led me long ago to ask what it is that rhetoric can accomplish. For as I look at it, it seems to me to be something supernatural in scope" (456a).
[96] According to Socrates and Plato, the greatest danger rhetoric puts onto the city, especially democratic city, is precisely that it takes the place of experts

power of his art has put himself in a dangerous position, so following the above statement, Gorgias suddenly shifts his tone and begins to defend rhetoric against the possible charge that rhetoric is usually misused (456c), and begins to emphasize the neutrality of rhetoric. He emphasizes that rhetoric, like any kind of competitive art, such as boxing and wrestling, can be used both to help and to harm, and when a student misuses it, the teacher should not be held responsible. The teacher instructs the pupil to put his art into good use, but the pupil might pervert it (456c-457c). The rhetorician should have used their persuasive speeches for just purposes, but there is no guarantee of it.

The further and most destructive difficulty implied in his concession will be revealed when Socrates raises the third difficulty. But here Socrates somehow shifts his topic, asking Gorgias to clarify another point, and then raises the *second difficulty*.[97] Gorgias claims that in public gatherings a rhetorician will be more persuasive than the experts, say doctor, in regard of medical matters, but Socrates clarifies this into the statement that the rhetorician, who does not have real knowledge of the subject matter, can only persuade the people [*dēmos*] who do not have knowledge either,[98] as Socrates concludes:

> Rhetoric doesn't need to have any knowledge of the state of their subject matters; it only needs to have discovered some device to produce persuasion in order to make itself appear to those who don't have knowledge that it knows more than those who actually do have it. (459b-c)

[97] Before Socrates points it out, Gorgias probably have realized the further difficulty he is facing, for at this point, he seems not as confident as when the dialogue begins where he boasts that "no one has asked me anything new in many years" (448a). He says, "perhaps we should keep in mind the people who are present here too. For quite a while ago, before you came, I gave them a long presentation, and perhaps we'll stretch things out too long if we continue the discussion" (458c), but Chaerephon and Callicles declines Gorgias' "consideration" and makes the conversation go on (458c-d), and Gorgias has to continue with the words "it'll be my *shame* ever after, Socrates, if I weren't willing" (458d).

[98] It is a commonplace among Greek intellectuals that the people (the many or multitude [*hoi polloi*], the mass [*to plēthos*], the mob [*ho ochlos*]) are taken as ignorant, and can hardly be educated and turned good. They are systematically contrasted with the few [*hoi oligoi*], the notables [*hoi gnōrimoi*], or the noble and good [*hoi kaloi k'agathoi*], the excellent [*hoi aristoi*], the prominent [*hoi chrēstoi*] and so forth. For a good discussion of this contrast, see Ober (1989), pp. 11-17. But the picture is somewhat complicated in the cases of Plato and Aristotle, for on the one hand they, like their contemporary intellectuals, look down upon the multitude (they are both famously unfriendly to democracy), but on the other hand, they see the central task of politics as to make the people [i.e., all the citizens] good. If they cannot be persuaded to be good, they should be compelled to be good. On this general line of argument Plato and Aristotle are in complete agreement.

Socrates makes his point clear enough: rhetoric is, in its essence, a deceptive art. It is just a deception of those who do not have knowledge concerning what the rhetorician is speaking of. This time, Gorgias seems to fail to find a way out, and even loses the courage to face the challenge, but merely says "aren't things made very easy when you come off no worse than the artists even though you haven't learned any other art but this one?" (459d). It is probably a better strategy not to directly face the challenge at this point. For despite his celebration of the power of rhetoric, the historical Gorgias is probably not unconscious of its deceptive nature, as he says in his *Helen*, "by entering into the opinion of the soul the force of incantation is wont to beguile and persuade and alter it by witchcraft, and *the two arts of witchcraft and magic are errors of the soul and deceivers of opinion*" (*Helen*, 10).

But Socrates seems not willing to give Gorgias any opportunity to take a breath, and immediately points out the *third and most destructive difficulty* he has to face. Referring back to Gorgias' stress on the neutrality of his art, Socrates asks a long series of questions (459d-e) concerning whether the student should have the knowledge of justice before they come to study with Gorgias, or Gorgias will teach them. Gorgias, in front of a large audience, certainly chooses the latter.[99] But Socrates infers that one who has learned what is just is also a just man,[100] and will not do unjust thing. So a rhetorician, after studying rhetoric with Gorgias, should never act unjustly or misuse this art (460b-e); it certainly conflicts with the neutrality of rhetoric.

This third difficulty reveals the deep inconsistency or even the collapse of Gorgias' entire doctrine. Gorgias makes the following statements: (a) rhetoric has the

[99] Gorgias' concession that he will teach his pupils what is justice is taken by both Polus and Callicles as the fatal move of Gorgias which brings his final contradiction, but as Notomi (2007) insightfully observes that this may not be an adequate understanding of Gorgias. He can avoid self-contradiction by pointing out the striking difference between rhetorical truth which he is dealing with and the absolute truth which Socrates pursues (p. 60-61). Insightful as it is, Gorgias nevertheless does not take this line of argument to defend himself. Is it because he fails to work out this subtler argument in the short encounter with Socrates, or because the logic involved in Notomi's argument goes beyond Gorgias' command, or more plausibly because he realizes other defects of his position? One plausible difficulty of accepting this counter-argument is, as Giovanni points out, that to make such a distinction between rhetoric truth and absolute truth implies that the latter does exist, which is contrary to the position he holds in his famous treatise *On What Is Not* (*Peri Tou Mē Ontos*).

[100] This kind of moral intellectualism, i.e., moral knowledge is sufficient for moral behavior or "virtue is knowledge", is a familiar Socratic thesis playing a part in various dialogues such as *Laches*, *Apology*, *Protagoras*, and *Meno*. This could be a problematic thesis, but Plato makes Gorgias accept it without any difficulty.

kind of omnipotent power and is able to achieve persuasion on any matter; (b) Gorgias, as the teacher of rhetoric, has the knowledge of justice; (c) as a teacher he will teach his students to do justice; and (d) it is possible that his student will do injustice. As we see, (d) is obviously inconsistent with (a)-(c). Statement (d) is a matter of fact (certainly given the ordinary sense of "justice"), so if Gorgias wants avoid self-contradiction, he has to give up one or more from (a)-(c). As we can imagine, Plato probably would like to reject them all;[101] but on the other hand, Gorgias, as a teacher of rhetoric, probably is not willing to drop any. Dropping (a) means a self-undermining of the power of his own art, dropping (b) means that he is not a qualified teacher, and dropping (c) means that he is an evil person. Having fully realized his embarrassing position, Gorgias' the best strategy at this point is probably to drop himself from the conversation, and that is exactly what he does (also thanks to Polus' irritating interruption at 461b).[102]

We have seen the drug metaphor in Gorgias' *Helen*, which points to a quasi-technical dimension of his *technē*.[103] And here, throughout the conversation between Socrates and Gorgias Plato develops this theme into a fuller analogy between rhetoric and art, for all the things he uses to compare with rhetoric are real arts, such as medicine, physical training, arithmetic, astronomy, painting, carpentry and so on. In his conversation with Gorgias, Socrates rather politely reveals the problematic nature, and the innate inconsistency of political rhetoric as an art in comparison with the other genuine arts. And when Polus takes over the conversation, Socrates relentlessly reveals the non- artistic or pseudo-artistic nature of rhetoric.[104]

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[101] In his argument that rhetoric is a deceptive art, Socrates has presumably rejected all of them: that it can only persuade the non-experts reject (a), that it is not based on knowledge rejects (b), and thus (c) because if the teacher does not possess knowledge, he can hardly teach his student knowledge concerning his art.

[102] It is said that when Gorgias "read the dialogue that bears his name, said to his friends, 'How well Plato knows how to satirize'!" (DK 82 A15a).

[103] I would not go as far as Romilly (1975) to say that "Gorgias' magic is technical. He wants to emulate the power of the magician by a scientific analysis of language and its influence" (p. 16). And that is why I call it "quasi-technical dimension."

[104] See 453b-c, 454b-c, 455c, 457c-458b, 462d-463a for Socrates' attitude toward Gorgias, and compare these passages with Socrates' harsh tone toward Polus, treating him as a little child by putting his own question into the mouth of Polus (e.g., 462d and 463c), and digging at him for his poor ability of understanding (466a). It is possible that Socrates' gentle treatment of Gorgias in front of a large audience merely comes out of Gorgias' reputation and senior age, like when he discusses with Cephalus in the opening book of the *Republic*. Is there any deeper meaning of this gentleness? Perhaps there is, but it seems not to be hinted in the *Gorgias* itself. For an interesting discussion of Socrates' intention of gentle treatment of Gorgias (in order to bring him as an ally), see Weiss (2003) and Stauffer (2006), pp. 37-39, although I have certain reservation to this interpretation. I am more inclined to endorse

When Polus asks Socrates what he thinks rhetoric is, Socrates answers without any hesitation that "I don't think it an art at all" (462b) and a few lines later calls it a "knack" (*empeiria*, "experience" or "routine"), "producing a certain gratification and pleasure" (462c), and a "shameful thing" (463d). He calls it "flattery," actually one part of the practice of flattery, on the same line with cookery, cosmetics and sophistry (463b). In order to further clarify his point, Socrates introduces the distinction between body and soul, and then the distinction between the state of fitness and seemingly or apparent state of fitness (464a).[105] Then he gives a long speech (464b-465d) to catalogue the real arts that make body and soul good and the pseudo-arts that only make them appear good. The real arts are based on knowledge or rational account of the subject matter, whereas the pseudo-arts are based on experience or opinion, and only aim at producing or gratifying pleasure.

The general art that takes care of the body ("taking care of" in the sense "with a view to what's best," 464c) does not have a particular name, and the two branches of it are gymnastics and medicine. Gymnastics trains people to be healthy, so it is normative; whereas medicine cures the deficiency of the body, so corrective. The general art that takes care of the soul is called politics,[106] and it also consists of two different arts, legislation and justice. Legislation makes laws and shapes the soul,[107] so is normative; whereas justice punishes the wrong-doings, so corrective.[108] Unlike the real art which is based on the knowledge of the subject matter, the counterpart (*antistrophos*) of them, i.e., the flattery, is not based on knowing, but guessing. It "pretends to be the characters of the masks. It takes no thought at all of whatever is best; with the lure of what's most pleasant at the moment, it sniffs out of folly and

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the older view that Plato wants to banish Gorgianic rhetoric completely from the city, a view held by, for example, Jaeger (1943-1954), vol. II, pp. 127-132, and Romilly (1992), p. 71.

[105] It might be worth noticing that Socrates introduces these distinctions with Gorgias, not with Polus, as if the latter cannot understand them.

[106] There seems to be a tension in the question what is the art of taking care of the soul, politics or philosophy, for Socrates clearly claims that it is philosophy that takes care of the soul in his *Apology*. But this tension will disappear when we consider the *Callipolis* in the *Republic*. For Socrates, politics, as the art of taking care of the soul *in practice*, should be based on philosophy, the art of taking care of the soul *in theory*.

[107] Socrates explains his points more fully later: "the name of the state of organization and order of the soul is 'lawful' and 'law', which lead people to become law-abiding and orderly" (504d).

[108] It seems that justice is placed inferior to legislation but Socrates does not explicitly say so. For we can find a better account of this ranking in *Republic* 405a-b, where Socrates says the abundance of law courts and judges is the sign of lawlessness, a "want of a sense of justice of one's own."

hoodwinks it, so that it gives the impression of being most deserving" (464d). Cosmetic wears the mask of gymnastics, cookery of medicine, sophistry of legislation, and rhetoric of justice. And among them, "sophists and rhetoricians tend to be mixed together as people who work in the same area and concern themselves with the same things" (465c). So we get a diagram of the four real arts and the four kinds of flattery.

	REAL ARTS	**FLATTERY**	
SOUL	Legislation	Sophistry	**NORMATIVE**
SOUL	Justice	Rhetoric	**CORRECTIVE**
BODY	Gymnastics	Cosmetics	**NORMATIVE**
BODY	Medicine	Cookery	**CORRECTIVE**

Regarding the four forms of flattery, cosmetics produces a false impression of healthiness in the body and cookery makes food taste better but not corrects illness. Sophistry is defined as the counterpart to legislation, for it tends to impose pleasant but false principles in the soul; rhetoric,.as a knack practiced by the same sophists, tries to reinforce the false principles set by sophistry and to correct the departure from these false norms.

Although in reality, as Polus asserts, rhetoricians enjoy the power of a tyrant, according to Socrates, since rhetoric is not an art and not admirable, the rhetorician *in essence* deserves no power at all in a city (466b). Socrates famously banishes poets (at least certain kinds of poets) from his ideal city in the *Republic*, and we see here, in the *Gorgias*, he also banishes the political rhetorician from the city. Politics, as the art of taking care of the soul, should not be practiced by sophists or rhetoricians, who merely flatter the people, but rather, it should be practiced by genuine *legislators*, who have the real knowledge of politics. And we will see shortly that the only real legislators turn out to be philosophers.

II.3 Innate Limitation of Persuasion: from the *Gorgias* to the *Republic*

An obvious theme connects the *Republic* with the *Gorgias*, i.e., the defense of morally good life (or just life) against the attack from moral cynicism, represented by Thrasymachus, the speeches of Glaucon and Adeimantus at the beginning of Book II in the former, and Polus and Callicles in the latter. There is a less obvious theme which also closely links these two dialogues, i.e., the limitation of rhetoric or persuasion.

Echoing the harsh judgment in the *Gorgias*, i.e., rhetoric is the pseudo-art of flattery, Socrates in the *Republic*, gives a similar judgment the art of sophists:

> [The sophists] are teaching exactly the same opinions as those expressed by the general public in its gatherings. Those are what they call wisdom. It's rather like someone keeping a large, powerful animal [the *dēmos*], getting to know its likes and dislikes, how to approach it, how to handle it, when and why it is most awkward and most amenable...he might then call what he had learned wisdom, might organize his findings into an art or science, and take up teaching, though in truth he would have no idea at all which of these opinions and desires was beautiful or ugly, good or bad, just or unjust, and would assign all these names in accordance with the opinions of the huge animal. Things which gave the animal pleasure he would call good. Things which annoyed it he would call bad. (VI.493a-c)

But Socrates himself had nothing in common with those sophists who catered for the huge and powerful animal; on the contrary, he wanted to be a real trainer of this animal. As we see primarily in the *Apology*, Socrates, seeing himself as a gadfly, tried hard to make his fellow citizens care about their soul, and to keep Athens, the big and fat horse, alert. And for him the only weapon was his conversation with all kinds of people, and he strived to make them as good as possible by way of calm and rational persuasion. But his efforts turned out to be a failure. He did not change the general political atmosphere of Athens, and even worse, he irritated the Athenians who were so proud and fond of political rhetoric and public persuasion, and led to his death.

The death of his beloved teacher was a huge shock for Plato. He must fully realize the innate limitation of his teacher's educational or pedagogical project. Socrates, through his rational conversation, might be able to persuade or convert a

small number of people with certain kind of disposition, as we see in the *Republic* how he leads the young interlocutors to accept the revolutionary blueprint of the *Callipolis*, but Socratic art of conversation never ensures its own success. So in the *Republic* Plato makes his philosophical hero Socrates disclose the innate limitations of the power of persuasion instead of championing its power.

This limitation is seen immediately from the opening scene of the *Republic*. Polemarchus gives Socrates two options, either to "prove stronger than we are" or stay in Piraeus and follow him back home. Socrates tries to raise a third possibility, i.e., "we *persuade y*ou to let us go." But this possibility is very easily dismissed by Adeimantus: "But could you persuade us, if we won't listen?" (I.327c). From this dramatic scene we see the first innate limitation of persuasion: if the audience determines not to listen at all, whatever the speaker says and in whatever way, then the speaker has no other choices besides either to give up the attempt of persuasion, or to appeal to force and to compel the audience to obey.

Later in the same Book, Thrasymachus complains that his audience do not accept his argument that injustice is better than justice: "how am I to persuade you, if you aren't persuaded by *what I said just now*? What more can I do? Am I to take my argument and pour it into your very soul?" (I.345b). In his complaint we see the second innate limitation of persuasion, especially rational persuasion. It must be based on certain premises and a series of reasoning, and if the audience does not accept the premises or the previous steps of reasoning, it is very unlikely that he will be persuaded by what follows. Unlike the Gorgianic claim that *logos* can directly impact the soul like naked force or sheer necessity, in reality the persuader can hardly pour the argument into his audience' soul.

The third limitation of persuasion is based on a distinction between real persuasion and seeming persuasion. At the beginning of the second Book, when Socrates has just finished his battle with Thrasymachus, Glaucon is not satisfied with the easy give-up of this sophist, and asks Socrates: "do you want to *seem to have persuaded us* that it is better in every way to be just than unjust, or do you want *truly to persuade us* of this?" (II.357a-b). As a matter of fact, the key or principle of

persuasion mainly lies on the recipient's side, and sometimes they may seem to be persuaded, or even pretend to be persuaded, but there is no guarantee of real persuasion in the persuader; whereas when using compulsion, the key or principle of obedience is on the agent's side, and they can guarantee their success.

The fourth limitation of persuasion we find in the *Republic* appears when Socrates introduces the famous "noble lie." After telling this myth or story, Socrates asks "do you have any device [*tina mēchanēn*] to persuade them of this story [*ton mython*]," and Glaucon replies, "I can't see any way to persuade these very people, but perhaps there is one in the case of their sons and later generations and all the other people who come after them" (III.415c-d). Persuasion is in a way highly dependent on the quality of the previous beliefs of its audience. It is rather easy to persuade children since they have not yet formed firm beliefs; but it will be very difficult, sometimes almost impossible, to remove the previous and long-time beliefs of adults, and still more difficult to persuade them to accept something strikingly different from what they have been believed since their youth, however good those new ideas may seem to the persuader.

Besides these four limitations which are based on textual ground, no one will deny that case-by-case persuasion is far less efficient than following certain norms, especially in dealing with a large number of political matters. Even if the citizens are ideal audience who always follow the direction of reason, and even if the persuader also proposes the best policy to them, it is still not desirable to hold meeting on every occasion, so in ordinary cases, it is better to have some *nomoi* (customs or laws) to follow, and legislation, the highest political art of making *nomoi*, is thus needed. Even if the champions of the power of rhetoric, say, Pericles and Alcibiades, also have to apply their skills in certain social order, but not from without.

Based on the condemnation of the practice of political rhetoric, and the observation of the innate limitation of the power of persuasion as such, Plato, when facing the tension between the private good and common good, and when trying to preserve the common good, turns to legislation, a more compulsory and more efficient power than mere persuasion. And his reliance on legislation to establish good political

order and secure common good is apparent both in the *Republic* and the *Laws*. Because the former more explicitly intends to thoroughly solve this tension from its root, and to establish the best possible city in which the tension is eliminated, the following discussion will focus on the legislative attempts in the *Republic*. But before that, we should take a brief look at some relevant passages in the *Laws* as preliminaries.

II.4 Some Fundamentals about Legislation: A Glimpse of the *Laws* as Prelude to the *Republic*

In my point of view, the longest and very last Platonic dialogue, the *Laws*, can be seen both as prelude and aftermath of the *Republic*. It is easier to understand why it is an aftermath. On the one hand, according to the standard account, Plato in his later years realized the utopian nature of his *Republic*, and tried to make revisions to his previous theory by depicting a second best regime; and on the other hand, if we emphasize more of the continuity of these two works, then those more detailed laws in the *Laws* can also be seen as specification and complement of the sketchy blueprint in the *Republic*.[109]

But in what sense can we say the *Laws* is also a prelude to the *Republic*? As we all know, the central books (II-VII) of the *Republic* are primarily devoted to a series of legislative efforts in order to bring about the so-called *Callipolis*, the most beautiful city. But it does not provide clear account of the nature or principle of law or legislation, as if it is self-evident among the interlocutors. In this sense, certain parts of the *Laws* can be seen as prelude, or theoretical preparation, of legislation as such, applicable equally to the *Republic* and to the *Laws*. Even if Plato makes changes to some details of his laws, it seems that he never changes his fundamental view about the nature of law and legislation. Therefore, what he says concerning the nature of law and legislation in the *Laws* can also be borrowed to facilitate our understanding of the legislative efforts in the *Republic*, and the following three aspects deserve special attention for our present purpose: (1) the purpose of law or legislation, (2) the source

[109] But again, these two accounts are not necessarily conflicting with each other in every aspect.

of the authority of law, (3) persuasion and compulsion in legislation. I will briefly discuss the theories in the *Laws* and at the same time keep the main line of argument of the *Republic* in mind, because in my present context, again, the *Laws* is primarily seen as the prelude of the *Republic*.

(1) The most obvious purpose of law is certainly to maintain order in political community, and in good regimes also to guarantee the realization of common good. But more specifically, this purpose should be achieved through promoting the virtue of its citizens (*Laws* I.631c-632d, III.688a-b, and III.697b-c).[110] In other words, the way to maintain good order in a political community is to make its citizens good in the sense of virtuous, for virtue or excellence (*aretē*) understood in its Greek context has a natural connection with, sometimes even naturally equivalent to, goodness (*agathon*). Furthermore, virtue has a special connection with function, and functioning well is taken as the same as "virtuous" or "excellent."[111] We have seen in our discussion of the *Gorgias* that legislation is taken as the highest art of caring about the soul, and this caring is precisely in the sense of making the soul good or virtuous. This general account of legislation remains true throughout the *Republic* and the *Laws*. In the *Republic*, the principle of justice is "one man one task," i.e., each performs his proper function in the city, and this is the goal, indeed the ultimate goal, of all the legislative efforts in the *Republic*. For as long as each individual maintains his most appropriate position and fulfills his most appropriate task (and thus most virtuous in the functional sense of the word), the city will run perfectly.[112]

(2) Since the ultimate purpose of law is the good of political community and individual, then the ultimate source of the authority of law must be reason and knowledge of these things.[113] Law, in its ideal form, should be an embodiment of

[110] A not unimportant difference is that in the *Laws* the Athenian stranger argues that the end of legislation is complete virtue, not just one of four major virtues; whereas according to the *Republic*, completely virtue only exists in philosophers, and the other classes cannot be truly virtuous because of their lack of knowledge. They can only be politically courageous (the guardians), and political moderate (the craftsmen). But this is not a real inconsistency. Even if legislation *should* aim at complete virtue, in reality what can be achieved is still the virtue proper for each individual. And in this sense, the *Republic* seems even more realistic than the *Laws*.

[111] See, for example, *Republic* I.352d-354a, and Aristotle's *NE* I.7, for more discussion on Aristotle's function argument, see Chapter V.

[112] This principle of justice will be discussed more fully in the next section.

[113] The *Laws* also speaks of the division of power and the mixed regime as conditions of the authority of the laws. But they are no more than some contingent conditions of the laws, falling short of the ultimate one.

reason and knowledge, as Plato says, "we should run our public and our private life, our homes and our cities, in obedience to what little spark of immortality lies in us, and dignify these edicts of reason with the name 'law',"[114] and Plato even finds the etymological connection between reason (*nous*) and law (*nomos*) (IV.713e-714a). Therefore, in obeying the laws the citizens are actually obeying reason, either their own reason, or the reason of the legislators, for reason itself remains the same among different people. As Laks says, the real rule of law is a kind of "noocracy" (the rule of *nous*), and even the theocracy in the *Laws* is inferior to "noocracy."[115] This also perfectly matches the agenda in the *Republic*, in which the authority of philosopher as ruler is precisely derived from his rational power and his knowledge of the forms, especially the highest form of Good. When he understands the form of Good, in which all the other particular goods are participating, he naturally knows all the other goods, better than those who only know the particulars, so he is fully entitled to rule the city, for only he is able to ensure the good of the city as a whole and the good of each individual.

(3) One of the most frequent themes in the *Laws* is the antithesis between persuasion (*hē peithō)*[116] and compulsion (*to anankazein*), and compulsion is sometimes replaced by force (*bia*) or penalty (*zēmia*) to contrast with persuasion, for in Greek literatures, laws are often depicted as king (*basileus*), master (*despotēs*), tyrant (*tyrannos*), commander (*hēgemōn*), and ruler (*archōn*). Plato seems to be unsatisfied with such a purely compulsory depiction of law, and famously compares the two ways of carrying out the law with two kinds of doctors. The free doctor gives his patient "all the instruction he can…coaxing him into continued cooperation," whereas the slave doctor neither listens to his patient nor gives instruction, but only prescribes "what he thinks best in the light of experience" (IV.720c-d), and the second

[114] For Aristotle's similar view of law, see VI 2.

[115] Laks (2000), p. 262; see also Stalley (1983), pp. 28-31. That the rule of law is actually the rule of reason in the context of the *Laws* is best shown in the discussion of the Nocturnal Council (XII 961a-968e), the very last topic of the entire dialogue. And from the members of this council, we can detect a number of similarities with the philosopher-king in the *Republic*, such as their age, their expert knowledge about political affairs, and their role in the city.

[116] For our purpose, there is no need to strictly identify the "persuasion" here meaning rational persuasion (argued by Bobonich [1991]) or manipulative persuasion (argued by Morrow [1953], Stalley [1983, 1994], and Laks [2000]). Actually I do not see why the word persuasion cannot include both.

method is clearly "the worse and more savage alternative [*to cheiron toin duoin kai agriōteron*][117]" (IV.720e). When applying this analogy to legislation, the Athenian stranger recommends using "the double method to achieve a single effect" (IV.720e). And persuasion in the realm of legislation should be accomplished through attaching preludes or preambles (*prooimia*) to particular laws and to the legal code as a whole, and this inclusion of preludes is seen by the Athenian stranger as a novelty:

> No legislator ever seems to have noticed that in spite of its being open to them to use two methods in their legislation, compulsion and persuasion (subject to the limitations imposed by the uneducated masses), in fact they use only one. They never mix in persuasion with force when they brew their laws, but administer compulsion alone. (IV.722b-c)

As repeatedly shown in this entire study, there is a contrast between persuasion and legislation, one based on *logos* and the other on *nomos*, one lacking compulsory power and the other possessing such a power. But when we view it *within* the realm of legislation, persuasion and compulsion are not mutually exclusive, but complementary. Both can be used as means to carry out the laws. It is certainly more desirable to persuade the free citizens to accept the rule of law, but due to the innate limitations of persuasion as shown in the previous section, the compulsory power is always necessary, and even forms the basis of legislation. Preludes are attached to the legal codes (never the other way around), but not the legal codes themselves, for the legal codes are always orders accompanied by the threat of punishment in case of transgression. However important the role of persuasion is in legislation, the laws, precisely insofar as they are laws, have the compulsory power, or have a kind of innate violent nature, be it with or without prelude. In the *Republic*, we can also see this combination of persuasion and compulsion.[118] Purely rational persuasion is almost exclusively reserved for philosophers, both present and potential. They can be

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[117] For this phrase I use Bobonich (1991)'s translation (p. 365), instead of Saunders' in Plato (1997)

[118] So I do not agree with Bobonich (1991)'s claim when he comments on IV.722b-c and emphasizes the novelty of attaching preamble to the legal codes: "we have no reason to think that Plato is here excluding his earlier self, e.g. the Plato of the *Republic* and the *Politicus* from this criticism" (p. 365). As long as possible, Plato always would like to legislate through persuasion.

made good through pure persuasion, because philosophers, by definition, pursue and follow truth, and legal codes are passed through persuasion among the interlocutors, who, strictly speaking, are the only real free men in the ideal city. Persuasion is also suggested in making people accept the rule of philosopher (VI.502a), and in making the citizens in the *Callipolis* keep their fixed position. This kind of persuasion could be a mixture of rational persuasion and rhetorical manipulation, because to persuade people, lie or falsehood [*pseudos*] must be used.[119] Although persuasion is in certain way combined with compulsion in the *Republic*, the main body of the legislative task, as we will see in the following section, is a set of legal codes without preludes.

II.5 Attempt to Solve the Tension through Legislation: the *Republic*

In the *Republic* Socrates introduces the famous city-soul analogy at II.368b,[120] and leads their conversation from individual realm to larger political realm. From 369b onward, Socrates leads his young companions to construct a city from its origin, and the way they play the role of the "founders of a city [*oikistai poleōs*]" (II.379a) is to legislate or to make laws for this city. According to their plan, in this ideal city, the tension between private and common good will be solved, or at least minimized.

The very first *principle* (at this stage the word "law" has not appeared in the *Republic*, but indeed, this is the most fundamental law of the *Callipolis*) they set is "one man one task," because "more plentiful and better-quality goods are more easily produced if each person does one thing for *which he is naturally suited* [*kata physin*], does it at the right time, and is released from having to do any of the others" (II.370c),[121] and later this principle turns out to be the principle or definition of justice, the central theme of the entire dialogue (IV.433a-b). "One man one task" also implies that there should be a professional army or guardians, whose only task is to fight against the enemy (II.374a-e). Enemy, as we should understand it, includes both the

[119] There are debates whether we should understand *pseudos* as lie or falsehood; for a good discussion to support the former as I understand it, see Schofield (2007). See also V.459c-d for a similar statement. The most famous lie in the *Republic* is certainly the "noble lie." For another example of lying, see V.460a-b about an ingenious device to make the intentional choice seem like lottery

[120] For a good summary of previous studies on the city-soul analogy and an excellent study carrying on this discussion further, see Ferrari (2003)

[121] For the explicit resonances of this principle, see II.374b-c, III.397e, II.406c, and IV.443c

external enemies as Socrates more frequently mentions, and those internal enemies who do harm to the common good of the city, such as those committing temple-robbery, theft, betrayal, adultery, neglect of parents and religious impiety as Socrates lists later (IV.443a, see III.415d-e for explicit reference to the enemies both internal and external). These guardians should be both naturally disposed to be gentle to friends and be full of spirit to enemies (II.375a-376c), and be *educated to be so*. And the education of the guardians, the most important class in this ideal city, becomes the central topic of the following discussion about legislation.

In their discussion of the education of the guardians, the explicit theme "law" is introduced. They first of all examine the content of the poetry or the education of music. Socrates proposes the notorious institution of censorship (III.377bff). On the one hand, Socrates believes that in human beings some dispositions are naturally born to them, and these are the criteria of selecting guardians from children, and later selecting rulers from the guardians; but on the other hand, Socrates also believes that the human soul is highly malleable, especially when they are young. Therefore, in order to shape the soul of the guardians in the desirable way (desirable in terms of the maximization of the common good of the city), the selected potential guardians must be told right kind of story from the very beginning of their education, for "it's at that time that it is most malleable and takes on any pattern one wishes to impress on it" (II.377a-b). Socrates gives several arguments to prove that gods are good, changeless and never deceptive (II.379a-383c). And when Socrates finishes the first argument, Adeimantus approves his argument by saying "you have my vote for this law (*tou nomou*)" (II.380c), and thus one of the most important elements of building this ideal city, i.e., legislation, is introduced into the dialogue in a tacit and natural way. And from this point onward, the words "law" and "legislation" are frequently used in their entire enterprise of founding this ideal city.

After defining the nature of gods, they set a series of laws to give the right kind of education to the guardians. As for the content of the poetry, they legislate that the horrible scene of Hades should be removed in order to minimize the guardians' fear of death (III.386b-c), and the heroes should not be depicted to lament for any loss such

as friend, family member, money and so forth (III.386d-388b). So the guardians are to be trained courageous and fearless when guarding their city, i.e., guarding the common good without any consideration of their personal loss, even their life. The next laws concerning the content of poetry is that violent laughter should be removed, and the virtue of moderation (*sōphrosynē*) should be instilled into the heart of the guardians (III.388e-391e).

Having legislated on the content of poetry, Socrates moves on to the laws concerning the form or style. He first lays down a law about how stories should be told, i.e., imitation should be reduced to the minimum, and only the imitation of the good men is allowed (III.394d-398b). Furthermore, they will abandon the lamenting modes, the modes for the drinking-party, and only leave "the mode that would suitably imitate the tone and rhythm of a courageous man who is active in battle or doing other violent deeds…another mode, that of someone engaged in a peaceful, unforced, voluntary action" (III.399a). Accordingly, they also set laws concerning the making of instruments, forbidding those instruments which can play many different modes and only leave the lyre and the cithara (III.399d). The last aspect he purges in musical education is the rhythm and attunement (*harmonia*), and they should follow the right type of language but not the other way around (III.399e-401a). Socrates is not only going to censor poetry, but also all the other products of other craftsmen (401b-d), to prevent the guardians from being brought up badly (III.401c). Socrates goes on to make laws about sexual pleasure, and this brings an end to the discussion of music and poetry, for these two things should end in the love of beauty (III.403b-c).

When concluding the laws about musical education, Socrates says that these laws are to make the soul of the guardian "fine and good," and "he'll rightly object to what is shameful, hating it while he's still young and unable to grasp the reason, but, having been educated in this way, he will welcome the reason when it comes and recognize it easily because of its kinship with himself" (III.401e-402a), and this is a skill that will hardly fade through time. Attention should be paid to this remark, for the musical education informed in the youth of the guardians is not the kind of rational education as we might expect from the beginning. It is rather an education

aiming at instilling the right kind of belief or opinion and paving the way for the possible rational education which is reserved for the still smaller number of people, i.e., the philosophers. Only the philosophers are able to lead a rational life, governed by the rational or the best part of their soul (*to logistikos*), but for the guardians, despite their generally good natural disposition, can only lead a life of belief,[122] and controlled by the second best part of their soul, the spirited part (*to thumoeidēs*). As for the third class, the craftsmen or producers, in whom Socrates clearly has little interest in this conversation, they can only live a life led by the lowest part of the soul, the appetitive part (*to epithumētikos*).[123]

The laws of physical training (III.403c-412b) are less extensively discussed than those concerning musical education, because, on the one hand Socrates associates the physical training with the education of the soul: "a good soul can by its own virtue makes the body as good as possible" (III.403d), and on the other hand makes the parallel case between musical and physical education: "simplicity in music and poetry makes for moderation in the soul, and in physical training it makes for bodily health" (III.404e). They set some regulations on food, such as avoiding drunkenness, only allowing roasted meat, no seasoning (III.404c-e). They also make laws concerning eugenics: "as for the ones whose bodies are naturally unhealthy or whose souls are incurably evil, won't they let the former die of their own accord and put the latter to death?" (III.410a).[124] Physical training should also aim to "arouse the spirited part of his nature," i.e., physical training is also for the sake of the soul, not just the body (III.411b-e).

Those concrete laws concerning musical and physical education are all meant to make the guardians, the most important class in the *Callipolis*, more public-minded. But Socrates does not seem to believe that such an education is enough to ensure the

[122] Socrates would think that they live according to true beliefs, but given my suspicion of the amount of truth in the ideal city, I also suspect whether their life is one in accordance with true belief.
[123] I certainly do not mean Plato denies conflict in human soul (see, for example, the famous allegory of charioteer and two horses in the *Phaedrus*, and the way he introduces the three-part soul in *Republic* IV). What I mean here is that in the *Callipolis* constructed in the *Republic*, the psychological status of the guardians and the craftsmen are rather single-dimensional. It is also meant to be so in order to make sure the different elements in such a city harmonious.
[124] For a similar point, see V.460c.

guardians to care primarily about common good. So he introduces two further devices to achieve this goal.[125] The first is that the guardians should be deprived of private property and thus be forced to care about the public:

> First, none of them should possess any private property beyond what is wholly necessary. Second, none of them should have a house or storeroom that isn't open for all to enter at will. Third, whatever sustenance moderate and courageous warrior-athletes requires in order to have neither shortfall nor surplus in a given year they'll receive by taxation on the other citizens as a salary for their guardianship. Fourth, they'll have common messes and live together like soldier in camp....In this way they'd save both themselves and the city. (III.416d-417a)

If we recall the passage quoted at the beginning of this chapter about motivation, it will not be difficult to understand the second device, which is to make all the people in this ideal city, or if not possible for all, at least the guardians, see each other as family members. For family relation is a *private relation* and about "one's own," a relation people by nature care more. To make the public realm more like private will ensure the individuals to care the public in the same way as they care about the private. This *might* be achieved through persuasion, and more particularly through the "noble lie." When Socrates introduces the myth about the metals in the soul, the opening words are precisely "*all of you in the city are brothers*" (III.415a). But since it is very hard to persuade people to believe such a grand lie, another way to achieve this, once again, is through legislation. That is precisely the reason why Socrates brings about a communist society among the guardians.[126] In particular, they first lay down the laws that women will also take the responsibility of guardianship, and thus receive the same kind of musical and physical education, and lead a common life, because they have the same natural disposition as men do (V.451d-457c). Then, as the "second wave" in bringing this ideal city into reality, they introduce even more communist

[125] I do not want to exaggerate the function of education in Platonic political philosophy, as Jaeger (1939-1945) says, "*Paideia* was for him [Plato] the solution to all insoluble questions" (vol. II, p. 236). Education is indeed the foundation of his *Callipolis*, but we have to pay enough attention to those elements other than education, because on the one hand, education has to be based on legislative power of philosopher, and on the other hand, Plato cares so little about the education of the producers or craftsmen that the problems they pose have to be solved through some other means.

[126] It is first introduced at IV.423e-424a, and later spelled out by the request of Adeimantus and Glaucon in Book V

laws: "these women are to belong in common to all the men, that none are to live privately with any man, and that the children, too, are to be possessed in common" (V.457c-d). When Socrates is challenged by Glaucon about the benefit of this law, he defends it on two grounds, the first being eugenics, i.e., by giving women to the best guardians they will reproduce the best children (V.459a-460b), and the other being that in so doing the guardians will be *all like family members* and thus brings more unity to the city (V.461d-464d)[127]. In order to bring unity to the city, the best way, according to Socrates, is to make "most people say 'mine' and 'not mine' [i.e., one's private good] about the same things in the same way," and this is agreed by his interlocutors as the sign of the best-regulated city, and the city with good laws (V.462c-e). And according to their arrangement, all the guardians will call each other relatives, for "when he meets any one of them, he'll hold that he's meeting a brother or sister, a father or mother, a son or daughter, or some ancestor or descendants of theirs" (V.463c).

These guardians will, as long as they abide by the laws set by Socrates, to the greatest extent, guard the unity of the city, and make the city follow the wise guide of the rulers, who are, both the lovers of wisdom (philosophers) and are superior in their wisdom to the rest citizens. The ruling class of the city, the class with the least number, should possess the knowledge "that doesn't judge about any particular matter but *about the city as a whole* and the maintenance of good relations, both internally and with other cities" (IV.428c-d).

Socrates and his interlocutors not only legislate on the issues concerning the guardian class, but also concerning the other two classes, the craftsmen and the rulers, though much less extensively. In regard of the craftsman class, the most important law is that they are given the right to pursue economical or private benefit, but are completely excluded from political realm. As for the rulers or the philosophers, since they are selected from the guardian class, they have to first receive the musical and

[127] This family will be extremely big, for "a man will call all the children born in the tenth or seventh month after he became a bridegroom his sons, if they're male, and his daughters, if they're female, and they'll call him father. He'll call their children his grandchildren, and they will call the group to which he belongs grandfathers and grandmothers. And those who were born at the same time as their mothers and fathers were having children they'll call their brothers and sisters" (V.461d-e).

physical education of the guardians, and when they show good philosophical talents, they will receive special education based on some further laws (VII.525b) to turn their soul toward the knowledge of the forms and the good and thus to become real philosophers. They have to go through such subjects as arithmetic, plane and solid geometry, astronomy, and last of all dialectic (VII.522b-534e) in many years until they are fifty year old (VII.537b-540a). There is much compulsion involved in the study of these subject matters (e.g., VII.525d, 526b and e, and 529a). This is most clearly shown in the allegory of the cave. The release of one prisoner, presumably one with good philosophical talents, his way up to the real world outside the cave, and the possible going back to the cave, is a journey full of compulsion: first "one of them was freed and suddenly *compelled* to stand up," then the people who released him (presumably the ruler or the guardian) "*compelled* him to answer" what he sees in the cave, then someone "*compelled* him to look at the light itself," and after that, "someone *dragged* his away from there *by force*, up the rough, steep path, and didn't let him go until he had *dragged* him into the sunlight" (VII.515c-e), as Socrates later concludes, "it is our task as founders, then, to *compel* the best natures to reach the study we said before" (VII.519c).[128] When the released prisoner is used to the scenes outside the cave and even used to seeing the sun itself, i.e., when he becomes a philosopher, he "would rather suffer anything" than lead the life back in the cave (VII.516e, see also VII.517c-d). But the founders or legislators of the city will not allow them to enjoy the life outside the cave in full. They will again be compelled to go back to the cave: "we *compel* them to guard and care for the others" (VII.520a).

Once such a political arrangement is brought into reality,[129] Plato has a very optimistic expectation of the well-functioning and even self-improvement of legislation. For him, as long as there is a good start, i.e., once the good laws, or even the outlines of good laws are put into practice, the entire system will run automatically, and come into a kind of virtuous circle. For Socrates is quite confident when claiming that the legislators and their laws will produce "a human image based on what Homer

[128] But curiously Socrates later emphasizes that "don't use compulsion to train the children in these subjects; use play [or game] instead" (536e).

[129] How to realize it is another big problem, and will briefly discussed in next section.

too called 'the divine form and image'," and "they'd erase one thing...and draw in another until they'd made characters for human beings that the gods would love as much as possible" (VI.501b-c). Furthermore, "once our city gets a good start, it will go on growing in a cycle [or "virtuous circle" as Griffith renders it]. Good education and upbringing, when they are preserved, produce good natures, and useful natures, who are in turn well educated, grow up even better than their predecessors, both in their offspring and in other respects" (IV.424a), and those good and fine citizens will "easily find out for themselves whatever needs to be legislated about such things...they'll spend their lives enacting a lot of other laws and then amending them, believing that in this way they'll attain the best" (IV.425d-e). So legislation, when started well, will make people better and better, and perfect the regime by itself.[130]

This is not only a key to understanding Plato's solution to this tension, but also to understanding Aristotle's. Both Plato and Aristotle aims at some virtuous circle, but two differences will be of special importance for our present purpose. The first is that Plato's circle remains within the realm of legislation, i.e., laws improve themselves, whereas in Aristotle we will see a larger circle, introducing some other elements than the laws themselves.

Another difference lies in the fact that although the educational and legislative system will bring better and better result, Plato sees his legislation, in a fundamental sense, from a *static perspective*, as he says "those in charge...must guard as carefully as they can *against any innovation* in physical and music education that is counter to the established order" (IV.424b), and thus does not pay much attention to the innate limitation of the rule of law. Socrates seems to believe that the laws he establishes with his interlocutors are based on divine principle, and thus there is no need to revise the general framework of this system, for when replying to Adeimantus' remarks that the good citizens will find out the best legislation, Socrates curiously says that "yes, provide that a god grants that *the laws we have already described are preserved*"

[130] But this optimistically virtuous circle is somehow, quite curiously destroyed by the necessary degeneration of regimes, first of all due to the miscalculation of the dates of birth (VIII.546a-547a). But Plato does not really give a satisfactory explanation about why this miscalculation is necessary. It seems that his reasoning is more based on the general proposition that "everything that comes into being must decay" (546a) than any innate defect of the perfect regime.

(IV.425e). This position is understandable in the Platonic framework, because the laws of *Callipolis* are built upon knowledge or philosophy, which, like divine being, is eternal and changeless, so there seems to be no such need to revise something divine except specifications and minor amendments. But as we will see later, Aristotle sees human affairs as more contingent and more mutable, so his view of the rule of law is much more dynamic.

II.6 Problem of the Rise of Legislator: the *Republic*[131]

Although Socrates is well aware of the distance between the theoretical city and the realization of this city (V.473a-b), he nevertheless tries hard to bring it into reality. He famously says that "the smallest change that would enable our city to reach our sort of regime" is either to make philosophers become kings or rulers, or make the kings or rulers become philosophers, or "political power and philosophy entirely coincide" (V.473c-d). And a few lines later, Socrates suggests that this is not only the smallest change, but also the only possible change which would bring the *Callipolis* into reality: "until this happens, the regime we've been describing in theory will never be born to the fullest extent possible or see the light of the sun….it's hard to face up to the fact that there can be no happiness, either public or private, in any other city" (V.473d-e).

As Socrates proposes, there are two possibilities to achieve *Callipolis*, to make philosopher rulers, or to convert a present ruler into philosopher. But neither is quite realistic. Plato himself, after a few attempts, failed to convert the Syracusan ruler Dionysius II into a philosopher. The major difficulty of converting a present ruler is presumably that he has to face the severe temptation of corruption by his ruling power, as the most famous dictum of Lord Acton goes, "power tends to corrupt, and absolute power corrupts absolutely." This kind of corruption will be very similar to the corruption of the philosophically talented young men by his relatives and other citizens, as Socrates vividly depicts when he responds to Adeimantus' challenge that

[131] The rise of legislator is never a question in the *Laws*, for Cleinias the Cretan, one of the three interlocutors, has been named as legislator, among others, of a new colony. So I will only discuss this problem in the context of the *Republic*

philosophers are usually useless (V.487a-495b).[132]

On the other hand, the philosopher will not be willing to rule, and this is best shown in the allegory of the cave. But even if we grant that the philosopher, by the requirement of justice, or the danger of being ruled by the inferior, or the pity of his fellow citizens and love of his city,[133] agrees to go back to the cave and rule, another problem is still too thorny to allow an easy solution, i.e., how the philosopher can start ruling or legislating? There seems to be only two ways, persuasion or compulsion. But Plato's remarks concerning this problem are very curious, and even commit him into certain kind of inconsistency. At one place, he suggests that this can *only* be done through compulsion: "we were *compelled* by the truth to say that no city, regime, or individual man will ever become perfect until either some chance event *compels* those few philosophers who aren't vicious...to take charge of a city, whether they want to or not, and *compels* the city to obey them, or until a god inspires the present rulers and kings or their offspring with a true erotic love for true philosophy" (VI.499b-c). This is a very rare occasion where Plato uses three "compel" in one sentence, and really gives us a very strong impression about the necessity of compulsion in bringing philosophy and city together. But we are also compelled to ask: who would compel the philosopher to rule? And how would the city be compelled to obey philosophers? Perhaps we may say that philosophers can be compelled by the principle of justice, a kind of internal compulsion or self-compulsion, to take the responsibility of ruling, but the other question is still left unanswered. Who or what would grant a philosopher the compulsory power to compel a city to obey him? Philosophers, when they are merely philosophers, do not seem to possess the power of compulsion. The only weapon philosophers seem to possess is speech or persuasion. Does that mean they have to achieve compulsion through persuasion? But this will lead us back to Gorgias,

[132] Despite Plato's own failure in Sicily, and despite the fact that neither of these two ways is very realistic, the first is still more realistic in practice. For a king, if he has enough philosophical talent and really wishes to be philosopher, no one can really prevent him.

[133] This love may be inferred from the fact that the ruler or philosopher is actually selected from the guardians, and the guardians are, from their youth, educated to love their city more than anything else. And given the malleable nature of children, these impressions of early education may be kept when they get older. This line of reasoning at least provides a reasonable explanation of the motivation for the philosopher to rule. For more discussion of the philosopher's motivation to rule, see section 7 below.

back to the paradoxical view between persuasion and necessity or brutal force. That is not likely to be the position Plato would like to accept. It seems that we have to be left with much perplexity or a real *aporia*.

What is more curious is that only a few lines later, Socrates seems to give up the thesis of "compulsion" and shifts rather abruptly to the thesis that they should not make wholesale charge against the majority,[134] and they could be persuaded to accept the good nature of philosophers, and could be persuaded to accept the rule of philosophers (VI.499e-502a), as Socrates' interlocutors are persuaded by Socrates. But what is still more curious is that the persuasion of the majority seems not quite based on rational reasoning like his persuasion of his interlocutors, but rather based on a feeling of shame, for "they'll be shamed into agreeing with us, if nothing else" (VI.502a). They will feel ashamed if they do not allow better people to rule. Seeing it from this angle, the power of legislation, as a compulsory power, must be brought about by the success of rhetoric, the art of persuasion. But it is still hard to see how it is possible, *in reality*, to make the philosopher go to the multitude and to persuade the multitude to accept the rule of philosopher. This unrealistic picture throws us back to the failed attempt of Socrates himself. He even did not succeed in the first step, i.e., to persuade people to believe that philosopher is better, needless to say the next step, i.e., to persuade them to accept philosopher's rule.

There might be a more realistic way out, i.e., a combination or mixture of these two possibilities and the two means of the second possibility. First he persuades the intellectual or open-minded young men, who could be potential rulers or legislators, to accept his revolutionary proposals, as Socrates persuades his young companions, and these young men *somehow* become legislators or rulers (through their family, their money, their rhetorical skills, or even through revolution as we might imagine), and legislate in accordance with what they have learned from Plato, and thus in certain way persuade or compel the city to obey the philosopher. So philosophers do not directly attempt to persuade the people, but make the future statesmen do it. This

[134] About one page earlier, Socrates is still talking about the probability that the majority will not be persuaded by their argument about the goodness of philosophers (VI.498d).

seems to be a more plausible way to start the virtuous circle Socrates envisages.

This more plausible solution is never explicitly stated in any of Plato's works, but might be seen through implication and through the anecdotes about some practices of Plato's Academy. Although Plato himself refuted to legislate for any *polis* of his time, he might have sent some of his pupils, such as Coriskos, Erastos Aristonymos, Phormion, Menedemus, and Euphraios, to reform the constitutions and laws of certain Greek cities, and a few attempts to assassinate tyrants were also done by the former members of the Academy since antiquity.[135] On this more plausible possibility, Aristotle shares much with his teacher, and he states it more explicitly in his works as we will see in Chapter VI.

II.7 An Assessment of Platonic Solution in the Light of Aristotle's Criticism

Plato tries hard to solve the tension between private and common good through rather enormous efforts of legislation. He tries to eliminate the tension through making people good, and indeed, good in terms of their proper function in the city, and thus good in the sense of securing the common good of the city. But are the people in the *Callipolis* happy (*eudaimōn*, understood in the Greek sense as successful or flourishing)? Is the tension between private and common good really solved? A closer examination of the *Republic* seems to suggest that this "solution" only transforms the tension into a somewhat different form. In its sacrifice of some private goods for the common good, the tension is still too visible in all the three classes to be easily dismissed.

In regard of the guardian class, they seem not to be very happy. For they are deprived of almost all private good, except some honor given by the rulers. When Adeimantus complains about the miserable life of the guardians: "How could you defend yourself, Socrates, if someone told you that you aren't making these men very happy and that it's their own fault? The city really belongs to them, yet they derive no good from it" (IV.419a), Socrates seems to take it as a legitimate objection and does

[135] For the political-oriented practice of Academy, see the brief discussion of Guthrie (1962-1981), vol. 4, pp. 23-24. But I am clearly aware that this anecdote can at most be seen as a piece of side-evidence. For the argument that denies any political influence of Plato's Academy, see Brunt (1993).

not seem to be interested in defending himself at all, and he would like, furthermore, to add some other "miseries" to the situation described by Adeimantus: "they work simply for their keep and get no extra wages as the others do. Hence, if they want to take a private trip away from the city, they won't be able to; they'll have nothing to give to their mistresses, nothing to spend in whatever other ways they wish, as people do who are considered happy" (IV.420a), because, as we have noted above, what he is doing is not to "make any one group outstandingly happy but make the whole city so…we take ourselves, then, to be fashioning the happy city, not picking out a few happy people and putting them in it, but making the whole city happy" (IV.420b).

But will these communist arrangements concerning the guardians really make the city as a whole happy? Aristotle later criticizes this arrangement from several aspects:[136] First, he criticizes Socrates' presupposition, i.e., to make a city "as far as possible entirely one":

> [A]s it becomes increasingly one it will no longer be a city…as it becomes more a unity it will be a household instead of a city, and a human being instead of a household…so even if one were able to do this, one ought not to do it, as it would *destroy the city*" (*Politics* II.1, 1261a15-22).

Second, Aristotle challenges Socrates' idea that it is possible to make the guardians care primarily for the public good by depriving of their private good. According to Aristotle, the argument should be reversed, in order to make the guardians care common good, they should be given more private good, because "what belongs in common to the most people is accorded the least care" (II.3, 1261b32-33). Third, according to Aristotle, it is not possible to have the entire city happy without the major part of the city happy:

> [H]e even destroys the guardians' happiness, asserting that the legislator should make the city as a whole happy. But it is impossible for it to be happy as a whole unless most [people], or all or some of its parts, are happy. For happiness is not the same kind of thing as evenness: this can exist in the whole but in neither of its parts, but happiness

[136] For now, I only outline three major criticisms closely related to the discussion of this chapter. For a much more detailed discussion Aristotle's thoughtful criticism of Plato's *Republic*, see Mayhew (1997)

> cannot. But if the guardians are not happy, which others are? For the artisans and the multitude of the vulgar surely are not, at any rate. (II.5, 1264b15-25)

Aristotle is certainly right in saying, "the artisans and the multitude of the vulgar surely are not [happy], at any rate," for Socrates does not pay much attention at all to this class except making sure that they will not be involved in political matters.[137] Socrates argues that even if this class is not happy, and even if they cause some trouble, they will not threaten the city as a whole, presumably because the guardians will take good care of any trouble they make. Socrates says "if cobblers become inferior and corrupt and claim to be what they are not, that won't do much harm to the city. Hence, as far as they and the others like them are concerned, our argument carries less weight" (*Republic* III.412a), and thinks that "if there's no discord among the guardians, there's no danger that the rest of the city will break into civil war" (V.465b). This will certainly cause some potential danger to the ideal city, as Aristotle later criticizes, " there must necessarily be two cities in the one, and these opposed to one another. For he makes the guardians into a sort of garrison, while the farmers and artisans and the others are the citizens" (*Politics* II.5, 1264a24-26). Aristotle's criticism is an internal one, for he bases his criticism on the same principle as Plato proposes, i.e., to make the city as unified as possible. But it seems quite clear that Plato falls much short of his own criterion.

Aristotle is also concerned about the trouble caused by letting a small group of people always rule the city, for "this can become a cause of factional conflict even in the case of those possessing no particular claim to merits, not to speak of spirited and warlike men" (II.5, 1264b6-9). Besides Aristotle's very brief remark, I would also add that it is in this ruling class that probably lies the most intense tension between private and common good. They will be very reluctant to go back to the cave and rule, for "they would rather suffer anything than live like that" (*Republic* VII.516e). When ruling, they will be like the Achilles in Homer's *Odyssey*, who enjoyed all the glory of the underground but extremely unhappy, complaining that "I would rather labor on

[137] Aristotle complains this unjustified neglect of "the bulk of the city" in *Politics* II.5, 1264a13-22

earth in service to another, to a man who is landless, with little to live on, than be king over all the dead" (III.386c and VII.517d, *Odyssey* XI.489-491). They do not want to rule at all, but are compelled to go back to the cave as we saw above. When hearing this, Glaucon very naturally complains, "are we to do them an injustice by making them live a worse life when they could live a better one?" (VII.519d). And Socrates, again, appeals to the fundamental purpose of founding this city:

> It isn't the law's concern to make any one class in the city outstandingly happy but to contrive to spread happiness throughout the city by bringing the citizens into harmony with each other through persuasion or compulsion and by making them share with each other the benefits that each class can confer on the community. The law is what puts people like this in the city, and it does so not with the intention of allowing each of them to go his own way, but so that it can make use of them for its own purpose, to bind the city together. (VII.519e-520a)

Throughout the *Republic*, Socrates does introduce some motivations for the philosophers to go back to the cave, such as to repay the upbringing and education the city gave them before (a requirement of justice) (VII.520b-c), otherwise they will be ruled by the inferior and thus be harmed (I.347b-d), and their pity of the miserable life of their fellow citizens (VII.516c and 518b).[138] But whatever it may be, the philosophers, the only people with true political knowledge, will rule with much reluctance. Although both Plato and later Aristotle see this reluctance as a sign of good ruler, as Socrates says, "a city whose prospective rulers are least eager to rule must of necessity be most free from civil war, whereas a city with the opposite kind of rulers is governed in the opposite way" (VII.520c-d), they nevertheless fall short of the ultimate Platonic solution as introduced in the first section of this chapter, i.e.,

[138] Weiss (2007) argues that "according to the *Republic*, nothing but justice can oblige a philosopher to rule" (p. 108). But the requirement of justice seems to work only on the premise that they have already established the good order and good system of education, for Socrates contrasts the appearance of philosophers in other cities (through a kind of spontaneity) with that in their city (through good education) (VII.520a-c). But without a philosopher first of all becoming ruler, it is not likely how this good order can be brought into reality. As for the second possibility, which is argued by Sedley (2007) as the primary reason for philosopher to rule, it is true that they will be ruled by the inferior, but it is not necessary that they will be harmed. For in a democratic regime, they will have enough freedom to pursue philosophy and thus stand alone outside the cave. It seems to me that only the last, the pity of the misery of his fellow people, provides a real explanation or strong enough motivation for the returning to the cave, especially in the case of the very first philosopher, before a good education system has been established. This is shown in Socrates' own life. He claims to be the real benefactor of Athens, but owing very little to the city for his education, for his becoming philosopher, as he himself says, is dependent on divine intervention (VI.496c).

through the love or attachment to the city. Philosophers first of all love their own affairs, i.e., philosophizing, and the city fails to succeed in transferring the love of philosophy to the love of the city itself. Although the philosopher can spend most of the time philosophizing, when his turn to rule the city comes, "he must labor in politics and rule for the city's sake, not as if he were doing something fine, but rather something that has to be done" (VII.540b). A reluctant ruler does not seem to be a whole-hearted lover of his city, and thus he probably will not devote himself completely to the common good of the city without considering his own sacrifice of philosophizing.

So it turns out that the apparent tension between private and common good is still there in all the three classes. Then what is the ultimate cause of this failure? The entire legislative system put forward in the *Republic* is built upon two fundamental principles, the principle of justice ("one man one task") and the psychological theory of three-part soul. As I understand it, it is precisely these two foundations that actually undermine the entire edifice. Plato establishes his *Callipolis* on too simplified vision of human nature, which in turn becomes the most fundamental defects of his political philosophy.

Although the primary principle in the *Callipolis*, "one man one task" secures specialization and the supply of necessities and military forces, it is too distant from the reality of human beings. We need certain skill to survive, but we cannot do one thing all the time: philosophers cannot philosophize all day long, guardians cannot do military training all the time, and craftsman cannot practice their skills and make money without other engagements. As human beings, we have different dimensions of life, some private, some public, and sometimes private, sometimes public. This is our nature. Plato's principle "one man one task" is good as a general account, but probably cannot be carried out to its extreme as he does in the *Republic*.

Related to the unrealistic nature of the principle of justice, the psychological foundation of this edifice is also problematic. Plato attributes different tasks to different people according to his famous three-part division of the soul. As Socrates indicates, each man has all the three parts or elements in his soul, i.e., rational,

spirited, and appetitive, and the differences among different people lie in the fact that different parts take control of the individual. Philosophers have their rational part take the lead, so they should be rulers; guardians are controlled by their spirited part, so they should be soldiers; craftsmen are dominated by the appetitive part, so he can only be producers and money makers.[139]

But the dominance of certain part of the soul should not be understood as absolute as Socrates seems to suggest. There might be some people in whom one element of the soul is so dominant that the other two completely lose their independence and are enslaved, such as in the case of Alcibiades under Thucydides' depiction, who was so dominated by the love of honor and thus the spirited part of the soul, that the appetitive and rational part simply serve the ultimate purpose set by the spirited part. But most people are not like Alcibiades; they are more on a middle ground. One part may be stronger than the rest, but the other parts can still play some independent role in his decision making. So they could be led, at least potentially, to live a more rational life. But Plato seems to rule out this possibility *a priori*.

These two premises about human nature create single-dimensional men, who live rather miserably in the "most beautiful city." And the legislation based on these premises will probably cause more problems than it can really solve. In the end, Plato's understanding of human being and human condition is quite pessimistic, even though the *Republic* is widely taken as a masterpiece of optimistic utopianism. According to Plato, there is no way to both reconcile these two series of good and to make anyone completely happy, even not possible in the most beautiful city. When we move on to Aristotle in the next part, we will see a more subtle, and thus more familiar and more realistic picture of human being, and see a more optimistic and more thorough solution to the tension at stake.

[139] Of course, there are further differences within the class of guardians and craftsmen. The guardians may be dominated by different degrees of love of honor, whereas the craftsmen may be dominated by different kinds of desires (as there are many kinds indeed). And these further differences among different individuals are also affirms the principle of "one man one task," instead of "one class one task."

Part Two Aristotle's Solution to the Tension: Responses to His Predecessors

In the follow five chapters, I will discuss Aristotle's solution to the tension between private and common good, and it will be treated as a series of responses to his predecessors. Aristotle gives rhetoric its due place in political stages and thus criticizes Plato for his too harsh criticism of it. On the other hand, he agrees with Plato on the limitations of rhetoric and criticizes the Gorgianic view the "omnipotent" power of this art. In the light of the persuasion through *logos*, Aristotle's ethical treatise could be seen as an attempt of rational persuasion in regard of the life worth living, a virtuous life in which private and common good can be ultimately reconciled. But mere persuasion is never sufficient, especially for the many, so legislation is required to provide the necessary condition of moral habituation. But unlike Plato who sees legislation as the ultimate solution to the tension at stake, Aristotle is also aware of the intrinsic limitations of the law due to its too universal nature. Thus legislation is not sufficient to deal with certain particular cases, so we will need prudent individuals or statesmen to complement this limitation. They will fulfill this responsibility through rhetoric, which is concerned with particular situations. At the end of this journey, we will achieve a virtuous circle between rhetoric and legislation. Such a dynamic circle fully reveals the complexity and inexactness of human being and political matters, and fully corresponds with Aristotle's dialectical method used in his practical philosophy. But first of all, we need to prepare some provisions before we set out on this rather long and by no means easy journey, and see the dialectical characteristic of Aristotle's practical philosophy.

Chapter III Aristotle' Subtlety and Dynamic:

Dialectical Method, Subject Matter,

Political Anthropology, and Moral Psychology

In this chapter, I will lay out some important foundations of the entire discussion in part two, with the emphasis on Aristotle's subtlety and dynamic. What is worth mentioning is that in emphasizing Aristotle's subtlety and dynamic, by no means do I deny the same features in Plato. Plato is certainly subtle, for his dialogues can be read in a number of layers; but Aristotle is subtle in a different way, which I would like to call "straightforward subtlety," for he puts forwards so many complicated thoughts in such a compact way, and is famously fond of making subtle distinction concerning a subject matter and of distinguishing different senses of a given term. Plato is certainly dynamic, for each of his dialogue moves, and following the process of his dialogue is like following a drama or movie, never like looking at some static pictures; but again Aristotle is dynamic in a different way: his calm treatises are without any episode, and Aristotle himself seems unmoved, but he has the power to make the thoughts themselves move, and he himself is playing the role of an "unmoved mover."

This chapter will be divided into four uneven sections. The very long first section will be devoted to the notoriously controversial topic of Aristotle's dialectical method, the main method used in Aristotle's practical philosophy.[140] The proper understanding of his method will be proved crucial for our understanding of Aristotle's entire project in regard of the tension at issue. In the following three relatively short sections, I will briefly discuss some representative cases of this method, and at the same time, these cases also serve as preliminary yet important preparations for our following discussions. In section two, I will discuss Aristotle's view of the relation between private and common good, the subject matter of this present study, focusing on the motivation of self-interest in human being, the root of this tension, and on Aristotle's subtle position in regard of both sides. In section three

[140] I will leave the too big question about the relation between Socratic or Platonic dialectic and Aristotelian dialectic to another occasion.

I will discuss the political and "economical" dimensions of human being, the most important aspect of Aristotle's political anthropology, and this two-dimensional picture of human being allows Aristotle to assign more than one task to each man. And in the last section, I will discuss two aspects of Aristotle's moral psychology, i.e., the division of the soul and *akrasia*, with special concern of the possibility of moral development.

III.1 Subtlety and Dynamic of Aristotle's Method: Dialectic as a Valid Tool for Practical Philosophy

By speaking of Aristotle's "practical philosophy" I certainly have his famous threefold division of knowledge or philosophy in mind. Theoretical knowledge aims at truth or knowledge for its own sake, such as metaphysics, physics, biology, and so forth; practical knowledge is about changeable human affairs, and aims at the performance of action, such as ethics, politics, and economics; and productive knowledge is to make beautiful or useful objects and aims at the products, such as poetics, rhetoric, and other crafts.[141] The status of rhetoric is in a way special, because on the one hand it produces persuasive speeches and thus productive, but on the other hand Aristotle clearly sees it as the offshoot (*paraphues*) of ethics and politics (*Rhetoric* I.2, 1356a25-26), so in this sense it can also be counted as practical knowledge.

John Burnet argued at the beginning of 20th century, dialectic is the only method used in Aristotle's ethics (and thus politics).[142] This conclusion has been rightly challenged by some scholars.[143] But if we step slightly back from Burnet's too strong conclusion, and maintain that dialectic is the *main method* used in Aristotle's ethical

[141] This distinction is briefly stated in a number of passages, such as *Topics* VI.6, 145a15-18; *Metaphysics* VI.1, 1025b25-28, XI.7, 1064a16-19; *NE* VI.2, 1139a26-28. I take the *Organon* as an independent class of knowledge which lies beneath all three kinds and serves as the foundation of them all.

[142] Burnet (1900), pp. xxxi-xlvi. Aristotle takes ethics as part of political science in its broader sense, as he says, for example, "since our line of inquiry seeks these [goods], it is a sort of political science" (*NE* I.2, 1094b11-12) (see also *Rhetoric* I.2, 1356a26), so they would naturally share the same method of inquiry, and this partly explains that in *NE* or *EE*, Aristotle remarks on his method several times, whereas in *Politics* we barely see this kind of remarks.

[143] Most notably, D. J. Allan (1961) argued for a kind of "quasi-mathematical" method in the *EE*, which starts from hypothesis and reaches conclusion through deduction, and more recently Natali (2007) insightfully argued that the beginning of *NE* is following a more scientific method or procedure discovered in *Posterior Analytics*.

works, I believe there will be little dispute,[144] but disputes almost immediately arise when we ask further how exactly this dialectical method works in Aristotle's actual inquiry.

G. E. L. Owen's classic paper "*Tithenai ta phainomena*" (1961) to a great extent marked the start of contemporary interest and debate about Aristotle's dialectical method. Since then, the discussions and debates about how to understand Aristotle's dialectic has never ceased. Here I would like to involve myself in such a debate with the hope to shed a few new lights on the understanding of dialectic, especially the dialectic used in Aristotle's practical philosophy. I am going to argue for two points: first, dialectic is a coherent and valid method to reach both moral knowledge and the first principle of ethics;[145] Second, I will argue briefly for a rather unorthodox thesis that dialectic is not only used to reach the first principles, but also used to descend from first principles, especially in practical inquiries.

I. Dialectic as a valid method to ascend to first principles from *endoxa*

Dialectic is, as Aristotle begins his *Topics*, the treatise on dialectic, "to find a line of inquiry whereby we shall be able to reason from *endoxa* (reputable opinions)[146] about any subject presented to us, and also shall ourselves, when putting forward an argument, avoid saying anything contrary to it" (*Topics* I.1, 100a20-22). *Endoxa* is understood as "which are accepted by everyone or by the majority or by the wise—i.e., by all, or by the majority, or by the most notable and reputable of them" (100b20).

Dialectic is one of the three kinds of deduction or syllogism [*syllogismos*][147], "an argument in which, certain things being laid down, something other than these

[144] Among the literature I am aware of, Zingano (2007) is the only exception. He argues that dialectic was used in *EE*, an earlier ethical work of Aristotle, and then abandoned, almost completely, in his revised version of ethical theory in the *NE*. But he admits that in the *NE* he cannot find any particular method discussed by Aristotle (p. 329), except calling this new method "indicating," in contrast with "demonstrating" ethical truth (pp. 314-315). I believe his overall project is *misleading*. I will come back to some of his basic theses in the following discussion.

[145] But I believe this limited conclusion can be broadened to other sciences which Aristotle clearly uses the same method, such as physics, biology, psychology, and metaphysics.

[146] For the translation of *endoxa* as "reputable opinion," I follow Barnes (1980), and see Wlodarczyk (2000), p. 154, n.4 for a defense of this translation, and I think she is right in maintaining Barnes' translation in most cases, and rendering it with "plausible view" in some cases as Devereux (1990) suggests. So to make the discussion more convenient, in most cases I will keep the Greek word *endoxa* and its singular form *endoxon* untranslated.

[147] The word *syllogismos* is better not to be translated with "syllogism," for in most cases a *syllogismos* does not only contain three items, two premises and a conclusion, but rather a series of deductive argument which may contain many premises.

necessarily comes about through them" (100a25-26). These three kinds of deduction are demonstration (*apodeixis*) (which proceeds from premises that are true and primitive) discussed mainly in the *Posterior Analytics* (hereafter abbreviated as *Post. An.*), dialectic deduction (which reasons from refutable opinions) discussed mainly in the *Topics*, and contentious (*eristikos*) or sophistical (*sophistikos*) deduction (which starts from opinions that seem to be reputable, but not really so) discussed mainly in the *Sophistical Refutations*. The latter two are both conducted by means of asking and answering. Since the third is not taken as a real kind of deduction (see 100a27-101a4), from now on we will only focus on the first two kinds of real deductions.[148]

According to the distinction between demonstration and dialectical deduction, Aristotle systematically makes distinction between science/philosophy on the one hand, and dialectic on the other, such as: "for purpose of philosophy we must treat of these things according to their truth, but for dialectic only with an eye to opinion" (*Topics* I.14, 105b30-31).[149] In the light of this kind of statement, science or philosophy produce knowledge, proceeding from true and primitive principles which are not demonstrable themselves and producing a deductive system; whereas dialectic starts from something reputable and cannot function in a strictly demonstrative way.

According to the familiar Platonic dichotomy between knowledge and opinion, it seems that dialectic is completely located in the realm of opinion, thus having nothing to do with knowledge.[150] But this impression has to be revised when we come to Aristotle. For almost immediately after the general distinctions between the three kinds of deduction, Aristotle goes on to discuss the three purposes or functions of dialectic "for [intellectual] training (*pros gymnasian*), for casual encounters (*pros tas enteuseis*), and for philosophical sciences (*pros tas kata philosophian epistēmas*)" (*Topics* I.2, 101a26-27). The first two purposes are relatively easy to understand, but in what way does Aristotle connect dialectic, which proceeds from opinions, with

[148] For an interesting typology of different sorts of deduction, see Reeve (1998), pp. 228-237, especially the chart on pp. 236-237.
[149] For similar statements, see also *Prior Analytics* (hereafter abbreviated as *Prior An.*) II.16, 65a36-37; *Post. An.* I.6, 74b21-23, I.19, 81b18-23; *Topics* VIII.13, 162b32-33; *Metaphysics* IV.2, 1004b15-26; and *Rhetoric* I.2, 1356a31-34, I.4, 1359b11-15.
[150] This is precisely what Hamlyn (1990) and Zingano (2007) think.

science which uses demonstration to build a deductive system? For him dialectic not only can be used scientifically, but also is quite necessary for scientific inquiries. Following the three functions of dialectic, Aristotle gives an in one way clear but in another obscure answer concerning the usefulness of dialectic in scientific inquiries:

> For the study of the philosophical science it [dialectic] is useful, because the ability to puzzle on both sides of a subject will make us detect more easily the truth and error about the several points that arise. It has a further use in relation to the principles used in the several sciences. For it is impossible to discuss them at all from the principles proper to the particular science in hand, seeing that the principles are primitive in relation to everything else: it is through reputable opinions about them that these have to be discussed, and this task belongs properly, or most appropriately, to dialectic; for dialectic is a process of criticism wherein lies the path to the principles of all inquiry. (*Topics* I.2, 101a34-b4)

It is clear because the reasoning in it is quite straightforward: in demonstrative or philosophical sciences, their first principles are seen as true and primitive, and thus nondemonstrable from within, or to put it in a slightly different way, demonstrative sciences cannot generate their own first principles by applying their own method—demonstration—to itself, otherwise we will go to infinite regress (see *Post. An.* I.3). So their first principles must come from some other source, and here Aristotle takes this source as dialectic.

But on the other hand, this passage is also obscure enough to generate a number of criticisms. For the most obvious one, Aristotle only remarks that dialectic may help philosophical or scientific studies clarify what is under discussion and reach first principles, and also gives us some reason *why* we should think so, but he fails to state explicitly *how* dialectic, as a kind of syllogism from reputable opinions, can reach first principles. What should we do with the seeming inconsistency between Aristotle's constraining dialectic in the realm of opinion in *Topics* I.14, 105b30-31 as we saw above, and his seeing dialectic as the only way to the necessarily true principle of science? Regrettably, Aristotle, after giving this brief remark concerning the relation between dialectic and the first principles of sciences, never comes back to this significant theme in the *Topics*, but only occasionally repeats that dialectic can

help philosophical inquiry by examining the cases of both sides.[151] Still worse, there seem to be an inconsistency in Aristotle's two different accounts of the achievement of first principles. In *Topics* I.2 as we saw above, Aristotle says that first principles should be achieved through the examination of reputable opinions, but in *Post. An.* II.19 Aristotle seems to suggest that first principles should be achieved through induction (*epagōgē*) and *nous* (99b32-100b1).[152]

Consequently, we find a fierce battle field around the proper understanding of Aristotelian dialectic, and there is hardly any complete agreement between any two scholars. On the one pole of this long spectrum of different interpretations, some argue that dialectic is the *only method* used by Aristotle in his philosophical inquiry to establish truth,[153] and on the other pole, some deny any truth to be involved in the practice of dialectic.[154] In between we still have a number of different interpretations, from different perspectives and based on different emphases of Aristotelian texts:[155] some accuse Aristotle for his obscurity in regard of the precise mechanism of dialectical method;[156] some focus on the dialectical method described in the main body of *Topics* and thus only assign a very limited role to dialectic, as preparation for truth but cannot establish truth;[157] some argue that dialectic has a limited role in relation to first principle;[158] some deny the dialectical method elaborated in the *Topics*

[151] Such as *Topics* VIII.1, 155b1-16 and VIII.14, 163b4-16.
[152] The meaning and translation of this word will be discussed when I turn to the question of first principle.
[153] Nussbaum (1986), ch. 8. She goes further than Burnet (1900) to maintain that virtually everything could be included in "appearance" and thus every method could be seen as dialectic.
[154] Hamlyn (1990) argues a kind of rhetorical understanding of dialectic, "dialectic is not part of a search for truth itself. What is produced is indeed 'clearer and more knowable by us'; for that—its being so for us—is all that something which is very close to being persuasion can produce" (p. 476). As I mentioned above, Zingano (2007) contrasts dialectical method in the *EE* with the non-specific method in the *NE*, and argues that the former can only work in the realm of opinion, and the latter, whatever it is, can grasp truth.
[155] They could be largely grouped into two according to their distance to the two poles, one being denying the scientific feature of dialectic, the other championing its scientific use. But however we group them, the members in the same group cannot stay peacefully, so I would rather list them one by one. The following list is by no means exhaustive, but is only taken as some representatives which I will come back to discuss in the process of presenting my own view.
[156] Hamlyn (1990)'s denial of truth in dialectic is mainly based on this complaint, partly following Nussbaum (1986) and Irwin (1988), that Aristotle fails to provide a clear methodological procedure to arrive at truth from *endoxa* (pp. 470, 472-474).
[157] Smith (1993, 1994 and 1997) insists that dialectic makes contribution to scientific knowledge through revealing our ignorance about the subject matter under investigation and thus gives us further impetus to explore more. Brunschwig (1986) holds similar view with Smith, arguing that dialectic only plays a very minor role in Aristotle's philosophy: it is simply an intellectual training occurring in school settings, which enables one to argue effectively on both sides of an issue. Devereux (1990) also carefully dissociates philosophy from dialectic, as he says, "I believe Aristotle regarded dialectic as useful to philosophy, even if it is not a method to be used in philosophy. Its philosophical utility is only partly a matter of improving one's mental acuity" (p. 266).
[158] Reeve (2000) argue that dialectic cannot lead to the first principle, but can only *defend or clarify* the first

can reach first principles and thus argue that Aristotle developed his dialectical method in order to grasp first principles;[159] some see dialectic as Aristotle's early method which was later replaced by scientific method in the two *Analytics*;[160] some argue that dialectical method, if strictly followed, would destroy Aristotle's sensible inquiries into the nature of his subject matters;[161] some hold that Aristotle has a unified and consistent account of dialect but this method falls short of the requirement of strict science in certain ways;[162] at last some argue that in Aristotle's corpus dialectic is a coherent and widely used method which enable the inquirer to establish truth and first principle.[163]

What I have done so far is to follow the procedure laid down in Aristotle's famous statement of dialectical method in the *NE*:

> As in other cases [*hōsper epi tōn allōn*], we must set out the appearances [*tithentas ta phainomena*],[164] and first of all go through the puzzles [*diaporēsantas*]. In this way we must prove [*deiknynai*] the *endoxa* about these ways of being affected—ideally, all the *endoxa*, but if not all, most of them, and the most important [*ta kyriōtata*]. For if the objections are solved, and the *endoxa* are left, it will be an adequate proof [*dedeigmenon an eiē hikanōs*]. (*NE* VII.1145b2-7)[165]

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principle by examining the other views that are different from the first principle (pp. 21-22). And he takes dialectic and *nous* (he understands it as intuition) as two successive stages in the pursuit of first principles, and *nous* takes over where dialectic ends (Reeve [1992], p. 62-63).

[159] Irwin (1988) calls the dialectical method in the *Topics* "pure dialectic" and argues that such a method can only provide coherent beliefs, but not the first principle. After realizing this defect, Aristotle tried to compensate it by developing new methods to reach the first principle, first the method in *Post. An.* II.19, which was not very successful, and then the method used in the *Metaphysics*, which he calls "strong dialectic."

[160] Ross (1964)'s conclusion: "the discussion [of dialectic in the *Topics*] belongs to a bygone mode of thought...but he [Aristotle] has himself shown a better way, the way of science; it is his own *Analytics* that have made his *Topics* out of date" (p. 59).

[161] Barnes (1980) concludes his influential study on dialectical method with a rather discouraging remark, calling this method "restrictive" and even "vicious." But Aristotle survives from the restriction and vice of this method by not following it closely or even not keeping it in mind (p. 510-511).

[162] Bolton (1990 and 1994) argues for such a thesis. He does think dialect is important for scientific study, so not just a kind of intellectual training, but on two grounds he argues that dialectic falls short of scientific requirement: one is Aristotle sometimes requires new empirical data which are not included in present *endoxa*, and the other is that dialectic cannot provide scientific explanation (the answer to the question "why") (see Bolton [1990], pp. 191-193, and Bolton [1994], p. 101).

[163] This is my own position, which is closest to Kraut (2006b), and I will acknowledge the points I owe to him, and I reached other similar points rather independently.

[164] I accept Owen (1961)'s general thesis that the word *phainomena* consists of different objects when used in different disciplines. In some natural sciences, it could mean empirical observations such as in astronomy, biology and meteorology (p. 84), whereas in the context of ethics and physics (as Owen forcefully argues in the second part of his paper), *phainomena* clearly means *endoxa* (reputable opinions) or *ta legomena* (things that are said) (p. 85-86). Nussbaum (1986) offers a further defense of this understanding (pp. 243-245), with much reservation about Owen's criticism of Aristotle's ambiguity of the use of *phainomena* and his Baconian picture of Aristotle's scientific study. I think Nussbaum is largely right in these two aspects.

[165] For similar passages, see, for example, *EE* I.3, 1214b28-1215a7 and I.6, 1216b26-35.

I first set out the *phainomena*, i.e., Aristotle's explicit statements about dialectic, and then I found out what the *aporiai* are (but not quite going through them yet, and that will be the third step), such as (a) Aristotle on the one hand contrasts dialectic with science, and on the other hand takes dialectic as a necessary tool for scientific studies, (b) Aristotle is obscure or even silent about exactly how dialectic can secure the discovery of truth, and (c) Aristotle seems inconsistent on how to achieve first principles. And the huge number of scholarly literatures on these issues causes further difficulties in our understanding of Aristotle' dialectic. What we need to do next is to keep following Aristotle's own procedure, and see whether we can go through these *aporiai*, and see whether we can solve the objections, and finally leave the most important *endoxa* concerning out topic.

Let us start anew, as Aristotle usually does, and examine the entire issue from the beginning, and consider the first *aporia* (or to borrow Plato's word in the *Republic*, the "first wave"), i.e., whether Aristotle is inconsistent in claiming that dialectic is both contrasts with philosophy and serves philosophy.

Let us first recall the three functions of dialectic: "for [intellectual] training, for casual encounters, and for philosophical science." We can legitimately divide these three functions into two groups. The first two could be seen as "public use of dialectic" and the last one "scientific use of dialectic."[166] The public use of dialectic is understood as discussion or debate between two parties, and is conducted through asking and answering. This use of dialectic mainly aims at refuting other's opinions. Scientific use of dialectic can be further divided into two aspects, as the passage of *Topics* I.2, 101a34-b4 quoted above shows. It helps an inquirer "detect more easily the truth and error about the several points that arise," and it also helps an inquirer reach

[166] For the names of these two groups, I am following Berti (1995), p. 106-108, but I think he goes too far in maintaining distinction between *doxa* (opinion) and *endoxa*, the former having nothing to do with truth, whereas the latter permitting the attainment of truth (see p. 107, n. 4 and 108). Aristotle train his students to debate in a dialectic manner (and he lays down certain rules in *Topics* VIII), and this training certainly falls under the first major use of dialectic, but can also help debaters to detect where the truth lies. Furthermore, Berti seems to forget at the very beginning of the *Topics*, Aristotle defines didactic in terms of *endoxa*, instead of *doxa*. Based on the two very different uses of dialectic, I believe Devereux (1990) is fully justified to complaint that the two large groups of interpreters of dialectic "are not talking about the same thing…it is not at all clear that both sets of texts are concerned with what Aristotle calls 'dialectic'" (p. 265).

"the principles used in the several sciences."[167] Aristotle's most remarks about the striking contrast between dialectic and philosophy are clearly referring to the public use of dialectic, and the main body of discussion of dialectic in the *Topics* is also devoted to this use of dialectic, for what he does in the *Topics* is to set rules to conduct dialectical debates, and to discover certain methods to win such debates. But this does not imply that Aristotle dismisses dialectic as a valid tool to achieve truth. As a matter of fact, Aristotle himself proceeds dialectically in many of his works with largely the same procedure laid down in the passage of *NE* VII.1.[168] Scientific or philosophical use of dialectic can help the inquirer focus on important problems in his inquiries, clarify obscure points in the reputable opinions, and eventually help them reach the first principle, the real starting point of scientific demonstration.[169]

We should now move to the second and greater wave, about the procedure of the philosophical use of dialectic. I will argue that *an exact procedure* which can be used universally in discussing any given topic is neither possible nor desirable, given the subject matters treated by dialectic; but nevertheless we can find enough clues both in Aristotle's remarks and actual practices to ensure some *exact enough* procedure.

I will start with a general account of Aristotle's dialectic procedure laid down in *NE* VII.1. Barnes' paper "Aristotle and the Methods of Ethics" (1980) provides a convenient starting point for my attempt to answer two related questions, i.e., how dialectic works for a philosophical or scientific purpose, and how dialectic helps us reach first principles.

Barnes tries to work out a clear procedure or scheme of dialectical method based on *NE* VII.1 1145b2-7. Given the relatively limited scope and purpose of his paper, I

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[167] The discussions of the following two *aporiai* are correspondent with these two aspects of scientific use of dialectic.

[168] There are many passages in *Physics, EE, NE, Metaphysics, De Anima,* where we can clearly see that Aristotle is applying this method in his own scientific and philosophical studies. An outstanding example is *Metaphysics* III, where Aristotle outlines fourteen or fifteen *aporiai* occurred in his predecessors, which serves as the foundation of his following discussions.

[169] The thesis of Hamlyn and Zingano, that dialectic can only work in the realm of opinion, can thus be partly objected on the ground that they fail to see the line which can be drawn between the public use and scientific uses of dialectic, and mistakenly take Aristotle's partial judgment about certain uses of dialectic as his view of dialectic as a whole. And Smith's inadequacy of understanding of dialectic only as a kind of preparation of science lies in the fact that he exclusively focuses on the discussion of dialectic in the main body of *Topics,* and neglects the scientific role possibly played by dialectic. Bolton (1994) provides a more detailed refutation of this kind of "gymnastic approach" (as he calls it) to Aristotelian dialect.

think Barnes is quite close to truth. But on two major points I cannot agree with him. First, after an inspiring account of Aristotle's systematic method, Barnes disappointingly concludes that "Aristotle's actual philosophizing was not greatly affected by his reflexion on how philosophy ought to be conducted...like any good athlete, he forgot about theorizing when it came to the race" (510-511). I will argue that dialectic, as the major method used in the *NE*, is almost always followed by Aristotle. Second, although Barnes tries to give a clear scheme in explaining Aristotle's method, it seems to me that his scheme is, nevertheless, flawed.[170] I will improve Barnes' scheme in such ways as to be more consistent with Aristotle's own account, and this revised scheme will serve as foundation of our further discussion:

Step One Laying down the *endoxa* to make a set $\{a_1, a_2, \ldots a_p\}$.

Step Two Removing some obviously absurd views and formulating specific *aporiai* which require further examination: $\{b_1, b_2, \ldots b_q\}$.

Step Three "Puzzling through" and achieving a new set containing consistent members: $\{c_1, c_2, \ldots c_r\}$($r \leq q \leq p$).

Step Four Shaping all the consistent sets like c_r under one and the same subject matter into a philosophical or scientific system and to formulate a real proof or even demonstration. It includes reaching the first principle of this given discipline.

Step Five Bringing a theory thus constructed back to *phainomena* and showing that it does preserve them as true.

However, even if the above general procedure is accepted, there are still three related questions concerning steps one, three, and four in this updated scheme, which are also the focus of challenges made to Aristotle's dialectical method. First, how can we guarantee that the truth is included in the set of *endoxa* we lay down to examine?

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[170] He constructs it by three steps: (1) setting out a series of endoxa on the subject in question, $\{a_1, a_2, \ldots a_n\}$; (2) surveying this set for infelicities; (3) remove those infelicities, purify it to produce a new set, $\{b_1, b_2, \ldots b_n\}$, and then select the most important part of set b_n and construct a maximally consistent subset of $\{c_1, c_2, \ldots c_m\}$ ($m \leq n$), and thus the set c_m is adequately proved. What I do not agree are: first, the three steps numerated by Barnes do not correspond with Aristotle's three steps; it seems better to move "remove those infelicities, purify it to produce a new set, $\{b_1, b_2, \ldots b_n\}$" to the second step to mean "puzzling through." Second, even if we make this move, there is still problem in this scheme. According to Barnes, the second set b_n seems to have the same number of members as set a_n, but this is impossible, either we take set b_n as a set abandoning the obvious absurd opinions such as the opinions of the mad man, or a set after puzzling through, there must be less members than the original set. Third, Barnes does not go one step further to incorporate Aristotle's discussion of first principle and the scientific system in his scheme.

Second, in what way should we "puzzle through," or solve the *aporiai*? And third, given a number of consistent statements under a certain discipline, how should we find out the first principle? Since the last question is more closely related to our third *aporia*, I will only focus on the questions concerning steps one and three here, and leave the discussion about the first principles to our encounter of the last wave.

Strictly speaking, Aristotle does not provide any argument for the guarantee of the inclusion of final truth in the *endoxa*. But we have to be reminded that Aristotle is rather optimistic in his epistemology, which is perhaps best shown in the passage of *Metaphysics* quoted at the very beginning of Part One of this study:

> The investigation of the truth is in one way hard, in another easy. An indication of this is found in the fact that no one is able to attain the truth adequately, while, on the other hand, no one fails entirely, but everyone says something true about the nature, and while individually they contribute little or nothing to the truth, by the union of all a considerable amount is amassed. (*Metaphysics* II.1, 993a30-b3)[171]

Keeping this passage in mind, we can imagine that for Aristotle although there is no strict guarantee of the inclusion of truth in *endoxa*, it is very likely the case, for his predecessors or contemporaries are very likely to have some good points to make concerning a given issue, especially in practical matters. Furthermore, even if their opinions are false, we can still be benefited from their falsehood by discovering in what way they were mistaken and by avoiding the same falsehood in our own inquiries. As we see in Aristotle's actual inquiries, only in the realm logic Aristotle claims for his complete novelty, and for any other discipline, Aristotle always starts from what his predecessors say, and derive his own theory through critical scrutiny of their relevant statements. Furthermore, if concerning a certain question, we can find both answers A and not-A, then the truth is probably in A or not-A, or in more complicated cases, to certain extent A is right and to other extent not-A is right, as we see in Aristotle's discussion of *akrasia* in *NE* VII.3, in which case Socrates maintains that it does not exist, but ordinary experience shows its existence, and Aristotle's

[171] For some similar passage, see, for example, *NE* I.8, 1098b27-29, *Rhetoric* I.1, 1355a14-18, and see *NE* VI.11, 1143b11–14 for the special value of the opinions of the wise.

solutions lies in some further clarification of both positions. And in some other cases, if the question has a more open nature and thus cannot be answered by yes or no, then the answer is probably included if we only find limited number of candidates and all of them have been maintained by certain people, such as the question of what happiness is in *NE* I.5, according to Aristotle, the life of pleasure, honor/virtue, and contemplation are the only possible answers to such a question, and they are maintained by the many, the few, and certain philosophers respectively, Aristotle would think that the final truth is included in these possible answers. Even if for certain *aporia* the correct answer or solution is not included in the present *endoxa*, it is also possible that Aristotle gives his new conceptions, new observations, and new solutions, for his own opinions should also be counted as *endoxa*, i.e., some views held by "the wise."[172]

For the second question, i.e., whether there are more precise methods or procedure to puzzle through, I largely agree with Nussbaum that "here Aristotle's procedures vary, as we might expect, with the subject matter and the problem, and it is difficult to say anything illuminating at this level of generality."[173] Because dialectical method heavily relies on the nature of subject matter and what the available *endoxa* are at hand, there is hardly any *a priori* procedure which can be followed universally. Furthermore, in practicing dialectic in the realm of practical philosophy it must be less precise than, say, in the realm of physics, for Aristotle repeatedly emphasizes the inexact nature of his inquiry into ethics, the representative of practical philosophy in general:

> Our discussion will be adequate if we make things perspicuous enough in accord with the subject matter; for we would not seek the same degree of exactness in all sorts of arguments alike, any more than in the products of different crafts...Since this is our subject and these are our premises, we shall be satisfied to indicate the truth roughly and in outline...the educated person [*pepaideumenou*] seeks exactness in each area to the

[172] Now we can reasonably object Bolton (1990 and 1994)'s first point. Since the proper starting point of dialectical method is *phainomena*, which include empirical data, Aristotle's dialectical method by no means excludes new empirical data into consideration. And since Aristotle's view (including his own empirical observations), no matter how novel it is, should be counted as *endoxa*, his method will certainly not rule out the possibility that Aristotle himself fill out the gap left by his predecessors.

[173] Nussbaum (1986), p. 248.

> extent that the nature of the subject allows; for apparently it is just mistaken to demand demonstrations from a rhetorician as to accept persuasive arguments from a mathematician. (*NE* I.3, 1094b11-27)[174]

This passage reflects Aristotle deep insight on the different natures of different subject matters. In a generally inexact inquiry, one should never ask for the exactness beyond what the subject matter allows; otherwise he can only be seen as uneducated. So is the method. You can never ask the dialectic inquiry in practical matters to have the exactness of mathematic demonstration; otherwise it will only destroy both the method and the inquiry.[175]

But on the other hand, Aristotle also tries to reach as much exactness as he can in regard of his subject matter, as he remarks when beginning the discussion of particular moral virtues: "we must not only state this general account but also apply it to the particular cases. For among accounts concerning actions, though the general ones are common to more cases, the specific ones are truer, since actions are about particular cases" (*NE* II.7, 1107a28-32). So, when we are concerned with dialectical method, we should also try to reach as much exactness as we can, even though this can hardly be achieved by quoting Aristotle's explicit statements. On this junction, we have another available source, i.e., his practice. We can find a number of hints of the more precise procedures in Aristotle's actual application of this method. We will see shortly that the concrete applications tend to confirm our primary conclusion that there is no universally applicable procedure in every single case, and the precise ways of going through *aporiai* are indeed different in different cases. Nussbaum in her discussion of dialectical method provides some specific procedures of going through *aporiai*, such as "nothing universally believed is entirely discarded," "nothing that we have to be using in order to argue or inquire can get thrown out," and "we must…ask ourselves whether…we share some conception of the good judge [i.e., experts]."[176]

[174] For some similar passages, see, for example, *NE* I.11, 1101a27; I.13, 1102a25; II.2, 1103b34-1104a9.
[175] Kraut (2006) rightly remarks that "if there were a mechanical method for doing so, the study of ethics and all of the other branches of philosophy would long ago have become a routine of little interest. We must instead fall back on trial and error, and there is no guarantee that, with sufficient effort, we will be able to see our way through the difficulties" (p. 81).
[176] Nussbaum (1986), p. 248.

But on the one hand, it seems to me that she does not try hard enough to find specific methods under the general title of "dialectic," and on the other hand, I also think her first item requires some revision, and the following two are simply not substantial enough as method. I am now trying to make a longer list of specific dialectical method, elaborated by some examples taken from the *NE*.[177]

By observing Aristotle's actual practice, I believe we can at least find the following specific procedures in dialectical examination of a certain topic or *aporia*.

(1) We will accept universally accepted opinion (not just "nothing universally believed is entirely discarded" as Nussbaum says). This is shown in his discussion of the nominal definition of the supreme good, where he says "as far as the name goes, most people virtually agree; for both the many and the cultivated call it happiness, and they suppose that living well and doing well are the same as being happy" (*NE* I.4, 1095a17-20). Since virtually everybody, both the many and the educated wise accept that happiness is this supreme human good, Aristotle would like to accept it without further investigation.[178]

(2) We can solve certain *aporiai* through a kind of linguistic analysis, i.e., clarifying different senses of ambiguous terms.[179] A good example is *NE* I.12. When Aristotle asks "whether happiness is something praiseworthy or something honorable [*tōn epainetōn estin ē mallon tōn timiōn*], the way he gets out of this *aporia*, though a rather minor one, is to clarify the meaning of "praiseworthy" and "honorable." The first is used in praising someone's character and states in relation to something, whereas the latter is used for something greater, and then reaches the conclusion that happiness is honorable instead of praiseworthy.

(3) We should find the validity of both/all sides of the issue if both/all sides are

[177] In so doing, I also try to show that Aristotle in the *NE* does follow dialectical method most of the time, and thus argue against Barnes (1980) who thinks that Aristotle does not consciously follow dialectical method all the time, which is seen as a merit by him, and against Zingano (2007) who denies dialectical method in the *NE*. Furthermore, when providing examples, I always have Zingano's misleading theses in mind, so I only cite examples from the non-common books of the *NE*, i.e., I-IV, and VIII-X. And to make the objection even stronger, I will make use of Zingano's own examples (pp. 319-326) which are used to show that Aristotle does not apply dialectical method in the *NE*, but I will argue that these examples prove precisely the opposite.

[178] Another examples is his discussion of whether pleasure is good, he says "if things seem [good] to all, we say they are [good]" (*NE* X.2, 1173a2).

[179] As Kraut (2006b) correctly points out, "this is presumably what Aristotle has in mind when he says that, after one sets out the *phainomena*, one's first priority should be to prove all of the *endoxa*; but that, if one cannot do so, then one must settle for proving most of them" (p.81).

confident enough about their own argument (and this could be done with the help of linguistic analysis, but not necessarily), as Aristotle says when dealing with the *aporia* about whether one should love oneself or someone else most of all, "we must divide these sorts of arguments, and distinguish how far and in what ways those on each side are true" (*NE* IX.8, 1168b14-15). And his conclusion is that each side has a different understanding of self-love, and attributes different objects of love to the lovers. Another example which does not make use of language analysis is Aristotle discussion of whether happiness can be reached during one's lifetime and whether it can be affected after one's death (*NE* I.10-11), where his strategy is to focus on the main line of argument and leave the reasonable common views aside without denying their value.

(4) Analogy (a kind of inductive use of dialectic) may help us clarify certain points, for example, when Aristotle introduces his famous function argument in I.7 he uses two analogies, one is that every art has a function, and the other is that certain part of a man has a function (1097b27-32). With exactly the same example, Zingano denies the use of analogy is dialectic.[180] But in the *Topics*, Aristotle explicitly states that to argue from particular to universal, or argue through analogy is the inductive use of dialectic:

> We must distinguish how many species there are of dialectical arguments. There are *induction and deduction*...induction is a passage from particular to universal, e.g., the argument that supposing the skilled pilot is the most effective, and likewise the skilled charioteer, then in general the skilled man is the best at his particular task. Induction is more convincing and clear: it is more readily learnt by the use of the senses, and is applicable generally to the mass of men; but deduction is more forcible and more effective against contradictious people. (*Topics* I.12, 105a10-19)[181]

Aristotle clarifies induction later, "induction should proceed from individual cases to the universal and from the familiar to the unknown" (*Topics* VIII.1156a5-6). Indeed, what Aristotle does in his function argument is to argue from individual and more

[180] Zingano (2007), pp. 321-323.
[181] I will speak more of the ambiguity of such terms as induction, deduction, and dialectic in my discussion of *aporia* (c).

familiar cases (a particular art has a function, and each part of our body has a function) to universal and more unknown cases (human being as a whole has a function), and his examples used in function argument have exactly the same nature as the two examples give in *Topics* I.2.[182]

(5) When we cannot reconcile too conflicting *endoxa* and have to make a decision, we may spell out the arguments of each side, and by evaluating their strengths and shortcomings we may decide which side to favor. In *NE* X.2-3, Aristotle discusses the *aporia* whether pleasure is the good, a good or not good, and the way he reaches a verdict is to examine the arguments given by all of them. He lists three arguments to argue for the first position, then examines seven arguments arguing that pleasure is not good, and last lists five arguments for the thesis that pleasure is a good or some good but not the good. After this rather lengthy examination Aristotle concludes that "pleasure is not the good, that not every pleasure is choiceworthy, and that some are choiceworthy in themselves, differing in species or in their sources" (X.3, 1174b10-12).

(6) When we face an *aporia*, and examine all the arguments each side provides, but still cannot determine which side we should take, or neither side we would like to take, then we may find proper solution by providing new ideas or new evidence. The new evidence would very possibly be given by Aristotle himself either through empirical observation or through theoretical consideration. When Aristotle discusses the object of wish (*boulēsis*) in *NE* III.4, he lists two possible candidates, one being the good, and the other "the apparent good." He first finds problems for both views, and then gives his own solution, i.e., the real good is the object of wish in truth, but for each person it is the apparent good (1113a23-32). Even if we do not take Aristotle's own solution as based on the previous views, as Zingano suggests, and consider it as a brand new solution, which I actually do not think so, it does not follow that Aristotle does not use dialectical method in finding the solution. As shown above, dialectical method certainly does not mean to exclude new evidence. An *endoxon*

[182] Certainly whether the analogy is valid or whether it is enough to establish the function argument is another question which will be more fully examined in Chapter V.

must arise at a certain time, such as the *endoxon* that "no one does wrong willingly" could not have become an *endoxon* if there had not been Socrates. To think all the possible *endoxa* must have preexisted before the start of an examination is to accuse Aristotle to be completely conservative and close-minded, an accusation which cannot be more absurd, because if Aristotle had been such a conservative and close-minded philosopher, he would have never achieved so many new discoveries in so many different disciplines.[183]

(7) In order to be more confident about our decision or conclusion, Aristotle also recommends a further move, i.e., to find a good explanation for why those rejected opinions are rejected. Since they are reputable opinions, there should be a reason for them to win credibility. Aristotle speaks of this procedure in such words:

> We must, however, not only state the true view, but also explain the false view; for an explanation of that promotes confidence. For when we have an apparently reasonable explanation of why a false view appears true, that makes us more confident of the true view. (*NE* VII.14, 1154a22-25)

He then gives an explanation of why it appears to certain people that the pleasures of the body are the ones that are always to be chosen over all others.[184]

By no means does the above list mean to be exhaustive. I will be satisfied to show that on the one hand dialectical method is not "formally vacuous," not "restrictive," still less "vicious,"[185] and on the other hand, it is widely and systematically used in Aristotle's ethical inquiries.[186]

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[183] For a similar, even virtually the same, defense of Aristotle's non-conservative characteristic by including him as one source of *endoxa*, see Kraut (2006b), pp. 91-93. The discuss of wish is the last example used Zingano (2007) to show that Aristotle does not use dialectic in the *NE*, and he argues for an absurd conclusion: Aristotle's rejection of both views is sufficient to show that Aristotle does not use dialectical method in this context (pp. 323-326).

[184] I owe this point together with the example to Kraut (2006), p. 83. An example which does not contain in the common book is that Aristotle explains why people have mistaken views about friendship, which is because they are most familiar with only one of its kinds (IX.9, 1169b22-8).

[185] These are the adjectives used by Barnes (1980) in his conclusion.

[186] It is easy to cite examples of dialectical method in other treatises such as *EE*, *Politics*, *Rhetoric*, *Physics*, *Metaphysics*, and *De Anima*, and argue for a boarder application of it. Besides Barnes' and Zingano's mistaken views which are directly countered in my discussion, above discussion about the procedure should also be sufficient to reject the too limited view of dialectic held by Smith and Devereux, and the developmental view held by Ross. Those specific procedures have given enough evidence to show that there are plenty of ways to solve the problems and to reach scientific conclusions. When going through these procedures, the inquirer is certainly able to explain why a certain ethical truth is true, so it satisfies at least one requirement of science, i.e., the explanation for the reason "why."

Finally we have to face the last and the greatest wave, *aporia* (c)—how to achieve the first principle of a given discipline. Aristotle is notoriously vague on this question. In our previous discussion about *aporia* (b), it has been shown that there are a number of devices which can be used to establish a coherent set of truth out of certain *endoxa*. But is this dialectical method able to reach first principles? Furthermore, does Aristotle really commit inconsistency in suggesting two different paths to first principles, dialectic and *nous*? I will argue that Aristotle clearly thinks that dialectic can reach first principles, and then reconstruct the seemingly different paths into a more coherent one toward first principles. Finally, I will show with the example of the general argument of the *NE* that we can indeed follow Aristotle's traces to reach first principle through dialectic and then work out a deductive system, which satisfies the request of an Aristotelian science.

What is worth noticing first is that the Greek word which is usually translated as "principle" is the same word as "beginning" or "starting point" (*archē*), and this makes sense because according to Aristotle's theory of scientific demonstration, science in its strict sense should precisely start with first principle and proceed deductively. In an important methodological passage in the *NE*, Aristotle seems to play with the pun of *archē*:

> We must notice, however, the difference between arguments from the principles [*hoi apo tōn archōn logoi*] and arguments toward the principles [*hoi epi tas archas*]. For indeed Plato was right to be puzzled about this, when he used to ask if [the argument] set out from the principles or led toward them—just as on a race course the path may go from the starting line to the far end, or back again. For we should certainly begin [*arkteon*] from things known [*gnōrimōn*], but things are known in two ways, for some are known to us [*ta men gar hēmin*], some known without qualification [*ta d'haplōs*]. Presumably, then, we should begin [*arkteon*] from things known to us. (*NE* I.4, 1095a32-b4)

Aristotle distinguishes two kinds of argument, one "from the principle," and the other "toward the principle." Given Aristotle's well-known distinction of argument into two classes, deductive and inductive, one from universal to particular and the other from

particular to universal,[187] the argument from the principle is deductive, whereas the argument to the principle is inductive.[188]

He further distinguishes two kinds of things known, one "known to us," and the other "known without qualification." He says "I call prior and more known to us what is nearer to perception, prior and more known without qualification what is further away" (*Post. An.* I.2, 72a1-3). So what is "known to us" is presumably *phainomena* in its general sense, including both empirical data and *endoxa*, and in the context of ethical inquiries, he certainly more often means *endoxa*. What is "known without qualification" is also called "known by nature" (*gnōrima physęi*),[189] and it is the first principle, for scientific principles are most known in nature and so least known to us. What Aristotle recommends here is that ethical inquiry should start with things known to us, i.e., *endoxa* (this is the "starting point" of our actual inquiry), and proceed up to things known without qualification, i.e., first principles (this is the "starting point" of a finished scientific system). This is in perfect agreement with the other important methodological comment as we have extensively discussed above.

Aristotle clearly thinks that there is a path from *endoxa* (what is known to us) to principle (what is known without qualification), and this ascending cannot be achieved by anything else except by dialectic. We have distinguished two aspects of this scientific use of dialectic above. On the one hand, dialectic can be used to clarify truth, as Aristotle says, "for the study of the philosophical science it [i.e., dialectic] is useful, because the ability to puzzle on both sides of a subject will make us detect more easily the truth and error about the several points that arise" (*Topics* I.2,

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[187] See, for example, *Prior An.* II.23, 68b13-14, and *Post. An.* I.18, 81a40.

[188] There might seem to be a certain ambiguity which we have to clear up before we proceed further. As have been shown at the beginning of our discussion of dialectic, Aristotle defines dialectic as one of three kinds of deduction (*Topics* I.1), and here we see that deduction and induction are mutually exclusive ways of argument, but he also suggests that dialectical argument can be either deduction or induction, as we have seen from the passage of *Topics* I.12, 105a10-19 quoted above. Aristotle indeed seems ambiguous here, but I think this ambiguity can be removed by the fact that in the *Topics*, Aristotle's main attention is always paid to deduction, and thus he seems to use the major part of discussion to define dialectic (another possibility is that he sometimes uses *syllogismos* [deduction] as the general term for *logismos* [reasoning]). This understanding can be supported by Brunschwig (1986) who observes that "the official subject of the *Topics* is dialectical deduction." But he certainly goes too far to argue that Aristotle is uneasy about the ordinary use of dialectic outside school training, and dialectic deduction should be used only with trained dialecticians whereas induction is for ordinary people (p. 34), for as we have seen that Aristotle himself also often uses induction to achieve some rather difficult conclusions, such as in the establishment of the proper function of human being. And I will further argue, in the process to the first principle of a given science the general direction of dialectic is precisely inductive.

[189] See *Post. An.* I.2, 71b34-72a6.

101a34-37). This is largely the deductive use of dialectic, and more common use of it (so Aristotle defines dialectic in terms of deduction). It is engaged in examining different opinions concerning a certain *aporia* and clarifies concepts and reaches a verdict. But on the other hand, the *general direction* of the second aspect of the scientific use of dialectic, to reach first principles (101a37-b4), is induction, i.e., from particular to universal, or from *endoxa* to principles. More specifically, first in a given question, say what courage is, we proceed from particular *endoxa* about courage to the truth concerning this question, i.e., a proper understanding or definition of courage, and after that from those truths (to certain extent universal, but in relation to the first principle they are particular) about different ethical questions, such as what courage is, what justice is, what *akrasia* is, and so forth, to the first principle of ethics, i.e., what happiness is, the most general term of entire system.[190]

It should be admitted that even if we accept the general picture portrayed in this passage, and believe that Aristotle does think dialectic can lead us to the first principle, we still have a rather vague picture about *how* to achieve the first principle of ethics through dialectic. And what is worse, we still face the danger of inconsistency posed by *Post. An.* II.19. My suggestion is that the official discussion of the achievement of first principles in *Post. An.* II.19 should be read as complementary to what we just discussed,[191] for it gives more details about the entire process of achieving first principles, in which dialectic only plays part of the role. That process does not begin with dialectic but from our more basic faculty of perception, although the details provided there is far from satisfactory in many critical eyes.

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[190] These remarks based on Aristotle's text seem to me enough to show the inadequacy of Irwin's accusation. Even if we still do not know exactly *how* to achieve first principles through dialectic, it should be clear that Aristotle himself does believe there is a way up to principle from *endoxa* through the proper use of dialectic. And there is no need to artificially distinguish "pure dialectic" and "strong dialectic."

[191] McKirahan (1992) also sees the methodological statements in the *NE* and the *Topics* on the one hand and the *Post. An.* on the other as complementary, but from a quite different angle. I will argue that dialectic takes over the discussion from the fourth step of the procedure listed in *Post. An.*, whereas he argues that they are dealing with different objects: "when the nature of the subjects, attributes, and connections is obvious on inspection or clear through repeated observations, the *Apo* account will suffice. But in many important cases it is not such clear sailing. When observed phenomena are interpreted differently, dialectic is needed to settle the disputes and determine the truth" (p. 261). The ultimate reason for our difference, as I understand it, probably lies in the fact that he takes the two senses of *phainomena*, i.e., empirical data and *endoxa*, as marking two different lines of inquiries, one scientific, the other dialectical; whereas I take these senses to be more unified in the method of dialectic. But we do not necessarily conflict with each other, for the cases that "observed phenomena are interpreted differently" seem to be more common and especially so in ethical-political realm.

The purpose of *Post. An.* II.19, as Aristotle explicitly states, is to make clear "how they [principles] become known [*pōs te ginontai gnōrimoi*] and what is the state [*hexis*] that comes to know them" (99b17-18). Interesting enough, this chapter about the achievement of first principles also proceeds dialectically, for Aristotle goes on to say "that will be clear from what follows, when we have first set down the puzzles" (99b18-19). Aristotle first argues against the rationalist account of innate principle, but states that we have the capacity to know those principles (99b26-34), and then proceeds to identify the five stages of mental states in the process of acquisition of first principles: (1) perception (*aisthēsis*), (2) memory (*mnēmē*, arising from perception when perception "occurs often in connection with the same thing"), (3) experience (*empeiria*, "memories that are many in number form a single experience"), (4) knowing certain universals, and finally (5) principles of skills and of understanding ("of skill if it deals with how things come about, of understanding it deals with what is the case") (100a4-9).[192] And each stage is generated by the previous stage.

Although the mechanism of each mental state and how exactly they generate each other pose some questions for interpreters, the general picture is clear. The first three are about particulars and pave the way for the knowledge of the universal, as Aristotle further says, "it is clear that it is necessary for us to come to know the primary things [i.e., principles] by induction; for perception too instills the universal in this way" (100b3-5). Dialectic may enter this stage from step (1) or (4). If we understand *phainomena* as empirical facts, then dialectic may start from (1), and if we understand *phainomena* as *endoxa* like in most cases of the practical inquiries, then dialectic may be said to start from step (4), since it is clear that reputable opinions about a certain issue have already reached certain level of universal.

The major problem arises when we come to the very last paragraph of II.19:

> Since of the intellectual states [*dianoian hexeōn*] by which we grasp truth some are always true and some admit falsehood, such as opinion [*doxa*] and reasoning [*logismos*],

[192] A parallel passage can be found in *Metaphysics* I.1, 980b28-981a17.

> whereas *epistēmē* [knowledge or understanding] and *nous* [comprehension or (intellectual) intuition] are always true, and no kind other than *nous* is more precise than *epistēmē*, and the principles of demonstrations are more known, and all *epistēmē* involves an account—there will not be *epistēmē* of the principles; and since it is not possible for anything to be truer than *epistēmē*, except *nous*, there will be *nous* of the principles—both if we inquire from these facts and because demonstration is not a principle of demonstration so that *epistēmē* is not a principle of *epistēmē* either—so if we have no other true kind apart from *epistēmē*, *nous* will be the principle of *epistēmē*. And the principle will be of the principle, and *epistēmē* as a whole will be similarly related to the whole object. (100b6-17)

I keep *epistēmē* and *nous* throughout this passage untranslated and in each case give two candidates of translation. *Epistēmē* is the regular word in Plato or Aristotle for "knowledge" or "scientific knowledge," but Barnes (1994) translates it with "understanding," because it refers to an intellectual state, instead of a set of knowledge as the regular English word "knowledge" suggests. Indeed these two aspects are related, for *epistēmē* as "knowledge" means a systematically and deductively organized, and necessarily true doctrines or instructions, and the intellectual state ("understanding") that possess such doctrines or instructions will accordingly be the intellectual virtue of *epistēmē* as Aristotle elaborates in *NE* VI.3.

The meaning and translation of *nous* is much more controversial. The traditional way of rendering it is "(intellectual) intuition," but Barnes does not agree, with the belief that to translate it with "intuition" will undermines the empiricist picture of knowledge given by the previous passage (100a4-9), and thus pose a threat of inconsistency to Aristotle, so he translates it with "comprehension," and other interpreters have a number of other suggestions.[193] According to the traditional view, to understand *nous* as "intuition" implies that "Aristotle recognizes, at least, tacitly, the notorious frailty of induction: induction…cannot by itself get us to the principles; there is a chasm which induction will not leap—we must fly over it on the back of intuition."[194] Instead, Barnes argues that the basic assumption of this traditional view,

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[193] Irwin in Aristotle (1999a) translates it with "understanding," the word reserved by Barnes for *epistēmē*; Rowe in Aristotle (2002) with "intelligence"; Sherman (1989) with "intuitive grasp" (p. 38); Achtenberg (2002) with "theoretical insight"; Crisp in Aristotle (2004) with "intellect," and so forth.

[194] Barnes (1994), p. 268. According to this traditional view, either there is an inconsistency between induction and intuition, or there is a way to reconcile them. I am more interested in the efforts of reconciliation. Irwin (1988)

i.e., "*nous* and induction are elements in the answer to a single question," is false. According to him, induction and *nous* actually answer two different questions, the two questions posed at the beginning of *Post. An.* II.19, i.e., "how they [principles] become known" and "what is the state that comes to know them." Induction answers in what process we achieve principles, and *nous* is precisely the intellectual status we are in when we possess principles, as Barnes puts it: "*nous*...is not intended to pick out some faculty or method of acquiring knowledge: *nous*, the state or disposition, stands to induction as understanding (*epistēmē*) stands to demonstration. Understanding is not a means of acquiring knowledge. Nor, then, is *nous*." So he suggests a "colorless word 'comprehension'."[195]

Although the argument put forward by Barnes is quite strong, I am not completely convinced to convert from the traditional interpretation of *nous* as "intuition," a means of acquiring knowledge. For the following reasons: first, as I will argue shortly I do not see any real inconsistency between Aristotle's general empiricism and the traditional understanding of *nous*; second, as Barnes himself admits, his understanding of *nous* as a mental state which has nothing to do with the mechanism of reaching first principles can hardly satisfactorily reconcile a crucial passage of *NE* VI.11, 1143a35-b5;[196] last, most scholars, for some reason or other, are not convinced by Barnes' argument. I do not want to pretend that I have a satisfactory solution to this question or that I am able to contribute to this debate. So what I am going to do is, somewhat awkwardly, to argue from these two different understandings of *nous*, and show that neither of these two understandings can undermine Aristotle's system, and thus undermine the role played by dialectic in the pursuit of first principles.

I will first consider the traditional understanding. Empiricism does not necessarily exclude intuitive grasp of certain elements in knowledge. It is complete

reconcile them through his concept of "strong dialectic," a dialectic including intuition which select first principles from a more limited set of *endoxa*, and Reeve (1992) reconcile induction and intuition by way of understanding them as two successive stages. I also aim at reconciliation, but in neither of these two ways. I will argue that dialectical method does not exclude intuition, and there is no need to create the concept of "strong dialectic."

[195] Barnes (1994), pp. 268. McKirahan (1992), pp.257-259 follows him.

[196] See Barnes (1994), pp. 268-269. I will discuss this passage shortly.

possible that Aristotle had some awareness of the problematic nature of induction, i.e., of the problematic nature of the step or leap from particulars to the primary and nondemonstratable truth of a certain science.[197] The main passage supporting this understanding of *nous* goes like this:

> *Nous* is also concerned with the last things, and in both directions. For there is *nous*, *ou logos* [not a rational account, not with an account],[198] both about the first things [*tōn prōtōn*, i.e., first principles] and about the last. In demonstrations *nous* is about the unchanging terms that are first. In [premises] about action *nous* is about the last term, the one that admits of being otherwise, and [hence] about the minor premise. For these last terms are beginnings of the [end] to be aimed at, since universals are reached from particulars. (*NE* VI.11, 1143a35-b5)

In this passage, Aristotle speaks of *nous* in two different spheres, in the theoretical grasp of the first things or first principles, and the practical grasp of the minor premise immediately prior to action, as Broadie puts it: "the practical analogue is: seeing the general aim of pursuing some desirable objective in terms of a decision that reflects an analysis of the particular circumstances, thereby making the general aim into something that a good person in those circumstances can bring to realization."[199] Aristotle gives special emphasis to one special feature of the nature of *nous*, i.e., it is "*ou logos*." So it is very close to our common usage of "intuition," just like a direct mental vision, seeing the first principle and the appropriate action immediately, and we can hardly further ask how it works. In the dialectical examination of certain *endoxa*, it is very likely that this kind of intuitive grasp may come to help. It is not an independent step other than dialectic as Reeve suggests, but an intuitive faculty imbedded in the entire process of dialectic. We do not know when it comes to work, but it is very likely when we have a thorough examination of all the possible *endoxa* around a certain issue, it will come to work and help us grasp what is primary, necessary, and nondemonstratable.

[197] This may partly explain why Aristotle is always very succinct when discussing induction.
[198] Irwin in Aristotle (1999a) and Crisp in Aristotle (2004) translates "*ou logos*" with "not a rational account," Rowe in Aristotle (2002) with "not with an account," and Ross in Aristotle (1984) as "not with argument," Barnes (1994) as "not reason" (p. 268). I think we can even translate it as "not explainable in words."
[199] In Aristotle (2002), p. 378.

Now let us take a look at the interpretation put forward by Barnes and McKirahan. They understand *nous* not as a special faculty of human being, but simply a mental state (*hexis*) when we grasp the principles, as McKirahan puts it: "*nous* is the state where we recognize principles *as principles*…*nous*, the grasp of principles, is a different, higher level than *noēsis*, the grasp of universals."[200] It is even less possible for dialectic to conflict with such a state, for dialectic is the path toward such a state, but as for how and why we reach such a state, it is not Aristotle's concern, nor Barnes' or McKirahan's. For according to their interpretation, Aristotle simply recounts the process from perception to first principle, but does not elaborate the psychological changes in this process.[201] As long as we can fit dialectic in this scheme (as we did above), it can work perfectly within such an empirical picture.

After laying out the general procedure up to the first principle, and the requirement of deductive system, we should turn to Aristotle's texts and observe his practice. But we immediately realize that in practice Aristotle never gives a strictly deductive system of science, and does not even mention geometry as the representative of such a system. This leads some interpreters to argue that the deductive picture drawn in the *Post. An.* is not the scientific method actually used by Aristotle, but rather the way of teaching or presenting the result of scientific research,[202] and on the other hand there are defenders who argue that deductive procedure is the actual procedure followed by Aristotle in his scientific inquiries.[203] I am not going to step into this debate here, and will simply follow Aristotle himself and say that only if a deductive system is established can we say with confidence that in this area we have had genuine knowledge. As we know, the sequence of discovery is almost always different from the sequence of explanation, and in those scientific treatises, Aristotle mainly shows us the way of discovery, and in most cases through

[200] McKirahan (1992), p. 258, original italics.
[201] See McKirahan (1992), p. 249. This is precisely what Aristotle gives us in the extant texts. Perhaps more discussion has lost, but more possibly, Aristotle never went, even never intended to go, as far as our neuroscientists now do.
[202] This controversial thesis was first presented by Barnes (1969), but he also lists a number of earlier hints. This view seems to be very popular at one time, so when Burnyeat (1981) criticizes Barnes, he says this view "promises to become a new orthodoxy" (p. 116). Barnes later stepped back a little from his earlier extreme view, but still largely holds it; see Barnes (1981 and 1994).
[203] Most articles collected in Gotthelf and Lennox (1987) represent this stance; Wians (1989) is also on the same line of interpretation.

dialectic, whereas in his own mind, as we can imagine, there must be a clear deductive system after his inquiry into certain discipline is finished, although he never explicitly exhibits this kind of system. Perhaps this is a task he would rather like to leave to his students to finish. Aristotle, when conducting scientific inquiries, always has the deductive picture in mind as his ultimate goal, but in actual practice, he cannot proceed deductively, for the proper understanding of the first principle is the last work in a given line of inquiry and done through dialectic. But when he finishes one line of inquiry, the mark of its finish is precisely to get the satisfactory understanding of its first principle and to build up a satisfactory deductive system which is able to explain all the related *phainomena* in this field.

To bring the discussion of dialectic and first principle to its completion, I will show, with the general line of argument in the *NE* as example and in a highly sketchy way, how Aristotle in his practice reach his first principle through a coherent set of *endoxa* or piecemeal ethical truths, and how we can establish the deductive system which Aristotle did not elaborate himself.[204]

The notion of happiness (*eudaimonia*) is first introduced in I.4 (later at I.12, 1102a2-4 Aristotle identifies it as the first principle of ethics), as the nominal definition of the highest good of human being, and since this definition is agreed by virtually all, Aristotle does not give any further argument for this, but merely accepts happiness as "living well and doing well." Although the name goes without objection, Aristotle has to immediately face the disagreement about what exactly consists of happiness, and among the available *endoxa*, there are three candidates, pleasure, honor/virtue, and contemplation. He says that he will talk about the life of contemplation later (I.5 1096a5-6), and he does not give a satisfactory discussion of this question until X.6-8. Before that he is largely working on the scheme set up by the first two candidates, virtue and pleasure.

The discussion of virtue runs through most of the *NE*, from the function argument in I.7, where he gives a rough definition of happiness as the life in

[204] And this should finally fulfill my obligation to refute anyone who denies that dialectic enables us to reach first principles.

accordance with virtue, to the end of Book IX. But what is important to note is that although Aristotle here gives a *formal definition* of happiness as the life in accordance with virtue, it does not fulfill the requirement of the more precise nature of the first principle until we know exactly what virtue is, and furthermore, until we have examined the very last candidates of happiness, i.e., the life of contemplation. Happiness as an inclusive concept,[205] primarily consists of the actualization of virtue, and at the same time bodily good and external goods also play important roles (I.8-11). In I.13 he distinguishes virtue into two categories according to their relation to the different parts or elements of the soul. They are known as moral virtue (or virtue of character), and intellectual virtue (or virtue of intellect). He first gives a general account of moral virtue, as the state of mean (II.1-6), and then goes on to discuss particular moral virtues (II.7-V), in the middle of which he makes a digression to discuss voluntary action and the related issues (III.1-5), and then examine the five intellectual virtues in Book VI. After that he discusses the states of the soul other than virtue and vice (a topic introduced in II.5 but left unanswered there). These states are continence, incontinence, divine virtue, and bestiality. And then he goes beyond the virtue of individual level, and treats friendship, a kind of moral virtue which is among more than one person, and will prepare a life suitable for political community (VIII-IX). In all these discussions Aristotle is led on the one hand by the available *endoxa*, and on the other hand by the general picture of a scientific discipline. As for the topic of pleasure, another important candidate of happiness, Aristotle first dismisses it at I.5, 1095b18-23, presumably because at this stage of his educational project Aristotle would like to distract his students from this usually vulgar view of happiness.[206] But after he has finished the discussion of both moral and intellectual virtue, and has led his students to the right track, Aristotle begins to reintroduces the topic of pleasure and finds its value in the life of happiness (VII.11-15 and IX.1-5).

When these all have been done, Aristotle finally puts forward the most striking

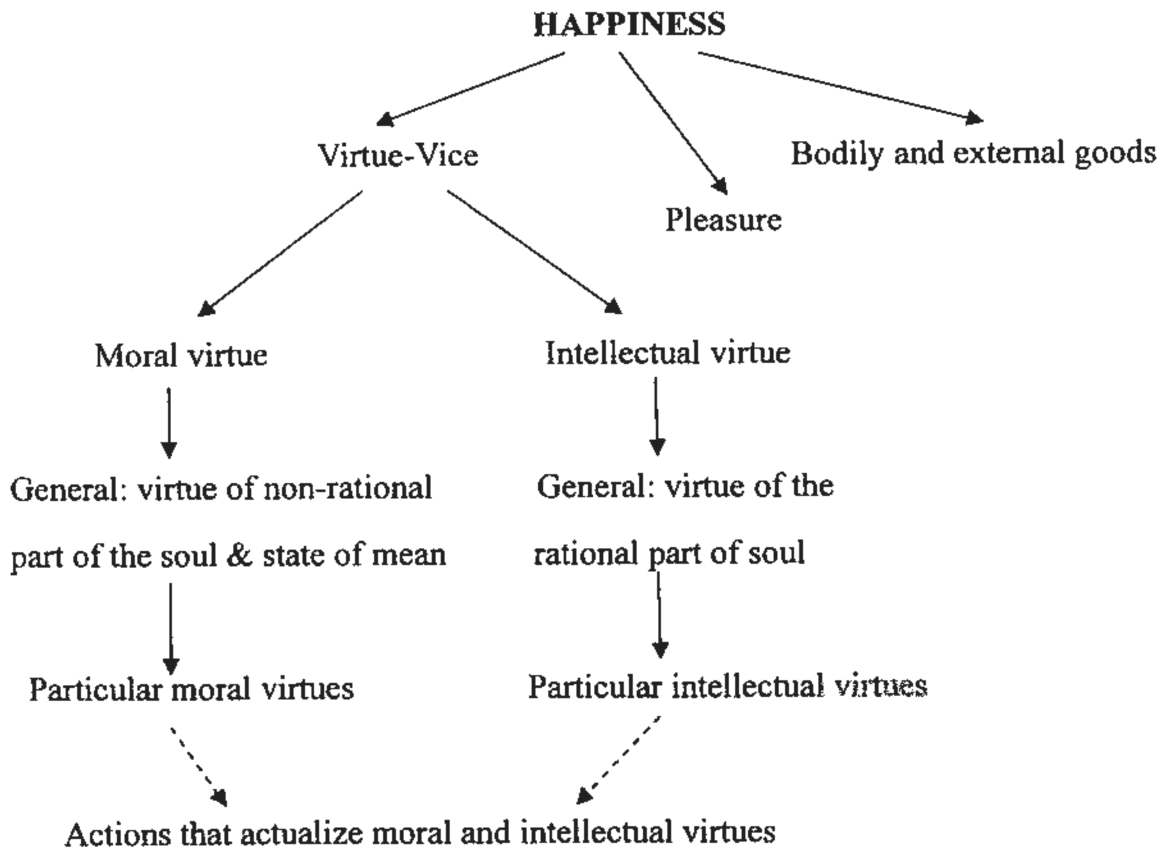
[205] Here I am not concerned about the inclusive-exclusive debate about happiness; more details will be given in Chapter V.

[206] I will argue for a systematic reading of the *NE* as an education plan elsewhere, and here I will just put forward some basic ideas.

and revolutionary passage of the entire *NE*, i.e., the life of contemplation about the eternal is the happiest life for human being, a thesis which has been prepared all the way through the previous books.[207] Once we reach this first principle of ethics, it has all the characteristics of a scientific first principle, primary, necessary, and nondemonstrable. We reach it not through demonstration but through dialectic.

Having seen the general process from a coherent set of ethical truth to the first principle in the *NE*, we can go one step further to organize all these ideas into a deductive system. Surely such a deductive system does not have the force of a geometrical system, but as far as ethical theory allows, it is indeed a deductive system. And then all the ethical truths or facts can be explained. This demonstrative system can be shown with the diagram below:

[207] Some of the hints are I.5, 1096a5-6: "The third life is the life of contemplation, which we shall examine in what follows"; at I.7, 1097a24-b23, Aristotle introduces the ultimate criteria of happiness: completeness and self-sufficiency, and it turns out that the life of contemplation matches these criteria best; and I.7 1098a17-21: "so the human good proves to be activity of the soul in accord with virtue, and indeed with *the best and most complete virtue*, if there are more virtues than one." And after showing that virtues are indeed more than one, what Aristotle in X.6-8 argues is precisely that the life of study is the best and most complete, and thus the highest good or the highest happiness of human being. And when discussing wisdom in VI.7, Aristotle does not fully celebrates it as he does in X.6-8, but pays more attention to *phronēsis*, and I think this is because his students have not fully prepared to appreciate the value of *sophia* before they fully grasp the nature of *phronēsis*, the faculty to adjust one's life to best serve the ultimate goal of happiness. Here we can offer some reasons why Aristotle only fully discloses the first principle of ethics toward the very end of his treatise: first, it is precisely because it is the first principle, the grasp of which is more than one half of a given discipline (I.7, 1098b7-8), and it is by no means easy; second, there are a lot of theoretical preparations to make in order to fully understand and accept this revolutionary idea; third, practically, to bring a true philosopher into reality requires a long way to go, for according to my understanding, Aristotle's philosopher is a complete person, who has already possessed all the other virtues in his command, so only after all the other ethical education has finished can Aristotle introduce the happiest life in full. I will argue for this rather unorthodox view in Chapter V.



The arrow stands for the deductive relation "if...then..." or "necessary condition." We may say that if you want to be happy, then you need to be virtuous, have pleasure as accompaniment, and at the same time possess bodily and necessary external goods; or virtuous state of the soul, pleasure, and certain bodily and external goods are necessary condition of happiness. If you want to be virtuous, then you need both moral virtue and intellectual virtue; or moral virtue and intellectual virtue are necessary condition of being virtuous in general. And if you want to be both morally virtuous and intellectually virtuous in general, then you need to possess the particular moral virtues and intellectual virtues; or those particular moral virtues and intellectual virtues are necessary condition of moral virtue and intellectual virtue in general.[208]

I put dotted arrow between particular virtues and actions, because strictly speaking actions is not in the realm of ethical *knowledge*, because actions are particulars, whereas knowledge is always universal. But for practical knowledge or practical philosophy, it is not enough to know the first principle and the system of the

[208] I thank Giovanni's suggestion that I should clarify what I meant by "deduction" in this ethical context.

universals, but to act according to them. The ultimate purpose of this entire deductive system is not quite the ethical knowledge itself. Ethics and more broadly politics, unlike pure theoretical knowledge whose goal is knowledge itself, aim at actions. It is in action that we actualize our virtue and happiness.

2. Dialectic as a possible assistant to descend to action from first principle

As we just saw, in the practical realm it is not enough just to know the first principle and to construct a deductive system. It is more important to practice those virtues in actual life.

On the one hand, there is certainly a very important role played by habituation,[209] but on the other hand, there is also large room left for our intellect to work. When facing a particular situation, especially some difficult situation in which routine or habit does not work well, the agent must make decision based on his understanding of the first principle (happiness), the deductive system from this first principle, and the characteristics of the present situation. There must be a descending process from the principle down to the particular action which one should take at a particular moment. And what I am going to argue briefly here is, quite unorthodoxly, that dialectic will also play some part in this descending process.[210] To put it in a more general way, dialectic not only helps us reach universal principles from particular *endoxa*, but also functions as we move from universal principles to particulars actions.

In practical matters, we can hardly follow a series of deductive rules to reach

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[209] The role of habituation will be discussed in Chapter VI. Although I do not find any clear clue in Aristotle's text that habituation can be done through dialectic, Smith (1997) nevertheless presents an interesting, and rather reasonable argument concerning the role played by dialectic in habituating people: "Dialectical argument may be crucial in this process [process of habituation]. If we have worked through the puzzles and contradictions surrounding a subject many times, then the hold of the familiar and received views on our intellect is shaken, and we cease to feel that they are obvious...when we have discovered the true account, we will make it our own by working through many arguments from its principles, eventually coming to have the right conviction in the truth of these principles by seeing their role in many different proofs" (pp. xix-xx).

[210] We have seen many different arguments concerning the possible role played by dialectic in achieving truth or reaching the first principle, but so far as I am aware, there is no literature which argues that dialectic is also necessary to descend from the first principle to particular conclusions, for such work seems to be fulfilled by deduction in general. In more theoretical disciplines such as geometry, metaphysics and physics, where all the truths are involved in a rather closed system, this seems to be the case, but in practical realm, the system seems to have a more open texture.

action. Even if I clearly know what happiness is, and know that to achieve happiness I need to practice virtue to the largest extent. But what is the requirement of virtue in a given situation can hardly be determined by the deductive system itself, for moral virtue itself is a mean state, relative to different people and different situations, as Aristotle famously says: "having these feelings at the right times, about the right things, toward the right people, for the right end, and in the right way" (*NE* II.6, 1106b21-23). What is the right action in a given moment certainly cannot be determined by deduction, however strict it could be.

Phronēsis and practical *nous* certainly plays the major role in descending from universal principle to particular action, through a kind of direct perceiving of the middle term of a practical syllogism or the right action.[211] But just as in reaching the first principle theoretical *nous* cannot fully function if without the help of some preparations, including dialectic examination of the available *endoxa*, in making moral decisions dialectic will also play some role, and help *phronēsis* and practical *nous* to reach the right decision. In routine cases, our virtuous habits should be enough to decide what action to take, but in more thorny situations or when facing moral dilemmas,[212] we probably have to *examine*, not just take a look at, all the possible alternatives in this given situation (presumably these alternatives can be taken by anyone, and thus can be seen as a kind of *endoxa*), and make them argue with each other in the agent's mind. Through largely the same mechanism used to reach truth or a coherent set of opinions through dialectic, the agent will clarify the strength and weakness of each alternative, and will more easily make good decision through combined use of his habits, his intellectual virtues, and dialectic examination.

Through the extensive discussion in this section, it should have been clear that Aristotle's dialectical method, the main method used in his practical philosophy, is subtle and dynamic. It involves a subtle preservation of reasonable elements in available *endoxa*, and a dynamic process up to first principles from *endoxa*, and

[211] More detailed discussion of these two intellectual virtues will be given in Chapter V.

[212] I do not mean to argue that in every single case, dialectic process would play a role, for that will make a decision unbearable long, and according Aristotle, the morally virtuous state is acquired through repetition and habits (*NE* II.4, 1105b5), not from careful examination. I only want to suggest that there are indeed some cases that a dialectical examination is in need.

another dynamic process down to particular actions from first principles. In the following three relatively short sections I will provide some further examples of Aristotle's subtlety and dynamic; and more importantly these examples will serve as some foundations for our further discussions in the following chapters.

III.2 Subtlety and Dynamic of Subject Matter: Relation between Private and Common Good

Two relatively new book-length studies of Aristotle's *Politics* written by two Straussian authors provide us with both an interesting contrast and a very good starting point to see Aristotle's subtle treatment of the possible tension between private and common good. Mary Nichols argues for a rather traditional thesis that for Aristotle the public realm is prior to the private, and this public realm incorporates citizens, statesmen and philosophers alike; whereas Judith Swanson argues that most interpreters of Aristotle are exaggerating the significance of the public realm, but Aristotle's political discussion focuses more on the private realm (such as family, friendship, economy, and philosophy), for it is in the private realm that genuine human good is to be found, and in so doing, she presents Aristotle as a forerunner of, but in some way even going further than, John Locke.[213]

It is well known that Aristotle is fond of giving yes-and-no answer. And the relation between private and common good seems to be another good place to see this kind of subtlety. But generally speaking, Nichols' thesis seems much closer to both Aristotle's texts and his spirit. At least in the ultimate sense, Aristotle would side with the common good, like most of his predecessors did.

Aristotle is fully aware of the possible tension between private and common good, and like Plato, he also sees the motivation of self-interest as the main cause of this tension. When criticizing Plato's communism, Aristotle remarks that "there are two things above all which make human beings cherish and feel affection, what is one's own and what is dear" (*Politics* II.4, 1262b21-22). Shortly after this passage Aristotle repeats this point in a more teleological manner, and distinguishes self-love

[213] See Nichols (1992) and Swanson (1992) respectively.

and selfishness, an excessive kind of self-love:

> [I]t makes an immense difference with respect to pleasure to consider a thing one's own. It is surely *not to no purpose that everyone has affection for himself*; this is something natural [*physikon*]. Selfishness [*to philauton*] is justly blamed; but this is not mere love of oneself [*to philein heauton*], but rather having more love than one should. (*Politics* II.5 1263a40-1263b3)

At another place Aristotle gives this self-love a semi-metaphysical root in the nature of *everything*, not just human beings:

> And since what accords with nature is pleasurable and things that are related are related in accordance with nature, all things that are related and similar are, for the most part, a source of pleasure...since all likeness and relationship is pleasurable to an individual, and each one experience this [feeling] most in regard to himself, necessarily all are more or less lovers of themselves; for all such things apply most to oneself. And since all are lovers of themselves, necessarily their own things are also pleasurable to all, for example, their deeds and words. (*Rhetoric* I.11, 1371b12-22)[214]

Although self-interest and self-love is natural and understandable, Aristotle goes further to distinguishes two kinds of self-love, one is base or vulgar pursued by the many and aiming at "the biggest share in money, honor, and bodily pleasures" (*NE* IX.8, 1168b18). This kind of self-love will certainly cause conflict in a political community, and justifiably reproached. The other kind of self love is descent or noble, which aims primarily at doing "just and temperate actions or any other actions in accord with the virtues, and in general always gains for himself what is noble [*to kalon*][215]" (1168b25-28). This latter kind of person is also self-lover, for he "awards himself what is noblest and best of all, and gratifies the most controlling part of himself, obeying it in everything" (1168b30-31). Not only will he not cause any

[214] In drawing on different Aristotelian works together, I have a largely Unitarian understanding of his works. But just as this is not a good place to discuss the coherence of different Platonic dialogues, it is also much beyond the scope of this dissertation to defend a Unitarian reading of Aristotelian oeuvre.

[215] Nowadays, more and more scholars translate the Greek word *kalon* with "fine," when discussing Aristotle's ethics, such as Irwin in Aristotle (1999a), Rowe and Broadie in Aristotle (2002), and Lear (2004 and 2006). I do not agree, for the word "fine" is simply too common to convey any of the political or aesthetical connotation of the word *kalon*, which can be translated, under different contexts, as "noble" and "beautiful." So when discussing Aristotle's ethics and politics, I stick to the traditional translation of "noble" or "nobility."

trouble to the common good, but also will improve it: "when everyone strains to achieve what is noble and concentrate on the noblest actions, everything that is right will be done for the common good, and each person individually will receive the greatest of goods, since that is the character of virtue" (1169a9-12); furthermore, "the virtuous person labors for his friends and for his native country, and will *die for them* if he must; he will sacrifice money, honor, and contested goods in general, *in achieving the noble for himself*" (1169a19-21). Unlike Plato who always sees conflict between private and common good, in Aristotle we see the *ultimate reconciliation* or *ultimate harmony* between private and common good.[216]

Desirable as such a harmony is, it is only reserved for the truly virtuous. But for the many, because of their natural pursuit of the vulgar kind of self-love, taking as big proportion of the goods as they can, the conflict is predictably unavoidable. When facing the choice between private and common good, Aristotle makes himself clear enough that he, like most of his predecessors, sides with the common good, as he says in a famous passage in the *Politics*:

> *The city is prior by nature to the household and to each of us*. For the whole must of necessity be prior to the part; for if the whole [body] is destroyed there will not be a foot or a hand, unless in the sense that the term is similar (as when one speaks of a hand made of stone), but the thing itself will be defective. Everything is defined by its task and its power, and if it is no longer the same in these respects it should not be spoken of in the same way, but only as something similarly termed. That the city is both natural and prior to each individual, then, is clear. For if the individual when separated is not self-sufficient, he will be in a condition similar to that of the other parts in relation to the whole. One who is incapable of participating or who is in need of nothing through being self-sufficient is no part of a city, and so is either a beast or a god. (*Politics* I.2, 1253a19-28)

The priority of city to individual has both political and metaphysical grounds. On political level, since individual cannot live independently without a community, otherwise he will be either a god or a beast, i.e., not a human being any more, the community must be more significant than each individual. On metaphysical level, the

[216] We will come back to this theme with more details in Chapter V, and there I will explain why even to die for one's friend and city is a way to achieve good for oneself.

whole is always said to be prior to the part, for without the whole, each part cannot exist as what it is, as we see that a city can exist without the existence of certain individuals, but an individual cannot exist as an individual human being if without a political community.[217] Aristotle states this general principle of priority in actuality or in existence more clearly in the *Physics*: "a thing is said to be prior to other things when, if it does not exist, the others will not exist, whereas it can exist without the others" (*Physics* VIII.7, 260b17-19).[218]

In accordance with this clear hierarchy of common and private good, Aristotle introduces his famous distinction of regimes. The regimes taking care of common good are said to be good ones, whereas those concerned with private goods of the rulers are deviants (*NE* VIII.10, 1160a33-1160b23, and *Politics* III.7, 1279a32-b5). He also points to the same direction when he speaks of the priority of political rhetoric to the forensic rhetoric, because the former is considering public affairs and thus public goods, whereas the latter only concerning the private (*Rhetoric* I.1, 1354b24-25).

When conflicts between private and common good arise, Aristotle does not hesitate to side with the latter.[219] But unlike Pericles and Plato who clearly see the sacrifice of certain private goods as necessary and irreplaceable, Aristotle has a more balanced view of the private and the common. He has a genuine concern of both series of goods, and tries his best to reconcile them by not sacrificing either, although when sacrifice *is unavoidable*, he will certainly choose to sacrifice the private.

We have had a glance of this theme of ultimate reconciliation in Aristotle's discussion of the descent kind of self-love. But even in the case of the many, Aristotle would also try to achieve this reconciliation. As have been shown in his criticism of Plato, Aristotle does not think that when the majority of a city is not happy, the city as

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[217] As Kraut (2002) rightly emphasizes: "Aristotle's thesis is that the city is prior to *each* of us" (p. 258, original italics), not *all of us*.

[218] For a similar passage, see *Metaphysics* V.11, 1019a2-14, where the words "actuality" is more explicitly introduced: "in potentiality that half line is prior to the whole line and the part to the whole and the matter to the substance, but in actuality these are posterior; for it is only when the whole is dissolved that they will exist in actuality" (8-10).

[219] See Kraut (2002), p. 264-273 for a general argument of this priority, but it seems to me that Kraut puts too much attention to the common good, but fails to appreciate Aristotle's more balanced view.

a whole can be counted as happy. For although the whole has priority to its elements in actuality, if we see their relation from another perspective, the elements may also be seen as prior to the whole, as Aristotle remarks: "a thing is called prior in respect of some order, as with science and speeches. For in the demonstrative sciences there is a prior and posterior in order, for *the elements are prior in order to the construction*" (*Categories* 12, 14a35-b2). Although this remark occurs in the context of demonstrative science and speech, I think we are justified to borrow it to the present context. Individual person is like the element in a science or like a letter in a syllable. A city, the construction, certainly cannot come into being if there is no individual at all. Aristotle is fully aware of this sense of dependence of city on the individual, so when he starts defining regime, the key to the entire *Politics*, he starts from individuals, i.e., individual citizens, for "the city belongs among composite things, and like other composite wholes is made up of many parts, it is clear that the first thing that must be sought is the citizen; for the city is a certain multitude of citizens" (*Politics* III.1, 1274b38-41).

Therefore, according to Aristotle, to make a city happy, the best way is to make its people happy, as many as possible, and to make a city good, the best way is to make its people good, as much as possible.[220] And the process of making people happy and good, is certainly a dynamic process, for the many seem to pursue the vulgar pleasure by nature. To turn them onto the right track of pursuing what is really good and happy will take great efforts and time. But this will be the essential spirit in Aristotle's solution of the tension at stake, and will be the leading principle informed in the following chapters.

III.3 Subtlety and Dynamic of Political Anthropology: Political and "Economical" Dimensions of Human Being.

As have been shown at the end of Chapter II, the main causes of the failure of Platonic solution to the tension between private and common good are his too rigid view of the principle of justice, and too simplified vision of human being. He is

[220] See, for example, *Politics* III.9, 1280a330-31 and b33-34.

modeling some single dimensional men, and see them from a rather static point of view, in the establishment of the *Callipolis*. When we move on to Aristotle's ethics and political philosophy, we have a more complicated picture concerning both the question of specialization and the question of psychological status. These complications allow Aristotle to work out a more flexible political philosophy, and a more optimistic view of moral improvement.

In Plato's *Callipolis*, the craftsmen or producers are exclusively "economical" or private,[221] for they are only concerned with their own crafts and making money, and have normal family life. The guardians are exclusively political or public, for their entire life is centered in the affairs of the city, defending it both against the external and internal enemies, and they are deprived of private family and private concern in order to guarantee their absolute devotion to the public good. Only the very few philosopher-rulers have both public and private life (for ideally they are ruling in turn), for when they are ruling they lead a public or political life, whereas when they are released from the burden of ruling, they can contemplate the eternal truth in their private life, but whether this life can be called "economical" seems rather suspicious, for this highest form of life does not seem to involve normal family life.

Aristotle certainly does not agree with such a single-dimensional picture of human being. He has been so famous for his maxim "man is by nature a political animal" (*ho anthrōpos physei politikon zōon*)[222] that I have little to contribute to the understanding of this maxim.[223] I will confine myself to remark on two points which are closely related to the arguments contained in the following chapters.

First, we need to understand the "naturalness" of political life from two different

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[221] Here the "economical" is more or less the transliteration of *oikonomikos*, i.e., related to family or household, for the Greeks see household as private realm. I will use "household animal" which is closer to the original meaning of this concept, when I turn to Aristotle's discussion of the "economical" dimension of human being.

[222] *Politics* I.2, 1253a3; for other appearances of this maxim, see *History of Animals*, I.1 487b33-488a14; *NE* I.7, 1097b11, VIII.12, 1162a17-18, IX.9, 1169b18-19; *EE* VII.10, 1242a22-23; *Politics* III.6, 1278b19.

[223] The central point of debate around this idea is whether we should understand "political" in a broad (closer to "social") or a narrow (related to *polis*) sense, but I do not think it poses a serious problem for our present purpose, for the two senses are closely related. For some recent discussions of this question, see Cooper (1990/1999), Kullmann (1991), and Miller (1995), pp. 30-36.

levels.[224] On the most basic or animal level, if there is no political community or *polis*,[225] human beings can hardly survive in the form of family (*oikos*) or village (*kōmē*). According to Aristotle, it is *polis*, not family or village, that "reach[es] a level of full self-sufficiency" and it is "coming into being for the sake of living" (*Politics* I.2, 1252b27-29). And on a higher or more teleological level, the particular human function (*ergon*), or virtue (*aretē*), can only be fully realized within a *polis* (it certainly implies that human beings have innate potentialities for political life[226]), as Aristotle immediately follows, "it exists for the sake of living well [i.e., happiness]" (1252b30). He compares this realization of proper function of human being with the necessary condition of a living body for the function of foot or hand, as we see from the passage quoted above. Political life is so crucial for human being that Aristotle forcefully declares that "one who is incapable of participating or who is in need of nothing through being self-sufficient is no part of a city, and so is either a beast or a god" (1253a27-28). For Aristotle, human being, no matter who he is, stands between immortal gods and wild beasts. Thus, the upper boundary of human being is "god-like" (never really a god), and similarly, the lower boundary is "beast-like," i.e., bestiality (never truly a beast).[227] But since the most god-like man is not completely self-sufficient, and since the most bestial man is potentially capable of participating political life, they should also be included in the political community; indeed, not just included, but *involved*.

Second, the political nature of human being is closely related to the special capacity of speech (*logos*). Aristotle also speaks of other political animals, such as bees, wasps, ants, and cranes, because they also live together to survive and to fulfill their proper functions,[228] but "man is *much more* a political animal

[224] Miller (1995) calls them "internal cause interpretation" and "teleological interpretation" (pp. 37-45), which is similar to my discussion. Kraut (2002) calls them "empirical" and "normative" components (p. 247), with a somewhat different emphasis.
[225] Here for the purpose of survival or self-sufficiency, Aristotle certainly does not mean by *polis* the strict sense of Greek city-state, but a broader sense of political community, but when he talks about the perfection of human life, he does have the strict sense of *polis* in mind.
[226] For two aspects of these potentialities, see Miller (1995), pp. 32-36, one of which is my second remark, the capacity of speech, and the other is the natural impulse to live in political communities.
[227] Aristotle speaks of bestiality in *NE* VII.1 and 5, god-like or divine virtue in *NE* VII.1, and the most divine life of human being in X.6-8.
[228] *History of Animals* I.1, 487b33-488a10.

[*politikon*...*mallon*] than any other kind of bee or and herd animal" (1253a8) and this is precisely because:

> [M]an alone among the animals has speech...speech serves to reveal the advantageous and the harmful, and hence also the just and unjust. For it is peculiar to man as compared to the other animals that he alone has a perception of good and bad and just and unjust and other things [of this sort]. (*Politics* I. 2, 1253a9-17)

To have a sense of good and bad, justice and injustice is essential to the political life of a higher level, the level beyond other political animals, and according to Aristotle language is precisely the tool to make these distinctions. If we take this characteristic as the foundation of political life, it seems that Aristotle's system potentially allow to include more people than just adult male in the political life.[229]

Just as Aristotle holds a subtle view about the relation of private and common good in spite of the fact that common good takes certain priority, he also holds a nuanced view of the relation between "economical" and political dimensions of human being in spite of the fact that political dimension represents our nature to a greater extent. We just saw Aristotle's famous maxim "man is by nature a political animal," and on the other hand, he also speaks of man as "economical" animal: "man is not merely a political but also a household animal [*oikonomikon zōon*]...man has a tendency to partnership with those to whom he is by nature akin" (*EE* VII.10, 1242a22-25). And in the *Politics*, Aristotle sees household as one foundation of politics (the other being citizen as we mentioned above). Therefore, before moving to the political topics proper, i.e., the theory of regime, Aristotle devotes most of the first book of the *Politics* to a lengthy discussion of the management of household (I.3-13). Again, I will confine myself only to discuss some most related aspects of this "economical" aspect of human beings.

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[229] If we understand *logos* here as "reason," not just "speech" (indeed there is close relation between reason and speech), Aristotle might be on a better position to defend his exclusion of women and slaves from political life. To understand *logos* as speech in this context is mainly because Aristotle here contrasts human *logos* (speech) with animal *phōnē* (voice). Simpson (in Aristotle [1997]) translates *logos* with "reasoned speech," but Aristotle only argues that women and slave are only inferior in reason, not without reason. For our present purpose, it is better not to step into the long-time debate about the status of woman and slave in Aristotle's political philosophy. For some examples of recent discussion of the problem of woman and slavery, see Levy (1990), Dobbs (1994 and 1996), Mayhew (1999), Kraut (2002), ch. 8, and Nagle (2006), pp. 102-117 and ch. 6 and Lockwood (2007).

First, in the natural development of *polis*, household is prior in time, and viewing it from certain perspective, family relation, especially that between man and woman, is more natural than political relation, as Aristotle remarks: "The friendship [*philia*] of man and woman also seems to be natural. For human beings form couple *more naturally than they form cities*, to the extent that the household is prior to the city, and more necessary" (*NE* VIII.12, 1162a17-19). So when Aristotle traces the natural development of *polis*, he does not, like such modern political philosophers as Hobbes, Locke, or Rousseau, start from individuals, but rather directly from family, from the relation between male and female, between master and slave (*Politics* I.2, 1252a25-34).

Second, household has various relations in it, and given its priority in time to the *polis*, we may infer that the different relations in household, by analogy, can be seen as the stereotypes of different political relations. Aristotle remarks that "resemblances to these [regimes]—indeed, a sort of pattern of them—can also be found in households." He then juxtaposes kingship with the relationship of father and son, tyranny with master and slave as well as Persian father-son relation, aristocracy with the proper relation between man and woman, oligarchy with the man-woman relationship in which man controls everything, polity with the relationship among brothers, and finally democracy with the relationship "found most of all in dwellings without a master" (*NE* VIII.10, 1160b24-1161a9). So the relations in household as something closer to our everyday life will serve to better our understanding of the more complicated political relations.

Third, a lot of educational work takes place in household. Aristotle in his ethical treatises emphasizes the role played by good upbringing. Immediately following the important methodological statement in *NE* I.4 as we saw above, Aristotle says:

> That is why [*dio*] it is necessary that to adequately listen [to lectures] about what is noble and just and in general about politics *they must have been well trained in habits* [*tois ethesin ēchthai kalōs*]; for the starting point [*archē*, or principle] is that it is [*to hoti*], and if this is apparent enough, there will be no need for the reason why [*dioti*].[230] And such a

[230] *To hoti* is the fact or existence of the phenomenon or subject matter of a given inquiry, and it is contrasted with

person either will already have the starting points [*archai*, or principles] or will acquire them easily. (*NE* I.4, 1095b 4-8)

In emphasizing the causal relation (indicated by the conjunction *dio*) with the methodological statement, Aristotle sees the importance of good upbringing as the starting point of ethical education and practice, just as the importance of good *endoxa* in theoretical inquiries. Furthermore, the good habits are of crucial importance for moral virtue; indeed moral virtues "results from habits" and it is "completed through habits" (*NE* II.1, 1103a18, 26). This kind of good upbringing and habituation, at least in their early stages, must take place in household (certainly under the guide of laws of the *polis*),[231] since Aristotle does not share Plato's communist ideal of raising children together by the *polis*.[232] This education consists of many facets, not just moral and political, also religious, as Nagle puts it, "the *oikos* was a moral and religious entity in its own right whose purpose was not just the generation of legally recognizable citizens, but the proper formation of morally acceptable members of the particular *polis* community where it was located, and the pass on of the household's religious cults to future generations."[233]

Fourth, as the Greeks understood it, household is the basic unit of making money or acquiring properties. In this sense household management (*oikonomia*) seems closer to today's "economics." Unlike Plato, who sees private property as a great threat to the public safety and thus deprives it from the guardian class, Aristotle esteems private property highly.[234] On the one hand it is a necessary condition for happy life, because (1) self-sufficiency is one of the criteria of happiness (*NE* I.7, 1097b7-20) and certain amount of private property is necessary, (2) the virtues of generosity and the larger scale magnificence require considerable amount of private property (see *Politics* II.5, 1263b4-14 and *NE* IV.1-2), and (3) private property

dioti, the cause of the phenomenon or the scientific explanation of a subject matter; see *Posterior Analytics* II.1.

[231] The topic of good habituation under the guidance of the law will be more fully discussed in Chapter VI.

[232] For sure, when the city is not under good regime, and the requirements of good man ("good" in the sense of truly virtuous) and good citizen ("good" in the sense of fulfilling the requirements of the city, or politically virtuous) are different, as Aristotle discusses in *Politics* III.4, household may also help habituate good man in contrast with good citizen. But since my study will focus on the more ideal case (the "solution"), I will not discuss this possible conflict at length.

[233] Nagle (2006), p. 2; for his detailed argument for this point, see chs. 6-9.

[234] For two good discussions of Aristotle's defense of private property against Plato, see Irwin (1991b) and Mayhew (1997), ch. 5.

enhances our pleasure due to our natural disposition, as Aristotle says, "it makes an immense difference with respect to pleasure to consider a thing one's own" (*Politics* II.5, 1263a41-42). On the other hand, private property also provides the foundation of the property of a *polis*, which certainly serves as the foundation of a *polis*' self-sufficiency and happiness.[235] Therefore, he devotes four chapters to the discussion of the legitimacy of private property and how to legitimately enlarge one's private property (*Politics* I.8-11).[236]

In sum, the political and "economical" aspects of human being, according to Aristotle, are not quite a pair of antithesis as Arendt famously insists,[237] but rather two complementary elements of human being and of politics, both embedded in our human nature. And if appropriately understood and well managed, they both contribute to the well-being of human being. Thus a human being, at least a "free man" in its Greek sense, should be granted both public and private life, which can enhance each other. And this picture is clearly contrary to the "one man one task" principle in Plato's *Callipolis*.

III.4 Subtlety and Dynamic of Moral Psychology: Aristotle's Division of the Soul and *Akrasia*

Aristotle divides human soul in somewhat different way from Plato's three-part division. In the discussion of Aristotle's moral and political philosophy, as Aristotle himself instructs us, we must know something about the soul, but do not need to search for a very detailed discussion of psychology such as that in his *De anima* (*NE* I.13, 1102a23-28).

Aristotle also speaks of three parts of the soul, the nutritive part, the non-rational-yet-sharing-in-reason part, and the fully rational part, but they can also be grouped into two main parts, the non-rational part which includes the first two, and

[235] Aristotle's preferred view concerning property is that "it is better for the possessions to be private, but to make them common in use," and how to make the arrangement work is precisely "a task peculiar to the legislator" (*Politics* II.5, 1263a38-40). For a good discussion of this aspect of the household, see Nagle (2006), pp.31-42.
[236] I will not make use of the probably spurious work *Economics* which is sometimes attributed to Aristotle.
[237] Arendt (1958) is the main champion of the separation thesis. She famously argues that household as the private is radically separated from political life, the public, and only the latter can realize good life.

the rational part.[238] Since the nutritive part "by nature has no share in human virtue" (I.13, 1102b13), Aristotle dismissed it quickly. The rational part or reason, understood as that in its full development, is always good and gives correct direction. In the good states of the soul, i.e., *enkrateia*[239] and virtue, the non-rational-yet-sharing-in-reason part is following reason, as Aristotle says, "in the *enkratēs* it obeys reason; and in the temperate and the brave person [i.e., the virtuous person] it presumably listens still better to reason, since there it agrees with reason in everything" (1102b27-28); and on the contrary, in the bad states of the soul, i.e., *akrasia* and vice, this part does not follow reason and in the case of vice even abandons the role of reason altogether. There are three kinds of desire (*orexis*),[240] the word Aristotle uses to refer to the impulse that moves the soul toward or away from action. Wish (*boulēsis*) is the rational desire of what is good;[241] appetite (*epithumia*) and spirit (*thumos*) are generated by the non-rational part of the soul and are similar to those in Plato's psychology. Appetites are the impulse toward pleasure and away from pain, especially related to bodily pleasures; whereas spirit is associated with anger in response to insult or aggression, and it is more readily to follow reason but usually too quick in action.[242] The mark of a morally virtuous person is that he is able to make his appetitive and spirited desires closely follow reason with pleasure; indeed, not just following reason, but being persuaded by reason to follow it, as Aristotle says, "the non-rational part also [obey and] is *persuaded* in some way by reason, as is shown by correction, and by every sort of reproof and exhortation" (1102b34-1103a1). The

[238] Sometimes scholars refer to Aristotle's moral psychology with "bipartite psychology." Such a psychology is indeed in many ways different from, yet not necessarily inconsistent with, the psychology elaborated in the *De anima*, and it is possible, as Fortenbaugh (1975), ch.2 argues, that this bipartite psychology is specially made for Aristotle's moral and political inquiries.

[239] There is no universally accepted way of translating this Greek word and its opposites. Some render them with "continence" and "incontinence" (such as Irwin in Aristotle [1999], and Ross in Aristotle [1984]) and some with "self-control" and "lack of self-control" (Bostock [2000], Rowe in Aristotle [2002]). And the problem of *akrasia* is also often referred as "weakness of the will." So I will leave these two terms untranslated throughout my discussion.

[240] See *EE* II.7, 1223a26-27; *Rhetoric* I.10, 1369a1-4. For an excellent and more detailed discussion of the division of the soul, see Cooper (1988/1999).

[241] See *NE* III.2, 1111b20-31 and III.4.

[242] An interesting passage illustrates the difference between the last two: "spirit would seem to hear reason a bit, but to mishear it. It is like over hasty servants who run out before they have heard all their instructions, and then carry them out wrongly, or dogs who bark at any noise at all, before looking to see if it is a friend. In the same way, since spirit is naturally hot and hasty, it hears, but does not hear the instruction, and rushes off to exact a penalty…Appetite, however, only needs reason or perception to say that this is pleasant, and it rushes off for gratification" (*NE* VII.6, 1149a25-28).

important theme "persuasion" implies a more dynamic interaction between the rational and non-rational part than the picture drawn by Plato, in whose picture reason's control of the other two parts seems more like the relation between master and slave or tyrant and subjects.[243] But for Aristotle, since the non-rational part is actually sharing in reason, it is possible to persuade it through reason.

The rational and non-rational division of the soul also allows Aristotle to better clarify the nature and development of virtue. Unlike Socrates and Plato who see knowledge as the only genuine virtue, Aristotle distinguishes two major series of virtue in accordance with the division of the soul, and both are genuine. Intellectual virtues or virtues of thought are virtues of the fully rational part of the soul, whereas moral virtues or virtues of character are the virtues of the non-rational-yet-sharing-in-reason part in the sense that it follows the direction of reason and doing what reason judges proper (*NE* I.13, 1103a2-11).

As for the development of virtue, Aristotle says, "virtue of thought arises and grows mostly from teaching...Virtue of character results from habit" (II.1, 1103a15-18). This statement clearly aims at answering the famous Socratic question "is virtue teachable?" most elaborately discussed in the *Meno* and the *Protagoras*, and Aristotle's answer is again "yes and no." Some virtues (i.e., intellectual virtues) are teachable, whereas others (moral virtues) are not. The acquisition of moral virtue requires good habit and thus long time habituation through repetition of the same activities since youth. It is thus a dynamic process, in which the desiring part of the soul are trained or habituated to follow the rational part with ease and pleasure, just as children are trained to obey the right guidance of their parents.

The question of *akrasia* and its opposite state *enkrateia* is closely related to the division of the soul. As Plato does when he distinguishes three parts of the soul in *Republic* IV, Aristotle also appeals to the criterion of conflict or struggle occurring in the soul when distinguishing the non-rational and rational parts of the soul:

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[243] For the importance of "persuasion," see Cooper (1988/1999), pp. 245-247, and Broadie (1991), pp. 65-66.

> In the *enkratēs* and the *akratēs* we praise their reason, that is to say, the [part] of the soul that has reason, because it exhorts them correctly and toward what is best; but they evidently also have in them some other [part] that is by nature something apart from reason, *clashing and struggling with reason*. For just as paralyzed parts of a body, when we decide to move them to the right, do the contrary and move off to the left, the same is true of the soul; for *akratai* have impulses in contrary directions. In bodies, admittedly, we see the part go astray, whereas we do not see it in the soul; nonetheless, presumably, we should suppose that the soul also has something apart from reason, countering and opposing reason. (*NE* I.13, 1102b15-25)

Akrasia is a state of the soul in which the agent knows the good thing but nevertheless does not do it because of his excessive appetites, so it is a state of struggle in one's soul between the rational part and the appetitive part; and the opposite is *enkrateia*. Aristotle defines it ike this: "the *akratēs* knows that his actions are base, but does them because of his passion [*pathos*], whereas the *enkratēs* knows that his appetites are base, but because of reason does not follow them" (*NE* VII.1, 1145b13-14).[244] Both *akrasia* and *enkrateia* are unstable states of the soul. The *enkratēs* does the right thing, but with reluctance, even pain, because excessive desires still influence him. This is in contrast with the state of virtue under which the virtuous person does not have excessive appetites at all and thus does the right thing with pleasure. On the other hand, the *akratēs* does not follow the right course, but with regret. He is different from the vicious in that the vicious do the wrong thing without regret and think it right (with their rational part of the soul completely clouded by the appetites).

In Plato's *Callipolis*, there seems to be no room left for *akrasia* or conflict in the soul.[245] For all the three classes in that ideal city are single dimensional: the philosopher-rulers are completely virtuous and dominated by the rational part of the soul, the guardians are dominated by the spirited part, and the craftsmen by the appetitive part. Furthermore, both of the lower classes are voluntarily following the

[244] The clearest description of *akrasia* in Plato (although he never used the word *akrasia* in his works) is given in *Protagoras* 352d-e: "most people…maintain that most people are unwilling to do what is best, even though they know what it is and are able to do it. And when I have asked them the reason for this, they say that those who act that way do so because they are overcome by pleasure or pain or are being ruled by one of the things I referred to just now [spirit or love or fear]." But Socrates argues against the possibility of such a phenomenon.

[245] Plato is certainly aware of the struggle in the soul *in actual people*, for when he discusses the division of the soul in *Republic* IV, he precisely appeals to the fact that different parts, especially between rational and appetitive parts, and between spirited and rational parts (also possibly between the spirited and rational part), are usually conflicting with each other (436a-441b). But it is not the case in the *Callipolis*. For some good discussion of *akrasia* in Plato, see Ferrari (1992), Bobnich (2007), Shields (2007b), and Dorter (2008).

rule of philosopher by the requirement of temperance (*Republic* IV.430d-432a). The elimination of the problem of *akrasia* seems to be an important step in establishing the *Callipolis*. That might be what Plato have in mind when he conceives his ideal city, but Aristotle would certainly take it too unrealistic.

For our present purpose, there is little need to go into the details of Aristotle's arguments about *akrasia*.[246] My emphasis here is that *akrasia* and *enkrateia* are basic states of human souls and cannot be ignored or simply eliminated. And more importantly, they can and should be used to improve the present political community.

According to Aristotle, all the other four states of the soul, i.e., divine virtue, virtue, vice, and bestiality, are not common among people.[247] Most people are in the states of *akrasia* and *enkrateia*, as he says, "the person who is prone to be overcome by pleasures is *enkratēs*; the one who overcomes is *akratēs*...The state of most people is in between [*metaxu d'hē tōn pleistōn hexis*], though indeed they may lean more toward the worse state" (*NE* VII.7, 1150a13-16). As Aristotle rightly observed, most people are neither purely *enkratēs* nor radically *akratēs*; they are in between, but more inclined to side with the worse, i.e., the state of *akrasia*.

This struggle within in the soul should be seen as good from certain perspective. On the one hand, in some cases, an *akratēs* can be pardoned because of the strong passion they are fighting with (*NE* VII.7, 1150b7-12). But more importantly, the struggle within the soul opens the door for moral improvement. Although most people are imperfect, they still have their reason functioning, and can realize what is good. They still have the motivation and the possibility to become better, because "the best thing, the principle, is preserved in him" (*NE* VII.8, 1151a26). Indeed, when Aristotle compares intemperance, a moral vice, and *akrasia*, he says "the intemperate person...is not prone to regret, since he abides by his decision. But every *akratēs* is prone to regret...the intemperate person is incurable, and the *akratēs* curable. For vice

[246] There are many good studies on *akrasia*, such as Charles (1984), ch. 3, Gosling (1990), Broadie (1991), ch. 5, Destrée (2007), Charles (2007), and Natali (2009), chs. 1-9.

[247] Aristotle explicitly speaks of the rarity of divine virtue at *NE* VII.1, 1145a28, of bestiality at 1145a30, of virtue at *NE* II.9, 1109a20-30; whereas the rarity of completely vicious people probably has to be inferred from Aristotle's strict definition of this state of the soul. I believe we can readily accept that those who continuously follow their excessive desires *without any appeal to right reason*, or those who do bad things *without any sense of regret* are still a small number among us.

resembles diseases such as dropsy or consumption, while incontinence is more like epilepsy; vice is a continuous bad condition, but *akrasia* is not" (1150b30-24). The *akratēs* can be much more easily cured and turned into the state of *enkrateia* or even virtue through certain kind of guidance and education, as Aristotle says, "the *akratēs* is easily persuaded out of it, while the intemperate person is not" (1151a14).

Chapter IV Aristotle on Rhetoric: Legitimacy and Limitation

As we saw in Chapter II, Plato in his *Gorgias* condemns political rhetoric as a pseudo-art and "counterpart in the soul of cookery" (465d). With this comment in mind, when we turn to Aristotle's treatise on rhetoric, the opening words will surely sound striking: "Rhetoric is a counterpart of dialectic [*hē rhetorikē estin antistrophos tēi dialekitēi*]" (*Rhetoric* I.1, 1354a1). If we also bear in mind Plato's praise of dialectic as the highest method of real knowledge, the knowledge of the forms (*Republic* VI.511b-c), and his equation of dialectic with philosophy (VII.531d-534e), then Aristotle's opening words will probably sound more striking. I will begin this chapter with a commentary of Aristotle's strikingly anti-Platonic remark of the legitimacy of rhetoric.[248] In the following two sections I will extend this legitimate status in a more specific way, discussing the three genres of rhetoric and the three modes of persuasion. I will examine in what way they can contribute to the solution to the tension at stake. In the final section I will briefly discuss Aristotle's clear awareness of limitation of rhetoric, and thus set him against the champions of the omnipotent power of rhetoric, such as Gorgias, Pericles, and Alcibiades.

IV.1 Legitimate Status of Rhetoric: Rhetoric as a Counterpart of Dialectic

As we saw in the previous chapter, Aristotle ensures dialectic a valid and important tool for intellectual training, everyday encounter, and philosophical inquiry. By juxtaposing rhetoric side by side with dialectic, Aristotle also ensures rhetoric a legitimate status. This legitimacy is mainly in the realm of ethics and politics, since rhetoric is the offshoot of ethics and politics. To say "rhetoric is a counterpart of dialectic," Aristotle clearly means that there are both similarities and differences

[248] It is true that in the *Phaedrus* Plato discusses a kind of dialectical or philosophical rhetoric, which is seen by some commentators as anticipating Aristotle's *Rhetoric*. But as I noted earlier, Plato's philosophical rhetoric is far beyond the common understanding of rhetoric in ancient Greek context, whereas Aristotle's discussion of rhetoric, however philosophical it is, is largely within political realm. Therefore in this chapter I will focus on the *Gorgias* as Aristotle's target of criticism. For a brief comparison between Plato's ideal rhetoric in the Phaedrus and Aristotle's ideal rhetoric, see the discussion in VII.2.

between these two.[249] Aristotle's own explanation of this counterpart relation is surely important (*Rhetoric* I.1, 1354a1-11), but it is perhaps not elaborate enough. But by collecting passages from elsewhere, we can enrich this important opening remark. This present section aims to provide a relatively comprehensive analysis of these similarities and differences by way of a commentary of this short sentence.[250]

Let us first spell out their similarities, for the similarities are more important to establish the legitimacy of rhetoric. We should certainly begin with Aristotle's own words:

> Rhetoric is a counterpart of dialectic; for both are concerned with such things as are, to a certain extent, within the knowledge of all people and belong to no separately defined science. A result is that all people, in some way, share in both; for all, to some extent, try both to test and maintain an argument and to defend themselves and attack others. Now among the general public, some do these things randomly and others through an ability acquired by habit, but since both ways are possible, it is clear that it would also be possible to do the same by following a path; for it is possible to observe [*theōrein*][251] the *cause* [*aitia*] why some succeed by habit and others accidentally, and all would at once agree that such observation is the function [*ergon*] of an art [*technē*]" (I.1, 1354a1-11)

Three important and closely related issues based on this passage deserve our attention.

First, rhetoric, like dialectic, is a real art. Plato in the *Gorgias* denies the artistic status of rhetoric, whereas Aristotle deliberately emphasizes that rhetoric deserves the title of an art, and even "all would at once agree" to be so.[252] According to Aristotle,

[249] The word *antistrophos*, despite Aristotle's intention of countering Plato's discussion in the *Gorgias*, is borrowed from choral lyric in Greek tragedies, where "the metrical pattern of a *strophē*, or stanza, is repeated with different words in the *antistrophē*" (see Kennedy's notes in Aristotle [1991], pp. 28-29, n.1), so *strophē* and *antistrophē* must have the same meter and different words, or more generally, *the same form and different material*. This, as will be shown below, is exactly the case in the relation between rhetoric and dialectic.

[250] This famous opening sentence of Aristotle's *Rhetoric* has been heavily commented by many commentators, such as Cope (1877), Grimaldi (1980), Robert (1957/1974), Price (1968/1974), Arnhart (1981), Green (1990), Brunschwig (1994 and 1996), Schütrumpf (1994), Rorty (1996b), McAdon (2001), Allen (2007), and so forth. Most items listed below can be found in those literatures, but interestingly, none of them, taken individually, is comprehensive enough to elaborate this relation in full, neither do they even mean to be comprehensive. These accounts have to be combined to give a more thorough treatment of this relation. By "combining" I certainly do not mean simply adding all of their points together, but rather, I will incorporate all the reasonable points into a new and more systematic framework, and at the same time add a few new points, revise some of their interpretations, bring some details to certain brief discussions, and object some of their arguments, indeed, a kind of dialectical movement.

[251] The literal meaning of this word is "to see," but it has the implication of theorizing or contemplation as best shown in the discussion of the happiness in *NE* X.6-8.

[252] We are told by some ancient sources, such as Diogenes Laertius and Quintilian, that Aristotle also had an earlier dialogue entitled *Gryllus* in which he argued that rhetoric, at least certain kinds of rhetoric, is not an art, probably following the same line of argument set in Plato's *Gorgias*. Since this work has lost and the nature of it is under dispute, I will only concern myself with Aristotle's most important work on rhetoric, the *Rhetoric*. For a good

rhetoric as an art means that it is not acquired through randomly assembling words, or through natural disposition or through habit. These descriptions remind us of Plato's condemnation of rhetoric as a knack or experience, something that cannot be elaborated in a systematic way. But for Aristotle, rhetoric has to explain the *cause* of these phenomena, and thus a technical or even quasi-scientific discipline, since the explanation of cause or the answer to the question "why" is precisely the characteristic of scientific studies.[253] As an art, rhetoric must be a rational endeavor, for rationality is a crucial feature of art as such, as Aristotle defines in his most elaborate discussion of the nature of art, "an art is the same as a state involving *true reason* concerned with production" (*NE* VI.4, 1140a10-11). Such a rational endeavor may be understood from two different perspectives: the most important element of rhetorical persuasion is rational persuasion through rhetorical deduction or enthymeme [*enthymēma*][254], which will be discussed later; and moreover, taken rhetoric as a whole, like dialectic, it has or should have a series of rules and principles, based on the rational investigation of the nature of this art, to regulate its practice, and to lay down these rules is precisely what Aristotle intends to do in the entire treatise.

Second, dialectic and rhetoric are different from all the other arts in terms of their generality. Other arts, such as shoemaking, horsemanship, medicine, all have special subject matters, whereas rhetoric and dialectic are both general arts concerning general inquiries commonly known to all men and all disciplines.[255] But on the other hand, as the special purpose of dialectic is to examine a given topic from different angles for the sake of intellectual training, everyday encounter, or scientific or philosophical inquiry, rhetoric also has its own particular *telos*, end or purpose, i.e., "to see the available means of persuasion," which is peculiar to rhetoric because "each

discussion of *Gryllus* and the related disputes, see Chroust (1965/1974).

[253] For the close connection of "technical" and "scientific," see Grimaldi (1980), pp. 4-5. But as Aristotle is clearly aware of the inexact nature of ethics and politics, he also realizes the same nature of rhetoric, as he says, "so far as someone tries to make dialectic or rhetoric not just mental faculties but sciences [*epistēmai*, in its strict sense here], he unwittingly destroys their nature" (*Rhetoric* I.4, 11-13).

[254] Although I use the English word "enthymeme" in my discussion, we should bear in mind that the Greek word has much richer meaning than its English equivalent, which simply means "abbreviated syllogism." The best discussion of the rich meaning of this word and in what sense it is "one of his greatest and most original achievements" is Burnyeat (1994 and 1996).

[255] For a similar description of the general nature of the subject matter of dialectic, see *SE*, 172a23-b1. Plato sees the existence of a particular subject matter as a necessary condition of an art, whereas Aristotle does not have such a requirement for art.

of the other [arts] is instructive and persuasive about its own subject" (I.2, 1355b27-29).[256] To put it in a somewhat paradoxical way, the particularity of the subject matter of rhetoric and dialectic precisely lies in the non-particularity of their subject matters. It seems that Aristotle sees this general nature of rhetoric and dialectic as the main point of their counterpart relation, for in his concluding remark concerning their relation, which echoes the opening words of the entire treatise, Aristotle only emphasizes this aspect: "rhetoric is a part [*morion ti*] of dialectic, and resembles it, *as we said at the outset*; for neither of them is identifiable with knowledge of any specific subject, but they are distinct abilities of supplying words. Concerning their ability [*dunamis*] and how they related to each other, almost enough has been said" (1356a30-36).

Related to their generality, rhetoric and dialectic both are concerned with *topoi* (commonplaces or topics), which are "applicable in common to questions of justice and physics and politics and many different species [of knowledge]; for example, the *topos* of the more and the less" (I.2, 1358a12-14). Besides those *topoi* common to all disciplines there are also particular *topoi* in certain areas, for the commonplaces in ethics and physics may not be the same (1358a17-21). And "most enthymemes are derived from these species that are particular and specific, fewer from the common" (1358a27-28). Accordingly, in the *Rhetoric*, Aristotle only gives a few examples of the common *topoi* such as more and less, great or small, impossibility and possibility (I.3, 1359a7-26, see also II.19), but provides a number of examples of the specific kind of *topoi*, such as political commonplaces in I.4-8, epideictic commonplaces in I.9, and judicial commonplaces in I.10-14.

Third, rhetoric and dialectic are both methodological arts, for "both are distinct abilities of supplying words" (I.2, 1356a34). They share similar method and similar procedure. Since Aristotle says "rhetoric is a certain kind of offshoot [*paraphues*] of dialectic" (1356a25) and a part of it, and thus sees it in some way subordinate to dialectic, we may say *rhetoric works dialectically*, but not the other way round.

They both begin with a collection of available and usually conflicting *endoxa*, in

[256] Dialectic is clearly the only exception.

most cases they begin with *endoxa* and keep their discussion in the realm of *endoxa*,[257] so do not achieve absolute certainty, as Aristotle says in the case of rhetoric, "few of the premises from which rhetoric deduction are formed are necessarily true, most of the matters with which judgment and examination are concerned can be other than they are" (I.2, 1357a21-24). This lack of certainty is also confirmed by another methodological characteristic of them, i.e., they and they alone are able to argue from both sides of a given issue. We have seen this characteristic of dialectic in the previous chapter, and in the case of rhetoric, Aristotle says,

> One should be able to argue persuasively on either side of a question, just as in the use of deduction,[258] not that we may actually do both (for one should not persuade what is base) [259]but in order that it may not escape our notice what the real state of the case is and that we ourselves may be able to refute if another person uses speech unjustly. None of the other arts reasons in opposite directions; *dialectic and rhetoric alone do this*, for both are equally concerned with opposites. (*Rhetoric* I.1, 1355a30-35)

This important characteristic of rhetoric is also connected with its innate limitation, i.e., neutrality, a topic we will turn to in the last section of this chapter.

Another important similarity between rhetoric and dialectic lies in the fact that they can work both deductively and inductively. As seen in the previous chapter, dialectic is defined as one of three kinds of deduction, but dialectic can work both deductively or inductively. In the *Rhetoric*, Aristotle says "persuasion is a sort of demonstration [*apodeixis tis*] (since we believe most when we suppose something to have been demonstrated) and since rhetoric demonstration is enthymeme (and this is, generally speaking, the strongest of the modes of persuasion) and the enthymeme is a sort of deduction [*syllogismos*] (and it is a function of dialectic, either as a whole or one of its parts, to see about every deduction equally)" (I.1, 1355a5-10). Although Aristotle's use of certain words does not strictly follow his discussion in his logical

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[257] In most of his discussion in the *Rhetoric*, Aristotle does not have the scientific use of dialect in mind, but rather the public use of it.

[258] In the *Rhetoric*, Aristotle sees deduction or syllogism as the subject matter of the *Topics* (see 1355b15-17), and thus the subject matter of dialectic. It seems that he does not have the distinction between demonstrative deduction, dialectical deduction and contentious deduction discussed at the beginning of the *Topics* in mind. This may be explained by the fact that the treatise of rhetoric probably aims at more popular audience.

[259] This parenthesis will receive further discussion in section three.

treatises,[260] his meaning is rather clear, i.e., rhetoric as understood from the main body of it, i.e., enthymeme, should be primarily understood as a demonstrative or deductive art. But later, paralleled to his discussion of dialectic, Aristotle adds induction as the other direction of rational argument in rhetoric:

> In the case of persuasion through proving or seeming to prove something, just as in dialectic there is on the one hand induction [*epagōgē*] and on the other hand deduction [*syllogismos*] and the apparent deduction, so the situation is similar in rhetoric; for the example is an induction, the enthymeme is a deduction....and all produce logical persuasion by means of examples or enthymemes and by nothing other than these. (*Rhetoric* I.2, 1356a37-b7)

Rational persuasion may work either inductively or deductively, although "speeches using examples are not less persuasive, those with enthymemes excite more favorable audience reaction" (I.2, 1356b23-25). This seems to be the case because human beings in general would like to see themselves more rational that they actually are (since they are by nature rational animals), and deductive argument demands higher rational power than argument through examples. Therefore when they hear good deductive arguments and are able to follow them, they would feel especially satisfied. Rhetorical deduction and dialectical deduction are more akin to each other, and thus different from scientific demonstration, insofar as their premises are for most part probable instead of necessary.

Now we may go a little further from Aristotle's opening words, and see two more similarities between these two arts.

Fourth, although rhetoric and dialectic both argue from both sides, Aristotle nevertheless sees them as a valid tool for truth.[261] In dialectic, "truth" can be

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[260] Such as calling rhetorical persuasion a kind of *apodeixis*, a word in his logical treatises reserved for scientific demonstration, and saying dialectic is dealing with deduction as a whole. This rather loose use of terms may reflect the non-academic feature of his treatise on rhetoric, for it means to be a handbook of rhetoric with wider use than in his Lyceum, and probably also means to address more popular audience. When speaking of *apodeixis* here, Aristotle probably has its common sense of this word in mind, i.e., "showing forth," and when speaking of *syllosimos* as the subject matter of dialectic, he probably does not mean to remind his audience of his more technical logical works such as *Prior* and *Post. An.*. For a more scholarly discussion of the ambiguities in this passage, see Burnyeat (1996), pp. 93-105.

[261] Grimaldi (1980), p. 25, following Düring, sees this remark as a clear sign of Aristotle's agreement with Plato on the relation between rhetoric and truth in the *Phaedrus*. In the ultimate sense, there might be an ideal kind of rhetoric in Aristotle's mind similar to that depicted in Plato's *Phaedrus*, as we will see in Chapter VII, but it does not seem to be the case in this context. Aristotle only holds that rhetoric will help truth to prevail (not based on

understood in a more general and more scientific sense, whereas in rhetoric, "truth" should be understood in a more particular sense, i.e., the truth of a legal case, the good policy in a given situation, and the praiseworthiness or blameworthiness of a certain figure.

That rhetoric can help truth prevail can be understood from two aspects, related to Aristotle's discussion of the first two uses of rhetoric (I.1, 1355a22-39). On the one hand, it is related to people's natural tendency toward what is true. We have seen Aristotle's epistemological optimism in the previous chapter, and his claim in the context of the *Rhetoric* is similar: "it belongs to the same capacity both to see the true and what resembles the true, and at the same time humans have a natural disposition for the true and to a large extent hit on the truth; thus an ability to aim at *endoxa* is a characteristic of one who also has a similar ability to regard to the truth" (1355a14-18), and "because the true and the just are by nature stronger than their opposites, so that if judgments are not made in the right way they are necessarily defeated" (1355a22-24). And later, right after his remarks on the argument from both sides, Aristotle says, "of course the underlying facts are not equally good in each case; but true and better ones are *by nature* [*physei*] *always* [*aei*] more productive of good deductions, and, in a word, more persuasive" (1355a36-39). Unlike Plato, who holds that people are too easily deceived by the beautiful yet false words, Aristotle is more confident about people's capacity of accepting truth. According to him, if the orator displays or argues well the true cases, they are by nature more likely to win over their audience than the false cases. If they fail to do so, it is probably the fault or impotence of the orator, not of the truth itself. Unlike Plato, who draws a striking contrast between truth and opinion, between the ordinary people who completely live in the world of opinion (or to use Plato's famous metaphor, live in the cave) and the wise who have the opportunity to see the truth (or to see the real world outside the cave), Aristotle is more optimistic about the cognitive power of ordinary human beings.[262]

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truth) and the rhetorician should possess certain amount of practical knowledge as we will see in section three, whereas Plato demands absolute truth as the foundation of rhetoric.

[262] Aristotle is by no means unaware of the fact that at his time, rhetoric is more often seen as a subject related to appearance instead of truth, as he says, "just as actors are more important than poets now in the poetic contests, so it is in political contests because of the sad state of government...delivery seems a vulgar matter when rightly

On the other hand, the skill of persuasion is also required to convey the truth to the popular audience, for they are not likely disposed to accept truth in the same manner as philosophers or scientists do, so Aristotle says,

> [E]ven if we were to have the most exact knowledge, it would not be very easy for us in speaking to use it to persuade some audiences. Speech based on knowledge is teaching, but teaching is impossible [with some audiences]; rather, it is necessary for the modes of persuasion and speeches to be formed on the basis of common [beliefs], as we said in the *Topics* about communication with a crowd. (*Rhetoric* I.1, 1355a24-29)

In the *Gorgias* Plato presents an extremely bipolar view of human experience, good vs. pleasure, knowledge vs. belief. Rhetoric is seen as a pseudo-art which *only* gratifies people's pleasure and relies *only* on belief, so it cannot do any good to people or convey any knowledge to people. Aristotle does not think so. For him, rhetoric can help communicate knowledge. Without the help of rhetoric, the truth or knowledge depicted by Plato probably will never be able to persuade certain types of people. This rather sorry possibility reminds us of the amusing episode reported by Aristoxenus about Plato's failure in his public lecture "On the Good."[263]

The last similarity between rhetoric and dialectic I am examining here is the general picture of the treatise of rhetoric. Aristotle's entire treatise on rhetoric itself, understood as a theoretical or technical discussion of this art, proceeds dialectically. Taken as a whole, it is a dialectical encounter with his predecessors and contemporaries, with the same procedure as we have lengthily examined in the previous chapter. These predecessors and contemporaries are not only Plato, Gorgias, Pericles, and Alcibiades whom I singled out as representatives of rhetorical theories and practices, but also all the rhetorical theories and practices available at Aristotle's time. Like in most areas of his investigation, Aristotle does not see himself as the first

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understood. But since the whole business of rhetoric is with opinion, one should pay attention to delivery, not because it is right but because it is necessary" (*Rhetoric*, III.1, 1403b33-1404a4). But on the other hand, we should always bear in mind two points: (1) for Aristotle, appearance is not the opposite of truth, but rather contains the seed of truth; and (2) this appeal to appearance is not the defect of rhetoric itself, but due to the defect of the audience, the uneducated mass, as Aristotle goes on to say, "[delivery] has great power... because of the corruption of the audience" (1404a8-9).

[263] For a detailed discussion of this episode and its possible relation with Plato's so-called unwritten doctrine, see Gaiser (1980).

technographer of rhetoric, but an heir,[264] yet a somewhat special one. On the one hand, he inherits all the valuable achievements of his predecessors, and on the other hand, he also considerably refines their opinions and practices, corrects some mistaken views, and adds his new contributions to this field, for he thinks "those who have composed arts of speech have worked on a small part of the subject" (I.1, 1354a12). Most importantly, Aristotle provides the most philosophical discussion of rhetoric in the entire history of rhetoric.

It is clear that two fundamental distinctions in the *Rhetoric* are inherited from everyday rhetorical practice and the works of previous authors.[265] The three genres of rhetoric constituted an important part of Athens' and other cities' everyday life, and a number of sophists, orators, and politicians wrote model speeches and made actual rhetorical deliveries for the purposes of political deliberation, legal debate and festival celebration. So Aristotle did not invent the threefold distinction of the genres of rhetoric, i.e., deliberative (*sumbouleutikon*) rhetoric, which is further divided into exhortation and dissuasion, judicial (*dikanikon* or forensic) rhetoric, which is further divided into accusation and defense, and epideictic (*epideiktikon*) rhetoric, which is further divided into praise and blame (I.3, 1358b6-7).[266] But what Aristotle does is not only to take them for granted, but refine them in a more theoretical manner, and analyzes them in terms of the differences in audience, temporal orientation, and value: deliberative rhetoric is delivered to the assembly, aims at the advantage or harm of future events, judicial rhetoric is delivered to a jury and aims at the justice or injustice of past events, and epideictic rhetoric is delivered to spectator and aims at praise or blame of present people or events (I.3, 1356a36-b29).[267]

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[264] Like in other disciplines such as physics, metaphysics, ethics, politics, and psychology, Aristotle also collected the doctrines of rhetorical handbooks, such as those written by Pamphilus and Callippus, and this lost collection is called *Synagōgē Technōn*. See Aristotle (1991), p. 29, n.8, and pp. 293-294 "Cicero's Description of Aristotle's *Synagōgē Technōn*." For Aristotle's clear reference to his predecessors in the *Rhetoric*, see, for example, I.1 1354a12-16, 1354b16-29, and 1355a19-20.

[265] Certainly in his more concrete discussions of emotional appeal, the structure of speech and delivery, there are a number of examples of this kind both inheriting and revising relation, but in this general account of the relation between rhetoric and dialectic, it seems sufficient to point out these two general distinctions.

[266] Although the practices were common enough, it seems that the theoretical generalization of the three genres was probably done first by Aristotle; see Cope (1877), vol. 1, p. 51, and Grimaldi (1980), p. 79.

[267] We can easily find examples for all these different sorts of rhetoric in Athenian practice, except the epideictic rhetoric of blame. See Routree (2001) for a good study of this thesis. His argument convincingly supports Buchheit's conclusion "speech of blame was...only theoretical as a complement (to the speech of praise)" (quoted by Routree in p. 294).

Similar is the case of the three artistic or entechnic (*entechnos*) modes of persuasion (in contrast with the non-artistic or atechnic (*atechnos*) persuasion through evidence, witness, written contract and so forth): character of the speaker, emotional appeal, and rhetorical argument (I.2, 1356a2-4). They were all widely used by the Greek rhetoricians. But Aristotle also refines them in a systematic way, for these three modes of persuasion correspond with the three elements in rhetoric, the speaker, the audience, and the speech itself (1356a2-b26). He also corrects the defects of his predecessors and contemporaries. The handbook authors, as Aristotle testifies, "say nothing about enthymemes…they give most of their attention to matters external to the subject; for verbal attack and pity and anger and such emotions of the soul do not relate to fact but are appeals to the juryman" (I.1, 1354a14-19). They also deny the role of the character of speaker, claiming that "the decency [*epieikeia*] on the part of the speaker makes no contribution to persuasiveness" (I.2, 1356a12-13). Arguing against their neglect of character, Aristotle says, not without a little exaggeration, that "character is almost, so to speak, the most effective factor in persuasion" (1356a13-14) and gives his own discussion of this mode of persuasion in II.1; arguing against their neglect of rational argument, Aristotle says that enthymeme is "the body of the persuasion [*sōma tēs pisteōs*]" (I.1, 1354a15), and then analyzes it in II.18-26. Aristotle's attitude toward persuasion through emotional appeals is that he first denies it as a technical way of persuasion and takes it as external to the art of rhetoric (I.1, 1354a13-19), and then not only accepts it as a valid mode of persuasion (I.2, 1356a3, 14-19) but also gives a long discussion about how to make use of different emotions in rhetoric (II.2-11).[268]

Now let us turn to the differences between rhetoric and dialectic.

First, although both dialectic and rhetoric are general and methodological arts, in

[268] There are debates about the seemingly different accounts given in *Rhetoric* I.1 where Aristotle seems to say that only rational persuasion is the real subject of rhetoric, and I.2 onward where Aristotle identifies *ēthos* and *pathos* as two other legitimate means of persuasion (see, for example, Barnes [1995b], pp. 262-263, Kennedy in Aristotle [1991], p. 11, n.9, Sprute [1994], Brunswig [1996], McAdon [2004]). But there is not necessarily any real inconsistency. For in I.1, Aristotle clearly says that enthymeme, the rational mode of persuasion, is the main body of the mode of persuasion, since this is the most appropriate way of persuasion for human being as rational animal; and his downplay of the role of emotional appeal surely aims at countering the over-estimation of such power championed by his predecessors and contemporaries. Also related, I.1 seems to be aiming at a more ideal kind of rhetoric, whereas the following discussions are more practical and realistic; on this point I am in general agreement with Sprute (1994).

actual practice dialectic has a much broader application than rhetoric. Dialectic is used to deal with virtually all kinds of matters, as we see in Aristotle's own physics, metaphysics, ethics, politics, biology, psychology and so forth, whereas rhetoric is more confined in the realm of ethics and politics. This can be seen first from the three genres of rhetoric, which are all related to ethical and political matters, and also from Aristotle's remark that "rhetoric is a certain kind of offshoot of dialectic and of ethical studies which it is just to call politics" (I.2, 1356a25-26).

Second, dialectic deals with universal statements, whereas rhetoric handles particular cases.[269] Aristotle emphasizes this aspect of rhetoric when he defines rhetoric as "an ability, *in each case* [*peri hekaston*], to see the available means of persuasion" (I.2, 1355b27-28). Although both dialectic and rhetoric deal with commonplaces, dialectic uses those commonplaces to solve universal questions, such as what happiness is (in the *NE*), and whether the investigation of causes belongs to one or more sciences (in the *Metaphysics*), whereas rhetoric makes uses of those commonplaces to address particular cases, such as whether Socrates is guilty of impiety, and whether it should launch a Sicilian Expedition in 415 BC.

Therefore dialectical deduction stops at certain level of universal, whereas rhetorical deduction has to reach the most particular case under debate. And rhetorical induction is somewhat different from dialectical induction, for the latter aims at universal conclusion, such as from the example that a skilled shoemaker is most effective in regard of making shoes to the general conclusion that the skilled man is the best at his particular task; whereas rhetorical induction is from particular to particular via the unspoken universal,[270] as Aristotle says, "it [i.e., the argument through example] is reasoning neither from part to whole nor from whole to part but from part to part, like to like, when two things fall under the same genus but one is better known than the other" (I.2, 1357b28-29), such as from the examples that Peisistratus of Athens and Theagenes of Megara when seeking a bodyguard plotted

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[269] This should be distinguished from the general nature of art as such, for Aristotle clearly and rightly thinks that "no art examines the particular" (I.2, 1356b29). Rhetoric as an art has to speak of the general rules of rhetoric, but the application of rhetoric aims at the particulars. And this characteristic of rhetoric will play important role in Chapter VII.

[270] See Kennedy in Aristotle (1991), p. 40, and Hauser (1985)

tyranny, we may reach a general yet unspoken principle, i.e., whoever seeks a bodyguard plots tyranny, and then when see Dionysius sought a bodyguard, we may argue from the examples of Peisistratus and Theagenes directly to the conclusion that Dionysius plotted tyranny (I.2, 1357b31-36).

Third, dialectic and rhetoric are facing different audiences, so they have to use different strategies. The audience of dialectic, except in the case of daily encounter (which is never the main concern of Aristotle), are better trained students (in the case of intellectual training), and philosophers or scientists (in the case of philosophical inquiries), whereas the audience of rhetoric, in any of the three genres, is usually the mass. So dialectic is almost purely rational, aiming at persuasion or wining debates through rational argumentation, whereas rhetoric must combine the force of character, emotion, and rational argument. Furthermore, even the rational element of rhetoric, *enthymeme*, is different from dialectical deduction. The difference mainly lies in their lengths and degrees of complexity. Since a rhetorician has to suppose the judge (*kritēs*, both assemblyman and juror see I.3, 1358b2-6) "a simple person [*haplous*]" (I.2, 1357a12), the enthymemes should be "drawn from few premises and often less than those of the primary deduction [the deduction used in dialectic]; for if one of these is known, it does not have to be stated, since the hearer supplies it" (I.2, 1357a16-18, see also II.22, 1395b25-27). But it is important to note that the requirement of reducing the number of premises is not through simple suppression, but through careful selection from a long train of premises, selecting those that are most important and that can hardly be supplied by the audience themselves, but leave the pleasure of supplying necessary premises to the audience.[271]

The above commentary on Aristotle's opening words "rhetoric is a counterpart of dialectic" should be sufficient to secure rhetoric a legitimate status as an art, an art that is particularly related to politics and can help (political) truth to prevail. The three genres of rhetoric and the three modes of persuasion are all heavily studied by generations of scholars, so I do not mean to be comprehensive when I discuss them in the following two sections. Rather, I will take a rather novel perspective, a perspective

[271] For this point, see Burnyeat (1996), p. 100

most appropriate to my overall thesis. I will examine in what way rhetoric will contribute to the solution to the tension between private and common good (in favor of common good), and in what way they should be used in political realm.[272]

IV.2 Rhetoric and Common Good (1): Three Genres of Rhetoric

All the three genres of rhetoric are closely related to political matters and thus closely related to the common good. This relation is obvious enough in deliberative and judicial rhetoric, whereas epideictic rhetoric seems to be only remotely related to the common good. So I will begin with this last genre of rhetoric, and discuss its contribution to the common good.

1. Epideictic rhetoric

Epideictic rhetoric is defined in terms of (1) the role of its audience as spectator, (2) its relation to the honorable and shameful, and (3) the present as the most important temporality related to it. The truth involved in this kind of rhetoric is whether the object of praise or blame is worthy or not of such a praise or blame. As its name *epideiktikon* indicates, epideictic rhetoric is mainly understood as a kind of exhibition or display, so it is not a surprise that Cope interprets it with certain sense of disdain: "the third branch [epideictic] is inferior to the two preceding in extent, importance, and interest…it is the…demonstrative, showy, ostentatious, declamatory kind: so called because speeches of this sort are composed for 'show' or 'exhibition,' *epideixis*, and their object is to display the orator's powers, and to amuse an audience."[273] But I believe he severely underestimates the role played by this kind of rhetoric in a political community. Epideictic rhetoric can also contribute to the common good in a significant way, because it is the most "objective" genre of rhetoric, and will provide a most accessible moral lesson to the audience.

This connection is best shown in Aristotle's discussion of the topics related to epideictic rhetoric (I.9). In epideictic rhetoric the most important topics are virtue (*aretē*), vice (*kakia*), nobility (*kalon*), and shamefulness (*aischron*). According to

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[272] As Giovanni stresses, what I am doing here is to emphasize that rhetoric can be adapted to the concern of reconciling these two series of good, but not to mean that they only fit in such a concern.
[273] Cope (1867), p. 121.

Aristotle, everybody does things for the sake of some good (*NE* I.1, 11094a1-3). Virtue and nobility are defined in terms of goodness, as Aristotle says,

> Nobility describes whatever, through being chosen for itself, is praiseworthy or whatever, through being good, is pleasant because it is good....virtue is an ability [*dunamis*],[274] as it seems, that is productive and preservative of goods, and an ability for doing good in many and great ways, actually in all ways in all things. (*Rhetoric* I.9, 1366a33-b1).

Such definitions of nobility and virtue (and the opposite shamefulness and vice) are not Aristotle's creation but what the Greeks took quite for granted. What virtue and vice are on the one hand is defined by natural good, and on the other hand by conventional or political good.[275] In the context of rhetoric, virtue and nobility should be understood as those defined by political community, for Aristotle makes it clear in the *NE* that political science is the most controlling science, and rhetoric, among generalship and household management as he lists there, should subordinate to it (*NE* I.2, 1094a27-b5). In any political community, the education of virtue should play a central role, as Aristotle says, "the legislators make the citizens good [in the sense of virtuous] by habituating them, and this is the wish of every legislator; if they fails to do it well, they miss their goal" (*NE* II.1, 1103b3-5). Moral virtues are acquired through long time habituation, whereas intellectual virtues are mainly acquired through teaching (1103a15-18). It is precisely because the audience of epideictic rhetoric are spectators, instead of judges, that it provides a perfect occasion to instill the value cherished by the city to its citizens. The citizens are not judges, so there is not much need for the speaker to cater for them; they are merely spectators, so they can listen to the epideictic speeches with more openness and less resistance. In epideictic rhetoric, there is neither danger of being convicted, nor risk of losing public support, so there is *least self-interest* involved in this genre of rhetoric. As I noted

[274] Cope (1877) and Kennedy (1991) both take this definition of virtue as ability, contrasting with the definition of virtue as a state (*hexis*) in the *NE*, as a sign of the early composition of the *Rhetoric* (vol. 1, pp. 159-160, and p. 79, n.162 respectively). But on this point, I agree with Grimaldi (1980) that the passages in the *Rhetoric* is not necessarily inconsistent with that in the *NE* (pp. 194-195). Furthermore, if we apply Aristotle's theory of two actualities to this context, and understand *dunamis* as potentiality, then there is still less inconsistency.

[275] This distinction will be elaborated in Chapters V and VI, and only in ideal city, they can be completely identified.

above, almost all epideictic speeches recorded in Greek history were for the sake of praise. In these samples, those that are honored represent the value of the city, for example, those that were fallen in the first year of the Peloponnesian War in Pericles' Funeral Oration, a masterpiece of epideictic rhetoric, represented the value of courage and the ultimate love and devotion to the city. The audience, when hearing others being honored, will be encouraged to imitate them, to follow their model, and to take the same values in their own future actions. The theoretically opposite kind of epideictic speeches, those for the sake of blame, will certainly cause the opposite effects. In epideictic rhetoric, therefore, the values of the city are instilled tacitly into the heart of the audience, as Hauser says, "Aristotle recognizes the ceremonial occasion as a time for celebrating deeds that transcend partisan factions and selfish interests. By valorizing heroes who are emblematic of a society's best qualities, encomia provide concrete guidance on how to live in harmony with noble ideals."[276]

In addition, that a spectator can be educated through epideictic rhetoric may parallel with Aristotle's famous yet controversial discussion of the function of tragedy: *katharsis* [cleansing or purification], as he indicates in his definition of tragedy: "tragedy is mimesis of an action which is elevated, complete, and of magnitude; in language embellished by distinct forms in its sections; employing the mode of enactment, not narrative, and through pity and fear accomplishing the *katharsis* of such emotions" (*Poetics* 1449b27). It is not a good place to fully discuss the exact meaning of *katharsis*,[277] but Aristotle's basic meaning is clear enough, i.e., through watching tragedy, the emotion of the spectators can be influenced in a positive way. The emotional and moral effects of epideictic rhetoric seem in some way similar to tragedy as defined here. Although it is not mimesis, although it is not in poetic form, it is nevertheless elevated, complete, and of some magnitude, and usually heavily embellished. After hearing or watching a good epideictic oration, the best example always being Pericles' Funeral Oration, the spectators are equally experiencing a kind

[276] Hauser (1999), p. 15. This paper provides a generally good discussion of the relationship between epideictic rhetoric and public morality, but that he connects epideictic rhetoric with prudent speaker seems to be misplaced. In the context of epideictic rhetoric, Aristotle only lists *phronēsis* [prudence] as one of the virtues and thus worthy of praise, but never says that the speaker of epideictic rhetoric has anything to do with *phronēsis*.

[277] For a good discussion of this notion, see Halliwell (1998), pp. 150-156.

of *katharsis* (at least in the sense of purification), not through pity and fear, but through glory and worthiness. It is very likely that at that moment, they fully adhere themselves to the value the speaker advocates and celebrates, and thus in this sense purified by the speaker.[278]

2. Deliberative rhetoric

As we have seen above, deliberative rhetoric is about the future action to be taken (or not to be taken) by the city, and about the values of the advantageous (*sympheron*) and the harmful (*blaberon*) for the city. The truth related to deliberative rhetoric is the good policy a city should take and good law a city should establish. Aristotle summarizes the most important topics of deliberative rhetoric into five items: "finances, war and peace, national defense, imports and exports, and legislation" (I.4, 1359b20-21). They are all vital elements of a political community, so Aristotle sees this kind of rhetoric as the most noble genre (I.1, 1354b24-25). Pericles' first and third speeches, as we analyzed in Chapter I, serve as good examples of the two different branches of deliberative rhetoric, i.e., the exhortation and the dissuasion. Although the topics themselves are all primarily concerned with the common good, the practice of deliberative rhetoric may also bring private good to the orator, such as good reputation of prudent statesman, the opportunity to lead an expedition and to win money and glory.

In this kind of rhetoric, it is precisely because it aims at the future that example and the character of the speaker are of special importance. Since it is by nature uncertain (for future is always uncertain, at least to certain extent), it is more difficult to construct valid deductions and is more efficient to show through the similarity with the past examples (I.9, 1368a29-30), and the trustworthiness of the speaker gives more weight to the speech itself and to the policy or law he proposes. Deliberative

[278] This parallel relation was inspired by a casual comment of Rorty (1996b), p. 9, where she stresses the difference between rhetorical persuasion in general and dramatic *katharsis*. But I think there are more similarities than differences between epideictic rhetoric and tragedy. Walker (2000) also discusses *katharsis* mainly in the context of the *Rhetoric*, but from a very different perspective. He relates *katharsis* with *pathos*, and stresses the impact to *pathos*, but he goes too far in arguing "that all practical reasoning is pathetic reasoning, that all enthymemes are enthymemes of *pathos*, and that an art of enthymatic rhetoric meant to guide such reasoning is inescapably a psychagogic art of *pharmakon* for emotional *katharsis*" (p. 91).

rhetoric, like epideictic rhetoric, also educates people, but this time, mainly political education. By arguing and debating about the future, the rhetoricians show and instruct the audience how to make political reasoning concerning the vitally important issues. Even if the audience is not able to imitate the rhetorician to speak in the same way, at least they could learn something about how to improve their political judgment.

3. Judicial rhetoric

Judicial rhetoric is about past event in front of the jury, aiming at establishing justice by convicting the wrongdoer and by acquitting the wrongly accused in accordance with current laws and customs (*nomoi*). The truth involved in judicial rhetoric is the fact of a legal case and the purpose is to preserve the laws, to maintain good order, and to prevent the similar crimes in the future. In judicial speeches, both public good and private good are possibly involved, for the accuser tries to convict the defendant either for his private revenge and compensation (in private cases [*dikai idiai*], for example, one's family member was killed by the defendant, but by convicting the real wrongdoer it will benefit the general good order of a city), or for public good (in public cases [*dikai dēmosiai*], for example, accusing someone for impiety, but at the same time this kind of case may also bring the successful accuser some personal benefits, either money or reputation).[279]

According to Aristotle, in this genre of rhetoric, enthymeme is the most appropriate mode of persuasion, because "what has happened in some unclear way is best given a cause and demonstration [by enthymematic argument]" (I.9, 1368a31-32). But in Athenian practice, emotional appeals are most often used in judicial rhetoric, which Aristotle heavily criticizes.

IV.3 Rhetoric and Common Good (2): Three Modes of Persuasion

Before discussing the three modes of persuasion, I should first stress a moral requirement imposed by Aristotle on rhetoricians, relevant to all three modes of

[279] For a good general discuss of Athenian legal system, see McDowell (1986).

persuasion. It is only briefly mentioned in the form of parenthesis in his discussion of the use of rhetoric as quoted above: "one *should not* persuade what is base [*ou gar dei ta phaula peithein*]" (I.1, 1355a31). In a largely technical treatise, such a moralistic remark, short and seemingly casual as it is,[280] is nevertheless striking enough. "*Ta phaula*," in some way similar to *kakia* since they are often used interchangeably, may refer to what is bad, base, and useless, either in moral or in social and political sense. In a rhetorical context, all these meanings are applicable, and whichever we choose, it could be something bad for the city, for even a morally bad individual can be a bad example to others, and the prohibition of such practice will benefit the common good of the city. In the light of this parenthetical remark, we may further our understanding of Aristotle's famous remark "rhetoric is an offshoot of ethics." It is so because on the one hand the topics of rhetoric are in the realm of ethics (and thus politics), and on a higher level, the speaker himself should instruct his audience what is morally right and what is politically preferable.

But it should also be noted that such a moral requirement is an *external imposition*, external to the *art of rhetoric* itself. As an art, rhetoric seeks the possible means of persuasion. Such a moral requirement does not rule out the possibility or even necessity to know and sometimes even to use those tricks such as presenting a kind of character that one does not really have, composing a seemingly valid argument when there is no such thing in essence, and even sheer lying, because these may be used by the opponent of a righteous orator (so to know and to be able to disclose them are important), and also because sometimes, in order to persuade the mass audience to the right track, i.e., something truly noble and advantageous, tricks have to be used, like the noble lie in the *Republic*.[281]

Now I will discuss the three modes of persuasion with a degenerated

[280] It is somewhat surprising that neither Cope (1877) nor Grimaldi (1980), the two most comprehensive English commentaries of the *Rhetoric*, comments on it.

[281] In this sense, Aristotle may grant the famous Machiavellian dictum "the end justifies the means"; for a discussion on the same line of reasoning, see Sprute (1994), pp. 125-126. But Garver (1994) in the "first book-length philosophic treatment of Aristotle's *Rhetoric* in English in this century" (p. 3) provides, in my point of view, a too moralistic reading of the *Rhetoric*. He juxtaposes rhetoric with happiness by arguing that rhetoric, as a kind of *praxis* (practice), has its own internal principles which are intrinsically good. But his entire interpretation is based on a fundamental mistake, i.e., to see rhetoric as a *praxis* which has intrinsically good, instead of a *technē* which is intrinsically neutral.

importance in the *ideal case* of rhetoric, but probably an ascending importance in Aristotle's Athens.

1. Persuasion through *logos*

As we saw above, Aristotle calls this mode of persuasion the "body" of persuasion and complains his predecessors' and contemporaries' neglect of this most important mode of persuasion. It is most important primarily because its peculiar relation with our nature as rational and political animal, as Aristotle says "it is absurd if an inability to defend oneself by means of the body is shameful, while there is no shame in an inability to use speech; the latter is more characteristic of humans than is use of the body" (I.1, 1355b1-3).[282]

Most characteristics of this mode of persuasion have been indicated in our discussion of the counterpart relation between rhetoric and dialectic, such as it argues from something probable instead of something certain, it consists of deduction and induction, enthymeme is usually shorter than a fully deduction in demonstration or dialectic due to the nature of their audience, and the universal conclusion of rhetorical induction is usually not explicitly stated. There is only one important point of enthymeme left so far, i.e., it is derived either from probabilities (*eikota*) or from signs (*sēmeia*). Since we have seen that rhetoric argues from the probable, i.e., "what happens for the most part…but…can be other than they are" (I.2, 1357a35-38), only the argument from signs is new here. Aristotle distinguishes two different categories of signs, necessary and non-necessary. Necessary sign is something a deduction can be based upon, and can be taken as an evidence [*tekmērion*] since it is irrefutable, such as one's fever is the sign of one's illness; whereas a non-necessary sign is something upon which a deduction cannot be built, such as that one breathes fast is the sign of one's fever (see I.2, 1357b5-b21).

Since these points are largely uncontroversial, I will keep them in brevity and proceed to give an explanation in what sense the rational mode of persuasion, as Aristotle understands it, contribute to the common good of a city.

[282] The context of this passage is Aristotle's discussion of rhetorical deduction; therefore the speech here should be understood as rational speech instead of emotional appeals.

For Aristotle, rational persuasion is primarily based on practical knowledge. Even if it is not always possible to have the more precise kind of theoretical or philosophical knowledge of the ethical and political subjects, the orators speaking in assembly or law court should possess practical knowledge at least on the popular level, showing their familiarity of the matter under discussion, and knowing what is praiseworthy, what is advantageous, and what is just.[283] Only in this way can he construct truly persuasive speeches. And the *topoi* he offers in I.4-15 precisely aim to instruct the orators the *fundamental aspects of public life*, which they should take into consideration when they compose speeches, but leave the more precise inquiry of their nature to the political science (I.4, 1359b16-17 and I.8, 1366a22-23).

As we saw above, the most important subjects of deliberation are finances, war and peace, national defense, imports and exports, and legislation. For our purpose, there is no need to spell out all the required knowledge related to each of these five subjects, and I will only take the first two items as examples. If an orator is about to speak of finance, he must know both the revenue and expenses of the city, and know how to extend income and reduce expenses, certainly a kind of practical knowledge, and Aristotle also emphasizes the importance of investigation: "it is not only possible to get an overall view of these matters from *experience* [*empeiria*] in the affairs of one's own city, but it is necessary also to be willing to *do research* [*heurēmenōn*] about what has been discovered elsewhere in regard to deliberation about these things" (I.4, 1359b30-33). The contrast of experience and research perfectly shows the requirement of certain degree of knowledge in rhetoric. There are certainly more facts to be known in regard of war and peace, such as the power of one's own city, the power of possible allies, the force of the enemy, and knowledge about how wars are conducted not only in one's own city, but other places so as to make induction from similar cases (I.4, 1359b34-1360a5). Pericles' first speech is a good example of how the knowledge of war and peace contributes to the decision for the common good, for in the rational part of that speech, what Pericles did was precisely to calculate these

[283] For more discussion of this limited range of knowledge required for the orator, see Cooper (1994b). And this aspect also differentiates Aristotle's ideal of rhetoric from Plato's ideal kind of rhetoric depicted in the *Phaedrus*.

aspects as listed by Aristotle.

Besides these political topics a deliberative orator has to keep in mind, there are many other topics closely related to political debates, topics about human life as a whole, such as the goal of human life, i.e., happiness (I.5), the notion of the good and the advantageous (I.6-7), and about different regimes (I.8). The knowledge of these topics will add more premises of the arguments and contribute to the persuasiveness of these arguments.

Having seen the role of knowledge about practical matters played in deliberative rhetoric, we can easily understand the similar cases in epideictic and judicial rhetoric. In epideictic rhetoric the knowledge about virtue and vice will contribute to the truthfulness of a speech for praise or condemnation, for it is only on the ground of virtue and nobility we are most justified to praise someone, while on the ground of vice and shamefulness to condemn (see I.9).[284] In judicial rhetoric, the knowledge related to such topics as the content and nature of law, the motivation of wrongdoing, the characteristics of the wronged, pleasure and pain, justice and injustice, and different kinds of legal evidence will greatly benefit the argument of the speaker and thus contribute to the persuasiveness of his speech (see I.10-15).

Based on real knowledge of issues under debate, an Aristotelian orator, contrary to a Gorgianic one, is able to construct truly instructive speeches concerning public or legal affairs and to have a better opportunity to contribute to the common good. He at least has the potentiality to persuade his audience on a rational basis.

The above discussion only focuses on the major components of the rational mode of persuasion, i.e., the construction of rhetorical deduction through the grasp of the knowledge of the subjects, but this only provides a good *potentiality* of persuasion, because on the one hand, there are still a number of more technical aspects of rhetoric, such as the strategy of constructing a particular argument, the length of one's argument, the ratio of deduction and induction, the arrangement of different parts of a speech, the proper use of words, and the skills of delivery, which will not be discussed

[284] These topics, though most closely related to epideictic rhetoric, are also connected with the other two kinds of rhetoric, for virtue is a kind of good, and vice and shamefulness can be used to secure conviction of the defendant.

in detail here;[285] and on the other hand, enthymeme, though called the body of persuasion, is nevertheless not the only way of persuasion, and we will now turn to the other two modes of persuasion.

2. Persuasion through *ēthos*

Persuasion through character should not be seen as superfluous in rhetoric even in ideal cases,[286] because on the one hand, when Aristotle criticizes the technographers of his days for their focusing on the "matter external to the subject," he does not mention persuasion through character,[287] and on the other hand, when he introduces the three modes of persuasion, he says, though with some exaggeration yet nevertheless serious enough, "character is almost, so to speak, the most effective [*kyriōtatē*, or most powerful] factor in persuasion" (1356a13-14). It is "most effective" at least in certain type of cases, i.e., when the issue under discussion has more open nature, as I will show in what follows.

From the remark in II.1, we know that this mode of persuasion is most closely related to deliberative rhetoric and also in some ways to judicial rhetoric (II.1, 1377b25-26), and the character of a speaker is more useful in deliberation, whereas the character of the audience is more useful in lawsuit (1377b29-31). The character of the speaker himself is to be displayed in his speech, for Aristotle says, "this [the character of the speaker] should result from the speech, not from a previous opinion that the speaker is a certain kind of person" (I.2, 1356a10-11); whereas the character of audience, like the topics of political deliberation, should be known, and the orator should try to adapt himself to the character of his audience.[288]

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[285] I will give some examples for each of these more technical aspects: for the concrete strategies of constructing argument, see I.6, 1362b29-1363b4; for the length of one's argument, see II.22, 1395b25-1396a3; for the ratio of deduction and induction, see I.9, 1368a27-33 and II.20, 1394a10-16; for the arrangement of different parts of a speech, see III.13-19; for the proper use of words, see III.5-7; and for the skills of delivery, see III.1.

[286] For example Sprute (1994), p. 119-122, who stresses the "body" thesis so much as to say "in the case of an ideal rhetoric, only enthymeme and *paradeigma* [example] would be technical means in the proper sense" (p. 121), but the text he provides (I.2, 1356b5-8) does not support this strong thesis, for there Aristotle only says that the enthymeme and *paradeigma* are the only two forms of rhetorical argument, not the only two forms of rhetorical technique.

[287] Of course it is also because this mode of persuasion is not widely included in their handbooks, but it nevertheless occurred in actual speeches, so if Aristotle would like, he could have grouped this mode of persuasion as "external" to the real art of rhetoric.

[288] II.12-17 is about some basic features of the character of different audiences, such as the young, the old, those in their prime, those with good birth, the wealthy, and the powerful.

When introducing this mode of persuasion, Aristotle speaks of its importance with the following words:

> [There is persuasion] through character whenever the speech is spoken in such a way as to make the speaker worthy of credence; we believe decent people [*epieikeis*] to a greater extent and more quickly on all subjects in general [*peri pantōn men haplōs*] and *completely so in cases where there is no exact knowledge but room for doubt* [*en hois de to akribes mē estin alla to amphidoxein, kai pantelōs*]. (*Rhetoric* I.2, 1356a5-8)

This mode of persuasion is especially important when "there is no exact knowledge but room for doubt." As we have seen, deliberative rhetoric is about future, and what is related to future is always has a sense of uncertainty and much room for doubt, however much theoretical and practical knowledge an orator possesses. When the arguments made by two parties in an assembly weigh equally, the character will play especially important role. As we can imagine if Pericles had argued against Alcibiades on the Sicilian Expedition, even if they both had presented equally powerful arguments, the Athenians would probably have voted for Pericles, because he had more favorable character than Alcibiades. That is why Aristotle thinks that this mode of persuasions is most directly related to deliberation. On the other hand, although legal cases are about past and seem more certain than deliberation, there is also room for doubt because people may forget what happened in the past or there might not have been enough evidence available when a certain crime took place, and thus also related to this mode of persuasion. It is, therefore, necessary to have this mode of persuasion, even in the ideal practice of rhetoric. And in general, as Aristotle indicates, the practice of this mode of persuasion may bring about the ease and readiness of persuasion in any subject matter.

More specifically, three components contribute to the trustworthiness of the speaker, prudence (*phronēsis*), virtue (*aretē*), and good will (*eunoia*) to the audience, and the failure of either of these will damage the efforts of the speakers: if lack of prudence, "they do not form opinions rightly,"[289] if lack of virtue, "they do not say

[289] The precise nature of prudence in ethics and politics will be further clarified in Chapter V and VII, and for our present purpose suffice it to say, following Aristotle's brief remark, that prudence is the virtue or ability to find the

what they think,"[290] and if lack of good will, "it is possible for people not to give the best advice although they know it" (II.1, 1378a7-14). In general, if a speaker lacks any of these components, he may not contribute to political truth and thus to the common good of the city. And if he does not have a good record as the promoter of common good, he can hardly persuade his audience in the future through his character, for among the three components, prudence is particularly built upon the sound advice he gave before.[291]

If a righteous orator displays his good character in a right way, and possesses the ability to construct rhetorical argument based on certain amount of practical knowledge, together with the other more technical devices of rhetoric as listed above, he, as an Aristotelian orator or rhetorician, should be fully equipped *in the ideal case* to persuade the judges (thus I do not include the epideictic rhetoric here) to embrace the common good (but whether the actual persuasion succeeds or not is not quite the subject of rhetoric as such). But *in reality*, he also needs to learn a lot more about the emotional appeals.

3. Persuasion through *pathos*

Contrary to Plato, who takes orators' emotional appeals as illegitimate and disturbing, Aristotle gives a rather detailed analysis of the emotions of the audience in *Rhetoric* II.2-11. But this impression is largely due to the rhetorical practice in his days and his discussion is more aimed to fulfill the artistic or technical nature of his treatise. In his criticism of emotional appeals, Aristotle's attitude is much closer to Plato. We have

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right policy and to give the best advice in a particular occasion; see also I.7, 1364b12.

[290] *Phronēsis* is counted as a kind of virtue both in *Rhetoric* I.9 and in the *NE*, and here by separating them, Aristotle clearly has the narrow sense of moral virtue in mind.

[291] Aristotle's discussion of this mode of persuasion is notoriously succinct, but seems clear enough. Fortenbaugh (1992/2006, and 1996/2006) provides some good elaborations of Aristotle's otherwise succinct discussion. Two disputable questions are related to this short quotation (for a few examples of such a debate, see Held [1985], Schütrumpf [1987], and Wisses [1989], pp. 30-32). The first question is the meaning of *ēthos*. For the word *ēthos* is usually denotes pure moral aspect of a person, but Aristotle also includes prudence, an intellectual virtue in his list. I do not see inconsistency here because of the close relation between moral virtues and prudence. The other question is concerning whether a prudent man can be morally bad, and thus whether there is inconsistency between the *Rhetoric* and the *NE*. This is a better question, but I still do not see real inconsistency, for in the context of the *Rhetoric*, Aristotle is discussing the question of prudence in a more popular way, and confines it in the realm of political deliberation, so the prudence discussed here falls short of the strict sense elaborated in *NE* VI.5 and thus does not rule out a bad use of it due to the bad character traits of the speaker, whereas the ideal intellectual virtue of prudence will be at odds with a morally bad application of it.

seen from his criticism of those technographers that Aristotle takes emotional appeal to the judges (both assemblymen and jurors, but mainly the latter),[292] in the ideal form of rhetoric, as an "external" element. He furthers this point a few lines later:

> [E]veryone thinks the laws ought to require this [only argument should be permitted], and some even adopt the practice and forbid speaking outside the subject, as in the Areopagus too, rightly so providing; for it is wrong to warp the jury by leading them into anger or envy or pity...*It is highly appropriate for well-enacted laws to define everything as exactly as possible and for as little as possible to be left to the judge*: for because it is easier to find one or a few than many who are prudent and capable of framing laws and judging; second, legislation results from consideration over much time, while judgments are made at the moment [of a trial or debate], so it is difficult for the judge to determine justice and benefits fairly; but most important of all, because the judgment of a legislator is not about a particular case but about what lies in the future and in general, while the assemblyman and juryman are actually judging present and specific cases. For them, friendliness and hostility and individual self-interest are often involved, with the result that they are no longer able to see the truth adequately, but their private pleasure or grief casts a shadow on their judgment. (*Rhetoric* I.1, 1354a21-b14)

This lengthy quotation is of crucial significance for our understanding of Aristotle's view of rhetoric and legislation, both understood in the ideal sense, so it will receive more discussion later in Chapter VII where we discuss the rule of law and the role of rhetoric in an ideal political community. Bur for our present purpose, suffice it to say that according to Aristotle, in the ideal kind of deliberative and judicial rhetoric, emotional appeals should be minimized, if not completely eliminated.[293] But in reality, especially in the democratic Athens where no such law existed, so Aristotle, when turning to the technical and more practical discussion of rhetoric, immediately includes emotional appeal as a legitimate mode of persuasion, and, contrary to his brevity in the discussion of the mode of *ēthos*, provides such a rich treatment of emotion (II.2-11) that it is often used to support and fill certain gaps in his discussion

[292] Emotional appeal is certainly of intrinsic significance in epideictic rhetoric.

[293] Cooper (1994b), on the same line as Grimaldi (1980), pp. 11-12, does not think so. For him, this passage only implies that unnecessary emotional appeals should be ruled out, not the emotional appeal as such (pp. 195-196). But the passage seems to suggest stronger claim than that interpretation, so I am inclined to agree with the traditional understanding dated back to Quintilian that the emotional appeal (in deliberative and judicial rhetoric) is not the proper topic of rhetoric in its ideal form, and it is included only because of the imperfection of the audience; see Quintilian (2001), II.17.26 and Cope (1877), pp. 6-7. But I do not think even in the ideal case, persuasion through character should be excluded, as I argued above.

of ethical and political issues.

Aristotle is perfectly aware that that in human affairs although rational persuasion is always desirable, it is nevertheless not always possible. People's judgments are not always rational. In many cases, emotion plays equally, sometimes even more important role. It is only in the imperfect situation of human affairs that Aristotle emphasizes the significance of emotional appeals. His discussion of those emotions is systematic, arranged in pairs and in chiastical order, and each emotion is analyzed in terms of the state of mind of the person who feels it, those toward whom it is directed, and the reason for such an emotion (II.1, 1378a24-28).[294] The way of arousing emotion can be either enthymeme or other means.[295]

But Aristotle certainly does not agree with Gorgias, those contemporary orators, or technographers on their exaggerated appeal to emotion. According to him, emotional appeal also has to contribute to the truth, so "there are morally valid emotions in every situation, and it is part of the orator's duty to clarify these in the minds of the audience."[296] Aristotle's requirement of emotional appeal is, the same as his general moral requirement of any mode of persuasion, that the orator should set the mind of his audience *in the right way*; he should not sway their passion in whatever direction, for whatever evil purpose he has in mind, but in the direction most appropriate in the present situation. This can only be done on the basis of his knowledge and judgment of the particular occasion, and his practical knowledge of the human soul. Only in this way can emotional appeals contribute to political truth and thus the common good.

IV.4 Limitation of Rhetoric: Neutrality and Impotence

Although Aristotle sees rhetoric as a real art, acknowledges its power in persuading

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[294] For some good discussions of Aristotle's treatment of emotion in the *Rhetoric* in general, see Conley (1980), Wisse (1989), pp. 65-74, Leighton (1996), and Cooper (1996).

[295] At *Rhetoric* III.19, 1419b25-27, Aristotle says that the discussion of emotions are *topoi*, and thus should be seen as components of rhetorical enthymeme, whereas at III.17, 1418a12-13 he warns the orator to avoid enthymeme when trying to arouse emotions: "when you would create *pathos*, do not speak in enthymemes; for the enthymeme either knock out the *pathos* or is spoken in vain." But judging from the examples Aristotle actually uses to illuminate this mode of persuasion, e.g., II.4-5, it seems clear that he does not rule out either way in arousing emotions. For a good discussion of this issue, see Wisse (1989), pp. 21-29.

[296] Kennedy in Aristotle (1991), p. 39, n.45.

the audience and its capacity to help truth to prevail, he nevertheless realizes its limitations very well, and thus objects of the champions of the omnipotent power of rhetoric, such as Gorgias, Pericles, and Alcibiades. A major source of Aristotle's sober awareness of the limitation of rhetoric is surely Plato, whose harsh criticism of rhetoric in the *Gorgias*, and the deep reflection of the innate limitation of rhetoric in the *Republic* provide Aristotle with a perfect foundation for his own theorizing. As we can see, the two major limitations of rhetoric discussed by Aristotle are both seen in Plato's explicit discussion, so I will only treat them very briefly.

The first limitation of rhetoric is *neutrality*, as Plato perfectly expresses in the *Gorgias*. Although rhetoric should help truth to prevail, although Aristotle himself strives to set the rules and to teach the proper or just use of this art, there is hardly any guarantee of this. It is always possible that orators may misuse or abuse the power of rhetoric, since by nature rhetoric is an art enabling people to argue from both sides. Indeed, the more powerful this art is, the more dangerous it is when abused. According to Aristotle, this neutrality is not peculiar to rhetoric, but a universal fact in all arts or even all good things generally perceived, except virtue,[297] as he says,

> If it is objected that one who uses such power of speech unjustly might do great harm, that is a charge which may be made in common against all good things except virtue, and above all against the things that are most useful, as strength, health, wealth, generalship. A man can confer the greatest of benefits by a right use of these, and inflict the greatest of injuries by using them wrongly. (*Rhetoric*, I.1, 1355b3-7)

The second limitation of rhetoric is its *impotence* in certain cases, as Plato indicates in the *Republic*. The definition of rhetoric is not actual persuasion, but *the best possible way* of persuasion. Like Plato's clear awareness of the innate limitation of rhetoric, in the *Republic*, Aristotle is also clear enough that in some cases, whatever the orator says in whatever way, the audience simply cannot be persuaded. As long as the orator correctly finds the best way of persuasion in that occasion, the failure of

[297] Plato will not deny this fact, for it is a commonplace among Greek thinkers that the opposites belong to the same art, such as the best guard is also the best thief, and a good doctor can both heal and kill (see, for example, *Republic*, I.333e-334b).

actual persuasion is no longer his fault, but due to the nature of persuasion as such. This is also true for any other art, as Aristotle says,

> Its function is not to persuade but to see the available means of persuasion in each case, as is true also in all the other arts; for neither is it the function of medicine to create health but to promote this as much as possible; for it is nevertheless possible to treat well those who cannot recover health. (*Rhetoric* I.1, 1355b9-15)

Leaving aside the limitation of this art, rhetoric does provide a *practical way* to solve the tension between private and common good. The speaker may persuade his audience to submit their private goods to the public through any or all of the three modes of persuasion on a case by case basis. In next chapter I will present Aristotle's ethical theory as a *theoretical solution* to the tension at stake, a solution through rational persuasion based on more precise knowledge. This solution aims at solving this tension from its root by bringing about the ultimate reconciliation of private and common good.

Chapter V Aristotle' Ethics as Rational Persuasion: Virtue as Bridge between Private and Common Good

In the *Nicomachean Ethics* Aristotle presents a series of rational arguments intended to *persuade* his audience or reader what happiness (*eudaimonia*) is and in what way one can be happy (*eudaimōn*). It is certainly true that such a persuasion is not a rhetorical one, but has a more scientific nature as shown in Chapter III. In particular, I will try to make good sense of a passage quoted but left unexplained in Chapter III:

> [W]hen everyone strains to achieve what is noble and concentrate on the noblest actions, everything that is right will be done for the common good, and each person individually will receive the greatest of goods, since that is the character of virtue...the virtuous person labors for his friends and for his native country, and will die for them if he must. (*NE* IX.8, 1169a9-21)

This passage represents the ultimate reconciliation of private and common good in Aristotle's ethical and political teachings. But we cannot help but ask (1) why does the virtuous person have to labor himself for his friends and for his country? (2) Why to serve the common good is also to do oneself the greatest good? And more paradoxically, (3) why sometimes to die for one's friends and country is also necessary, or even counted as good for oneself?

To answer these questions and thus to understand Aristotle's reconciliation between private and common good, we need to start from his general discussion of happiness and the relation between happiness and virtue (section one). After a transitional section, indicating the double-sided nature of happiness and virtue, in section three I will first examine in what sense virtue of character, or moral virtue, reconciles the private and common good so that we will be able to answer the first two questions raised above, and in the second part of section three, I will single out the virtue of courage, which poses the most paradoxical case of all the moral virtues, and answer the last question raised above. In section four I will discuss the

reconciling role of intellectual virtues, paying special attention to *phronēsis*, the highest practical virtue. In the last section I will discuss the most controversial topic in Aristotelian ethics, i.e., the relation between contemplation and happiness, suggest a more inclusive understanding of the virtue *sophia*, and argue that even in this most dominant virtue there lies the ultimate reconciliation between private and common good.

V.1 Happiness and Virtue

Let us start with where Aristotle starts. Aristotle opens his *NE* with a commonsensical observation, presumably an *endoxa* shared by all, that human beings are purposive animals, and they do things for some ends or goods, either real or apparent, as he says, "every craft and every line of inquiry, and likewise every action [*praxis*] and decision [*prohairesis*, or choice], seems to seek some good [*agathou tinos*]" (*NE* I.1, 1094a1-2). And then observe that ends or goods are hierarchical, for certain ends belong to higher ends (1094a10-16).

From these observations, Aristotle provides two arguments for the existence of the subject matter of his treatise,[298] i.e., "the good" (*t'agathon*) or the highest good (*to ariston*, or the best). The first argument is an appeal to infinite regress: there must be a stopping point for our end or wish; otherwise our chain of wishes will go to infinity (I.2, 1094a18-23). Let us suppose this is a valid argument,[299] but it is still not clear from this argument alone whether Aristotle understands this highest good in terms of its all inclusiveness or one ultimate item among a number of goods for which we wish most of all. Aristotle then presents the second argument through identifying the science which studies this good. According to Aristotle each class of good should be

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[298] As for the procedure of investigation in the first book of the *NE*, i.e., from the existence of the subject matter to the nominal definition of it, and then to the real definition of it, I am following the illuminating discussion of Natali (2007).

[299] It is criticized by many scholars, such as Ackrill (1974/1980), p.25-26; Broadie (1991), pp. 12-14; and Bostock (2000) goes as far as to claim that this argument "has been criticized by everyone" (p. 9). Wedin (1981) provides an interesting interpretation, emphasizing its conditional nature with two antecedents established later. A detailed examination of this argument will not contribute much to our present discussion, for what is more important is the concept of happiness, which is identified with the highest good. The existence of happiness, which is taken for granted, will lend further support for the existence of this highest good. Furthermore, if we take this argument to suggest an all-inclusive or single overarching end, as I will argue in the light of the second argument and also the argument of I.7, this argument is not quite fallacious.

studied or controlled by a certain science or art, and if there is an art or science which deals with the highest good, then the highest good must exist. And "the most controlling science and the highest ruling science (*tēs kyriōtatēs kai malista architektonikēs*)" turns out to be political science (*politikē*, or political art), because:

> [I]t is the one that prescribes which of the sciences ought to be studied in cities, and which ones each class in the city should learn, and how far; indeed we see that even the most honored capacities—generalship, household management, and rhetoric, for instance—are subordinate to it....*its end will include the ends of the other sciences, and so this will be the human good* [*t'anthrōpinon agathon*]. (I.2, 1094a28-b7)

As shown in Chapter III, for Aristotle, the largest natural form of human gathering is *polis*, and the fulfillment of human life must be practiced in *polis*. So the science dealing with *polis*, i.e., *politikē*, must be the one dealing with the highest human good, for this science stands at the top of the hierarchy of arts and sciences by subordinating all the rest under it, because it is *politikē* that determines which sciences could be legitimately conducted and how much they could be conducted in a city. In this sense, not only generalship, household management, and rhetoric as Aristotle lists here, but also philosophy, the highest form of human science, must to certain extent subordinate to it. Although political science can hardly control what people think, it can certainly intervene the practice of philosophy by forbidding teaching philosophical subjects either in public or in private, or by forcing people to work and thus depriving leisure which is necessary for philosophy.[300] Since there is correspondence between the goods and the art or science, we may know better the nature of the highest good (whether inclusive or dominant) through examining the science dealing with this good. Aristotle is clear enough about this: since the end of *politikē* "will include the ends of the other sciences," political science is the inclusive science, so its end, "the human good" also must be inclusive. The second argument about the existence of the highest good sheds some new light on the vaguer passage in the first argument, about the exact nature of this highest good.

[300] But this is certainly a bad kind of political science for Aristotle, and a good form of political science should create condition for such a practice, as will be shown in the next chapter.

Aristotle then identifies the highest good with happiness (*eudaimonia*), and further with "living well and doing well [*to eu zēn kai to eu prattein*]" (I.4, 1095a19). Since this is agreed by "both the many and the cultivated" (1095a18-19), and since "happiness" or "living well and doing well" is simply two other ways to express "the highest good," an identity embedded in Greek language, there is certainly no need, from Aristotle's part, to provide any further argument for it. But agreement stops immediately, as Aristotle immediately continues: "but they disagree about what happiness is, and the many do not give the same answer as the wise" (1095a20-22).

Aristotle's next task, then, is to clarify what happiness should be, and he does it through an unfinished dialectical examination. There are three major candidates for happiness as a way of life: the life of gratification (*eirēmenos*) aiming at pleasure, the life of politics (*politikos*) aiming at honor, and the life of contemplation (*theōrētikos*) aiming at knowledge.[301] Although in I.5 Aristotle provides some preliminary judgments about the choiceworthiness of these lives except the last one, these judgments do not mean to be the last words about such a central topic until the real criteria and definition of happiness are introduced.

Here we arrive at I.7, a key chapter to the entire *NE*, which leads us toward the real definition of happiness. Aristotle first introduces two criteria of the highest good: complete (*teleion*, or final, perfect)[302] and self-sufficient (*autarkēs*). The Greek word "complete" is etymologically related to the word "end" (*telos*), so Aristotle introduces this criterion quite naturally: "the highest good is apparently something complete. And so, if only one end is complete, the good we are looking for will be this end; if more ends than one are complete, it will be the most complete end of these" (1097a28-30). Aristotle further explains this criterion in terms of *choiceworthiness*, i.e., we choose any other ends for the sake of this most complete end, and this complete end cannot be chosen for any further end, as he says,

[301] I tend to think that contemplation in this context means more general objects, whereas contemplation related to the virtue of *sophia* is more narrowly understood as the study of god and being qua being.

[302] The translation of this word causes some disputes, but it seems that nowadays, scholars are generally agree that "complete" is the best way to render it, such as Ross/Urmson in Aristotle (1984), Irwin in Aristotle (1999a), Crisp in Aristotle (2004), and also Bostock (2000), Shields (2007a). Broadie (1991) used to think "complete" misleading (p. 55, n.24), but in Aristotle (2002), she also agrees to translate it with "complete."

> [A]n end pursued in its own right is more complete than an end pursued because of something else, and that an end that is never choiceworthy [*haireton*] because of something else is more complete than ends that are choiceworthy both in their own right and because of this end. Hence an end that is always choiceworthy in its own right, never because of something else, is complete without qualification. (1.7, 1097a30-34)

Happiness satisfies this criterion best, for we always choose it for its own sake. Anything else we pursue, such as money, pleasure, honor, and contemplation, might be pursued for its own sake, but in the ultimate sense, we pursue them all for the sake of happiness (1097a34-b6).

The second criterion "self-sufficiency" is related to the first, "for the complete good seems to be self-sufficient" (1097b7-8), but it also defines the other aspect of the highest good, i.e., its lacking nothing or *non-improvability*, as Aristotle says, "we regard something as self-sufficient when all by itself it makes a life choiceworthy and lacking nothing" (1097b14-15). And according to Aristotle, happiness also satisfies this criterion perfectly, because when we achieve happiness, we lack nothing, and we cannot be made happier by adding something else: "we think happiness is most choiceworthy of all goods, [since] it is not counted one good among many. [If it were] counted as one among many, then, clearly, we think it would be more choiceworthy if the smallest goods were added" (1197b16-18).[303] A qualification in this context will be of special importance for our later discussion:

> What we count as self-sufficient is not what suffices for a solitary person by himself, living an isolated life, but what suffices also for parents, children, wife, and, in general, for friends and fellow citizens, since a human being is by nature a political [animal]. (1097b8-11)

Aristotle makes himself clear enough that whatever such a self-sufficient life turns out

[303] For a similar passage, see IX.2, 1172b26-34. This passage is usually taken as a key support of the inclusive interpretation of happiness. But this claim should not be taken as its face-value, especially concerning external goods, such as it is always possible to make one happier by giving him a little more money, as Wedin (1981) and Natali (2001) rightly criticize. I think we should take all the goods meaning all the necessary goods for one's happiness, which vary, like the right mean, among different people. And this self-sufficiency criterion aims more at qualitative, than quantitavie, regulations.

to be, it is not a solitary life, but a life fully in accordance with our nature as a political animal, i.e., a life lived with family members, friends, and other fellow citizens.

Having provided the two criteria of the highest good and clarified that happiness satisfies these criteria, Aristotle then introduces the famous "function (*ergon*) argument," and defines our happiness in terms of the special function of human being as such. But his way of establishing the conclusion that there exists a special or distinctive function (*idion ergon*) of human being is very controversial. For it seems that Aristotle only argues through analogy or dialectical induction. He argues from the function of a flautist, a sculptor, and every artisan to the conclusion that human being also has a special function.[304] It is not a surprise to see interpreters disagree about the validity of such an argument, for Aristotle himself also raises this sort of questions: "do the carpenter and the leather worker have their functions and actions, but has a human being no function? Is he by nature idle, without any function? Or, just as eye, hand, foot, and, in general, every part apparently has its function, may we likewise ascribe to a human being some function apart from all these?" (1097b30-33).[305] But interestingly, Aristotle does not go on to answer these questions, but proceeds to show what human being's special function is. It seems that, for Aristotle, as long as we can identify this distinctive function at issue, those questions should naturally disappear.

"Special function," as the name implies, must be the function particular to human being but not shared by other species (on this occasion Aristotle seems not to have god in mind). Aristotle, without much explanation, makes use of different levels

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[304] The common challenges include (a) that human being is not an art, so the analogy does not stand, (b) the happiness of the specimen of human being is not the same as the happiness of an individual, (c) Aristotle cannot infer form a biological fact to the value of what one should do, and (d) rational activity is not quite peculiar to human beings, for gods are also rational. For some examples of the interpreters who object Aristotle's function argument, see Glassen (1957), Hardie (1968), ch.5, Suits (1974), and Wilkes (1978/1980). Most recent literatures tend to defend the validity of this argument from different perspectives and by taking the general line of argument of *NE* I into consideration, such as Hutchinson (1986), ch.3, Whiting (1988), Gomez-Lobo (1989), and Lawrence (2001). There are also interpreters who suggest that this is not an argument at all, but only aims at clarification through example, such as Reeve (1992), p. 124, Irwin (1988), p. 607, n.37, and Broadie in Aristotle (2002), p. 276. I think this is certainly an inductive argument, but not a strict one. Aristotle probably presupposes something from his audience, and in addition, his next move makes the validity of this induction itself unimportant.

[305] Broadie (1991) concludes that "the question is only rhetorical" (p. 34), and similar is Barney (2008), p. 295. But I do not think so. I tend to think that Aristotle himself must be fully aware that he does not offer a logically valid argument, and what he goes on to do is to meet the challenge by specifying what the function is.

of life elaborated in his biological and psychological works, and quickly dismisses the life of nutrition, which is shared by all living beings, and the life of sense perception, which is shared by all animals. What is left is the life of reason,[306] and the rational life is composed of two parts, as we have seen in Chapter III, one part obeying reason and the other having reason in itself and thinking.[307] Furthermore, life can be understood in two different ways, as capacity or potentiality, and as activity. Since the priority of activity over potentiality is taken as a commonplace in all his works, Aristotle naturally thinks that activity "seems to be called life more fully" (1098a6). So we reach the definition of special human function: "the human function is activity of the soul in accord with reason or not apart from reason [*estin ergon anthrōpou psychēs energeia kata logon ē mē aneu logou*]" (1098a7-8).

Aristotle then briefly clarifies the connection between function and virtue or excellence (*aretē*) (1098a8-12),[308] and defines the highest human good or happiness in the following words:

> So the human good proves to be activity of the soul in accord with virtue, and indeed *with the best and most complete virtue, if there are more virtues than one* [*ei de pleious hai aretai, kata tēn aristēn kai teleiotatēn*]. (1098a16-18)

Here Aristotle clearly defines happiness in terms of its *central ingredient*, i.e., virtuous activity. The first half of this definition is a natural conclusion from his function argument, but the clause after "indeed" sounds a bit awkward in this context. As Ackrill points out, both before and after this clause (except I.8, 1099a29-31, we should add), happiness seems to be something inclusive, but this clause does seem to anticipate the more dominant view of happiness elaborated in X.6-8.[309] Virtues are

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[306] There is no need, given Aristotle's intellectual context, to worry about the possibility of other rational animals (gods are rational but probably not animal). For a stronger defense of this thesis and thus against the challenge based on new biological discoveries, in the sense that "in rational activity we are most truly *whatever* we are," see Broadie (1991), pp. 35-36.

[307] *NE* I.7, 1097b34-1098a5, and see also I.13, 1102a27-1103a4. For some other examples of Aristotle's discussion of different faculties in living things and different levels of life, see *De anima* I.1, II.3, III.9, and III.12, and *Generation of Animals* I.23.

[308] This connection has been implied in I.4 when Aristotle gives a preliminary judgment about the life of honor: "they pursue honor to convince themselves that they are good…it is clear, then, that—in their view at any rate—virtue is superior [to honor]" (1095b26-31).

[309] Ackrill (1974/1980), pp.20-21. But I do not agree with him and those who follow him (such as Keyt [1978], p. 138-139 and Crsip [1994], p. 114, n.9) that on this single ground we should depart from the more natural

indeed more than one, and then the best human life should be the life in accord with the best and most complete virtue, and according to the definition of completeness, such a virtue must be most choiceworthy, and only choose for its own sake, which will turn out to be the virtue of *sophia*. Perhaps in order to make such an unpredictable idea not too striking, Aristotle immediate adds: "moreover, in a complete life [*en biō teleiō*]. For one swallow does not make a spring, nor does one day; nor, similarly, does one day or a short time make us blessed [*makarion*] and happy (1098a18-20)." Here Aristotle speaks of happiness in its fuller sense, the happy life in general. To judge whether a person is happy or not, one should observe his entire life in which his potentiality can become actuality, but not any short period. As Broadie rightly points out, Aristotle's allegory of the spring also implies that happiness is composed of many things.[310]

In the function argument, Aristotle mainly focuses on the central ingredient of happiness, i.e., the good of the soul in accord with virtue, for that is peculiar human and is called good most fully, and he is satisfied with giving "a sketch of the good" (1098a20-21). In the following chapter, he spells out other requirements of the highest good or happiness, which also include external good and bodily good.[311] Aristotle lists some of these goods, such as friends, wealth, political power, good birth, good children, physical beauty (I.8, 1099a31-b6). While virtue seems to satisfy the first criterion of happiness, i.e., completeness, it alone cannot satisfy the second criterion of happiness, i.e., self-sufficiency, for it certainly makes a virtuous person happier if bodily good and external goods are added to virtue. So a full account of happy life also requires these latter goods, and thus must be inclusive. But when Aristotle speaks of happiness, the supreme good or the highest end, he sometimes means the happy life which includes all three kinds of good (this is the happiness in its full sense), and sometimes refers to the central ingredient of such a life, i.e., the activity in accord

understanding of this clause as referring to one single virtue, and to see it as meaning complete virtue or all virtues (if so Aristotle should have said "all the virtues" instead of "the best"), so I am in agreement with, for example, Hardie (1979), pp. 38-40, Roche (1988), p. 187, and Cooper (1987/1999), p.222-227.

[310] Broadie (1991), p. 26.

[311] That account is a "sketch" also in the sense that Aristotle, at this stage of his instruction, has not indicated what consists of virtue, still less about the highest human life, i.e., contemplation.

with the virtue of the soul.[312] And it seems to me that it is this loose use of language that causes the most famous debate between "inclusive" or "dominant" interpretation of Aristotelian happiness.[313]

Since the full range of happiness includes all the goods of human being, it will be very difficult to possess them all. Although he does admit that it is difficult to be happy in the full sense, Aristotle nevertheless holds that some people can indeed be happy. On the one hand, this is because the central ingredient of happiness, the virtuous activity, is largely within our control, so Aristotle provides a rather moving eulogy of virtue even under great misfortunes (I.10, 1100b27-1101a6). On the other hand, happiness is an ultimate goal for all human beings, but we have natural differences, different birth, education, fortune, disposition, and there is no way for all to reach the same height in the pursuit of happiness, even if we grant that happiness is one and the same goal for all. We should not understand Aristotle so unrealistic as to claim that only reaching an absolute standard, one can be called happy, for Aristotle is never such an absolutist. Happiness should be understood as a concept allowing both quantitative and qualitative distinctions. In a more realistic and thus more Aristotelian sense, there must be a hierarchy of happiness in accordance with these two distinctions, and we can say one is happier than another by applying Aristotle's standards (such as one has more virtues than the other, given the same virtue, one possesses more bodily and external goods[314]), but as long as one has done his best to pursue happiness in the correct direction, aiming at the correct goal, even if he cannot, in an ultimate sense, reach that ultimate goal, Aristotle may also be willing to call him

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[312] A convenient passage expressing this contrast is: "a human life, as we said, needs these [good fortunes] added, but activities in accord with virtue control happiness" (I.10, 1100b9-10).

[313] These terms are handed down from Hardie (1965) and are widely used by following scholars. I should make clear what I mean by "inclusive" and "dominant" at the outset. By "inclusive interpretation" I actually include two different interpretations: (a) the interpretation that takes all the goods (both intrinsic and external) as ingredients of a supremely happy life (sometimes called "comprehensive interpretation") and (b) the interpretation that only takes intrinsic goods, such as virtue, honor, pleasure, as the ingredient of the supreme happiness. By "dominant (or intellectualist, which I take as synonymous) interpretation" I mean the interpretation that identifies happiness exclusively with contemplation, and thus leaves little or no room for ordinary moral virtues, and thus see there is conflict between contemplative and moral life. I will provide some examples of these two camps when we come to the discussion of contemplation.

[314] Certainly such comparison can only be rough, for some ingredients of happiness may be commensurable, such as one has good children but has little money, whereas another has great amount of money but no child. At this point, we should remind of ourselves that ethics cannot reach the exactness of mathematics as we emphasized in Chapter III.

happy, because he has fulfilled all his potentiality, and has reached the highest actuality available for him.[315]

If one wishes to be happy, then what he should do, in its primary sense, is to try to acquire all the virtues, the central ingredient of happiness, for these are most within our control. According to the two parts of the soul that have reason, Aristotle distinguishes virtue into two groups, virtue of character or moral virtue, which is the virtue of the part of the soul that shares in reason and thus can obey reason, and virtue of intellect or intellectual virtue, which is the virtue of the pure rational part of the soul and thus itself thinks (I.13). Let us now turn to more detailed discussions of virtue.[316]

V.2 Self-Oriented and Other-Oriented Sides of Happiness and Virtue

Happiness and its central ingredient, virtue, are connected with both private and common good. Happiness is in the end the happiness of oneself, and similarly virtue is in the end the virtue of oneself. Every virtue is for the purpose of private good, because to fulfill those virtues amounts to fulfilling the special function of human being, and thus to achieve happiness, the ultimate goal of every individual.[317] Therefore, happiness and virtues are clearly self-oriented.

But on the other hand, happiness and virtue are also related to the common good, or other-oriented. This side of the issue is first indicated in Aristotle's discussion of self-sufficiency, as we emphasized above (1097b8-11). Most moral virtues (temperance seems to be the only exception) are both self-oriented and

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[315] For the degree or hierarchy of happiness, see for example, Keyt (1987), Cooper (1987/1999), Heinaman (1993), and Crisp (1994), and Bostock (2000), p. 14-15. Lear (2004) is a rare representative of sheer denial of the degree of happiness (p. 197).

[316] There is no doubt that virtue is the central theme of the *NE*, so when I discuss the ultimate reconciliation of private and common good, I will focus on Aristotle's explicit discussion of virtues, both moral and intellectual, i.e., *NE* II-VI and X.6-8. His extensive discussion of friendship in VIII-IX certainly provides another important source for the reconciliation of these two series of good, as Professor Wang correctly pointed out, but I will leave this part of the discussion to another occasion. Such a practice is on the one hand to make the discussion more focused, and on the other hand and more importantly, I think Aristotle's discussion of friendship represents a quite different perspective in dealing with the tension at stake. As I am arguing here, through the discussion of virtue, Aristotle maintains a balance between private and common good, whereas in his discussion of friendship, Aristotle attempts to minimize the tension through a kind of "privatization" of the common good, since friendship, in the end, is a private relationship in ancient Greek context.

[317] Since virtue is the central ingredient of the very definition of happiness, to achieve happiness through the acquisition of virtue will not render those virtues into mere means. They are, as Aristotle repeatedly emphasizes, chosen for their own sake.

other-oriented; among intellectual virtues, *technē* and *phronēsis* obviously have these two sides. And this other-oriented side of the virtue is closely related to our nature as political animal, since no individual can live alone while maintaining a decent *human* life. The well-functioning of the rational part of the soul is not on the individual level, but on a social or political level. Some interpreters argue that the starting point of Aristotelian ethics is egocentric.[318] But in my view, that notion is somewhat misplaced. Although Aristotle is fully aware of the self-interested side of human nature, in his normative discussion of ethics, or in the good human beings in Aristotle's sense, the distinction between egoism and altruism is not applicable. According to him, they are not at all two distinct motivations, but one and the same. In Aristotelian ethical system, to act for one's own happiness must be, at the same time, for the good of others. The double-sided nature of virtue provides the bridge to connect private good and common good, and to reconcile the tension between them. If we have to use words such as egoism and altruism, then it is most fair to say that the double-sided nature of virtue lead human happiness beyond egoism or altruism.

The role of bridging private good and common good can be further appreciated via two terms of value, "praiseworthy [*epainetos*]" and "noble [*to kalon*]." For praiseworthiness and nobility are especially connected with virtue, as Aristotle says, "praise is given to virtue, since it makes us do noble action" (*NE* I.12, 1101b31-32), and later repeats in similar words, and clearly including intellectual virtues: "we also praise the wise person for his state, and the states that are praiseworthy are the ones we call virtues" (I.13, 1103a8-10). According to Aristotle, virtues are praiseworthy, and something is called praiseworthy precisely because it "makes us do noble action," so Aristotle takes the noble as the end of virtue (III.7, 1115b12-13 and IV.1,

[318] Such as Ross (1964), pp. 231-232, Hardie (1968), pp. 327-331; although Annas (1977 and 1993) tries to counter such an interpretation, she interprets Aristotle as allowing only a very limited role of the concern of others, i.e., in friendship. For criticisms of such an egocentric understanding of Aristotle, see, for example, Engberg-Pedersen (1983), ch. 2 and Kraut (1989), ch.2. My following argument as a whole is to show why such a label is misplaced. Previous discussion paid a lot of attention to the passage of *NE* IX.8 (for a good summary of the debate and some further discussion, see Madigan [1991]), but here I will argue from a different perspective, i.e., by examining the bridging role of individual moral and intellectual virtues. Szaif (2006) provides a good discussion of a second level question, i.e., whether the compatibility between self-oriented and other-oriented sides of the issue is in the end motivated by mere self-interest or genuine other-regard, and discloses the complexity of the issue at stake. I agree with his conclusion that we have enough reason to object the first possibility and Aristotle's text is completely compatible with the second.

1120a23-24).[319] Then what is nobility (*to kalon*)? Aristotle never gives a clear definition of this important concept, presumably because it is too common in Greek language of his days, but his description of it, under both ethical and political contexts, clearly connects what is noble with the good of others or the good of the city.[320] The connection of virtue and nobility is best shown in a passage of *Rhetoric* I.9, where these two terms stand at the center of his discussion:

> It is clear that things productive of virtue are necessarily noble (for they tend to virtue), as well as things that are brought about by virtue; and both the signs and works of virtue are of such a sort. But since the signs and such things as are the workings of a good man are noble, necessarily whatever are the works of courage or signs of courage or have been done courageously are noble...and similarly in the case of other virtues. And *things for which the rewards are an honor are noble*, especially those that bring honor rather than money; and *whatever someone does, by choice, not for his own sake*; and *things absolutely good and whatever someone has done for his country, overlooking his own interest*; and *things good by nature and that are not benefits to him*, for such things are done for their own sake; and *whatever can belong to a person when dead more than when alive* (for what belongs to a person in his lifetime has more of the quality of being to his own advantage); and *whatever works are done for the sake of others* (for they have less of the self); and *successes gained for others*, but not for self and for those who have conferred benefits (for that is just); and *acts of kindness* (for they are not directed to oneself). (*Rhetoric* I.9, 1366b25-1367a6)[321]

This lengthy passage from the *Rhetoric* is in perfect agreement with what Aristotle says in the *NE*. I will discuss Aristotle's specific points in the following section. What is clear in this general discussion of virtue and nobility, though, is that to be concerned about one's own good is not noble and thus not praiseworthy, presumably because that is only what is *natural*, but doing good for the sake of others and for one's city is more praiseworthy, and thus noble. This contrast between the other-oriented nature of the noble and the self-oriented nature of the advantageous is

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[319] This is not in any conflict with the statement that virtues are also practiced for the sake of happiness, because Aristotle holds that virtues are both practiced for its own sake (because they are good and noble), and for the sake of happiness. Or to put it in another way, virtue is constitutive to happiness.

[320] Among recent literatures I am aware of, Gabriel Richardson Lear pays most attention to the concept of *to kalon* (see Lear [2004], ch. 4, and Lear [2006]). Certainly she points out some important features of this concept, especially its teleological structure (but sometimes I feel too much teleology in her discussion) and visibility, but it seems to me that sometimes she unnecessarily complicates the matter, such as she stresses too much of the aesthetic aspect of this notion, tries very hard to unify the aesthetic and political aspects of this notion.

[321] For a similar passage, see *Rhetoric* I.9, 1366a33-b1.

also shown in Aristotle's comments about young and old people's character. When speaking of the young, Aristotle connects virtue with the noble: "they [the young people] choose to do noble things rather than things advantageous [*tōn sympherontōn*]; for they live more by natural character than by calculation, and calculation concern the advantageous, virtue the noble" (*Rhetoric*, II.12, 1389a32-36); whereas when speaking of the elder people, he says: "they are more fond of themselves than is right…they live for what is advantageous, but not for what is noble, more than what is right, through being fond of themselves. *The advantageous is good for the individual, the noble absolutely*" (*Rhetoric* II.13, 1389b35-1390a1). Therefore, to pursue what is noble and praiseworthy and to avoid what is base and shameful provides further motivation for people to do virtuous action other than to pursue one's own happiness.[322]

V.3 Moral Virtue as Bridge between Private and Common Good

1. Moral virtue in general

Aristotle defines moral virtue as the state of mean between two extremes, a mean not absolutely but relevant to us (*to meson pros hēmas*) (II.5-6). Moral virtue is different from but certainly related to virtuous action. On the one hand, virtue (the possession of a virtuous state is only first actuality and a kind of potentiality) must be actualized in virtuous action (second actuality); and on the other hand, one or a few virtuous actions do not make or prove the agent virtuous, for moral virtue is a stable state of character, and is composed of three elements, (1) to know what virtue is, (2) to decide on it and for its own sake, and (3) to do virtuous actions from a firm and unchanging state (II.4). In books III-V, Aristotle discusses eleven particular moral virtues and their correspondent vices. As we will see, virtues of character on the one hand regulate the character of the possessor, and on the other hand, regulate the relation between the possessor and other people. For if without other people, it will be pointless to practice such virtues as generosity, friendliness, or truthfulness.

[322] But Aristotle's text does not allow us to ask further why people want to be noble and praised. This can only be explained in terms of our natural desire, like the desire of bodily pleasure or the natural desire to understand.

In what follows, I will briefly examine the self-oriented and other-oriented sides of all the moral virtues discussed in *NE* IV-V, leaving the first two virtues, i.e., courage and temperance, aside. Courage will be singled out later, whereas temperance is only very remotely related to the common good.[323]

Let us begin with two virtues related to the desire for wealth, i.e., generosity (*eleutheria*) and magnificence (*megaloprepeia*). Although these two virtues are related to both taking and giving wealth, the latter aspect is especially important. The cultivation of these virtues is good for the agent because they form the good disposition of the soul toward material gain, and to avoid such bad states of the soul as wastefulness, ostentation/vulgarity, ungenerosity, and stinginess, which cause either self-destruction or bring shame. Their relation to the noble and the good of others is also obvious. Consider generosity first. Aristotle says, "the generous person will also aim at the noble in his giving, and will give correctly; for he will give to the right people, the right amount, at the right time, and all the other things that are implied by correct giving" (IV.1, 1120a24-26), and to give wealth to others is certainly for the good of others, so "generous people are loved more than practically any others who are loved because of their virtue; that is because they are beneficial" (1120a21-22), and furthermore, "it is also very proper to the generous person to exceed so much in giving that he leaves less for himself, since it is proper to a generous person not to look out for himself" (1120b4-6). Magnificence also aims at the noble like all the other virtues (IV.2, 1122b7-8),[324] and it especially contributes to the public good of a city and brings honor to the agent, as Aristotle says, "this sort of virtue is found in the sort of expenses called honorable, such as expensed for the gods—dedications, temples, sacrifices, and so on, for everything divine—and in expenses that provoke a good competition for honor, for the common good, if, for instance, some city thinks a splendid chorus or warship or a feast for the city must be provided" (1122b20-24).[325]

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[323] We may say that to keep one's bodily desires under control is important to have good health and thus can serve the public good better.

[324] Since Aristotle clearly states that the noble is the aim of all the virtues, I will no longer indicate this aspect in the following discussion of particular virtues until we come to the discussion of courage.

[325] At 1123a5, Aristotle mentions again that magnificent person spends money for the common good, but he does not deny that there are also occasions to be magnificent for private purposes, such as wedding and building a proper house.

The following two virtues are concerning honor, another major passion in our soul. The virtue concerning big honor is magnanimity (*megalopsychia*, more literally the greatness of the soul),[326] whereas the one concerning small honor is nameless. Honor, as Aristotle understands it, is "the greatest of external goods" (IV.3, 1123b20), and is closely related to political life and the service to the city. The magnanimous person thinks himself worthy of great things and great honor, and also deserves them. He faces great danger (1124b8-9), does good to others but feels ashamed to receive goods (1124b10-13), he only takes few but renowned actions aiming at great achievement (1124b25-26). Similar is the case for the virtue concerning small honors, but all in lesser degree. These two virtues are also concerned with one's own good and happiness, both because the proper desire for honor is of special importance in political community, and because they are both related to the self-evaluation of the agent, for a truly worthy man, if not acknowledged by others, will certainly not achieve happiness.

The virtue of mildness [*praotēs*], which was, together with its correspondent vices, nameless at Aristotle's time (IV.5, 1125b26-29), is concerned with proper affection of anger, and with the return of offense. The mild person is undisturbed, not led by his anger, and ready to pardon (1125b33-1126a3), so it is easy to live with him. Excessive anger, too easy to feel anger and too hard to reconcile, will harm both the agent and other people, for they are hard to live with (1126a8-31); whereas deficient amount of anger tends to accept offense and not to defend oneself and one's friends, so it is slavish (1126a6-8). It is clear that the latter two vices will make a person hard to get along with.

What follows are three virtues concerning social life, friendliness, truthfulness and wit. The virtue "friendliness" (*philia*) is only thus called by its similarity to friendship, for the exact virtue Aristotle has in mind did not have a name at his time (IV.6, 1126b19-20). This virtue is about living with other people, treating other people

[326] Aristotle's discussion of magnanimity is in many ways intriguing, and thus generates a lot of disputes. For some interesting discussion of the virtue of magnanimity, see Gauthier and Jolif (1970), Hardie (1978), N. Cooper (1989), Curzer (1990), Pakaluk (2004), and Crisp (2006). I will discuss some similarities between the magnanimous person and the philosopher.

in a friendly way but without the special feeling or fondness seen in real friendship (1126b22-28). It is the right amount of the passion of loving and enmity in one's own soul, so it is also good for the agent.

Similar to friendliness, truthfulness (*alēthēs*) is also nameless and concerned with social life, but from a different perspective. Friendliness is about giving others pleasure and pain, whereas truthfulness is about truth or false both in words and in action (but not in the realm of justice). A truthful person "is straightforward, and therefore truthful in what he says and does, acknowledging the qualities he has without exaggerating or belittling" (IV.7, 1127a23-26). He wins deserved reputation for himself, and conveys the appropriate information about himself to others.

Wit (*eutrapelia*) is the virtue in relaxation and amusement of social life, a rather minor moral virtue comparing with the rest. Aristotle relates this virtue to one's character in a curious way, "these sorts of jokes seem to be movement of one's character, and characters are judged, as bodies are, by their movements" (IV.8, 1128a11-12). According to him, someone who tells good jokes in the right moment shows his character to be decent and civilized. That it is also good to others is obvious, for such a person brings proper amusement to others. Aristotle calls the boor, who is deficient in wit, "useless when he meets people in these circumstances" (1128b3).

In our present context, I cannot do justice to Aristotle's extensive and subtle discussion of justice (*dikaiosynē*),[327] but will only confine myself with a few words about the double-sidedness of this virtue. Its other-oriented side is obvious enough, for it is concerned with the regulations of the law and the fair distribution of goods, depending on whether we understand justice as lawfulness or fairness. So I would like to stress a little bit the self-oriented side of this virtue, which is usually neglected by commentators and sometimes also by Aristotle himself, such as when he says that "what is just or unjust must always involve more than one person" (V.11, 1138a21). However closely related to others and to the city, justice is nevertheless classified as

[327] Justice is surely the particular moral virtue which has been most heavily discussed. For some examples of good discussions of this virtue, see Hardie (1968), ch. 10, Williams (1980), Mathie (1987), O'Connor (1988), Miller (1995), ch. 3, Bostock (2000), ch. 3, Kraut (2002), ch. 4, and Young (2009b). I will say more about lawfulness in Chapter VI.

one particular virtue of character, and thus must be connected to the agent's own character in certain way, and cultivated by habituation. The good habit of obeying laws gives good order in one's own soul, for it makes one more easily follow his right reason, for good laws are the embodiment of good reason; and the fair distribution of goods to other people will also make one more easily distribute different goods for himself, such as wealth, health, different desires, and virtue.

From the above brief discussion of each moral virtues, it should be clear enough that they are both self-oriented and other-oriented. They are self-oriented, in the sense that they adjust the desire and passion to the right amount, make them obey reason, and thus contribute to the agent's own happiness. They are also other-oriented, in the sense that they also deal with one's relation to others and to one's political community in general, and thus contribute to the common life. We are now ready to answer the first two questions raised at the beginning of this chapter, i.e., why does the virtuous person have to labor himself for his friends and for his country? And why to serve the common good is also to do oneself the greatest good? And now let us turn to courage and try to answer the most difficult question: why sometimes to die for one's friends and country is also necessary, or even counted as good for oneself?

2. The paradox of courage

It sounds reasonable enough to sacrifice money, time, labor, and other recourses one possesses for one's friends and fatherland, for the sake of virtue and nobility. But it seems strange to claim that to sacrifice *one's life* for others is also for one's own good. Therefore the virtue of courage poses the most paradoxical question to the general thesis that virtue reconciles private and common good.

Life is certainly very important for the realization of happiness, understood as "living well and doing well." It is obvious that if life itself ends, it is no longer meaningful to speak of living well and doing well. So a considerable length of life is taken as a necessary condition for happiness, as Aristotle says "happiness requires both complete virtue and a complete life" (*NE* I.9, 1100a5), and in the *Rhetoric*, Aristotle also lists "a good old age" as a part of happiness (*Rhetoric* I.5, 1360b20, see

also 1361b27-34). Life itself, even if doing nothing, is nevertheless a major human good at which all men aim, as Aristotle says, "even if no other good should follow, it [life] is desirable in itself" (*Rhetoric*, I.6, 1362b26).[328] And death is a natural object of fear for human beings (*NE* III.6, 1115a11).

But the virtue of courage (*andreia*, literally manliness), a virtue concerning our passion of fear and confidence,[329] precisely requires the risk of one's life for the sake of others and primarily for one's city, because in Greek language, this virtue is especially applied in the context of war, and courage is primarily the virtue of confidently facing death in war,[330] as Aristotle eloquently and forcefully puts it,

> Then what sort of frightening conditions concern the courageous person? Surely the most frightening; for no one stands firmer against terrifying conditions. Now death is most frightening of all, since it is a boundary, and when someone is dead nothing beyond it seems either good or bad for him any more. Still, not even death in all conditions—on the sea, for instance, or in sickness—seems to be the courageous person's concern. In what condition, then, is death his concern? Surely in the *noblest* conditions. Now such deaths are those in war, since they occur in the greatest and *noblest* danger...someone is called fully courageous if he is intrepid in facing a *noble* death and the immediate dangers that bring death. And this is above all true of the dangers of war. (III.6, 1115a25-36)

Courage is the virtue aiming at nobility in the noblest occasion. But why is war the noblest condition of death? It is surely because comparing with other occasions of death, such as suicide, sickness, being sentenced to death by law, and so forth, death in war and death in defending one's city against enemy, is most for the sake of the common good and the good of one's fellow people, as have been shown above. Aristotle uses the word "noble" three times in this short passage, and two of them are in superlative form, and Aristotle most frequently appeals to nobility in his discussion

[328] See also *Politics* III.6, 1278b25-30: "There is perhaps something beautiful [*kalon*] in living just by itself, provided there is no great excess of hardships. It is clear that most men will endure much harsh treatment in their longing for life, the assumption being that there is a kind of joy inherent in it and a natural sweetness."
[329] Some major scholarly disputes concerning courage include why Aristotle includes two different passions under this virtue, the difference between the discussion in *NE* and *EE*, why he mentions three vices instead of two, and whether courage is closer to continence than to a genuine virtue. For some good discussions of these questions, see Pears (1980), Taylor in Aristotle (2006), pp.172-193, and Young (2009). I will only focus on the problem of courage most related to my general thesis, and my general position concerning these questions is in large agreement with Young's.
[330] For an general account of the word *andreia* in Greek language and political background, see Bassi (2003).

of courage.[331] Therefore, it is obvious that to fully appreciate the special and paradoxical status of courage, the notion "nobility" is of paramount significance. He indicates that the courageous person stands firm in the face of danger, even the irresistible danger, "for the sake of the noble [*tou kalou heneka*], since this is the end of virtue [*telos tēs aretēs*]" (III.7, 1115b12-13).[332] We have already been familiar with such a theme both in section two and in our discussion of particular moral virtues, but the motivation "for the sake of the noble" reaches its peak in the virtue of courage. The courageous person acts out of the love of nobility, so to act courageously is to satisfy *his own love*. Viewing from this perspective, the virtue of courage is also the best representation of the general requirement that virtue must be chosen for its own sake, for acting for the sake of the noble is the same as acting for the sake of virtue. Nobility provides the *internal goal* for the courageous person. And as we saw above, acting nobly will naturally bring honor and praise to the agent, and keep him away from shame and disgrace.[333] The satisfaction of one's natural desire for honor through one's pursuit of nobility is precisely the self-oriented side of this virtue.

Since moral virtue in general requires that the virtuous person acts with pleasure (not pain), as a sign of his virtuous state (II.3), the courageous person also practices this virtue pleasantly, but this is a special kind of pleasure, a pleasure mixed with pain. The courageous person is not ignorant about the painfulness of wounds or death, and suffers them unwillingly, since the fear of pain is simply natural for human beings. But for a truly courageous person, what is noble is superior to the pain, even superior to the life itself. Though with pain, he still voluntarily takes the pain and takes it with pleasure:

[331] In his discussion of courage (III.6-9), Aristotle uses different forms of the word *kalon* eighteen times. Lear (2004) provides a good discussion of the relation between courage and *to kalon* (pp. 148-162), but her general argument that courage points to contemplation (see especially pp. 159-162) sounds too farfetched, and she also fails to appreciate Aristotle *explicit* connection between the noble and the good of others and one's political community (so she argues for this point in a rather awkward way; see pp. 151-153).

[332] It certainly does not mean that courageous person will resist any kind of fear however great, for every moral virtue is defined as a mean between two extremes, and courageous person is "whoever stands firm against the right things and fears the right things, for the right end, in the right way, at the right time, and is correspondingly confident" (III.7, 1115b17-19). But my discussion will focus on the fearless aspect of this virtue. For a subtle discussion of the interaction of fear and fearlessness, see Pears (1980), pp. 178-181.

[333] But actions not out of the motivation of the noble, but only "with the aim of avoiding reproaches and legal penalties and of winning honors" (III.8, 1116a19-20), like what Greek citizens usually do, are not truly courageous, and only close to courage, because it has an external goal other than the nobility itself, and also lacks the "immediacy" of courage (see Lear [2004], pp. 154-155).

> [T]he truer it is that he has every virtue and the happier he is, the more *pain* he will feel at the prospect of death. For this sort of person, more than anyone, finds it worthwhile to be alive, and knows he is being deprived of the greatest good, and this is *painful*. But he is no less courageous for all that. Presumably, indeed, he is all the braver, because he chooses what is noble in war at the cost of all these goods. (III.9, 1117b 10-15)

The noble ideal provides the most important motivation for the courageous person to act courageously, and provides a way to solve the paradox at issue. We may add two more realistic points concerning the self-oriented side of this virtue, which are not explicitly expressed in Aristotle's lofty discussion of courage.[334] The first is related to the cultivation of one's passion or desire, the purpose of moral virtue in general. It is not difficult to see that if one can follow reason's prescription and stand firm when seeing the enemy advancing, the most imminent danger of wound and death, his passion concerning fear will be so well-tuned that he will more readily follow reason and show courage and confidence in other relative lesser occasions of danger, such as the danger of navigation, illness and poverty, the extensive cases of the virtue of courage.

The second realistic point is related to the *external goal* of courageous actions, i.e., victory.[335] In a battle, what serves one's own interest best is certainly to win. Given the war condition of Greek cities, to win is also the best way to save one's own life (certainly except taking flight which will bring huge shame and probably also punishment), because prisoners will be very likely killed, and more probably sold as slaves, who are not taken as human beings anymore. The fall of a city in general might cause still worse result, i.e., all the male citizens are killed, and all the women and children are sold into slaves.[336] And in order to win the battle or to save one's life and one's city, the best way is to fight as courageously as possible. Given the

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[334] Aristotle's discussion of courage is akin in spirit to Pericles' Funeral Oration. They both see honor as the major motivation in battle and connects honor with the good of the city.

[335] I borrow the term "external goal" from Pears (1980), where he calls nobility the "internal goal" (which we have discussed above) and wounds and death the "countergoal" (p. 174). But I do not follow his line of argument that "if the external goal has a high value, the desire to avoid the coutergoal will be outweighed in the balance" (p. 180). My argument here is more realistic, i.e., to avoid the countergoal, what one should do is to achieve the external goal, and to achieve the external goal, one has to be courageous.

[336] The best examples seem to be the cruel proposal of Cleon toward the execution of the revolt of Mytilene which was first passed by the Athenian assembly but later repealed, and the actual slaughter that took place on the island Melos, both recorded by Thucydides.

correctness of strategy and all the other conditions, there is certainly the greatest opportunity to win if every soldier is as courageous as Aristotle recommends here. To put it in a slightly paradoxical way, to best way to save one's life is to risk one's life to the greatest extent.

Now we are ready to answer all the three questions raised at the beginning of this chapter, and explain why to act for the common good is compatible with self-love. This is precisely because moral virtues bridge the private and common good. In practicing those moral virtues, one wins the greatest good to himself, i.e., the central ingredient of happiness, and at the same time, also does great service to his fellow people and political community. In the next section I will argue that certain intellectual virtues have the same function of bridging private and common good.

V.4 Intellectual Virtue as Bridge between Private and Common Good: *Technē* and *Phronēsis*

1. Intellectual virtue in general and *technē*

Aristotle introduces his extensive discussion of intellectual virtue with the connection between moral virtue and intellectual virtue: "since we have said previously that we must choose the mean [*to meson*], not the excess or the deficiency, and that the mean is as the correct reason [*ho logos orthos*] says, let us now determine what it says" (VI.1, 1138b18-20). He further divides the rational part of the soul into two, one studying "beings whose principles do not admit of being otherwise," i.e., scientific part (*epistēmonikon*), and the other studying "beings whose principles admit of being otherwise," i.e., calculative part (*logistikon*) (1139a7-15). The intellectual virtues that correspond with the scientific part of the soul are *epistēmē* (knowledge), *nous* (understanding), and *sophia* (wisdom); whereas those that correspond with the calculative part of the soul are *technē* (art or craft) and *phronēsis* (prudence).[337]

The virtues concerning the scientific part of the soul *seem* to have very little to

[337] Aristotle's usage of these terms is on the one hand deeply embedded in common Greek language, such as to say *sophia* in art and *nous* in grasping the particular, and on the other hand technical, such as to say *sophia* as the study of the most divine object and *nous* as the grasping of the first principle of *epistēmē*. Different translators sometimes give strikingly different translations of these terms. In the brackets I provide what seem most common, but we can also see many variations. I think it would be better if we leave them untranslated in our technical discussion of these intellectual virtues.

do with the reconciliation. This is true in the cases of *epistēmē* and *nous*, for the latter is concerned with the discovery of the first principles,[338] and the former is the deductive system of knowledge. They will satisfy our natural desire to know the nature of everything, and thus directly contribute to private good, and we can at best say that they are *indirectly* connected to the good of others or the common good of a city, for the scientific study of some object such as mathematic and botany may in certain way benefit public life by applying the result of these studies in constructing temples and taking good care of crops, but these applications are nevertheless external to the scientific study itself, which is only concerned with truth and falsity of a theory (VI.2, 1139a28).[339] So let us leave these two virtues aside for our present discussion. But I will argue shortly that the highest intellectual virtue *sophia* and its corresponding way of life, contemplation, actually represent the ultimate reconciliation of these two series of goods.

Let us now examine the two intellectual virtues of the calculative part of the soul in turn. Aristotle says that "what admits of being otherwise includes what is produced [*poiēton*] and what is achieved in action [*practon*]" (VI.4, 1140a1-2). The difference between them is that production (*poiēsis*) has its end outside the activity, i.e., the products, whereas action or practice (*praxis*) has its end within the activity, i.e., the acting well [*eupraxia*] itself (see VI.2, 1139b1-4 and VI.6, 1140b6-7).

It is not difficult to understand why *technē* contributes to both private good and to the good of others and the common good in general. It is an excellence of the soul, an internal good for the practitioner, and his *technē* can bring money (say, Gorgias

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[338] This is the *nous* Aristotle officially discusses in VI.6, but later he also speaks of another kind of *nous*, a kind of perception (*aisthēsis*) related to the particular and the minor premise of a practical syllogism (VI.11, 1143a35-b14). That passage causes a lot of trouble in understanding Aristotle's *nous*. Interpreters call the nous in VI.6 "theoretical *nous*" and in VI.11 "practical *nous*." The first is the *nous* as an intellectual virtue, and as for the latter kind of *nous*, it seems to be part of *phronēsis* in general (which provides connection between universal and particular). What is common in these two different *nous* is that *nous* is not discursive reason (*alogos*): theoretical *nous* is a direct grasp of the first principle, whereas practical nous is a direct grasp of the particular in deliberation. The second sense of *nous* also seems to be related to "good sense" as one of the common meaning of the Greek word *nous*. So Aristotle's discussion of the second kind of *nous* is partly required by the common use of language, but he probably does not see it as a genuine intellectual virtue (for Aristotle also speaks of it as if it comes from nature, but virtue is not acquired by nature). There is a third sense of *nous*, our highest intellectual faculty as a whole, and Aristotle speaks of this sense of *nous* mainly in VI.2, 1139a18, X.7-8, and also *De anima* III.4-8. For some discussion of the many senses of the word *nous*, see Irwin's glossary in Aristotle (1999a), p. 351, and his notes on VI.11 (p. 250); Stewart (1892) also provides a good discussion of the passage in VI.11 (vol. 2, pp.91-93).

[339] All intellectual virtues are concerned with what is true and false (VI.2, 1139b12-13), but the calculative part is concerned with truth and falsity in action (1139a22-26).

because of his rhetorical art) and reputation (say, Sophocles because of his poetic art) to him if he is truly good at his *technē*. But any *technē* is not only practiced for the sake of the practitioner, but also for others and for the common good. We have seen the significance of rhetoric in solving the tension between private and common good, and so are all the other *technai* in so far as they are *technai* instead of some pastimes. House-building and shoemaking will never only be used to build house and make shoes for the practitioner, medicine will give treatment to whoever is sick but not just the doctor himself, and poetics will bring pleasure and plays certain social functions in the city.

2. *Phronēsis* in private and public life

Phronēsis is the intellectual virtue concerning action, and it is the central focus of Aristotle's discussion of intellectual virtue in *NE* VI. *Phronēsis* is also the intellectual virtue that is most closely related to moral virtues, as one of Aristotle's definition of moral virtue goes, "[moral] virtue is a state concerned with decision [*hexis prohairetikē*], consisting in a mean, the mean relative to us, which is defined by reference to reason, that is to say, to the reason by reference to which the prudent person [*phronimos*] would determine it" (II.6, 1106b36-1107a2).[340] We have seen in what way moral virtues reconcile the private good and common good in our previous discussion, and *phronēsis*, as the determining factor of moral virtues, will certainly contribute to the same reconciliation. I will first articulate the determining role of *phronēsis* in moral virtues, and then discuss the more direct connection between *phronēsis* and the public life of a political community.

A question immediately arises if we try to articulate the exact role *phronēsis* is playing in determining what is virtuous in a given occasion, for Aristotle's argument seems circular. One the one hand, moral virtue as the mean in a particular situation is determined by the reason of a *phronimos*, i.e., by his *phronēsis*. *Phronēsis* aims at the happiness of the agent and determines in a particular situation what decision and action can best promote his happiness. But on the other hand, Aristotle also claims

[340] Sometimes I will use the general term "practical virtue" to refer to the sum of moral virtue and *phronēsis*.

that one's conception of the goal is not determined by *phronēsis* but rather shaped by his moral virtue. *Phronēsis* as a virtue of the calculative part of the soul does not set the goal for the entire calculation; indeed the goal is set by moral virtue, as Aristotle explicitly states, "we fulfill our function insofar as we have *phronēsis* and moral virtue; for virtue makes the goal correct, and *phronēsis* makes the things toward the goal [*hē men gar aretē ton skopon poiei orthon, hē de phronēsis ta tros touton*]" (VI.12, 1144a6-9).[341] In the end it seems that we get a circle: *phronēsis* determines what moral virtue is by reference to the goal precisely set by moral virtue.[342] At the first sight, this circular argument cannot be virtuous, so it leads some commentators to conclude that Aristotle's discussion of *phronēsis* is "profoundly unsatisfying."[343] Given the purpose and scope of this present study, I cannot provide a thorough discussion of this problem. It is sufficient to point out a general direction which may lead us to a more satisfactory answer to this question.

If we take this argument *statically*, it does seem to be a vicious circle, but if we bear in mind Aristotle's *dynamic* characteristic, as we always should do, and at the same time bear in mind that moral education itself is a dynamic process, then this seemingly vicious circle probably should be understood as a virtuous one. The way out of this circle is closely related to the distinction between the acquisition of the first principle of ethics in theory and in practice.

What is trickiest in this circle seems to be the acquisition of the right conception of happiness,[344] the first principle or the ultimate goal of the entire deliberation, for the precise function of *phronēsis* is to promote this goal. As we have seen in the

[341] For similar passages, see *NE* VI.12, 1144a22-b1, VI.13, 1145a5-6, and VII.8, 1151a15-19.

[342] The detection of such a circular argument can be dated back at least to Thomas Aquinas (see Aquinas [1964], p. 546-547). And at one place, Aristotle does seem to admit such a circle: "*phronēsis* is inseparable from moral virtue, and moral virtue from *phronēsis*. For the principle of *phronēsis* accords with moral virtue; and correctness in moral virtue accords with *phronēsis*" (X.7, 1178a16-19).

[343] Bostock (2000), p. 97. Important discussions about this problem include Allan (1953/1977), Hardie (1968), ch. 11, Sorabji (1974/1980), Irwin (1975), Wiggins (1976/1980), Woods (1986), Broadie (1991), ch. 4, Fortenbaugh (1991/2006), Reeve (1992), ch. 2, and Natali (2001), ch.2. Among them, some, such as Allan, Irwin and Wiggins, emphasize the intellectual aspect of moral virtues (i.e., *phronēsis* determines both the goal and the means), and some, such as Woods, Fortenbaugh, Broadie, and Reeve stress the character or desire which can be independent of reason. Sorabji and Natali try to find both elements in the determination of the ends and the choice of means. My own solution by way of a virtuous circle is in general agreement with the last two, though from a different perspective.

[344] The capacity to achieve whatever goal is not *phronēsis*, but cleverness (*deinotēs*). For the difference between *phronēsis* (only for good end) and *deinotēs* (a more moral-neutral skill or capacity), see VI.12, 1144a23-b1.

previous chapter, this principle, in its *theoretical* sense, is acquired through dialectical examination of all the issues related to such an inquiry. From such a thorough theoretical examination, we finally understand that happiness is to have all the virtues, both intellectual and moral, and to have bodily goods and necessary external goods. All these inquiries cannot be done through *phronēsis*, for it is the virtue of practical calculation, not theoretical examination; it can only be done through the scientific part of the soul, and through such intellectual virtues as *epistēmē* and *nous*. But that is not the only way to acquire the first principle of ethics, as Aristotle speaks of the acquisition of principle in general: "some principles are studied by means of induction, some by means of perception, some by means of some sort of habituation [*di' ethismōi tini*], and others by other means" (*NE* I.7, 1098b3-4).[345] What matters most in our present context is the way of acquisition by "habituation," for that is precisely the way of acquiring moral virtues (II.1, 1103a32-b7), though not yet in its full sense. We can both habituate children to be virtuous in action, and habituate them to see happiness be primarily composed of virtues. In this sense, the goal of life in general and the goal of *phronēsis* in particular circumstances are set by moral virtue, although in the ultimate sense, they are set by theoretical inquiries into human nature conducted by such philosophers as Aristotle himself. The goal acquired through habituation gives the agent a rough idea about what he should do, i.e., to be virtuous in every particular situation and about what virtue is, i.e., to hit the right mean between two extremes. It is at this stage that *phronēsis* enters. Through its calculative faculty, *phronēsis* evaluates all the particular factors of a given situation, and determines what action can satisfy the requirement of the right mean and thus can best promote happiness. Only with the role played by *phronēsis* can the agent be said to have "full virtue" (*aretē kyria*, VI.13, 1144b16-17).[346] And if he always makes right decision in whatever kind of situation, he then deserves to be called a *phronimos*. *Phronēsis*, by

[345] See also VII.8, 1151a15-19 and X.8, 1178a16-19.

[346] It is under this context that Aristotle gives a brief dialectical examination of the famous Socratic statement all virtues are *phronēsis*, saying that "insofar as he thought all the virtues are *phronēsis*, he was in error; but insofar as he thought they all require *phronēsis*, what he used to say was right" (1144b19-21). Furthermore, from *NE* II.1 where Aristotle considers moral virtue almost exclusively in terms of habituation, to II.6 where he defines moral virtues as the mean in accordance with the *phronimos*, and to the final exposition of the requirement of *phronēsis* for the full moral virtue in VI.13, we have another good example of Aristotle's dynamic dialectical movement.

choosing the right course of action, actually promotes the happiness of the agent by making him truly virtuous in each occasion, so it will further reinforce the agents' conviction that to be happy is to be virtuous; and this reinforcement will gives stronger motivation and a good historical record for the agent to use his *phronēsis* to decide future cases. Therefore, we have a virtuous, instead of vicious, circle between *phronēsis* and moral virtue.

Having seen the outline of a possible answer to this central difficulty in understanding *phronēsis*, we should now examine more closely this intellectual virtue. Aristotle defines *phronēsis* in such words: "*phronēsis* is a state grasping the truth, involving reason, concerned with action about things that are good or bad for a human being" (IV.5, 1140b4-6). The self-oriented side of *phronēsis* is shown clearly in this passage, for *phronēsis* in the end is for the living well or happiness of the agent. *Phronēsis* is the excellence of the soul in deliberating or calculating what action can best promote one's ultimate end, i.e., happiness.[347] The special features of *phronēsis* are (1) it will never be misused (1140b21-22), for *phronēsis* is precisely the intellectual ability that decides what moral virtue is, and a true *phronimos* must also possess all the moral virtues;[348] (2) it cannot be forgotten (1140b29-30), presumably because it is a capacity always used to deal with new and concrete situations (in routine cases, there is certainly no need to apply the calculative power of *phronēsis*); (3) unlike all the other intellectual virtue, *phronēsis* is "prescriptive, since its end is what action we must or must not do" (VI.10, 1143a9-10), (4) it is a virtue especially for the old people, because it requires experience (VI.8, 1142a11-20); and (5) most importantly, it is concerned with both universal and particular. The universals in the practice of *phronēsis* are our goal or principle (i.e., happiness) and theoretical knowledge about action, whereas the particulars are on the one hand the minor premise in a practical syllogism, and on the other hand the particular action one

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[347] Braodie (1991) argues that *in practice* no one has a clear understanding of the conception of the end (pp.200-201). It seems true for most people, and they can only be called *phronimos* in a proximate sense, for they have a rough idea what they should aim at (for example, a virtuous life), or be called real *phronimos* in the sense that they realize what is the highest life possible for him (since not everyone can lead the highest human life as such).

[348] For the controversial thesis of the unity of virtue, see the discussion in the following section.

should take in a given situation (VI.7, 114ab14-23).[349]

The above discussion should make it clear that *phronēsis* directly contributes to the private good of the *phronimos*, and through the role of reconciliation played by moral virtues as we saw in the previous section, *phronēsis* is also *indirectly* contribute to the reconciliation of private and common good, because it determines the moral virtue in any given situation.

But on the other hand, *phronēsis* also in a more *direct* way contributes to the common good, because it is the virtue most needed in political realm. We have seen this aspect of *phronēsis* briefly in our discussion of the mode of persuasion through character, especially in deliberative rhetoric, in which the orator should display through his speech that he has the virtue of *phronēsis* in order to persuade his audience that his advice concerning the policy of the city in the future is more likely to be advantageous and more desirable than his rival's. Aristotle more extensively speaks of the role of *phronēsis* in political deliberation in the *NE*. The only example he provides in the *NE* of the *phronimos* is Pericles, and when speaking of him, Aristotle remarks, "they [people like Pericles] are able to study what is good for themselves and for human being; we think that household manager and politicians are such people" (VI.5, 1140b9-10). And more generally, Aristotle identify political science as the same state (*autē hexis*) as *phronēsis*, although their subject matters are different (VI.8, 1141b23-24), for they use the same calculative faculty of the soul to determine the most appropriate action. The appropriate action for individual is the action that best promotes his happiness, whereas the appropriate action for a political community is the most advantageous for the common good. Aristotle calls *phronēsis* concerned with the individual himself "most of all to be counted as *phronēsis*" (1141b29-30), but after all he only speaks of it as one form (*eidos*) of *phronēsis* (1141b33), not the only form, and further identifies some other forms of *phronēsis*,

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349 "Practical syllogism" is a convenient way to refer to Aristotle's conception of practical reasoning. He discusses this question in a number of passages, such as *NE* III.2-4, VI.2, VI.8, 1142a20-30, VII.3, 1147a25-31, and *De Anima* III.9-11. I will not go into the details of this controversial topic (specific disputes are about whether it is really in deductive form, how the major and minor premises are acquired, and how they are linked). For some good discussions of it, see Kenny (1966), Cooper (1975), ch.1, Wiggins (1976/1980), Kenny (1979), ch. 10-13, Shiner (1979), Nussbaum (1985), pp. 165-220, Natali (2001), ch. 3, and Gottlieb (2006).

i.e., household management (*oikonomia*), legislation (*nomothesia*), and political science (*politikē*), and the last is further divided into deliberative (*bouleutikē*) and judicial (*dikastikē*)[350] (1141b31-33). Household management is about private good, whereas legislation and political science are both concerned with common good.[351]

So far, the only intellectual virtue left is *sophia*, and now let us turn to the culmination of all the virtues, the culmination of the entire treatise of ethics, and the culmination of the central theme of ethics (happiness). I will argue that, in *sophia*, we also reach the culmination of the reconciliation or unity between private and common good.

V.5 Ultimate Unity: *Sophia* and Contemplative Life

The highest intellectual virtue *sophia* leads us directly toward the end of the *NE*, i.e., X.6-8, where Aristotle provides his second extensive account of the central theme of the entire treatise, i.e., happiness, and leaves generations of interpreters in endless dispute around such terms as "inclusive" and "dominant" which were first coined by Hardie (1965).[352] What I am going to do here is to find the correct elements in both sides, but the inclusive interpretation is more correct in general. But given the complexity of the issue and the vast literature behind it,[353] I will only discuss rather briefly for the correctness of the two sides. Finally, I will move on to provide a thorough defense for a radically inclusive thesis, i.e., according to Aristotle, a real philosopher possesses all the virtues (except *technē*), and all the other goods required by happiness. Let us first clarify the two concepts, *sophia* and *theōria*.

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[350] From Aristotle's further distinction we know for sure that what he means by "political science" here is neither the general science dealing with human good as he discusses in *EN* I.1, nor the science he identifies as the same capacity with *phronēsis* as the beginning of VI.8 which includes household management, legislation and politics, but a more specific kind of political capacity, especially used to deal with particular situations.

[351] More discussions about legislation and the narrow sense of "politics" will be given in Chapters VI and VII.

[352] It strikes me that this dispute only became overwhelmingly important after Hardie's paper in 1965. It seems very strange that so many ingenious interpreters in more than two thousand years after Aristotle's death did not find such a problem disturbing. In my following discussion, I actually provide a two-step solution to this problem. The first is to distinguish two senses of happiness, and the second is more radical and is to take the contemplator as one who possesses (almost) all the goods required by happiness.

[353] It is impossible in the scope of a section to provide a thorough survey of this debate. Here are some representatives of each camp: for the intellectualist or dominant interpretation, we have Cooper (1975), Kenny (1978), Heinaman (1988), Kraut (1989), Jiyuan Yu (2001), White (2002), and Lear (2004); for the inclusivist interpretation, we have Ackrill (1974/1980), Keyt (1978), Engberg-Pedersen (1983), Cooper (1987/1999), Broadie (1991), Irwin (1991a), and Natali (2001).

1. *Sophia* and contemplation (*theōria*)

Aristotle defines *sophia*, in its strict sense and thus in contrast with the common usage of the word *sophia* to refer to the wisdom in *technē*, in such words

> *Sophia* is a combination of *nous* and *epistēmē*; it is *epistēmē* of the most honorable things [*tōn timiōtatōn*] that has received its coping stone [*kephalē*]. For it would be absurd for someone to think that political science [*politikē*] or *phronēsis* is the most excellent science; for the best thing in the universe is not human being. (VI.7, 1141a18-22)

A few lines later he speaks of the more divine beings: "there are other beings of a far more divine nature [*poly theiotera tēn physin*] than human beings—most evidently, for instance, the beings composing the universe [*ex hōn ho kosmos synestēken*]" (1141b1-3). *Sophia* thus understood is the intellectual virtue that investigates the things more honorable and more divine than human being. The best representatives of such things are certainly being *qua* being and god, the two subjects of his *Metaphysics*.[354]

The life of contemplation (*theōria*) is the life that actualizes the virtue of *sophia*. Although we all possess the potentiality of this kind of theoretical thinking, for we all have the theoretical element of the rational part of the soul, contemplation as *a way of life* is certainly not for everybody. Only very few people have the intellectual capacity to lead such a life, because the inquiry into the most divine subject matter requires the full practice of the most divine element in ourselves.[355] So in what follows, by "philosopher," I mean the strict sense of this word, referring to someone who is both able and worthy of such a contemplative life, but not to anyone who has some interest in those divine matters and who does think about them from time to time.

2. Happiness as dominant and inclusive concept

[354] Toward the very end of the *EE*, when commenting on the contemplative life, Aristotle only mentions god as the subject matter (VII.15, 1249b13-21), but it does not seem arbitrary to add being *qua* being, since it is the most universal question in the universe. Furthermore, these two questions actually are connected, for the study of god can be seen as the culmination of the study of being *qua* being, for god is the cause of all beings (*Metaphysics* XII, see also *Physics* VIII).

[355] This is certainly a view shared by most of Greek philosopher up to Aristotle, such as Pythagoras, Heraclitus, Empedocles, Anaxoagoras, and certainly Plato.

My general approach to this controversy, i.e., to find the correct elements from both sides, is, again, inspired by Aristotle's dialectical method, and more specifically, I will primarily rely on the second particular method in dialectic as I discussed in Chapter III, i.e., linguistic analysis which reveals the different senses of a key term. It seems to me that the entire dispute around the inclusivist and intellectualist interpretations is generated by the two different senses of happiness, which Aristotle does not take pains to distinguish all the time. As I mentioned in section one, Aristotle distinguishes two sense of "happiness," the complete good life including good of the soul, bodily and external goods (as he does in most cases of Book I), and the central element of such a life, i.e., the activity in accord with virtue (as he does in the function argument of I.7).[356]

If we take the latter sense, then contemplation is reasonably called dominant in one's happiness, as the hint left by Aristotle in I.7 suggests, "the human good [happiness] proves to be activity of the soul in accord with virtue, and indeed *with the best and most complete virtue, if there are more virtues than one* [*ei de pleious hai aretai, kata tēn aristēn kai teleiotatēn*]" (1098a17-18),[357] but he leaves the question what this best and most complete virtue is unanswered. In X.7 Aristotle recapitulates and elaborates this point with similar words:

> [I]f happiness is activity in accord with virtue, it is reasonable for it to *accord with the supreme virtue* [*kata tēn kratistēn*], which will be the virtue *of the best thing* [*tou aristou*]. The best is *nous*[358], or whatever else seems to rule and lead by nature, and to have understanding [*ennoian echein*] about the beautiful [*peri kalōn*][359] and the divine [*theiōn*], by *being itself either divine or the most divine element in us* [*eite theion on kai auto eite tōn en hēmin to theotaton*]. Hence complete happiness [*teleia eudaimonia*] will be its activity in accord with its proper virtue [i.e., *sophia*][360]; and we have said that this activity is the activity of contemplation [*theōrētikē*]. (X.7, 1177a12-18)

[356] Broadie also points out that the indecisiveness of the problem of happiness is due to the ambiguity of the words *eudaimonia* and *bios*, but I do not think it is necessary to distinguish four difference senses of the word *eudaimonia* as she does (p. 55, n.22). Furthermore it seems to me that she fails to explain *how* to solve the problem by distinguishing these different senses.

[357] See also I.8, 1099a29-31: "we say that happiness is these activities, or one of them, the best one."

[358] As mentioned in n. 338, the meaning of *nous* in X.7-8 is our highest intellectual faculty in the contemplation of the most divine objects, the same *nous* as discussed in *De anima* III.4-8.

[359] I do not think it is desirable to translation *to kalon* in this context with "noble," and it seems the more aesthetic notion "beautiful" fits the divine subjects better.

[360] This is clearly indicated at X.7, 1177a23-24: "the activity in accord with *sophia* is the most pleasant of the activities in accord with virtue."

Based on but not confined to this passage, Aristotle lists the reasons why contemplation is the most supreme activity, and thus happiness, *in the sense of its central ingredient*, must be the life of contemplation. (1) This activity is the practice of the best element in us, i.e., *nous* (1177a18-21). (2) It is most continuous (*synechēs*, 1177a21-22). (3) It is the activity accompanied by the most pure and firm pleasure (1177a23-27).[361] (4) Contemplation is the most self-sufficient activity,[362] but we should note here that Aristotle is completely aware that contemplation itself does not fulfill the strict requirement of self-sufficiency, but rather the self-sufficiency in contemplation is a matter of degree, as he says,

> [T]he self-sufficiency we spoke of will be found in contemplation *most of all*. For admittedly the wise person, the just person, and the other virtuous people all need the good things necessary for life. Still, when these are adequately supplied, the just person needs other people as partners and recipients of his just actions; and the same is true of the temperate person,[363] the brave person, and each of the other. But the wise person is able, and more able the wiser he is, to contemplate even by himself; and though he presumably does it better with colleagues, even so he is *more self-sufficient than any other*. (1177a27-b1)[364]

This passage is very important for the inclusive understanding of happiness, and also important for the radical inclusivism I will argue later. But for now, let us go on to list other reasons for the supremacy of contemplation. (5) It is loved for itself alone, but not for anything else. Aristotle in this context claims that contemplation is the only activity that is chosen completely for its own sake (1177b1-4). Therefore contemplation best fulfills the first criterion of happiness in I.7, i.e., completeness. (6)

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[361] Here lies an important difference between Aristotle and Plato, for Plato thinks that philosopher as the lover of knowledge must seek knowledge in all his life, and it seems that there is no such a moment that he possesses all the knowledge (this also explains why Platonic philosophers will be so reluctant to go back to the cave and rule); whereas in Aristotle's case, philosopher is the person who possess knowledge, not just seeking it, as he comments on the pleasure in philosophy shows, "certainly, philosophy seems to have remarkably pure and firm pleasure, and it is reasonable for those who have knowledge to spend their lives more pleasantly than those who seek it" (1177a25-27).

[362] Some argue that Aristotle's conception of "self-sufficiency" in X.6-8 is different from the meaning in I.7, for in I.7 he stresses the non-improvability whereas in X.6-8 he stresses that self-sufficiency means that we need least external goods and can by fulfilled by one alone (for example, Kraut [1989], p. 295 and Curzer [1991], p.59). But as the passage quoted below clearly shows, Aristotle has both senses in mind, and actually these two senses are closely related. One need least external good in contemplation implies that it is hardly improvable by giving him more external goods.

[363] *Politics* II.5, 1263b6-10 gives us the explanation for this rather strange remark about temperate person. I owe this reference to Dorothea Frede.

[364] For a similar passage, see X.8, 1178a23-34.

It is the activity practiced in leisure (*scholē*), and since leisure is better than labor, just as peace is better than war, contemplation is better than the life of politics (1177b4-26). (7) It is superior to human level, "for someone will live it not insofar as he is a human being, but insofar as he has some divine element in him" (1177b27-28).[365] The intellectual part of the soul is this divine element in human being, it is pure and superior to the compound. In the contemplative life, we go beyond the limited mortal realm and get closer to the immortal (1177b26-1178a2).[366] (8) *Nous* is also the most defining element of a human being, and the fulfillment of the nature or function of human being (1178a2-8).[367]

Based on the above points, it is fair enough to say that the actualization of *sophia* in contemplation is the most dominant element in the central ingredient of happiness. It is in this dominant sense of the word "happiness," Aristotle is justified to say that contemplative life is the happiest (*eudaimonestatos*) (X.7, 1178a8), and "the life in accord with the other kind of virtue is happiest in a secondary way [*deuterōs*]" (X.8, 1178a9). He never says that contemplation is the only happy life, or practical life is not happy. Aristotle devotes most of his treatise on practical life not because it is the happiest, but because that is the happiest life accessible to most people. As Aristotle understands it, happiness on the one hand has absolute requirement, i.e., possessing all the virtues; but on the other hand, it is, like moral virtue, also a concept with different degrees which correspond to particular individuals, as Aristotle clearly says, "to each type of person the activity that accords with his own proper state is

[365] However divine this element in us, it is nevertheless divine in a mortal human being, so we should not take it in an absolute way, as Ackrill (1974/1980) indicates (pp.32-33, but he does not actually endorse this view), as if it transcends all moral virtues as the real immortal do.

[366] For this point, see also X.8, 1178a19-22 and 1178b7-23. Aristotle also mentions that such a person will be loved by gods, but immediately adds "if the gods pay some attention to human beings, as they seem to." So I deeply doubt whether Aristotle really means that or just to show his respect to traditional view. See X.8, 1179a22-32 for his discussion of this point; and for more discussion of the Aristotelian god(s), see *Metaphysics* XII, 6-10. My discussion will focus on the happiness of human life, so will leave the interesting topic of comparing god's contemplation and human being's contemplation to another occasion.

[367] See also X.8, 1178b24-32. This passage is usually taken as inconsistent with a passage in IX.8 where Aristotle says that the identity of human being is his practical reason, and Cooper (1975) takes it to support his intellectualist interpretation of happiness (p.168-175). But this may be explained by the stages of education I briefly suggested in Chapter III. For at the stage of instruction in IX.8, the highest possible human life, i.e., contemplation has not been introduced, and at that stage *phronēsis* seems the highest intellectual faculty, especially in practical life, the main context of the entire discussion throughout II-IX. So Aristotle says that the identity of human being is his practical intellect, and this is true for most people, for they can at best reach the morally virtuous life. But in X.7, the highest human life has been introduced, so the identity of human being must lie in the highest faculty, i.e., his theoretical reason.

most choiceworthy" (X.6, 1176b26-27). This degree of happiness echoes the opening words of *NE*, i.e., the hierarchy of ends.

Now we should go beyond the dominant element of the central ingredient of happiness, and see the other side of the issue, i.e., happiness in a complete life, and explain why in this more general and more proper sense, happiness must be understood as an inclusive concept, requiring not only other virtues but also other goods. It is clear that external goods are in need. In the passage I quoted above, Aristotle clearly says that "the wise person, the just person, and the other virtuous people all need the good things necessary for life."[368] Furthermore, *according to his words at least*, Aristotle sees *sophia* part of the virtue and thus part of our happiness, as he says, "since *sophia* is a part of virtue as a whole, it makes us happy because it is a state that we possess and activate" (VI.12, 1144a6-7). Thus understood, although our happiness in the sense of its central ingredient lies in the activity of the soul "in accord with the best and most complete virtue," although *sophia* is most choiceworthy, most divine, and most supreme, although it satisfies the first criterion of happiness, i.e., "completeness," it cannot satisfy the second criterion of happiness, i.e., self-sufficiency, for we can certainly makes the philosopher still happier by adding other intellectual and moral virtues to him.[369] So far what I have said is rather commonsensical among inclusivists.

Now I would like to add another point, a point which might be used by the champions of the dominant interpretation of happiness,[370] but it may actually support the inclusive view.[371] When Aristotle first points out the three candidates of happiness, the life of pleasure, the life of honor, and the life of contemplation (I.5), it *appears*

[368] See also X.8, 1178b33-35.
[369] But as I will argue late, *according to Aristotle's spirit*, the philosopher must be someone who already possesses all the virtues, and all the other goods. Therefore, the philosopher is actually self-sufficient in the strict sense.
[370] Such as Cooper (1975), pp. 159-160.
[371] My argument is close to Keyt (1978) and Bostock (2000), pp. 206-208, but also with difference in emphasis. They are only concerned about the last two forms of life, without considering the first. And they stress the philological point that *bios* may mean different aspects of life and thus rely heavily on the disputable flexibility of the Greek word *bios* (for the defense for the flexibility of *bios*, see Keyt [1978], pp. 145-146, Bostock [2000], p. 206-207; for the opposite view, see Cooper [1975], pp. 159-160 and Cooper [1987/1999], pp. 229-231 n.14), whereas I stress the dialectical movement of Aristotle, which we can find everywhere in his works, and thus do not need to stress on the exact meaning of *bios*. But actually I tend to agree with Keyt's and Bostock's philological concern, on the basis of the political anthropology briefly discussed in III.3, where I argued that Aristotle does allow one person to lead different kinds of life.

that he would choose one among them and they *appear* to be mutually exclusive, and this may *seem* to support the dominant view, which claims that in the end, Aristotle only chooses the life of contemplation as the real happy life. But we should never forget Aristotle's dialectical or yes-and-no characteristic. In I.5, after listing the three candidates Aristotle right away condemns the life of pleasure as "completely slavish, since the life they decide on is a life for grazing animals" (1095b19-20). But in what follows, he also says that "still they have some argument in their defense" (1095b20-21). Curiously he does not discuss their argument in this context. And after he defines the two series of virtue in I.13, and the significance of habituation for moral virtue (II.1-2), Aristotle discusses in some length the importance of pleasure and pain in II.3, and furthermore, in VII.11-15 and X.1-5 Aristotle gives two lengthy discussions of pleasure in which he does examine the arguments about goodness of pleasure which is left untouched in I.5.[372] Two important and related conclusions of his discussion of pleasure are that pleasure is a good but not the good, and that to certain extent it completes an activity (X.4). Since it is a good, it also contributes to the complete happiness; and since it completes an activity, Aristotle can appeal to the pleasure involved in contemplation when he tries to argue that contemplation is the supreme human life. So in the end Aristotle does not exclude pleasure from the life of happiness, but rather finds an appropriate place for it.

The same is true for the life of honor. Aristotle first points out that the life of honor lacks the kind of independence which happiness requires, and he argues that in their own view they do not actually take honor as their supreme end, but virtue (I.5, 1095b26-30). With such a refinement, the life of honor turns out to be the life of (moral) virtue, and then he points out that such a life is still incomplete for happiness, because virtue may not be actualized and also because fortune is an important part of happiness (1095b30-1096a2). But from his following discussions, we clearly see that the life of moral virtue (in its actualization) is a major component of happiness.

Therefore, we see that among the three candidates of happiness, the first two seem to be rejected at the first sight, but not actually so. They still play important role

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[372] It is certainly possible that these two accounts originally belonged to different ethical treatises.

in the following discussions and contribute in a substantial way to the ultimate happiness of human beings. They are far from mutually exclusive. Then why should we think the last candidate, i.e., the life of contemplation, will finally dominate the answer of happiness? It should be more reasonable to think that the three candidates contribute three intrinsic elements in the ultimate happiness. Contemplation provides the most complete human life, life of honor (in the end, life of virtue) provides the most accessible happy life, and pleasure provides the necessary accompaniment and to certain extent the completion of the first two kinds of life.

I believe the above discussion is sufficient to establish the general correctness of inclusivist interpretation of the concept of happiness. In what follows, I will argue for a still more inclusive interpretation of happiness, the highest kind of happiness only reserved for philosophers.

3. The ultimate unity: philosopher as the most complete human being

I will present a radically all-inclusive interpretation of the virtue of *sophia* and the life of contemplation, arguing that *sophia*, the highest virtue of human being, will not downgrade, still less reject or sacrifice other virtues; rather, to live a contemplative or philosophical life, one must possess all the virtues (except *technē*) and all the other goods in the first place. I do not mean that all the other virtues are measured in terms of their contribution to the highest goal. They are all goods in themselves, with full independent value. What I suggest is the other way round, i.e., the highest human virtue must be, to certain extent, measured in terms of all the other virtues, which are prerequisite of contemplation.[373]

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[373] Adkins' (1978) raises the possibility that a true philosopher actually possesses all the moral virtues, but he devotes most of his attention to the possible conflict, and in the end concludes that the conflict between these two can hardly satisfactorily solved (p. 307). Adkins' thesis, i.e., the possibility of the contemplator's possession of all the virtues, is criticized by Keyt (1978), pp. 185-186. Cooper (1987/1999) also points to the direction of my radical inclusive argument, saying "the life of the intellect that Aristotle champions is one devoted to all the human virtues but in a special degree to excellent contemplative study" (p. 232), but he stops at Aristotle's explicit discussion of the criteria of happiness and the fulfillment of these criteria by contemplation, and only consider the possibility of such a unity (indeed a possibility required by inclusive understanding of happiness in general). Natali (2001) has a close position with what I am arguing here (pp. 159-176), but from a different perspective. His position is best summarized by the following statement: "it [happiness] consists of contemplating, and at the same time practicing the virtues of character that are compatible with the primacy of contemplation and necessarily connected with it, not as a means to an end, but as part of the harmonious realization of the philosopher's personality" (p. 171); whereas I will argue, going further than his thesis, that the Aristotelian philosopher, insofar as he is such a philosopher, will *actually* possesses (almost) *all* the virtues (none of them is incompatible with contemplation) and

Before arguing for this radical thesis, I have to emphasize again a point which has already been stressed, i.e., according to Aristotle, the people who can really lead a contemplative life or to have the virtue of *sophia*, is extremely rare. It is true that as human beings, we all have *nous*, or the intellectual part of the soul, and it is true that given Aristotle's epistemological optimism, we may all share or contribute to knowledge, but the mere possession of *nous* and mere sharing in knowledge in its broad sense do not imply that everyone can devote his life in contemplation of the ultimate subject matters. Such a life requires the highest degree of *actualization* of our highest intellectual faculty, for such a life requires the soul identical with the most divine subject matter, as his psychological theory requires.[374] Therefore, it is no wonder that only extremely small number of people can take up such an enterprise. It seems to me that the failure to appreciate this point systematically, as if anyone can devote at least part of their life in contemplation, is the main reason that such a radical thesis has not been seriously considered by interpreters until now.[375]

My overall argument will be divided into five steps. First, I will pose and answer a question concerning what I call "eudaimonic justification" of contemplative life. Second, I will argue that a real philosopher who possesses the virtue of *sophia* must have the other two theoretically intellectual virtue, *epistēmē* and *nous*, and have broad knowledge concerning virtually everything. Third, to lead a worthy contemplative life, the philosopher must have the practically intellectual virtue *phronēsis*. Fourth, the philosopher also has all the moral virtues, which is both the result of his study of ethics, and the result of his possession of *phronēsis*. At last, I will show that to lead a worthy contemplative life, the philosopher must also possess other goods. So the conclusion is that in both dominant and inclusive sense, he is the happiest human being, and the most complete one. In him we reach the ultimate unity of private and common good.

considerable external goods. Szaif (2006) in a footnote provides a similar yet very brief argument as I give in my following steps three and four, to support a conclusion "the philosophers are supposed to have a good character and good practical judgment" (p. 191, and footnote 38).

[374] See *De animal* III.4, and III.8.

[375] I think this is precisely the reason why Cooper (1987/1999) only considers the possibility of such as unity, for on pp. 233-235 he stresses the fact that as human beings we all have the potentiality of contemplation.

Step One "Eudaimonic justification" of contemplation Although it is clear that Aristotle holds that contemplation is the highest form of life for human being, and the dominant element of the central ingredient of happiness, he explicitly admits that the virtue *sophia* itself studies nothing about the happiness of human being, since its subject matters are more eternal: "*sophia* is not concerned with any sort of coming into being, and hence will not study any source of human happiness" (VI.12, 1143b19-20). Then we have to ask the following two question: (1) what makes the philosopher lead such a life, and (2) why he would be willing to devote his life to the pursuit of *sophia*.

The first question may be answered by referring to our natural desire to know and the pleasure involved in theoretical inquiry. But the "remarkably pure and firm pleasure" in contemplation is not sufficient to answer the second question. It is true that such an investigation would be pleasant, but philosopher is also human being, and thus also wishes to be happy, since happiness is the ultimate goal of every human being. To be happy is very different from being pleasant, and from satisfying our natural desire. Philosophers must know this more clearly than anyone else. So they must have a rational justification of their devotion to the contemplation of the most honorable objects, based on their understanding of *eudaimonia*. What Aristotle offers in X.6-8 is precisely such a justification, and we probably also need to add the discussion concerning human function in I.7, because X.6-8 is a continuation of the function argument. But as we just saw at VI.12, 1143b19-20, this justification is not within the realm of contemplation, since *sophia* itself has nothing to do with human happiness. So a philosopher, in Aristotle's sense, who is resolutely devoted himself to the contemplative life need to go out of his own contemplation and justify his devotion on the ground of the same argument as Aristotle provides in his *NE*, that is to say, to be an Aristotelian philosopher in its full sense, certain knowledge of ethics in Aristotle's sense, a study about good life is necessary. This, in my point of view, is the first condition of such a philosopher, because it is directly related to the life he is leading in general.

Step Two *Epistēmē* and *nous* *Sophia* has two key characteristics as Aristotle

indicates in *EN* VI.7: the first is that it is a combination of *epistēmē* and *nous*, and the other is that it is concerned with the most divine subject. So far, we have only paid our attention to the second characteristic of *sophia*. But what does Aristotle has in mind when he says that *sophia* is a combination of *nous* and *epistēmē*? Does he merely mean that the investigation of the subject matter of *sophia*, i.e., being *qua* being and god, must acquire both a necessarily true yet nondemonstratable principle and a valid deductive system? This is certainly true; otherwise the investigation of *sophia* cannot be properly called knowledge.

But we may go further than that. What Aristotle means is probably also that *sophia* as the inquiry into the most divine matter, must incorporate all the results of scientific studies, taking all those first principles and scientific systems as its foundation and preparation. This is because the subject matters of *sophia* are so difficult to fathom that they require all possible intellectual preparations. The study of being *qua* being (the most general discipline) and god (the final cause of all beings) requires knowledge about different branches or categories of being, and these different branches of being also defines different sciences or disciplines, such as mathematics, physics, astronomy, biology, botany, psychology, ethics, politics, rhetoric, poetry,[376] and so forth. Each of these contributes to the general study of being, and the study of all these disciplines also contributes to the study of a natural theology which is precisely the kind of theology Aristotle investigates in his *Metaphysics*.[377] Such a broad preparation for the practice of *sophia* corresponds with Aristotle's own conducting all different sorts of investigation in his lifetime, for they will all in certain way contribute to his ultimate investigations of the most divine subjects.

Furthermore, sciences are themselves about the universals, but the investigation and the acquisition of them must start from particulars, which Aristotle argues

[376] As I have shown in Chapter III, practical and productive science such as ethics, politics, rhetoric, and poetics, in so far as they are science, can also be systematized into deductive format, and thus share the essential features of such purely theoretical science as physics and biology. These scientific features of practical and productive knowledge do not impact the fact that they in the end aim at action and production, i.e., particulars.

[377] So it is not a surprise that we see hints of such a theology all over Aristotle's works, not only in metaphysics, but also in physics, ethics, psychology and zoology.

explicitly in his *Posterior Analytics* II.19, as we have seen in Chapter III. And the grasp of universal *epistēmē* will in turn enable us to know better the particulars in this very discipline. Therefore, when the philosopher prepare himself of the universal knowledge of all these disciplines, he, at the same time, also has good grasp of particular objects within each of them.[378]

Step Three *Phronēsis* In order to practice contemplation or *sophia*, the Aristotelian philosopher also needs to possess *phronēsis*, because it is *phronēsis* that determines what he should do in any particular moment in order to promote his happiness. And his devotion to contemplation (certainly based on deliberation, and thus based on *phronēsis* which is the virtue directing deliberation) provides the evidence that he knows more clearly than anybody else what is good for his happiness, both in general and in particular cases (see step one). The philosopher who conducts his contemplation well must have *phronēsis* as the assistant of *sophia*. The interaction of *phronēsis* and *sophia* is best shown in a passage at the very end of VI:

> Moreover, *phronēsis* does not control *sophia* or the better part of the soul, just as medical science does not control health. For medical science does not use health, but only aims to bring health into being; hence it prescribes for the sake of health, but does not prescribe to health. Besides, [saying that *phronēsis* controls *sophia*] would be like saying that political science rules the gods because it prescribes about everything in the city. (VI.13, 1145a6-11)

As Aristotle understands it, *phronēsis* cannot control *sophia* because the latter is a higher virtue concerning our higher faculty, but *phronēsis* can nevertheless help to actualize *sophia*, as medicine brings about health. We may go further to say that without *phronēsis* it is not quite possible to achieve *sophia*. The way *phronēsis* actualizes *sophia* is certainly through arranging the philosopher's life in the right way. Just as without medicine the maintenance of health will be problematic, without *phronēsis*, the actualization of *sophia* is also problematic, for there are so many distractions in one's life, and if without a good adjustor, one can hardly achieve or

[378] In this sense, the philosopher under our description will satisfy or be close to the satisfaction of what Irwin (1988) calls "encyclopedic range of empirical knowledge" (pp. 75-76).

realize *sophia* which has such a high requirement. And *phronēsis* is precisely this adjustor. As good medical science is more likely to produce better health, good practice of *phronēsis* is also more likely to bring about *sophia*. As I emphasized above, the contemplative life is not possible for everyone, so we cannot say that the only goal of *phronēsis* is *sophia* or contemplation. Only for the true philosopher, *phronēsis* aims at the actualization of *sophia*, the dominant element of his happiness (but *sophia* is certainly not the only goal in the practice of *phronēsis*). But for most people, *phronēsis* only aims at the morally virtuous life, which should be seen as the highest possible happiness for them.

The philosopher also satisfies the necessary conditions of possessing and practicing *phronēsis*. (1) As indicated above, the acquisition of *phronēsis* requires interaction between moral virtues (at this stage not full moral virtues) and intellectual efforts. Being a philosopher worthy of the highest human activity certainly requires a lot of natural excellences (though not identical with the virtues as Aristotle lists). Plato offers us such a list including the love of learning, love of truth, moderation, high-mindedness, courage, justice, gentleness, fast-learning, good memory, measured mind, and gracefulness (*Republic* 485a-487a). I certainly do not mean that this list is exhaustive or Aristotle has exactly the same view, but it may give us a rough idea about what natural dispositions a philosopher needs, and some of them are clearly related to moral virtues, such as we may say that he must have the moderation to resist excessive bodily pleasure in order to keep contemplation, or he needs courage to face and to admit his own falsehood (certainly this is not the courage in its most proper sense), and so forth. These dispositions provide the seed of full virtues which include more and which also require *phronēsis*. These natural dispositions and a good habituation, plus the intellectual efforts of the potential philosopher, seem to be enough to fulfill the virtuous circle discussed above and to bring about *phronēsis*. (2) A key characteristic of *phronēsis* is to build up practical syllogism and to connect the general and the particular. As step two indicates, a philosopher who has the complete theoretical preparation for contemplation must have acquired knowledge both about universals and particulars, such as both light meat is healthy and chicken is light meat,

so he must be lacking nothing or very little in forming practical syllogism, the task of *phronēsis*. (3) This is also consistent with the fact that *phronēsis* is not suitable for young people, because to learn all those things listed in step two will certainly requires long time study and experience, so a true philosopher who is fully equipped to investigate the most divine subjects cannot be a young man.

There is a passage which in the first sight *seems* to suggest that *sophia* and *phronēsis* may conflict, and thus at odds with the thesis of the unity of *sophia* and *phronēsis* I am arguing here:

> *Sophia* is both *epistēmē* and *nous* about the things that are by nature most honorable. That is why they say [*phasin*] that Anaxagoras or Thales or that sort of person is wise [*sophos*], but not *phronēsis*, whenever they see [*idōsin*] that he is ignorant of what benefits himself. And so they say [*phasin*] that what he knows is extraordinary, amazing, difficult, and divine, but useless, because it is not human goods that he looks for. *Phronēsis*, by contrast, is about human concerns, about things open to deliberation. (VI.7, 1141b3-9)

But if we pay close attention to Aristotle's phrasing, this passage does not conflict with such a thesis, and may even lend further support to it. When considering the cases Anaxagoras and Thales, the representatives of philosophers who have *sophia*, Aristotle uses the words "they say" and "they see," which is clearly contrast with other examples in book VI, such as in mentioning Pericles as the exemplar of prudent statesman, Aristotle says "we regard [*oiometha*]" (VI.5, 1140b8), and in speaking of Pheidias as wise stoneworker and Polycleitus as wise bronze worker, Aristotle uses "we ascribe [*apodidomen*]" (VI.7, 1141a10).[379] Such a contrast shows revealingly that when offering the judgment about Anaxagoras and Thales as useless because they *seem* not concerned with human good, Aristotle does not pass his own judgment, but rather other (common) people's.[380] In Aristotle's point of view, they probably do possess virtue of *phronēsis* so that they would like to devote their time and energy to the most divine investigation of the cosmos, the highest form of life possible for

[379] These are all the examples Aristotle gives in *NE* VI.
[380] This judgment is similar to the judgment about philosophers in Plato's famous analogy of ship, in which the real captain is seen as a stargazer, chatterer, and useless (see *Republic* 488d-489a).

human beings, and thus are seen as useless by the common people, who do not envisage the happiness and pleasure involved in such practice. The name of Anaxagoras appears in X.8 again and there it is used to confirm such an interpretation:

> Anaxagoras would seem to have supposed that the happy person was neither rich nor powerful, since he said he would not be surprised if *the happy person appeared an absurd sort of person to the many.* For the many judge by externals, since these are all they perceive. (1179a13-15)

More interestingly, the name of Anaxagoras only appears twice in the entire *NE*, and they echo each other, and point to the same direction.

(A few words about *technē*: it seems that philosopher does not need this intellectual virtue. The life of artisans such as shoemaker, house-builder, or flute-player is simply not taken as possible candidates of full happiness, for these artisans do not possess the necessary component of contemplation, i.e., leisure.[381] As for rhetoric and poetry, the two arts to which Aristotle did pay considerable attention, it seems fair to say that philosopher should have the knowledge concerning these arts in general, i.e., on the theoretical level of these arts, but has no need to become a rhetorician or poet.)

Step Four Moral virtues The thesis that philosopher will also be morally virtuous poses a great difficulty in front of interpreters of Aristotle's conception of happiness. If we take contemplation as the highest activity of human happiness, how can we at the same time insist that philosopher will not sacrifice moral virtues in order to promote his contemplation? I strongly object the claim of immorality of philosopher, as argued by Cooper in his classic study of intellectualism: "[a person] ultimately concerned only with his own intellectual accomplishments would...surely on occasion find it rational at least to neglect to do some positive act of virtue, if not actually do something immoral, as a means to the furtherance of his consuming

[381] Aristotle argues this point several times in his *Politics*, such as III.5, 1278a20-21, VI.4, 1319a26-28, VII.7, 1328b39-1329a2, and VIII.2, 1337b8-15.

interest."[382]

Such an accusation actually includes two charges, one is that the philosopher will neglect moral virtue, and the other is that possibly he will be even immoral. The latter one is easier to refute. We may imagine a nowadays academic person, in order to maximize his "achievement," whatever it may be, uses some immoral means such as fraud or stealing other's points, but this is by no means the philosopher in Aristotle's sense, for such a philosopher cares nothing of the so-called "achievements," nothing external to his contemplation, as Aristotle says, "contemplation seems to be liked because of itself alone, since it has no result beyond having contemplated" (X.7, 1177b1-2). Intellectual property simply had nothing to do with Aristotle. It is certainly possible to learn from other philosophers as Aristotle always does, but it is absurd to claim that a contemplator cheats in order to *contemplate better*. So there seems to be no motivation to be immoral *for the sake of* contemplation.

But will he neglect moral virtues because of his contemplation? Most interpreters think this is completely possible, sometimes even necessary. In order to devote *as much time as possible* to contemplation, he will not do some positively virtuous actions such as being courageous in battle, helping others in need, spending time with his family, and so forth. Interpreters tend to identify this kind of morally virtuous life with practical life or political life, which deprives leisure of the contemplator (X.7, 1177b4-15). In what follows, I will argue (1) this Aristotelian philosopher will possess all the moral virtues, (2) he will have strong enough motivation to act virtuously, and (3) he will not see it as a great loss in doing so.

(1) The philosopher possesses all the moral virtues, primarily because of his possession of *phronēsis*. To possess *phronēsis* means that the philosopher will also be able to determine in any given situation what the right mean is. As we saw above, the three conditions of moral virtue are to know what virtue is, to decide on it for its own sake, and to decide on it constantly. Aristotle says "knowing counts for nothing, or

[382] Cooper (1975), p. 149. Although he later revoked this view, this argument, together with some variations, is always a siren for all the later interpreters.

[rather] for only a little" (II.4, 1105b3). This is certainly true for most people, because for them, what is important is to act virtuously, but for philosopher, his knowledge about ethical matter and his possession of *phronēsis* guarantees that he knows, in any given circumstance, better than other people what virtue is, and thus knows better how to promote his happiness.

When I say the philosopher has all the moral virtues, I certainly do not mean that he has those inborn dispositions (or natural virtues), but moral virtue in its full sense. This is not because these virtues contribute to his philosophical contemplation in an means/end way, as some interpreters attempt to argue,[383] but because he possesses *phronēsis*, which guarantees all the moral virtues. His possession of all the moral virtues is just a natural result of his *phronēsis*. As Aristotle explicitly says, all the full moral virtues are unified in *phronēsis*:

> [W]e can also solve the dialectical argument that someone might use to show that the virtues are separate from one another. For [it is argued] since the same person is not naturally best suited for all the virtues, someone will already have one virtue before he gets another. This is indeed possible in the case of the natural virtues [*kata tas physikas aretas*]. It is not possible, however, in the case of the [full] virtues that someone must have to be called good without qualification;[384] for one has all the virtues if and only if one has *phronēsis*, which is a single state. (VI.13, 1144b32-1145a2)[385]

According to Aristotle, once one has *phronēsis* in full he will naturally have all the moral virtues at his disposition. To put it in another way, he will possess all the moral

[383] Ackrill (1981), pp. 139-141, Kraut (1989), pp. 178-182, Curzer (1991), Tuozzo (1995), and Lear (2004) are some representatives of such attempt in different ways. I do not deny that certain moral virtues, especially temperance, will have positive value for contemplation, but in the ultimate sense, this kind of argument are doomed to fail. If such argument can succeed, then moral virtue becomes mere means, which conflicts with Aristotle's general position that we choose them for their own sake. To say moral virtues are also for the sake of happiness will not render them as mere means, because happiness and virtue are not two separate things, but moral virtue and *sophia* are separate from this perspective.

[384] The difference between natural virtue and full virtue is indicated as such: "each of us seems to possess this type of character to some extent by nature; for in fact we are just, brave, prone to temperance, or have another feature, immediately from birth. But still we look for some further condition to be fully good, and we expect to possess these features in another way" (VI.13, 1144b4-8). What Aristotle means by "another way" is clear from his context, i.e., thought or *phronēsis* (1144b17-21). I agree with Bostock (2000) that we should accordingly distinguish virtue into three different levels, natural, trained, and full (p. 86), but on the other hand, there should be another distinction between real virtues as defined in accordance with our nature, and political virtues which are defined only in accordance with certain political community. I will discuss the latter distinction in the next chapter.

[385] Natali in his comments of this chapter does not think this passage should be taken as literally as I do. According to him, what Aristotle means is something like "my theory can also give a good argument for the unity of virtues." But for me, given the determining relation between *phronēsis* and moral virtues, I do not see why we cannot take this passage in the most literal sense.

virtues in their first actuality, and can see the mean state in any situation. As for the question whether or when he will actualize them, it has to be determined by particular situation. It seems that the only moral virtue that is not guaranteed to *actualize* is magnificence, because it requires large amount of money (but wealth does not seem to be a problem for such philosophers as Plato and Aristotle).[386] To possess all the moral virtues further provides the philosopher necessary condition to be magnanimous, since magnanimity is "a sort of adornment [*kosmos*] of the virtue; it makes them greater, and it does not arise without them" (1124a102), and it is "impossible to be magnanimous without complete virtue" (1124a28-29).[387]

(2) Philosopher has sufficient motivation to be morally virtuous. The primary motivation of his virtuous action is, again, his pursuit of happiness. He knows better than anyone else that happiness is not merely to have the virtuous character, but to actualize them in action, so he will naturally be willing to practice those virtues. When a philosopher puts his contemplation aside (which certainly cannot be done all the time), it is very likely that he takes up the goal of practical life and sees moral virtues as his goal in action. Since actualization of virtue is the requirement of happiness, the philosopher will do virtuous action with pleasure.[388] Even if he is required to go to the battle, he will be as courageous as the other citizens soldiers, even more so, for he knows better than others that death is nothing unnatural, just like what Socrates did when serving as a hoplite.

Philosopher will have a genuine care of the common good, which is closely related to moral virtues, because he knows more clearly than anyone else that human being is in the end a political animal, and the self-sufficiency criterion of happiness,

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[386] I can partly agree with Irwin (1988)'s argument that in the case of magnificent, there does seem to be a disunity of moral virtues. But that is true only in the sense of actualization, but in the sense of possession, i.e., a state of character, there is no such disunity.

[387] Thanks to Natali's criticism, I hereby revise and clarify my position on the relation between philosopher and the magnanimous person. When I draw some characteristics of the magnanimous to illustrate philosopher (here and later), I do not mean to suggest, as Gauthier and Jolif (1970) does, that they are identical. What I am trying to do is to show how the philosopher incorporates certain aspects of practical or political life (magnanimity is the highest moral virtue in such a life). For me Aristotle's intriguing depiction of the magnanimous person leaves us some important hints about how the philosopher would behave in a political world without severely hindering his contemplation.

[388] It is strange enough to see Bostock (2000) asks: "what *reason* does the contemplator have for behaving virtuously toward his colleagues, and to what *extent* will he aim to do so? But Aristotle shows absolutely no interest in these questions" (p. 208, original italics). For me, the answer is clear enough.

as I emphasized in section one, also requires a common life with others. But his care of public good may take a different form from a politician's. A politician busies himself with public matters all the time and thus deprives himself of the precious leisure; whereas the philosopher can care public life without severely hindering his own philosophical studies. He may care it by teaching the actual or potential politicians what they should do in order to make the *polis* better, as Aristotle himself actually did. Aristotle's following passage illustrates this point very well:

> Someone who is contemplating needs none of these [external] goods, for that activity at least [*pros ge tēn energeian*]; indeed, for contemplation at least, we might say they are even hindrances. *Insofar as he is a human being, however, and lives together with a number of other human beings, he chooses to do the actions that accord with virtue* [*hairetai ta kata tēn aretēn prattein*]. Hence he will need the sorts of external goods for living a human life. (X.8, 1178b3-7)

What Aristotle means is clear enough. In the *activity* of contemplation, he needs none of the external goods. But contemplation is by no means the only part of one's life, and insofar as he is a *human being* in its full sense, he will need them for sure. The second part of this passage, especially "he chooses to do the actions that accord with virtue" confirms both my first point, i.e., the philosopher must possess all the virtues, and my present point, i.e., when he leaves aside his contemplation, he will act like a virtuous citizen.[389]

(3) The philosopher will not feel real conflict between contemplation and the practice of moral virtues. This seems to be the major worry of most contemporary interpreters, for it seems plausible that too many virtuous actions in daily life and political realm will distract the philosopher from his beloved contemplation. So he

[389] It is true that this passage can be read in another way, i.e., the philosopher only does virtuous actions without being truly virtuous (this is the way Cooper [1975] argues (p. 164). For an objection of Cooper's view, see Keyt [1978], p. 183, and Cooper later in his [1987/1999] revoked such an interpretation (p. 232, n.16).) But this way of reading does not seem natural, for *prattein* is the word Aristotle uses to identify with happiness, "doing well" (*euprattein*). Furthermore it is also the root of the word "action" (*praxis*) in contract with production (*poiesis*). The special feature of *praxis* is precisely that its end is within the action itself. If what Aristotle argues here is that the philosopher does certain virtuous actions only in order to obey the social norms, then the end of his action is not within the action itself anymore. If we take this into consideration and also remind ourselves with the natural connection between *phronēsis* and moral virtues, we should accept the more natural reading of this sentence, i.e., the philosopher has all the moral virtues at his disposition so that he will always choose to do morally virtuous actions when the situations requires, and thus lives a happy human life in its full sense.

will face a dilemma between contemplation and moral actions. But at least for Aristotle this worry is not necessary.

First, a philosopher, however badly he wants to further his contemplation, will never, based on his comprehensive knowledge, forget he is a human being and leads a human life, although contemplation makes him closer to gods. And a human life precisely means a life among other human beings, or in general sense, a political life. So he will not sacrifice moral virtue for the sake of contemplation. On the other hand, that there is no conflict between contemplation and moral virtues certainly does not mean that the philosopher will behave like a busybody or a politician to help whoever he can help, and to involve himself as much as he can into the public life. He will certainly be pleased if for most of the time he is left alone to contemplate, but if there is a real need for him in public matters, he will get into it without any hesitation. Besides, we should always keep in mind that to practice morally virtuous actions in general does not mean one has to be courageous all the time, to be witty all the time, but to be so "at the right time, about the right things, toward the right people, for the right end, and in the right way" (II.6, 1106b21-22), and what is right is precisely determined by his *phronēsis*.

At this point, Aristotle's intriguing depiction of the magnanimous person will give us some clue about what the philosopher will behave in public life, such as "he does not face danger in small cause…but he faces dangers in a great cause, and whenever he faces them he is unsparing of his life, since he does not think life at all cost is worth living" (IV.3, 1124b6-9), "he is the sort of person who does good but is ashamed when he receives it" (1124b9-10),[390] and especially "he stays away from what is commonly honored, and from areas where others lead; he is inactive and a delayer, except for some great honor or achievement. His actions are few, but great and renowned" (1124b23-26).[391] It is certainly better if the philosopher happens to

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[390] Philosopher is certainly the kind of person who needs least goods done by others.

[391] Dorothea Frede in her comments of an earlier draft of this chapter raises the doubt that whether this Aristotelian philosopher is really able to handle political affairs as well as, say, Pericles, since actual politics requires a lot of experience. I may respond from the following five angles. (1) In ancient Greek cities, given their size and social condition, there are much less to be cared about than a contemporary state. To run a Greek city is probably much easier than to run a modern university. (2) As I argued in step two, the philosopher's political knowledge, though universal in nature, will help him grasp the particulars, which may be collected by his colleague and students. (3)

live in a good *polis*, in which a number of people are virtuous, and in which it is not necessary for him to take the burden of large commitments of non-contemplative activities. But if he is not living in such a city, he may try to make the city as ideal as he can.[392]

Second, the possession of *phronēsis*, whose function is precisely to adjust different elements in one's life in order to maximize his overall happiness (but not maximize his contemplation, although contemplation is the dominant element in his happiness[393]), guarantees that he will not feel loss or conflict. For as long as he can maximize his happiness, can there be any other complaint about life? What we should be concerned is not at a particular moment, not asking when facing two possible alternatives the philosopher will choose morally virtuous action or contemplation (such as in the famous example of Gauguin's dilemma[394]), for happiness is not defined in this way. But rather, we should see his entire life, and see how his *phronēsis* balances the two series of activities. *Phronēsis* will guarantee that the philosopher makes good decision in every particular situation. It is hardly possible to give any general principle, but what is true in general is that the philosopher, when he applies his *phronēsis* to decide certain difficult situations, will make the best decision, and will not feel great pain due to the sacrifice of certain goods.

There is still a third and more external explanation. The kind of "quandary

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As I argued in step three and four, the philosopher cannot be a young man, and he will also be a morally virtuous citizen, attending assemblies and law courts, so he will be experienced enough in actual politics, and given his natural talent, he will have a better understanding of these matters than his fellow citizens. (4) Aristotle sees *phronēsis* as *one single state* (VI.13, 1145a2) with different types (VI.8), so once the philosopher has *phronēsis* in full (primarily serving his own happiness, the end of himself), he can easily apply it to broader contexts to serve the common good (the end of the city), and thus is able to be a *phronimos* like Pericles. (5) Aristotle clearly sees himself able to be a politician in the highest sense, i.e., a legislator, as he does in the *Politics*. Although I do not agree with her, I am very grateful for our discussions on this question.

[392] I will argue in the following two chapters that Aristotle indeed intends to establish such a political community.

[393] I find it very surprising that so many interpreters identify the maximization of happiness with the maximization of contemplation. Natali (2001), p. 260, and Lear (2004), p. 201 are rare exceptions. This strange phenomenon seems to arise from one of Aristotle's offhand exaggerations when he compares contemplation with god's life: "the whole life of the gods is blessed, and human life is blessed to the extent that it has something resembling this sort of activity…hence happiness extends just as far as contemplation extends, and the more someone contemplates, the happier he is, not coincidentally but insofar as he contemplates, since contemplation is valuable in itself" (X.8, 1178b25-31). This remark can only be seen as an exaggeration, because if it is taken as its literal meaning, it will lead to the strange conclusion that a man who contemplates four hours a day is happier than a man who contemplates three hours a day. What Aristotle means here is simply that gods contemplates all the time, so to lead a life *similar* to god we should contemplate as much as we can, but again we should never forget that we are not god, and in the end we need to live a human life.

[394] This is Jiyuan Yu's favorite example (partly following Bernard Williams) when arguing for the conflict between contemplation and moral virtues (see his [2000] and [2001]).

ethics" is simply alien to Aristotle. On this point, Crisp is right to say "there is no reason to think that he intended his audience to understand him to be offering any strict view about the possibility or otherwise of trade-offs between *theōria* and excellent practical activity. The possibility of conflict may not have crossed his mind."[395]

Step Five Other goods The philosopher will also have considerable other goods required by happiness. (a) Good birth and good upbringing: to be a real philosopher requires many natural dispositions as we saw above, but when he is still young and when those dispositions are still malleable, he need good habituation in order to nurture the seeds of full virtues, and must be educated to lead his life toward real virtue, both moral and intellectual.[396] (b) He must possess a good health so that he could devote his time in philosophical thinking instead of struggling with all kinds of diseases. (c) He should have a relatively long life in which he could finish all the preparations and take up the most difficult subject in the end. (d) He will have certain amount of wealth so that he can enjoy leisure without worrying about the basic living sources, although to contemplate requires only a moderate amount of money.[397] (e) He will have honor, the greatest of external goods (IV.3, 1123b20-21). This, once again brings us back to Aristotle's discussion of magnanimous person. For him, honor should be the (natural) result of virtue: "honor is the prize of virtue, and is awarded to good people" (1123b35-1124a1). And as we have seen, the philosopher, possessing almost all the intellectual and moral virtues, is indeed the most virtuous and best, so he deserves honor most of all, and will fulfill the definition of the magnanimous person, who is "the one who thinks himself worthy of great things and is really worthy of them" (1123b2). (f) He will also have some worthy friends with whom he can discuss philosophy (1177a34), for Aristotle, like Plato, philosophy cannot or should not be conducted in complete isolation. Although Aristotle thinks it is not

[395] Crisp (1994), p. 134, n.45.

[396] It is highly plausible that whatever good nature one has, if he is put among corrupted people since youth, he will never become a real philosopher.

[397] Aristotle does says at one place that the external good could be impediment or hindrance of contemplation, but the context shows clearly that what he means is that external goods can be hindrance only in regard of the contemplative activity, which certain does not need those goods (X.8, 1178b3-5, quoted above), but not in regard of the happy life of philosopher which certainly requires external goods.

impossible to contemplate alone, the dialectical encounter with other people will greatly benefit one's own inquiry. Since the philosopher himself is virtuous, he will have the highest form of friendship, i.e., the friendship based on virtue. Last of all, (g) he certainly will not lack the most continuous pleasure that accompanies and completes his contemplation and virtuous actions.

Conclusion Thus understood, philosopher will possess all the moral virtues, and all the intellectual virtues (except *technē*), and considerable other goods. Therefore, we can certainly call him the most complete man, and indeed the *eudaimonestatos* (the happiest), in every sense of the word "*eudaimonia*." In him the dominant element of the central ingredient of happiness and the all inclusive features of happiness converge.[398] This convergence seems to provide a better explanation for the unique phrase "complete happiness [*teleia eudaimonia*]" at *NE* X.7, 1177a17, a phrase associated with contemplation and a phrase which never appears in any other ethical treatises.

This Aristotelian philosopher will be concerned with his own happiness by both devoting himself into contemplation and acting virtuously outside contemplation; but unlike the Platonic philosopher in the *Republic*, Aristotelian philosopher will be more ready to involve himself in politics and even, when necessary, to take the burden of ruling or legislating, because as a fully virtuous person, he will understand that to involve oneself into political affairs is the requirement of virtue and our nature as a political animal. Unlike the Platonic philosopher who has to be *forced* to go back to the cave and to rule, the Aristotelian philosopher, though more willing to contemplate, will not take such political activities as a great loss, because his *phronēsis* will be able to adjust his actions to *maximize his happiness* in any given situation. When necessary, he will take political responsibility with pleasure. Although it may be similar to the pleasure in the courageous person, i.e., a pleasure mixed with some pain, it is nevertheless pleasure. In such a person, then, we finally see the ultimate unity of private and common good.

[398] But the two different ways of life, life of contemplation and life of practice cannot converge. This philosopher, though possessing all the practical virtues, nevertheless leads a contemplative life. On this point, I am in complete agreement with Natali (2001), pp.173-176.

Chapter VI Limitation of Ethical Persuasion and Legislation

In the previous two chapters I first argued that in more realistic cases (such as in Athens of Aristotle's time), it is possible to solve the tension between private and common good, at least to certain extent, through the practice of rhetoric; and then in the *NE* Aristotle provides a theoretical reconciliation between these two series of goods through his theory of happiness and virtues. It will certainly be wonderful if that reconciliation can be brought into reality. The last two chapters of this study will argue in what way *an ideal polis* which achieves that reconciliation can be realized. These two chapters are constructed on the one hand on the basis of the development of the solution to the tension at stake, and on the other hand on the basis of a distinction of different types of *phronēsis* Aristotle made in *NE* VI.8, where he distinguishes *phronēsis* in the public life into legislative and political, one dealing with universals and the other particulars, as we have seen in the previous chapter.

This chapter will first discuss the limits of Aristotle's ethical persuasion, through some considerations of the difficulty and requirement of making people good. To make people good, the compulsory power of legislation is necessary, and this explains the fact that the primary addressees of Aristotle's *NE* are politicians and legislators. In section two, I will discuss Aristotle's general account of legislation and the rule of law. In section three two kinds of justice (as lawfulness) will be distinguished, and natural justice will turn out to be Aristotle's ultimate criterion in forming his ideal city. In section four I will examine the extensive legislative guidelines in Aristotle's *Politics* VII and VIII, which are the foundation of Aristotle's ideal city. In the last section I will briefly compare Aristotle's ideal city and Plato's *Callipolis*.

VI.1 Practical Goal of Ethics and Limitation of Ethical Persuasion

Aristotle makes himself clear enough about the goal of his ethical treatise. Although it provides a rather detailed and systematic knowledge about good life (happiness) and

right action, what is more important is to practice this knowledge in actions, as Aristotle says, not without a little exaggeration,

> Our present discussion does not aim, as our others do, at *theōria* [contemplation, or less technically, study]; for the purpose of our examination is not to know what virtue is, but to become good, since otherwise the inquiry would be no benefit to us. And so we must examine the right ways of acting; for, as we have said, the actions also control the sorts of states we acquire. (*NE* II.2, 1103b26-31)[399]

Aristotle provides a series of rational arguments which serve as a guideline of every aspect of good action. It would be good if he can simply persuade his audience or readers to follow these guides and to act virtuous after listening to his lectures or reading his treatise, but Aristotle is perfectly aware that rational persuasion is far from enough. Besides the innate limitations of rhetoric as we have seen in IV.4, in this particular ethical context, there are two further difficulties: one is the necessary condition of acquiring moral virtues, and the other is the defect of his audience.

The acquisition of moral virtues requires good upbringing and habituation, because, as we have seen in the previous chapter, before one has his *phronēsis* fully developed (which requires experience and intellectual efforts), the virtuous character is acquired through correct habituation and education from youth. The importance of good upbringing and habituation can be seen from two aspects.

On a more general aspect, they provide the right conception of happiness, the first principle of ethics and good life. When arguing for the virtuous circle between *phronēsis* and moral virtues in the previous chapter, I have indicated that this principle may be acquired through theoretical examination as Aristotle himself does, or through habitation, as in the case of ordinary people. Aristotle does not attempt to persuade whoever attends his lecture or whoever reads his treatise to lead the virtuous life he recommends, but rather he has some basic requirements about the upbringing of his audience:

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[399] For a similar passages, see *NE* X.9, 1179a33-b3.

That is why it is necessary that to adequately listen [to lectures] about what is noble and just and in general about politics they must have been well trained in habits; for the starting point [*archē*, or principle] is that it is, and if this is apparent enough, there will be no need for the reason why. And such a person either will already have the starting points [*archai*, or principles] or will acquire them easily. (*NE* I.4, 1095b 4-8)

This is a passage we have seen in III.3, but now we are going to see it from a somewhat different perspective. In ethical inquiry, both the starting point and the first principle is happiness (*eudaimonia*), so Aristotle both starts and closes his ethical treatises with the discussion of happiness, but with different clarity and precision. The first discussion (*NE* I.4-12) is more general and less precise (for he does not identify what the supreme happiness is), because at that stage, happiness is still the starting point of the entire discussion, whereas in his last discussion of happiness (X.6-8), he reveals the meaning of happiness in full and thus the first principle of his entire treatise. As we have seen, for most people, the happiness as starting point and as first principle coincide with each other, for the morally virtuous life is the best and thus the happiest life for them, so the instruction of happiness for most people will more or less stop at X.5. They might be able to appreciate the supreme happiness, i.e., contemplation, through listening to Aristotle's lectures or reading his treatise, but it is neither possible nor desirable that everyone is trying to lead such a life. For these people, good habituation provides them with the good starting point of the study of ethical matters by giving them the rough idea *that* happiness is to lead a virtuous life. According to Aristotle, if this has been made apparent enough at the outset when one comes to listen to his lectures, there is no further need, in most cases, to know more exactly *why* we should lead a virtuous life, whose answer is rooted in deeper and more technical biological and psychological investigations of human nature, which is more suitable for philosophers. For someone who has already known through habituation that happiness lies in virtuous life, what he is expected to know from Aristotle's lectures is a guide on such questions as how many virtues there are, how to follow virtue in one's life, how to avoid vices, and how to distinguish virtue from other states of the soul. These are precisely what Aristotle generously offers in his ethical

treatises.

Having seen the important role of habituation in the starting points of ethical education, we will now pick up a topic briefly discussed in previous chapters, and to see the central role played by habituation in the acquisition of trained moral virtues.[400] Aristotle distinguishes the acquisition of moral virtue from that of intellectual virtue. The latter is mainly through teaching (*didaskalia*), whereas the former through habit (*ethos*) and thus through habituation (*ethizetai*) (II.1, 1103a15-18). The acquisition of moral virtues requires the interaction of two elements, nature and habit, as Aristotle says, "[moral] virtues arise in us neither by nature nor against nature. Rather, we are by nature able to acquire them, and we are completed through habit" (1103a24-26). As human being, we all have the nature to acquire them (the difference only lies in the different natural dispositions, which is important but not essential, since like Plato, Aristotle also thinks that the natural disposition is malleable, as we will see shortly), so habituation becomes overwhelmingly important in the acquisition of moral virtue. In this context, Aristotle stresses the acquisition of moral virtues through repeated action, like the acquisition of *technē* (1103a31-b2), and this is certainly true for the youth. It is not possible to let them calculate all the factors in a given situation before their rational ability is developed, and the adults will tell them what the virtues are, and what they should do in a particular situation. By doing so, the youth will acquire certain habits or models of actions to deal with similar situations. And in routine cases, these habits or models would be enough for them to act virtuously and to satisfy two of three conditions of virtue: to decide on virtuous action and to it from a firm state. What they lack is the first and in most cases unimportant condition of virtue, i.e., to know exactly what virtue is in that situation which requires the right reason (II.4, 1105a30-b5). So Aristotle confidently summarizes this discussion of habituation with such words: "states [of character] come about from similar activities" (II.1, 1103b21-22). Habit has so strong a power in human life that it is considered as our "second nature," as Aristotle says, "indeed the reason why habit is also difficult to

[400] In this chapter we will focus on the trained moral virtues, in contrast with natural virtue and full virtue as we have seen in Chapter V, for the trained moral virtue is most suitable for common citizens in a political community. But it is certainly to turn some of them into truly virtuous people.

change is that it is like nature; as Eunenus says, 'habit, I say, is longtime training, my friend, and in the end training is nature for human beings'" (VII.10, 1152a30-33). Therefore, when the young are well habituated into good habit of virtuous action, it is difficult to lead them astray, and vice versa (X.9, 1179b29-1180a1).

The habituation and education in a city point directly to its law and thus legislation, because habituation is precisely the goal of legislation, as Aristotle says:

> The legislators [*hoi nomothetai*] make the citizens good by habituating them [*ethizontes*], and this is the wish of every legislator; if they fail to do it well they miss their goal [*hamartanousin*]. Correct habituation distinguishes one regime [*politeia*] from another, a good one from a bad one. (II.3, 1103b3-6)

For Aristotle this point is so obvious that it requires no further explanation. It is the laws of a city that provide guidelines for habituation and thus for the virtue and happiness of its citizens.[401] And it is Aristotle's ethical and political treatises that provide the guidelines for the correct kind of legislation, since Aristotle confidently claims that "our predecessors have left the area of legislation uncharted" (X.9, 1181a12-13).

The second difficulty Aristotle has to face when he tries to persuade people to be virtuous is the defect of his audience. This is best shown in the very last chapter of the *NE*, the transition from ethics to politics. In a both famous and infamous passage, Aristotle, more than anywhere else, expresses his disdain of the multitude:

> Arguments seem to have enough influence to stimulate and encourage the civilized ones among the young people, and perhaps to make virtue take possession of a well-born character that truly loves what is noble; but they seem unable to turn the many [*tous pollous*] toward being noble and good. For the many naturally obey fear, not shame; they avoid what is base because of the penalties, not because it is disgraceful. For since they live by their passion...[They] have not even a notion of what is noble and truly pleasant...What argument, then, could reform people like these? For it is impossible, or not easy, to alter by argument what has long been absorbed as a result of one's habits. But, presumably, we should be satisfied to achieve some share in virtue if we already have what we seem to need to become decent [*epieikeis*]. (X.9, 1179b7-20)

[401] In the *Rhetoric*, Aristotle says, "by education I mean that is laid down by law" (I.8, 1365b34-35).

Praise and shame, honor and dishonor, are the main tools of habituating the decent people, whereas fear and compulsion have to be used for those who only follow their desires and passions, and who are unable to be good either by their own rational efforts or by other's persuasion. They do not have the correct starting point, and their bad habituation makes it extremely difficult to lead them back to the right track. For this kind of people, compulsion must be used, since "the many yield to compulsion [*anankē*] more than to argument, and to sanctions [*zēmiai*] more than to the noble" (1180a4-5). It is only through compulsion and punishment that they can "achieve some share in virtue" and "become decent" to certain extent, in the sense that they do not possess virtuous character but only do virtuous actions as the law prescribes.[402] This leads to the second major role of legislation, i.e., to impose penalty (1180a5-14).

This passage also indicates the reason why the many are base and hard to cure through rational persuasion. It is precisely because they do not have the good habituation. This lack of good habituation implies two important points: (1) the first role of legislation, i.e., to make good laws to regulate the habitation of people, is more important than the second and more corrective role of legislation;[403] and (2) if the legislators make the law right, and thus compel the defective multitude to have some share in virtue at present and make the habituation of the following generations in the future follow the right course, then there will be a rather optimistic and realistic remedy for the defects. There seems to be no need to expel all the adults out of the city in order to make it good; social and political reforms can be carried out gradually through a combination of persuasion, habituation, and compulsion.[404]

As have been shown, habituation is especially suitable for the young, and compulsion for the defective. Then for whom does Aristotle provide the rational argument of good life contained in his ethical treatises? Or who are the primary

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[402] Aristotle speaks of this kind of people when considering the use of *phronēsis* at *NE* VI.12, 1144a14-17: "we say that some people who do just actions are not yet thereby just, if, for instance, they do the actions prescribed by the laws either unwillingly or because of ignorance or because of some other end, not because of the actions themselves, even though they do the right actions, those that the excellent person [*spoudaios*] ought to do."

[403] This echoes Plato's ranking between legislation and justice in his *Gorgias* as we saw in Chapter II.

[404] As Giovanni points out, Aristotle's general picture of the improvement of political community is rather similar to Plato's, i.e., a virtuous circle within (see *Republic* 424a). The difference, which I would like to stress more, lies in two points: one is that Plato's starting point is too high and thus too unrealistic, and the other is that for Plato the virtuous circle is limited within legislation where Aristotle's circle is larger.

audience Aristotle had in mind when authoring his ethical treatises?[405] On the one hand, Aristotle is addressing any well-cultivated and open-minded audience or reader, and trying to provide instruction about what real happiness is and how to lead such a happy life. On the other hand, and more importantly, he also has a special group of people in mind as his addressees, i.e., the politicians and legislators, both those in position and those potential ones. For in most cases they are the well-cultivated among the Greeks, and thus are more easily persuaded by Aristotle's dialectic discussion of ethical topics which are more or less based on their familiar notions, such as *eudaimonia*, *aretē*, *andreia*, *sōphrosynē*, *phronēsis*, *sophia*, and so forth, although Aristotle surely alters the meaning of some of these words and also assembles them into a systematic theory about good life. That Aristotle has these politicians and legislators in mind when composing the *NE* is best shown in his frequent indications about what politicians and legislators need to know in order to improve the happiness and virtuous life, and how his treatise should be used by them. Such indications in the *NE* especially appear in those pivotal points. Besides the very beginning and very end of the *NE* where Aristotle explicitly connects ethics with politics, a few more examples from the main body of his treatise should be sufficient to prove this: the discussion of the division of the soul and the correspondent virtues in I.13 is a key to the entire *NE*, and at the beginning of this discussion Aristotle says, since politicians want to make the citizens good, and since good here means virtue of the soul, they "must in some way know about the soul" (see I.13, 1102a4-26); the discussion of voluntary and involuntary action and the following discussion of deliberation (III.1-5) is a key to understanding moral virtue, moral responsibility and moral reasoning, and at the beginning of this discussion, Aristotle indicates that "this is also useful to legislators, both for honors and for corrective treatments" (III.1, 1109b34-35, and see also III.5, 1113b21-1114a3); justice is the moral virtue Aristotle most extensively discusses in the *NE*, and in the process of this discussion, Aristotle

[405] The question of Aristotle's audience generates more and more scholarly interest in recent years; for some examples of good discussion of this question, see Bodéüs (1993), chs.4-5, Smith (2001), ch.1, and Salkever (2007 and 2009). I do not mean to contribute to this on-going discussion, and only combine what previous interpreters have noticed as a preparation for my following discussion.

says legislator would only make universal statements, but it is just to rectify the deficiency left by the laws, a task legislator would have done if he himself had been present (V.10, 1137b13-32);[406] Aristotle's discussion of friendship is the longest single topic in the *NE*, and again at the beginning of this discussion, Aristotle speaks of its importance in regard of legislator (probably with some exaggeration): "friendship would seem to hold cities together, and legislator would seem to be more concerned about it than about justice" (VIII.1, 1155a22-24).

Based on a brief examination of the above passages appearing in some pivotal points of the *NE*, it is safe to conclude that when composing his ethical treatise and lecturing about the topics of good life, Aristotle particularly has politicians and legislators in mind, hoping that they will bring what the philosopher instructs into reality, improve or reform the current laws, promote virtue and happiness of their city, and thus solve the possible tension between private and common good through making the people virtuous and good. Since Aristotle's ethical and political theory is based on human nature in general, instead of the characteristics of the Athenians, he is justified to hope that his theory could be used as guideline of legislation by more than one city. If these politicians and legislators could do what Aristotle instructs, then the philosopher will perfectly fulfill his political duties to his city and even to humanities as a whole,[407] without severely hindering his own contemplation.

VI.2 Legislation and the Rule of Law

Aristotle, following the common usage of Greek language, understands the word *nomos* (law) as any stable normative regulation of a city, including both written and unwritten laws, and customs (*Rhetoric* I.10, 1368b7-9). Ideally, law should not be enacted for the sake of one or a few people (although in certain cases, such as in oligarchic regimes this may actually happen), but rather, for the sake of common good, as Aristotle says, "in every matter that they deal with, the laws aim either at the

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[406] This topic and this passage will be further discussed in the next chapter.
[407] Although he himself did not have a cosmopolitan ideal, Aristotle's universal theory about human nature surely anticipated the Stoic cosmopolitanism.

common benefit of all, or at the benefit of those in control[408]...so in one way what we call just is whatever produces and maintains happiness and its parts for a political community [*politikē koinōnia*]" (*NE* V.5, 1129b14-19).

As we have seen in Chapter III, the coming-into-being of *polis* is for the living of men, whereas the existence of it is for the living well or happiness of men.[409] So for Aristotle the laws should affect virtually every aspect of community life, either public or private, as long as they are related to the well-being of people in the city. Therefore, we see in Aristotle's writings the range of "law" extends much wider than the modern notion, from forbidding and punishing obvious crimes such as murder, adultery, profane, to laying down currency, ensuring contracts, and making correct distribution; from prescribing what actions are courageous, moderation, and honorable, to forbidding suicide[410] and not returning harm to harm; from the qualification of citizenship to the right upbringing and education of children. Laws even extend to some trivial aspects seen from our perspective, such as joke-making, as Aristotle remarks when discussing the virtue of wit, "since a joke is a type of abuse, and legislator prohibits some type of abuse, they would presumably be right to prohibit some types of jokes too" (*NE* IV.8, 1128a29-31), and forbidding bargain making (*NE* IX.1, 1164b13-21). Now we are in a better position to understand a long passage quoted in Chapter IV, where Aristotle says that "it is highly appropriate for well-enacted laws to define everything as exactly as possible and for as little as possible to be left to the judges..." (*Rhetoric* I.1, 1354a31-b14).

Laws are not from nowhere. In ancient Greek culture, people generally believed that laws were the embodiment of the wisdom of legislators, and some of the legislators were seen as divine or sage, such as Minos of Crete was said to learn wisdom from Zeus, Lycurgus of Sparta was seen as descendant of Apollo, Solon of Athens was among the seven sages, and even Plato discusses the divine origin of the law of Magnasia (*Laws* I). Aristotle's *Politics* II provides a precious source for our

[408] Although in reality, the laws which aim at the benefit of those in control may conflict with the laws which aim at the common good of the city, as we will see shortly, the laws which serve the interest of the people in control are not necessarily bad laws, especially in the practically best regime where those in control are citizens in equality.
[409] This is first introduced at *Politics* I.21252b29-30; see III.9, 1280b5-1281a3 for a more extensive discussion
[410] See *NE* V.11, 1138a5-14 for Aristotle's forbidding suicide on the ground that it does injustice to the city.

understanding of the history of early Greek legislation.[411] Aristotle not only mentions many legislators such as Draco, Solon, Pericles, Pheidon of Corinth, Philolaus of Corinth, and Pittacus of Mytilene, but also critically examines the laws of certain legislators, such as Phaleas of Chalcedon, Hippodamus of Miletus, Lycurgus, Minos, and the unnamed legislator of Carthage. He also lists Plato, who legislates only in his writings, among those actual legislators (II.1-6 and II.12, 1274b9). According to Aristotle, those legislators and their work do not have any divine nature as common people supposed, and are completely open to rational examination. The judgments about the merits or defects of their work are made "with respect to the best arrangement" (II.9, 1269a32), which will turn out to be what is just or good by nature, and which will also be identified with Aristotle's own legislation in *Politics* VII-VIII.

As shown in the previous chapter, Aristotle sees political science or political art (*politikē*) the same state as *phronēsis* (*NE* VI.8, 1141b23-24). Since *phronēsis*, in contrast with *deinotēs* (cleverness) is always good, what Aristotle means by "political science" here, is certainly not whatever kind of political science, say a kind of political science about tyranny which he provides some examples in *Politics* V.10-11, but only the correct or ideal kind of political science. This political science in general consists of three different types of *phronēsis*, i.e., household management, political deliberation, and legislation, in contrast with the stereotype of *phronēsis* which is only concerned with one's own happiness. Among them, legislation is "the ruling part [*architektonikē*]" of political science (*NE* VI.8, 1141b25-26). It is not at all difficult to understand why it is so, for it is the law that gives particular shape to a political community, and that regulates every aspect of life in the city. *Phronēsis* is the highest practical rational faculty of human being, paralleled with *sophia*, the highest theoretical rational faculty. In practical matters, legislation is the best practice of this practical faculty, and thus in this sense the embodiment of the best part of the soul of the best people.

Some central features of law are objectivity (in contrast to the order of a certain

[411] I will confine my discussion on Aristotle's treatment of this topic, for more discussion of early Greek legislation, see the excellent discussion in Gagarin (1986 and 2008).

person), impartiality (represented in the Greek word *isotēs*, meaning equality in front of the law and especially in the cases of rectification), and authority combined with force or punishment. A passage toward the end of the *NE* grasps these features very well:

> A father's instructions lack this power to prevail and compel; and so in general do the instructions of an individual man, unless he is a king or someone like that. Law, however, has the power that compels; and law is reason that proceeds from a sort of *phronēsis* and *nous*. Besides, people become hostile to an individual human being who opposes their impulses, even if he is correct in opposing them, whereas a law's prescription of what is decent is not burdensome. (*NE* X.9, 1180a18-24)

Besides these three features of the rule of law, we may also add a few other obvious features such as stability, generality, and efficiency. Given these advantages of law, the rule of law provides a much more attractive and desirable alternative to the rule of people, and Greek political thinkers in general recommend the rule of law over the rule of people, or at least see the law as necessary means and assistance of the rule of individuals. This is clearly shown even in Plato's *Republic*, in which the philosopher-king(s) is strongly recommended as the radical solution to all political problems, but at the same time we see that the rule of philosopher-king is also through a series of laws regulating different aspects of community life.[412]

In this ideal sense of legislation, Aristotle provides a strong enough justification in favor of the rule of law over that of people, as he famously says,

> [T]o have law rule is to be chosen in preference to having one of the citizens do so...One who asks law to rule is held to be asking god and intellect [*nous*] alone to rule, while one who asks man adds the beast. Appetite is a thing of this sort; and spiritedness perverts ruler and the best men. Hence law is *intellect without desire* [*aneu orexeōs nous ho nomos estin*]. (*Politics* III.16, 1287a18-32)[413]

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[412] Some people hold that for Plato the best regime is ruled not by law but my man, i.e., by his philosopher, such as Mayhew (2001), p. 56, but I do not see any mutual exclusiveness between these two ideas. And furthermore, it is not likely that the *Callipolis* Plato has in mind is a city directly ruled by philosophers who take care of everything by themselves. The rule of law will certainly gives philosopher more time to philosophize. The same is true for Aristotle when he comments on the genuinely outstanding person(s), claiming "for the other sort of person there is no law—they themselves are law" (*Politics* III.13, 1284a13-14). What Aristotle means is that ordinary laws are not appropriate for them, but not that when they rule, they do not rule with the assistance of law.

[413] For a similar passage, see *NE* V.6, 1134a35-b2: "we allow only reason, not a human being, to be ruler. For a

This passage appears in the context of Aristotle's comparison between the rule of law and the rule of absolute king (the simply best regime). It is clear that Aristotle champions the absolute value of the rule of law, because however good a man, he *has* desire (even though in the ideally virtuous person this part is always under the control of the rational part of the soul, needless to say the less virtuous person whose appetite may very well affect his decisions), and thus a compound; whereas the law, insofar as it is enacted through an ideal kind of legislation or through the correspondence with natural justice known to god and our reason, is purely rational.[414]

Aristotle thus rejects the analogy between the practice of some other art, e.g., medicine, and the political rule. Some people argue that to rule in accordance with written rules is foolish in any art, because arts are concerned with particular cases, and the same is true in political matters, but laws have to be universal (III.15, 1286a10-16). Although Aristotle admits the innate shortcoming of the rule of law as we will see more closely in the next chapter, he nevertheless holds that the rule of law is in general superior to the rule of men through edict (*epitagma*, a command of monarch) or through decree (*psēphisma*, an order of assembly),[415] because the rule of law, even taken alone, preserves certain order, consistency, impartiality, and stability, whereas the rule of man is very likely to make frequent changes in policies, and are more open to be influenced by passions. Aristotle sees the rule of decrees as typical for tyranny and extreme forms of democracy and oligarchy which are close to tyranny (*Politics* IV.4, 1292a4-37). The analogy to other arts fails because people are bad judges about their own matters, such as when a physician is sick he ask another doctor for advice, and in political matters the ruler's own interest is always involved, so "in seeking justice they are seeking impartiality [*to meson*]; for law is impartiality" (III.16, 1287a33-b5). Aristotle gives correct laws the highest authority, as far as their

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human being awards himself too many goods and becomes a tyrant; a ruler, however, is a guardian of the just, and hence of the equal."

[414] Recall that one of Aristotle's argument for the superiority of contemplation is that it is the work of the most divine element in us, and thus sets the contemplator farthest from the compound nature of human being; see *NE* X.7, 1177b26-1178a1.

[415] Edict and decree are case by case legal enactments which only deal with particular situations, and they do not mean to set examples for future similar cases although sometimes they might be cited by lawyer as examples. But laws are universal and deal with predictable similar future cases. For a good discussion of the distinction between law and decree, see McDowell (1978), pp. 43-46.

correctness extends, and only gives men a supplementary role in political rule:

> It is laws—correctly enacted [*keimenous orthōs*]—that should be authoritative and that the ruler [*archōn*], whether one person or more, should be authoritative with respect to those things about which the laws are completely unable to speak precisely on account of the difficulty of making clear general declarations about everything. (*Politics* III.11, 1282b2-6)

The limits of law and the supplementary role of men will be more fully discussed in the last chapter. And in this context, Aristotle connects the correctness of laws with the correctness of regime:

> Laws are necessarily poor or excellent and just or unjust in a manner similar to the regimes [to which they belong]: if nothing else, it is evident that laws should be enacted with a view to the regime. But if this is the case, it is clear that those [enacted] in accordance with the corrected regimes are necessarily just, and those [enacted] in accordance with the deviant ones, not just. (III.11, 1282b8-13)[416]

Aristotle's general theory of six different regimes is famous enough. He classifies regimes on the one hand according to the number of the authoritative element in the governing body, "either one or a few or the many," and on the other hand to whether the regime serves the common good or the private good (*Politics* III.7, 1279a25-31). Accordingly, Aristotle distinguishes three correct regimes and their corresponding corrupted or deviated forms. The three correct ones are kingship, aristocracy, and polity (*politeia*); whereas the three deviations or corrupted forms are tyranny, oligarchy and democracy (*Politics* III.7, 1279a32-b5, and *NE* VIII.10, 1160a33-1160b23).[417] In good regimes and even the moderately bad ones, the rule of

[416] As we will see shortly, his connecting the just law with correct regime is no more than tentative, which is common in Aristotle's dialectical discussion of subject matters, for the justice of certain law and the correctness of certain regime are in the end dependent upon what is just and what is correct by nature.

[417] If we take Aristotle to maintain his strict understanding of citizen as those sharing in governance as he defines in *Politics* III.1 1275a22-23: "the citizen in an unqualified sense [*politēs haplōs*] is defined by no other thing so much as by sharing in decision and office," then there might be a problem concerning the compatibility of this definition and Aristotle's classification of regimes. For in kingship there is only one citizen, and in oligarchy there are only a few citizens, so the king should only care about his own interest, and the oligarchs cannot be justly criticized for their caring about their own wealth, for strictly speaking only they are the citizens in an oligarchy. This is a question dated back to the nineteenth century (see, for example, Newman [1887-1902], vol. I., p. 230). Morrison (1999), after examining some "solutions" proposed by some scholars (such as Cooper [1987], Keyt [1993 and 1995], Miller [1995], Johnson [1984 and 1990]), concludes that this problem has no completely

law will be maintained, as Aristotle forcefully states: where the laws do not rule there is no regime [*hopou gar mē nomoi archousin, ouk esti politeia*]" (*Politics* IV.4, 1292a32);[418] whereas in tyranny and in extreme democracy and oligarchy, the rule of men (through either edicts or decrees) will take the place of the rule of law, and these are truly corrupted, and thus do not deserve to be called "regime" in its strict sense.[419]

Therefore, the task of *good* legislators or politicians will be twofold, as Aristotle briefly indicate, "neither the one that is superior simply nor the one that is the best that circumstances allow should be overlooked by the good legislator and the true politician" (*Politics* IV.1, 1288b25-27). Ideally, they should make the laws aim at those true virtues and happiness as Aristotle defines in his *NE* and thus aim at the best regime as such (but this may imply certain changes, even radical ones, to the regime); and more realistically, they should try to find the best laws (best in the sense of best promoting true virtue in their particular situation) for a given regime, even a somewhat deviant one, without making great change to it,[420] because on the one hand, to change a regime means, in strict sense, to destroy a city, for regime is the identity of a *polis* (III.3), and on the other hand, in practice not all the people are suitable for one single regime even if it is the best as such, as Aristotle says, "by nature there is a certain [people] apt for mastery [*desposton*], another apt for kingly rule [*basileuton*], and another that is political [*politikon*], and this is both just and advantageous" (III.17, 1287b37).[421] This is why, besides the most ideal city discussed in *Politics* VII and

satisfactory solution, due to the internal tension of Aristotle's texts. But I think the situation is not that desperate, and the solution lies in Aristotle's different senses of "citizen." Most strictly speaking ("in an unqualified sense"), only those sharing in ruling are citizens, but in most cases, Aristotle does not hold such a definition, especially when he analyzes the existent regimes, but rather a definition with stronger normative force, i.e., he takes *all that are qualified as rulers* (by the criterion of virtue) *should* be taken as citizens (so my suggestion is both different from Cooper and Keyt who take Aristotle to include all free-born native inhabitant as citizens, and different from Morrison's seventh solution which claims that there are different degrees of citizenship and those only ruled, such as women, children and elderly people, can also be called "imperfect citizens"), and these two different definitions converge only in his ideal city as we will discuss in section four. According to the second and more normative definition of citizen, Aristotle is entitled to pass value judgment about regimes, such as oligarchy is deviant in excluding in their government many who should be citizens, democracy is deviant in neglecting the goods of the few wealthy, and the king will take care of the interest of other people who are virtuous though less so than himself.

[418] See IV.4, 1292a3-7, and IV.5, 1292b4-7 for the rule of law in good democracy and oligarchy. And this statement proves that even in absolute kingship, Aristotle also recommend the rule of law, since absolute kingship is the best regime.

[419] See IV.4, 1292a3-37, IV.5, 1292b5-10, and IV.6, 1293a30-34.

[420] If we apply his famous "four causes" in this context, then laws as the form of a city must work on the given material, but cannot choose its material.

[421] There is another role of legislator and politician, i.e. to simply preserve the present regime however bad it is. This is the most realistic or empirical aspect of Aristotle's political theory. Therefore, Aristotle also provides some

VIII, Aristotle also extensively discusses the less ideal cases and tries to make things as correct as possible in those defective regimes in *Politics* IV-VI.[422] But in order to find Aristotle's solution to the tension between private and common good, we will focus on his ideal city, but before that, we should first take a look at the criterion of that "ideal," i.e., what is just or good by nature.

VI.3 Legal Justice and Natural Justice

Ethical and political thought in general must have certain element of convention, and the word *nomos* itself connotes this conventional dimension, which is best shown in the ancient debate between *nomos* and *physis*, or convention and nature. In classical Athens, the sophists were champions of conventionalism, which was best represented in Protagoras' dictum: "man is the measure of everything"; whereas Socrates, Plato and Aristotle held the opposite position, i.e., there are natural criteria about good and bad, virtue and vice. But Aristotle is less extreme than his teacher on this issue. He admits that there are strong conventional elements in ethical and political issue (see *NE* I.4, 1094b24-26), but nevertheless defends a naturalistic understanding of ethics and politics, whose roots, as Aristotle understands, are in the biological and psychological nature of human being as such.[423] Therefore, the conventional and natural sides of the law are always co-existent with each other, and accordingly Aristotle distinguishes political justice into legal (*nomikon*) and natural (*physikon*) (*NE* V.7, 1134b18-19).

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guides for a tyrant to preserve his tyrannical rule (*Politic* V. 10-11), but this aspect of the issue is not the concern of this present study.

[422] Because Books VII and VIII on the one hand, and Books IV-VI on the other, obviously have different interests and focuses, the former idealistic and the latter realistic, Jaeger (1948) notoriously identifies the former, together with Books II and III as Aristotle's earlier work showing the strong influence of Platonic political philosophy, and identifies the latter as Aristotle's later work showing his departure from Platonism and his embrace of a more empirical method (ch.10). Based on this twofold task of legislator and political scientists, which Aristotle shows clear awareness, Jaeger's thesis should not stand. For some discussions about the structure of the *Politics* and the objection of Jaeger's thesis (yet from different perspectives), see Kahn (1990), Pellegrin (1996), Rowe (2000), and Kraut (2002), pp. 182-187. Ober (1998) offers a somewhat different and more historical understanding of status of the last two books, arguing that they were later composition (around 330 BC) which was inspired by Macedonian conquest and the new possibility of establishing new colonies (pp. 339-351). But I find the thesis of internal unity is more desirable. Another related issue is the sequence of the present books of the *Politics*, Newman in Aristotle (1887-1902) and Simpson in Aristotle (1997b) makes Books VII and VIII immediately following III because of the last sentence of III and the first sentence of VII are almost identical, but most editors and translators do not accept such a re-organization. I do not think such a change is necessary, and Kraut (2002)'s argument for the ascending movement of the general argument of the *Politics* makes perfect sense to me (pp. 185-187).

[423] For a good general discussion of Aristotle's naturalism in his political thought, see Miller (2000).

Based on common use of language, i.e., "the lawless person [*paranomos*] is unjust and the lawful person [*nomimos*] is just" (*NE* V.1, 1129b12), Aristotle defines general justice in terms of lawfulness (in contrast with special justice as fairness in distribution and in rectification, see V.2-5). Justice in this sense is also said to be the "complete virtue [*teleia aretē*]," and justice as lawfulness is seen as "supreme among the virtues", both because justice is the virtue most related to other people and thus to the common good (1129b15-1130a4),[424] and because every legal system in ancient Greek context defines a whole set of virtue (1129b19-25 and 1130a8-9). It is the laws that provide guides or regulations about what are *virtuous actions* in general cases, which in the end requires *phronēsis* to decide (therefore laws are seen as the embodiment of *phronēsis*), as Aristotle says, "the law instructs us to do the actions of a brave person—for instance, not to leave the battle-line, or to flee, or to throw away our weapons; of a temperate person—not to commit adultery or wanton aggression" (1129b19-22).

Given the conventional side of the law, different regimes impose different laws in accordance with different locations, different characteristics of people, and different ruling elements, so justice as lawfulness will also be different in different regimes (*NE* V.7, 1135a3-5 and *Politics* III.9, 1280a9-31). And these different laws define what a good or virtuous citizen is in a given regime, for the task of a good citizen is to obey the law and preserve the regime (*Politics* III.4, 1276b21-29).[425] But since virtue and happiness in their strict sense are not defined by convention, but by reference to our biological and psychological *nature* as he does in his ethical treatises, and since "only one regime is by nature the best everywhere" (*NE* V.7, 1135a5), Aristotle can

[424] Kraut (2002) understands justice as complete virtue only from the perspective of its relation to others. For him, when other virtues are done for others and for the community as a whole it is a kind of justice (pp. 118-125), but this understanding is surely too narrow, for virtue in general has other-oriented side, and this side does not render a virtue into a kind of justice. He also neglects the self-oriented side of the virtue of justice.

[425] I think Kraut (2002) goes too far in suggesting that what Aristotle means by "preserving the regime" is to improve it and to make it less extreme (pp. 368-379); see also Simpson (1998), p. 145. As I have suggested, the task of good legislators is twofold, and citizens' task is also twofold, but different from that of the legislator. Good legislators intend to improve the regime, either turning it into the ideal regime or making it better; whereas good citizens by themselves cannot and should not make radical changes to the regime they live in (otherwise it will be a chaos), and what they can do is either follow the present laws and preserve the status quo, or to follow the legislators to make it better. Therefore, I am trying to incorporate both the traditional understanding of "preserving the regime" as embracing the value of present regime and thus maintaining the status quo (see, for example, Newman in Aristotle [1887-1902], vol. III, p. 155, Barker [1959], p.287 and Mulgan [1977], p. 57) and Simpson and Kraut's reformative interpretation.

legitimately distinguish good laws from bad ones (*NE* V.1, 1129b24-25), speak of different degrees of justice of law and regime (*NE* VIII.9, a31-b10, *Politics* IV.8, 1294a3-9), and distinguish good citizen from good man (*Politics* III.4), even if every regime and every legal systems is trying to promote the set of virtues it defines. Only in the ideal case or the best city, the law promotes the true virtue as such, and only in such a city, the citizens are truly virtuous and good men.

Here we encounter a seeming difficulty in understanding Aristotle's notion of natural law or natural justice, i.e., whether the natural justice or natural law is changeable or not.[426] Aristotle *appears* to provide two different accounts on this question. In *NE* V.7, he speaks of natural justice as if it can vary in the same way like legal justice or conventional justice, and his discussion is succinct and a little vague. So I quote this passage in full:

> Now some people think everything just is merely legal. For the natural is unchangeable and everywhere has the same force [*dunamis*]—fire, for instance, burns both here and in Persia—whereas they see that the just changes. *This is not so, though in a way it is so* [*touto d'ouk estin houtōs echon, all' estin hōs*]. With us, though presumably not at all with the gods, there is such a thing as the natural, but still all is changeable; despite the change there is such a thing as what is natural and what is not. Then what sort of thing, among those that admit of being otherwise, is natural, and what sort is not natural, but legal and conventional, is both natural and legal are changeable? It is clear in other cases also, and the same distinction will apply; for the right hand, for instance, is naturally superior, even though it is possible for everyone to become ambidextrous. (*NE* V.7, 1134b24-35)

On the other hand, in the *Rhetoric* Aristotle speaks of "common law [*nomos koinos*]" as the unwritten laws "agreed by all" (I.10, 1368b8-9), and "in accordance with nature [*kata physin*], for there is in nature a common principle of the just and unjust that all people in some way divine, even if they have no association or commerce with each other" (I.13, 1373b6-9), and this law is immutable, as Aristotle says, "decency always

[426] For this dispute and several possible solutions, see Miller (1991). He himself objects the five possible ways of solving this seeming tension, and provides an aporetic solution based on the dialectical method as Aristotle states in *NE* VII.1. He develops his solution through an extensive examination of Aristotle's relevant passage about right and left hands in his biological writings. But it seems to me that he over-complicates the issue, for I do not see any inconsistency even on the surface. The conclusion for which he extensively argues is largely the same as I indicate in one paragraph.

remains and never changes [*epieikes aei menei kai oudepote metaballei*] nor does the common law for it is in accordance with nature" (I.15, 1375a31-32).[427]

Then does Aristotle commit inconsistency or does this inconsistency demonstrate that the *Rhetoric* was written earlier than the *NE*? I do not think there is any inconsistency and any need to appeal to the developmental view in order to solve it. The typically Aristotelian phrase "this is not so, though in a way it is so" has made this question clear enough.[428] When speaking of natural justice in the *Rhetoric*, a treatise with more practical purposes, Aristotle only speaks of the part of "it is not so," i.e., there is a unchangeable natural justice, for this supreme order of nature is supposed to be used to support the orator when his case is in contrast with the written law, as he says "if the written law is contrary to the facts, one must use common law and arguments based on decency as being more just" (*Rhetoric* I.15, 1375a27-29), and in this context, speaking of the other side of the issue, i.e., natural law in regard of human affairs may also be changeable, is simply meaningless and will not serve any sound suggestion for rhetorical practice. But the context is completely different in the *NE*, a treatise with much more scientific nature than the *Rhetoric*. Here Aristotle is able to speak of this issue from both sides. Natural justice is to certain extent immutable since human beings in those fundamentally biological and psychological aspects are the same, but on the other hand, natural justice is nevertheless about human affairs (in contrast with the natural laws in regard of natural and inanimate beings), which is always *possible* to be otherwise, and human nature is also open to certain amount of change since we are so malleable at youth. Although Aristotle's example about the superiority of right hand is not quite good (for we know that many people are by nature left-handed), it is good enough to instantiate the issue. Nature makes the right hand superior, and there might be a natural law concerning the use of the right hand, but if a city trains all the children to use their left hands for all the work since youth, that law might not be applied to this city. Although the natural law

[427] The coherence of these three passages in the *Rhetoric* does not pose much problem, although some see certain inconsistency in Aristotle's notion of "unwritten law" and "decency [*epieikes*]." For a good defense of the coherence of these chapters, see Grimaldi (1980), pp. 317-318, and Miller (1991), pp. 284-285.
[428] Miller (1991) cites a lot of passages from the *NE*, but strangely enough does not cite this one which provides the most direct solution to the entire "problem."

concerning right hand is generally applicable, in the case of this particular city, it fails. Therefore, as Aristotle is always aware of the inexactness of human affairs, it is not surprising at all to see him conclude that natural justice and natural law are in general immutable, but this immutability is only up to a limit, and will never reach the absolute immutability as in the case of fire or god.

Unlike some interpreters who take Aristotle's notion of natural law or natural justice as unimportant,[429] I see it as the foundation of Aristotle entire ethical and political teachings, although Aristotle does not always mention explicitly these terms. Aristotle's entire ethical and political teaching, and indeed, all his teachings related to human being, are built upon his understanding of human nature. Again, "nature" should be understood in two senses, first as something innate to us and common to all human beings (accordingly Aristotle speaks of a lot of biological and psychological facts about us), and second as the goal of human being (accordingly Aristotle speaks of the supreme happiness and the best regime as most natural). The realization or the best approximation of such a natural justice is in the laws of the ideal regime as Aristotle discusses in his *Politics* VII and VIII, for "all laws that are naturally just would be found in an ideally ruled city, and such a city would adopt every rule that is naturally just."[430] And now let us turn to Aristotle's legislative guideline for such a city.

VI.4 Legislative Guideline of Aristotle's Ideal City

We should focus on the best regime to see Aristotle's solution to the tension at issue, because it is only in this best regime that the virtue of citizen (which is defined by legal justice and relevant to different regimes) is identical with the virtue of man (which is defined by natural justice). It is only in this regime, the laws aim at promoting real virtues, which, as we saw in the previous chapter, reconcile the two series of goods which may conflict in other cases. In this best regime, the primary concern of a citizen is his virtue, as Aristotle says, "a citizen in the common sense is

[429] Such as Kelsen (1957), p. 384, n.15, and Mulgan (1977), p. 141.
[430] Kraut (2002), p. 131.

one who shares in ruling and being ruled; but he differs in accordance with each regime. In the case of the best regime, he is one who is capable of and intentionally chooses being ruled and ruling with a view to the life in accordance with virtue" (*Politics* III.13, 1283b42-1284a3). In Chapter II we have discussed Plato's legislative efforts for his *Callipolis*. Like his teacher, Aristotle also has an ideal city in mind, and also strives to provide legislative guidelines for his own ideal city.

As Aristotle sees it, to inquire about the best regime, "it must necessarily discuss first what the most choiceworthy life is" (VII.1, 1323a15-16). And what he does in *Politics* VII and VIII is precisely to depict such a life and to bring this life into reality through his legislation. But curiously he nowhere tells us what this regime is. In this section I will follow Aristotle's own practice and only discuss the laws legislated by Aristotle, and leave the task of identifying this regime to the next chapter.

As we have seen many times, for Aristotle the most choiceworthy life is no doubt the life in accordance with virtue of the soul. The best regime, accordingly, is the regime promoting virtue to the degree suitable for each individual, and "the best regime must necessarily be that arrangement under which anyone might act in the best manner and live blessedly" (VII.2, 1324a23-25).

Aristotle first discusses the material aspects of his best regime, such as the size of the population—neither too big nor too small (VII.4), the territory—maintaining both self-sufficiency and moderation (VII.5), the naval power since it is directly related to the supply of necessities and self-defense (VII.6), and the character traits of the people in the best regime who should be full of both thought and spirit (VII.7). Aristotle then discusses the different tasks and different people in this city, together with the distribution of work. For him, the citizens in his ideal city should not be merchants whose life is seen as ignoble and thus contrary to virtue (VII.9, 1328b38-40), nor farmers or craftsmen whose life deprives leisure which is necessary for virtue and political activities (1328b41-1329a2).[431] The military and deliberative

[431] Therefore in Aristotle's best city, the citizens are in some way similar to the guardians of Plato's *Callipolis*, and Plato's producers are not seen as "citizens" in Aristotle's strict sense of this word, i.e., those who share in ruling.

tasks should be assigned to the same citizen body but at different ages, the former for the young whereas the latter for the old (1329a2-16). Priests should be attributed to very old citizens (1329a26-33).[432] External goods will be possessed in private but used in common, and the sustenance of citizens will be guaranteed, which will be done through a distribution of land and common meal (*syssitia*) (VII.10). Aristotle also speaks of the relation between location and health, city walls, the locations of certain buildings (VII.11-12).

The main body of Aristotle's discussion of the ideal regime is devoted to the education (*paideia*) of good men and good citizens, since in the ideal regime they are one and the same. Aristotle emphasizes that the matter to make people good is not something dependent on fortune, but on "knowledge and choice [*epistēmēs kai prohaireseōs*]" (VII.13, 1332a32). Among the three things which make people good, i.e., nature, habit, and reason, the first certainly has little to do with education except in the sense that education should be in accordance with nature, instead of contrary to nature, whereas the latter two aspects are the main task of education. For Aristotle, the education of habit and reason are "consonant with one another," but since reason is our higher nature, habit should also be directed to cultivate our rational capacity (VII.15, 1334b6-28). And if we see this point from the perspective of the *NE*, which is the basis of Aristotle's legislation, it amounts to say that the habituation of the trained moral virtues is for the sake of true moral virtues which require *phronēsis*.

The first aspect of education Aristotle discusses is the education of ruling and being ruled, which is most directly connected with regime, because "regime is an arrangement of a city with respect to its offices, particularly the one that has authority over all [matters]" (III.6, 1278b9-10), and different regimes are defined precisely by who rules. Aristotle does not take it as common for one or a few people to be

For a good discussion of the exclusion of manual workers from citizenship together with some background issues, see Kraut (2002), pp. 215-219.

[432] Unlike Plato in his *Republic* and *Laws*, Aristotle speaks very little about religion, which makes sense because Aristotle's view about god(s) as unmoved mover (a purely intellectual being) is so different from the common understanding of gods that a religions based upon such a notion is not important for a political community and that such a god cannot serve as a bond of its citizens, as traditional religion does. To openly challenge the traditional view of god is not as good as keeping this topic as succinct and as obscure as possible in his discussion of the ideal city. It seems that in this ideal city, the common conception of happiness is enough to take the place of civic religion and provide a firmer bond for its citizens. Kraut (2002) suggests that Aristotle would make his citizens believe a god similar to his view (pp. 203-205), but I do not see either textual support or necessity for this point.

outstanding in virtue (in which case kingship or aristocracy will be necessary), and in most cases the citizens should be more or less on the equal level.[433] Therefore, in the ideal regime which is intended not to be too lofty, Aristotle does not accept Plato's model in the *Republic*, but rather takes a rather democratic way of ruling and being ruled, as his principle of distributive justice requires: "it is evident that for many reasons it is necessary for all in similar fashion to participate in ruling and being ruled in turn. For equality is the same thing [as justice] for persons who are similar, and it is difficult for a regime to last if its constitution is contrary to justice" (VII.14, 1332b24-28). The ruler and the ruled in this ideal city are distinguished by age: the old rule in rotation, and the young are ruled, because ruling requires better development of one's moral virtues and practical intellect which demands time and experience. But since all the citizens receive the same education since youth and the same moral requirement, they will be more or less equally qualified to rule when they are well trained. Therefore Aristotle concludes that "in one sense, it must be asserted that the same persons rule and are ruled, but in another sense different persons" (1332b40-42).[434] In order to rule well, one has to learn first how to be ruled, for the way of being ruled is directly determined by the way of ruling. The legislator should make laws regulate the youth, to make sure that their desiring part of the soul is ruled from youth by the rational part so that when they grow older, they are ready to be ruled by the magistrates who represent the rule of law which in turn represents the rule of reason as we have seen in VI.2. They must be educated to be able to go to war, but more importantly they should be able to enjoy peace and leisure and to practice such virtues as justice and moderation even in peace time, because domination or

[433] I do not agree with Kraut (2002)'s suggestion that what Aristotle means is "there are no such superhuman beings" and Aristotle's phrase that this kind of people are "not easily found" to be humorous (p. 225), because on the one hand Aristotle's discussion of divine virtue in *NE* VII.1 only says this kind of people are rare (never says impossible), and on the other hand, as I argued in V.5, the true philosopher is precisely this kind of divine person, who possesses all the virtues and thus superior to all the other human beings. More on this will be discussed in Chapter VII.

[434] Aristotle says virtually nothing in Books VII and VIII about the offices such as archons, generals and treasurers, but only mentions some relatively minors officers such as priest, children manager, forester, and field manager. There are some possibilities concerning this silence: (1) it is possible that Aristotle would like his audience to refer back to his discussion of offices in IV.15 and VI.8; (2) it seems also possible that Aristotle would think that with good education from youth, the people in his ideal city will be able to figure out this sort of issues by themselves.; (3) a more radical suggestion might be that this ideal city is a community based on friendship, so there is no need to regulate these matters. They are certainly not mutually exclusive suggestions.

enslavement is not the virtue of free people (VII.14-15, 1333a31-1334b6).

Having laid down the laws, though only in very general shape, concerning the most important aspect of the life in his ideal city, Aristotle moves on to regulate in regard of the future generations and thus the future of this city. He lays down laws concerning marriage, child-birth, eugenics, fidelity to one's spouse (VII.16), sets up some detailed regulations about child-rearing (such as habituating them to be used to cold weather, playing without learning before the age of seven, ensuring that the children spend as little time as possible with slaves, and banishing foul speech and this sort of statues or paintings from the city) (VII.17), and in the last book of the *Politics*, Aristotle gives a rather extensive outline of public education for all the citizens of this best city, a truly radical proposal at his time. Aristotle provides an explanation for the commonality of this education before starting his detailed discussion:

> Since there is a single end of the city as a whole, it is evident that education must necessarily be one and the same for all, and that the superintendence of it should be common and not on a private basis...For common things the training too should be made common. At the same time, one ought not to even consider that a citizen belongs to himself, but rather that all belong to the city; for each individual is a part of the city. (*Politics* VIII.1, 1337a21-29)

What is worth noticing here is that to have a public education and to see a citizen belongs to the city does not render Aristotle's position close to Plato's communism. Plato deprives the guardians of private life as such and sees them only as servants of the city, whereas Aristotle leaves much private life to his citizens and allows private possession, and only makes them receive public education and common training. What Aristotle is speaking of here is that the citizens cannot lead whatever life they please; rather, they have to keep the common good in mind and lead their life in accordance of the good of their city and this is paralleled with Aristotle's famous statement that city is prior to individual as we have seen in Chapter III.

As for the specific laws of education, Aristotle is in one way similar and in another way different from his teacher: Aristotle agrees on the two categories of

education, gymnastics and music and on the sequence of these two aspects of education, i.e., first gymnastics and then music (VIII.3, 1338b4-8). Plato's education is more war-oriented and aims more at necessity, whereas Aristotle's education aims more at a life in leisure and further study beyond necessity (1337b27-1338b3). Aristotle only briefly discusses the physical education, and the main point is that severe exertion since youth has no good to the children, and up to puberty (age of seventeen) only light exercise should be applied, and only after that they receive intensive physical training (VIII.4). He pays more attention to musical education because it is more suitable for peace and leisure, and could be used in education, play and pastime (VIII.5, 1339b11-31). Its contribution to play and pastime is easy to understand, so Aristotle focuses more on its effect to the education of character. On the one hand, the harmonies set the listeners to a certain state of mind, for example the mixed Lydian puts the listeners into a state of grief and apprehension, Phrygian makes them inspired, and Dorian makes the listeners into a middling and settled state and thus most suitable for the education of the young (VII.5, 1340a38-b5 and VII.8, 1342b12-17),[435] and on the other hand, different rhythms also cause different effects to the listeners: "some of them have a character that is more steadfast, others a character marked by movement, and of these some have movements of a cruder, others of a more liberal sort" (1340b8-10).[436]

The above legislative guidelines for education certainly has compulsory force in Aristotle's ideal city, for the citizens in this regime are also liable to bias due to their private interest. A good example to show this is the distribution of land. Each of them is given a portion of land near the frontier and the other near the city, and "this provides equality and justice, as well as greater concord with a view to wars with their neighbors. For where things do not stand in this manner, some make light of an

[435] On the effect of different musical styles, Aristotle seems to be in general agreement with Plato (see *Republic* 398d-399c), for Aristotle says: "this is what those who have philosophized in connection with this sort of education argue, and rightly; they find proofs for their argument in the facts themselves" (1340b6-7, see also VIII.7, 1341b27-36), but he disagree with Plato on leaving Phrygian in education (VIII.7, 1342a32-b6). The authority of both Plato and Aristotle is probably musicologist Damon, who held that music can influence character, melody is generated by movement of the soul, and different moral types create music of corresponding moral types; see Lord (1982), pp. 203-210 and more extensively Barker (2007), chs. 12-13.
[436] See also *Politics* VIII.7 for more discussion about the connection between music and character.

enmity toward those on the border, while others are concerned with it overly much and contrary to what is noble" (*Politics* VII.10, 1330a16-20). A political system based on these laws will guarantee the ordinary people, and especially their future generations to be regulated and habituated to be virtuous, and thus to make sure the private good and common good are in harmony.

VI.5 A Comparison between Plato's *Callipolis* and Aristotle's Ideal City

As we have seen, both Plato and Aristotle provide legislative guidelines for their own ideal city. We should now briefly compare these two projects in some general aspects. Although they have many similarities, such as their purposes are both for the happiness of the city, their educational plans have something in common, their differences certainly interest us more.

The first and primary difference is their understanding of human condition. Plato is less optimistic or a little pessimistic about the harmony of these two series of goods. Therefore, to make the city as a whole happy, he sacrifices certain happiness of the individuals, and sees this kind of sacrifice necessary. None of people in his *Callipolis* is ultimately happy as we have seen in Chapter II. But in Aristotle's more optimistic picture of human condition, the achievement of the happiness of the city is precisely through the happiness of each individual. By defining individual happiness mainly as the virtuous activity of each person, and by making virtue the bridge of private and common good, Aristotle manages to solve the potential tension between these two series of goods. Therefore he does not need to sacrifice private good or private happiness for the happiness of the city, but rather, these two kinds of happiness should be one and the same, and only in non-ideal cases, they are conflicting with each other.

Second, Plato renders his citizens one-dimensional: the producers only have private life, and the guardians only have common life; whereas Aristotle's citizens, though more narrowly defined then Plato, have both lives. They have ordinary family life, having slaves to work for their own field, raising their own children, enjoying friendship and music, involving themselves in military matters when they are young,

and taking the responsibility to rule when getting older. Indeed, they lead a rather colorful life given the relatively austere living condition of ancient Greece. So Aristotle's arrangements are more in accordance with human nature, and in this sense also more realistic.[437]

Third, although we are not sure about the precise regime of Aristotle's ideal city, it is not difficult to see that it is neither kingship nor aristocracy,[438] for the fact that the rulers (citizens) rule in turn is certainly not the characteristics of these two kinds of regime. But we are explicitly told that the *Callipolis* is a kingship or an aristocracy, depending on whether there is one philosopher or more. Therefore Aristotle's ideal city is run largely by amateurs who only have basic literal, mathematical and musical education as he suggests in Books VIII, whereas Plato's *Callipolis* is ruled by professional philosophers.[439]

Fourth, Plato's *Callipolis*, however perfect it is, is corruptible, and inevitably so because of certain internal problems, and it will undergo a necessary degeneration from kingship or aristocracy to timocracy to oligarchy to democracy and at last to tyranny (*Republic* VIII-IX). But Aristotle's ideal regime will not be liable to such degeneration from within, and will continue to exist and flourish, presumably as long as its material need can be sustained and as long as no powerful enemy conquers it. Aristotle says in his comments about the safety of city:

> The safety of the city is in its law, so it is necessary to know how many forms of regimes there are and what is conductive to each and by what each is naturally prone to be corrupted, both forces characteristic of that regime and those that are opposed to it. *By characteristic forces of corruption, I mean that except for the best regime,* all the others are destroyed by loosening or tightening [their basic principles of governance]. (*Rhetoric* I.4, 1360a18-25)

As for the reasons of its longevity, the most obvious is that it is the regime in

[437] Another sense of reality is suggested by Ober (1998) and developed by Kraut (2002) who takes the ideal city as a new colony consisted of those who willingly endorse Aristotle's ideas of happiness and virtue, and who move to this colony from their fatherland to form a new utopia in accordance with Aristotle's blueprint.
[438] This may cause question about the identity of this ideal city, for Aristotle clearly says in III.18 that it is better to be ruled by one or a few than by the many. We will return to this question in the next chapter.
[439] Even Plato's second best regime in the *Laws* is strictly hierarchical and ruled by experts.

accordance with nature, and anything natural will certainly last longest. The other reason for its longevity is that this regime will be flexible enough to absorb any good changes and to resist any bad ones. This second reason will be more fully discussed in the last chapter after we solve the question of the identity of this ideal regime.

Chapter VII Limitation of Law and Supplement of Man and Rhetoric

The difference between legislation and particular cases parallels the difference between the theoretical discussion of the practical decision as Aristotle presents in his ethical treatises and the actual decision an individual has to actually make. Although Aristotle tries to make his theoretical discussion as precise as possible,[440] by no means is it able to replace the actual examination of particular situations in which the agent finds himself. Similarly, although Aristotle provides detailed legislative guidelines in his ethical and political treatises for an ideal city, by no means is it possible to take every single aspect of human life into consideration. So to maintain the goodness of Aristotle's ideal city and the harmony between private and common good, we need more than legislation, even if it is the ruling kind of *phronēsis*. Here we encounter the other kind of public type of *phronēsis*, the deliberative *phronēsis*, whose function is to determine the particular cases, and sometimes it will suspend or correct the present law in order to accommodate the requirement of new situations.

In this chapter we will first take a look at Aristotle's awareness of the limitation of the rule of law, and then move on to consider his remedy for these limitations by way of individual politicians, and through the practice of rhetoric. The new practice of rhetoric in this well-ordered city is in many ways different from the daily practice of rhetoric in the Greek world of Aristotle's time, and will remind us of Plato's discussion of the ideal kind of rhetoric in his *Phaedrus*. In the last two sections, I will take up two questions left unanswered in the previous chapter, i.e., what the regime of Aristotle's ideal city is, and why it is able to resist corruption or destruction from within.

VII.1 Limitation of the Rule of Law and Supplement of the Decent and Prudent Men

[440] See, for example, *NE* II.7, 1107a29-32, and VI.1, 1138b18-32.

As he is perfectly aware of the limitation of rhetoric, Aristotle does not grant omnipotent power of the rule of law either, although he generally holds that the rule of law is superior to the rule of men, and that the rule of law is an important mark of a real regime. There are two major aspects of limitation of the rule of law, its lack of executive power and its universality. The emphasis will be given to the second aspect, for it requires more intellectual ability than the first.

Any law, however excellent and compulsory, will lack executive power if without the supplement of men, for the words of law are simply inanimate. Law, by itself, cannot actually rule, if the people who have the law do not abide by the law. A defect as it is, this aspect of the limitation of the rule of law is relatively easy to remedy, for it only requires certain officials in the city to safeguard and execute the laws, both in positive function of habituating citizens, and in corrective function of imposing penalties.[441]

The second aspect of the limitation of law is more important, for the strength and limitation of laws both lie in its universality. We have seen in the previous chapter that it is good for the law to be universal, because it is thus the embodiment of pure human reason and free of corruption of particular individuals. But it is also limited by this universality, because there must be some cases which laws cannot regulate or predict. Aristotle distinguishes two different kinds of errors of laws, one voluntary and the other involuntary, as he discusses in the *Rhetoric*:

> Decency [*to epieikes*] seems to be just; but decency is justice that goes *beyond the written law* [*para ton gegrammenon nomon*]. This happens sometimes *from voluntary things* [*ta hekontōn*] of the legislators but sometimes from involuntary things [*ta akontōn*]; in voluntary when something escapes their notice; voluntary when they cannot define accurately but on the one hand must speak in general terms and on the other hand must not but are able to take account only of most possibilities; and in many cases it is not easy to define the limitless possibilities…for a lifetime would not suffice to enumerate the possibilities. If, then, the action is undefinable when a law must be framed, it is necessary to speak in general terms. (*Rhetoric* I.13, 1374a26-33)

[441] See *Politics* III.15, 1286b33, IV.1, 1289a14-19, and V.8, 1307b29-39 for Aristotle's brief discussion of the safeguard of the law.

The involuntary errors of the law, or the errors without the intent of the legislators, are due to the neglect or ignorance of the legislators, and they may be corrected by other or better legislators; whereas the voluntary errors of the law, or the errors within the intent of the legislators, are due to the general nature of the law as such, and any legislator, however good he is, cannot avoid. Law, in contrast with decree or edict, can only regulate universal and most plausible cases, and thus must leave some details or minor cases to be filled by men. There is always room to interpret the meaning of the law, and room to doubt whether certain regulations accommodate to certain cases. Aristotle gives a more extensive discussion of this voluntary error of the law in the *NE*:

> All law is universal, but in some area no universal rule can be correct; and so where a universal rule has to be made, but cannot be correct, the law chooses the [universal] that is usually [correct], well aware of the error being made. And the law is no less correct on this account; for the source of the error is not the law or the legislator, but *the nature of the object itself*, since that is what the subject matter of action is bound to be like. And so, whenever the law makes a universal rule, but in this particular case what happens violates the universal rule, on this point the legislator falls short, and has made an error by making an unqualified rule. (*NE* V.10, 1137b13-23)

Although it is indeed an error of the law to be too universal in many cases, by no means does it render the law incorrect, or render the legislator impotent. The changeable nature of human affair as such determines this innate limitation of the law, as it also determines the limit of exactness of any ethical and political inquiries. In these cases, the laws have to be suspended or amended with a view to natural justice and the original intention of the good legislator, and the virtue of decency [*epieikeia*] is required, as Aristotle continues:

> Then it is correct to rectify the deficiency; this is *what the legislator would have said himself if he had been present there, and what he would have prescribed, had he known, in his legislation*. That is why the decent is just, and better than a certain way of being just—not better than the unqualifiedly just, but better than the error that results from the omission of any qualification. And this is the nature of the decent—rectification of law insofar as the universality of law makes it deficient. This is also the reason why not

> everything is guided by law. For on some matters legislation is impossible, and so a decree is needed...a decree is adapted to fit its objects. (1137b23-33)

Although Aristotle sees the rule of the law superior to the rule of edict or decree, when particular situations render the previous laws inappropriate, edict or decree based on the virtue of decency are in need. When laws are flawed or the words of the laws are controversial, the virtue of decency (*epieikeia*) becomes extremely important, for the law will then require the decent person (*epieikēs*) as supplement.[442] The decent are just or virtuous by nature, not by convention, and thus better than the words of deficient laws or legal justice (but not better than the unqualified justice, i.e., natural justice). Aristotle calls decency "a sort of justice [*dikaiosynē tis*]" (*NE* V.10, 1138a2), so it is not an individual virtue, but belongs to the general virtue of justice. The decent can discover what is not just in the present laws under particular circumstances, and try to correct them. A decent juror will refuse to punish someone whose conduct is in accordance with natural justice even if he violates the law of the city; and a decent assemblyman will pass decree which is most advantageous for the city even if such decree is contrary to certain present law. What is truly important for a decent man is not the words of the law, but the intention of the good legislator or the spirit of the law, i.e., the preservation and enhancement of the common good.

But on the other hand, as we can see in his *Politics* and as we can expect from his ordinary dialectical characteristic, Aristotle does not recommend frequent changes to the law either:

> [S]ome laws must be changed at some times; yet to those investigating it in another manner this would seem to require much caution. For when the improvement is small, and since it is a bad thing to habituate people to the reckless dissolution of laws, it is evident that some errors both of the legislator and of the rulers should be let go; for [the city] will not be benefited as much from changing them as it will be harmed through being habituated to disobey the rulers. And the argument from the example of the arts is false. Change in an art is not like change in law; for law has no strength with respect to obedience apart from habit, and this is not created except over a period of time. Hence

[442] Kraut (2002) narrows the scope of the virtue of decency to juror's objection to punish someone who is unjustly convicted by the words of the law (pp. 108-111), but Aristotle's discussion of decency is clearly broader than this, including both this case and the revision of certain laws by later legislators.

> the easy alteration of existing laws in favor of new and different ones weakens the power of law itself. (*Politics*, II.8 1269a12-24)

The change of law requires much caution, because frequent minor changes will render the law weak. There is also a mean between adhering to the words of the present laws and the unnecessary change to them. So concerning the interpretation and correction of the laws, what the decent people should do is not only to discern the defects of the law, but also to decide when to propose changes and when to stick to the words of the law in order to avoid disorder.

As we have seen, decency is part of the moral virtue of justice, and the intellectual virtue such decent people possess in discovering and correcting the defects of the laws, and more important in deciding when to change the law in particular situation, is certainly *phronēsis*, and more precisely, the deliberative *phronēsis* which deals with particulars (in contrast to legislative *phronēsis* which in certain sense deals with universals[443]). As *phronēsis* in general requires long time training and experience, it is not likely that all the citizens in Aristotle's ideal city acquire outstanding *phronēsis* which is required to make changes to the present laws. As we have seen, the citizens in Aristotle's ideal city only receive basic literal, mathematical and musical education, which does not intend to turn them into real experts on such matters as military strategy and legal procedure. Particular expertise requires special training and certain talents. The education in this city only aims at making the citizens into *good judges* about these things. They would be happy to listen to the advice of experts when there is need, and based on their education and the common level of *phronēsis* pass good judgment. In our present case, the existence of experts in political and legal matters, certainly possess higher level of *phronēsis* in dealing with especially thorny situations. The actual deliberation beyond the words of the laws in this ideal city should be led by this kind of political experts, although many can contribute in making the final decision. What is worth noticing here is that

[443] As Aristotle defines, *phronēsis* is concerned with particulars, and the legislative *phronēsis* is a special kind of *phronēsis* which deals both with particular and the universal. In regard of the nature of the law, it is about universals, but in regard of its working on certain particular people and in certain particular city, it also in certain ways deals with particulars.

these experts, either political or military, do not make the citizens unequal, because one aspect of expertise or *technē* does not make one outstanding in every aspect. Every expertise requires talent, time, and experience, so there is no way for all the citizens to be experts on the same matters. To see people as unequal on the ground of the inequality of one single aspect is the major error of oligarchy (see *Politics* V.1, 1301a26-36).

Furthermore, when the situation or political environment changes so dramatically that the current laws not merely need minor correction, but greater revisions, these decent and prudent politicians will then become new legislators and make new laws to prepare their city to meet new challenges. As we have seen in the previous chapter, Aristotle's ethical and political treatises not only provide guidelines for the laws and public education of his ideal city, but also provide more advanced instructions for more talented and more professional politicians and legislators.

VII.2 Supplement of the Rule of Law through Rhetoric

As shown in the previous section, the rule of law is deficient in its nature, and thus requires the decent men and prudent politicians or legislators as supplements. Then our next question is naturally about "how": *how* do they supplement the rule of the law? They will do it through decrees in particular situations or through revisions of laws when necessary, as Aristotle explicitly tells us; but then, we should go on and ask: *how* do they make sure the pass of correct decrees and how do they make revisions to the present laws?

Aristotle's ideal city is not a kingship or an aristocracy, and the ruling body or the mature citizens share the rule in turn, so it is not likely to pass decree through one man or a small group of people as happens in a monarchy or an aristocratic city. Although there will be political and legal experts in this city, they cannot, by themselves, make the decision to take the action beyond what the laws have prescribed. They need to make the citizens, the ruling body of this city, agree on such changes. They can make them agree either by compulsion or by persuasion. It is quite obvious that in such a city it will be extremely inappropriate to use compulsion in

such matters,[444] since the citizens in this city all aim at real virtue and happiness, and since they are all trained to develop and follow reason. They are not the kind of defective multitude Aristotle scorns in the final chapter of the *NE*. Therefore, what is left is through persuasion and rhetoric. The task of rhetoric understood as the art of persuasion is precisely to deal with particulars, the matters without certainty, regulations, or system, as Aristotle clearly says,

> The duty of rhetoric is to deal with such matters as we deliberate upon without arts or systems to guide us…The subjects of our deliberation are such as seem to present us with alternative possibilities: about things that could not have been, and cannot now or in the further be, other than they are, nobody who takes them to be of this nature wastes his time in deliberation. (*Rhetoric*, I.2, 1357a2-7)

It is also because the citizens are willing to develop and follow their reason that the practice of rhetoric in this ideal city will be strikingly different from that of classical Athens, and will be closer to an ideal kind of rhetoric envisaged in the *Rhetoric*. On the one hand, the practice of rhetoric in this ideal city will be in turn regulated by more strict laws concerning this practice, as a passage quoted in Chapter IV suggests: "it is highly appropriate for well-enacted laws to define everything as exactly as possible and for as little as possible to be left to the judges" (*Rhetoric*, I.1, 1353a31-33). In regard of Aristotle's overall structure of the *Rhetoric* around the three modes of persuasion, and in regard of the complaint about the excessive emotional appeals in contemporary rhetorical practice at the beginning of the *Rhetoric*, we can safely assume that the most important law concerning the practice of rhetoric in this ideal city will be to minimize or marginalize the *pathos* aspect of rhetoric in judicial and deliberative rhetoric (*pathos* will still play an important role on epideictic rhetoric; otherwise it is not epideictic rhetoric any more). Besides that, *ethos* will play a less important role in this ideal city, because the politicians educated by Aristotle's public education and ethical and political treatises will be virtuous and have good will toward the city as a whole, but since virtues and especially *phronēsis* that different

[444] I certainly do not mean that there will be no compulsion to citizens at all in this ideal city, for although they are generally virtuous, it is possible for them to err and thus possible to exact punishment through compulsion.

politicians possess may still be different, certain amount of the appeal of character will be advisable in very uncertain issues. And for sure, the persuasion through *logos* will become the dominant mode in this ideal city, either in legal cases or in deliberative speeches.

On the other hand, the difference between the practice of rhetoric in Aristotle's ideal city and that in Athens can also be explained by referring to the different natures of politicians and lawyers in Aristotle's ideal city and Athens. In classical Athens, as we know, there were many spirited aristocratic young men, ambitious demagogues, greedy sophists, and avaricious speechwriters. They frequently turned the Athenian assembly and law courts into a theatre or a show-stage, and tried to influence the assemblymen and jurors through grandiose promises, decorated speeches, and emotional appeals. But these people are presumably non-existent in Aristotle's ideal city, or at least are excluded from political and legal decisions. The citizens and politicians are well educated to possess moral virtues (moderation is certainly a major one). The relatively ambitious young people are not allowed to rule, and the speakers in assemblies and law courts will at least acquire certain amount of knowledge about ethical and political matters, as Aristotle provides in his works concerning practical knowledge. As virtuous and prudent politicians, they will not use the debased means to achieve persuasion; instead they will persuade assemblymen and jurors through rational argument based on their knowledge and their judgment of the present situation.

This kind of rhetoric will be in one way akin but in another way still fall short of the ideal kind of rhetoric envisaged in Plato's *Phaedrus*.[445] Socrates, at the beginning of the second half of that dialogue, gives a rather novel definition of rhetoric: "a certain leading of the soul [*psychagōgia*] through speeches, not only in law courts and whatever other public gatherings, but also in private ones" (261a). Different from his position in the *Gorgias*, Socrates in the *Phaedrus* agrees that rhetoric, as he defines it, is a real art, and feels sorry for the contemporary sophists or

[445] Given the limited scope of this section, I only touch upon a few points in Plato's discussion of the ideal kind of rhetoric in the *Phaedrus*; for some good general discussions of this fascinating dialogue, see Griswold (1986), Ferrai (1987), and White (1993).

rhetoricians because they only explores and teaches the techniques or knacks of rhetoric (268d-269c). He then gives his own outline of rhetorical education: (1) natural talent required for a student of rhetoric (269d), (2) speculation on the nature of the soul and what kinds of speech moves each kind of soul (270a), (3) the understanding of the nature of the world as a whole (270c), (4) the practice of such speculation about the soul in real life (271e-272a), (5) knowledge or truth about the subject matter, for the person who knows the truth is also best at finding and using likeness in speeches (273d), and (6) familiarity of dialectic, which is concerned with the distinction of different things into different categories and putting them back together (269b).[446] So to master the art of true rhetoric requires diligent labors and there is no shortcut to take, and this true art will serve philosophy and the pursuit of truth. As we can infer from our discussion of Aristotle's theory of rhetoric, he would largely agree with points (1), (2), (5), and (6), although we have to notice that the criteria of truth and the practice of dialectic is strikingly different between Plato and Aristotle, and still more different in Aristotle's requirement of the amount of knowledge necessary for politicians and legislators. Aristotle would probably think that the requirement in (3) and (4) are too high, because by asking the rhetorician to possess the knowledge of the world as a whole and to practice this knowledge in speeches is the same as asking every rhetorician to become real philosophers. This is certainly in agreement with Plato's ideal kind of rhetoric which is more or less the conduct of philosophers, whereas for Aristotle, who sees rhetoric as the offshoot of ethics and politics, does not have such a high expectation for the rhetoricians. It is on these aspects that the rhetoric in Aristotle's ideal city still falls short to the ideal set by Plato, but it is nevertheless close enough, and much more realistic.[447]

Now we have almost finished our exploration of Aristotle's solution to the tension between private and common goods by way of establishing an ideal political community. Before concluding the entire study, let us come back to the two questions

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[446] For Plato, dialectic is almost the synonym of philosophy, both concerning the whole process of rational analysis by which the soul is led from opinions into the knowledge of Forms.

[447] Another difference between Aristotle and Plato, as I mentioned in Chapter III, is that Aristotle still sees rhetoric primarily as of public nature, and thus does not agree with Plato on taking rhetoric as any kind of communication, an idea our contemporaries are more willing to embrace.

left unanswered in the previous chapter, and see more closely some specialties of Aristotle's ideal city.

VII.3 Regime of Aristotle's Ideal City: Polity of a Special Kind

I believe we are now in a better position to appreciate Aristotle's subtlety in his silence about the specific regime of this ideal city.[448] Aristotle never directly addresses this obvious question, and this silence is strange indeed, because the main theme of his entire *Politics* is regime, and the entire treatise except Book I is devoted to the discussion of different aspects of regime. Aristotle repeatedly tells us that in Books VII and VIII he is blueprinting the best regime, but never identifies it with any of those six regimes. Since the last two books of the *Politics* are very likely to be incomplete or do not survive in full,[449] it is not impossible that Aristotle's answer has failed to be handed down to us, but it seems more plausible that Aristotle never explicitly answers it, and only leaves some hints to us.

It is obvious enough that the ideal city cannot be any of the deviant regimes, so the choices can only be made among kingship, aristocracy, and polity. The qualitative aspect of the classification of regimes, i.e., whether aiming at private or common good, is the same for all three regimes, for they all aim at the common good. Therefore, what is decisive can only be the quantitative aspect of the classification, i.e., it is ruled by one, the few, or the many. As we have seen in the previous chapter,

[448] This is one of the most controversial questions about the interpretation of the *Politics*, and generations of scholars suggest strikingly different answers to it. Some old scholars argue that the ideal city is a moderate democracy, such as Siegfried, and Susemihl (for references, see Johnson [1990], p. 166, n.4), and recently Bates (2003) offers an book-length study based on his reading of Book III to conclude that Aristotle's best regime is democracy ruled by law. But since Aristotle clearly sees democracy, however moderate it may be, a deviant regime, this answer can be easily dismissed. Most scholars suggest that it is an aristocracy, such as Newman (1887-1902), vol. I, p. 291, Lord in Aristotle (1984b), pp. 245-246, n.43, Huxley (1985), Newell (1991), Keyt (1991), and Miller (1995), ch.5. Although in what follows we will find some elements of aristocracy in this ideal city, this identification does not fulfill the quantitative requirement of aristocracy. Rowe (2000) identifies this best regime with polity, which I generally agree, but he does not give any further considerations of the specialties of this polity. Johnson (1990) identifies this ideal city with Aristotle's practically best regime, i.e., the middle class rule (which is generally agreed to be a kind of polity), discussed in *Politics* IV.11 (pp. 158-162), but this cannot be right either, since in the ideal city, wealth is never the criterion of ruling. Kraut (2002), based on the detection of some discrepancies between Aristotle's classification in Book III and the ideal regime depicted in Books VII and VIII, refuses to identify the ideal city with any of the regimes classified in III. He suggests that Aristotle's classification in III only aims at the existent regimes, not including the best one he has in mind (pp. 360-361, 417-424). But I think it is not necessary to introduce such a distinction, and we can, at least to certain extent, maintain Aristotle's classification of regimes as valid for all possible ones, and certain corresponding passages from III and VII-VIII further shows the continuity instead of the discrepancy of Aristotle's thought.

[449] For the incompleteness of these two books and the unfulfilled promises made by Aristotle, see Kraut (2002), p. 187, n.11.

in this ideal city all the mature citizens rule in turn, not one man or a few elite, so it can only be a polity, a good regime ruled by the many, in accordance with laws, and for the sake of the common good. But on the other hand, in many places Aristotle explicitly expresses his favor of kingship and aristocracy over any other regime.[450]

To explain this seeming discrepancy between Aristotle's favor of kingship and aristocracy without qualification, and his failure to identify his ideal city as a monarchy or aristocracy, the key lies in the fact that the ideal city depicted in Books VII and VIII is *an achievable city through human deliberation and choice*. However good and desirable kingship and aristocracy are, they are not ordinary and dependent highly on fortune, on the existence of supreme virtuous person(s), whereas Aristotle's ideal city is built upon more realistic materials, i.e., a number of people who are largely on an equal level, which is much more natural among human beings. For Aristotle, as long as the city and all the citizens have the correct aim, i.e., correct conceptions of happiness and virtue, the city is deserved to be called the best, because whether one or the few or the many rule, they will strive to promote the same end, i.e., to make the people good and happy. But Aristotle is aware that it is easier for one or a few to have the perfect understanding of happiness and virtue than the many, so in this sense, kingship and aristocracy are superior to the polity without qualification.[451]

Unlike Plato, Aristotle fully appreciates the contribution of both the elite few and the ordinary many. Aristotle's esteem of the wise few does not require further comment, but we should take a look at Aristotle's appreciation of the wisdom and the incorruptibility of the many, which is rare among Greek political philosophers, and which sets a model for later democratic thinkers and the champions of mixed regime:

> The many, of whom none is individually an excellent man, nevertheless can when joined together be better—not as individuals but all together—than those [who are best], just as

[450] See *NE* 1160a35-36, *Politics* III.13, 1284b22-34, III.17, 1288a15-29, and III.18, 1288a32-b2. In Aristotle's discussion, like in Plato's (see *Republic* 445d), the distinction between kingship and aristocracy is unimportant. They are both ruled by the best; the difference only lies in the fact that in kingship there happens to be one person whose virtues surpasses all the others, whereas in aristocracy, the best people are more or less on an equal level. This explains why Aristotle usually speaks of kingship and aristocracy in a side-by-side manner (see for example, *Politics* III.18, 1288a40, IV.2, 1289a30-35, V.10, 1310b3 and 31-33.)

[451] It seems to parallel with the hierarchy of happiness, as we have seen in Chapter V. As long as one can achieve the virtue his potential allows, he deserves to be called happy, although he may still fall short of the perfect happiness only reserved for the philosopher.

dinners contribute [by many] can be better than those equipped from a single expenditure. For because they are many, each can have a part of virtue and prudence, and on their joining together, the multitude, with its many feet and hands and having many senses, becomes like a single human being, and so also with respect to character and mind. Thus the many are also better judges of the works of music and of the poets; some [appreciate] a certain part, and all of them all parts....nothing prevents what was said being true of a certain kind of multitude. (*Politics* III.11, 1281a42-b21)[452]

> What is many is more incorruptible: like a greater amount of water, the multitude is more incorruptible than the few. The judgment of a single person is necessarily corrupted when he is dominated by anger or some other passion of this sort, whereas it is hard for all to become angry and err at the same time. (III.15, 128631-35)

Since Aristotle acknowledges the collective wisdom and incorruptible characteristic of the many as a whole, even in the deviant regimes, it is certainly understandable that he will take the ideal city composed of largely virtuous many to be truly good.

The general arrangement of this ideal city, especially the adult citizens ruling in turn, is indeed like a polity, but it is a polity of a special kind. It is special from two fundamental aspects.

First, unlike the polity of Aristotle's time, which is arranged in accordance with military virtues (*Politics* III.7, 1279a37-b4), Aristotle's ideal polity primarily aims at virtues in peacetime, and indeed aims at full virtue. The citizens will participate in military campaigns and political events such as assemblies and law courts. But those are not all of their life, even not the center of their life. Then what will they do in their leisure? As have been emphasized, although philosophy is the most supreme activity in leisure, not all can practice this highest human life, and it is also true in this ideal city. So there is no need to suppose that the citizens in this city are all engaged in contemplation. The only activity in leisure Aristotle explicitly discusses is music in its broad sense, including playing instruments, singing, and enjoying all kinds of poetry

[452] See also III.15, 1286a27-31. Accordingly, Aristotle also distributes the multitude an appropriate place in an ordinary political community: "having them share in the greatest offices is not safe: through injustice and imprudence they would act unjustly in some respects and err in others. On the other hand, to give them no part and for them not to share [in the office] is a matter for alarm, for when there exist many who are deprived of prerogatives and poor, that city is necessarily filled with enemies. What is left, then, is for them to share in deliberation and judging. Hence Solon and certain other legislators arrange to have them both choose officials and audit them, but do not allow them to rule alone. For all of them when joined together have an adequate perception and, once mixed with those who are better, bring benefit to cities" (*Politics* III.11, 1281b26-36).

such as epic, tragedy, comedy, and lyrics (*Politics* VIII.5).[453] In addition to participating and appreciating those musical activities, we can also reasonably suppose that the citizens in their leisure will do gymnastics, make friends, talk about their daily affairs, participate in festivals and other events, educate their children, and so forth. In so doing they will be able to practice such virtues as temperance, friendliness, generosity, truthfulness, mildness, wittiness, and justice. And for sure, a small number of really talented people will engage themselves in philosophizing and the city will provide them with perfect freedom and other conditions to do so (because this is the supreme happiness, which the city tries to guarantee).[454] But this is by no means the main goal of Aristotle's ideal city, because what Aristotle is doing is to make as many people happy as possible, and most people become happy not through living a contemplative life but through practicing other moral and intellectual virtues. Therefore, musical education is crucial in his ideal city, and Aristotle devotes three chapters (VIII.5-7) on this topic, because musical education can shape their character and provides a perfect way of spending their leisure; whereas philosophical education is not an intrinsic part of Aristotle's educational plan in the ideal city, and it is only saved for a very small number of people who can find instructions in Aristotle's *NE* and other philosophical treatises.

Second, it is a polity which incorporates the good elements of kingship or aristocracy, and in this sense this regime could even be seen as a mixed regime. When speaking of the imperfect regimes, Aristotle says the ways of preserve an oligarchy or a democracy is to mix the opposite element in it, and thus make them less extreme (V.9, 1309b18-35). And we should take Aristotle to mean that in general by mixing the good elements of other regimes, we can make a certain regime healthier and more stable.[455] It seems that we may equally apply this principle to our ideal city. Indeed, in

[453] Kraut (2002) raises the interesting possibility that the musical enjoyment for common citizens may parallel philosopher's contemplation, and supports this point with the fact that dramatic words may embody some truth, and Aristotle's statement that poetry is closer to philosophy than history (pp. 201-202).
[454] See *Politics* VII.2-3 for a justification of the status of philosophy in political community.
[455] This general application may also be hinted by a passage in II.5 (1265b33-40). In criticizing the regime in Plato's *Laws* (which contains the earliest account of mixed regime), Aristotle mentions that certain people (certainly not Plato in this context) praise a mixed regime represented by that of Sparta which mixed the elements of monarchy, oligarchy, and democracy, but he does not pass his own judgment about whether this mixed regime is deficient or ideal.

his discussion of polity in IV.8-9, Aristotle suggests that polity as such is a mixed regime, it mixes elements of oligarchy and democracy (IV.8, 1293b33-34),[456] of the wealthy and the poor (1294a16-17), and of wealth and freedom (1294a17).

The specialty of Aristotle's ideal polity is that it mixes the good elements of aristocracy and even kingship. Besides the officially introduced qualitative and quantitative criteria of classifying regimes, Aristotle also speaks of the "defining principle [*horos*] of regimes, i.e., the more intimate goal aimed at by a certain regime. Aristotle explicitly discusses three of them: aristocracy aims at virtue, oligarchy wealth, and democracy freedom (IV.8, 1294a10-11), and it is not difficult to add the defining principles of the other three regimes: kingship by its similarity to aristocracy also aims at virtue (see V.10, 1310b31-33), ordinary polity aims at military virtues (see III.7, 1279a37-b4), and tyranny aims at arbitrary power and pleasure (see V.10, 1311a1-5). On this account, the special polity of Aristotle's ideal city obviously combines a key element of aristocracy and kingship, i.e., its defining principle of promoting virtue. Besides, it also shares several other features of aristocracy, such as excluding manual workers from citizenship (see III.5, 1278a17-21), aiming at the best (see III.7, 1279a36), and require the ruler to be educated (IV.8, 1293b36, see also *Rhetoric* I.8, 1365b33-34).

From *a static point of view*, we may find elements of all three correct regimes in this ideal city: the ruling body of mature citizens in making decisions in assemblies and legal verdicts in law courts is the element of pure polity; the political experts who speak in assemblies in order to lead the decision-making process are aristocratic few; and the decent and prudent politician and legislators who are not only able to detect the defects of the present laws but also find the perfect timing to promote revision will be the persons who possess best kind of *phronēsis* and thus the most kingly element in this city.

From a more *dynamic point of view*, Aristotle's ideal city will also be flexible enough to allow the outstanding person(s) to become permanent ruler(s), and thus

[456] In this context, oligarchy and democracy should be understood in the looser sense, for they are the only two dominant or convergent regimes

allow the city to become kingship or aristocracy for some period of time. And the most plausible candidate of this kind of person is certainly the Aristotelian philosopher who possesses all the virtues, as I argued in Chapter V. This is the requirement of distributive justice, for better people (in the sense of more virtuous) should be rewarded with greater honor, and since offices are an important sort of honor (*Politics* III.10, 1281a30), the better people should hold higher offices, even permanent rulers, for the virtue of a person or his merit is the most relevant thing to one's holding offices (III.13, 1283a23-b40). This ideal city will not be like democratic Athens and some other Greek cities which practice ostracism; instead, when a truly outstanding person appears, it will welcome him to be the absolute king, and similarly if a group of outstanding persons appear, it will welcome a permanent aristocracy. Aristotle says,

> In the deviant regimes it is evident that ostracism is advantageous [for the rulers] privately and is just; and perhaps that it is not simply just is also evident. *In the case of the best regime* [*epi tēs aristēs politeias*], however, there is considerable question as to what ought to be done if there happens to be someone who is outstanding not on the basis of preeminence in other goods such as strength, wealth, or abundance of friends, but *on the basis of virtue*. For surely no one would assert that such a person should be expelled and banished. But neither would they assert that there should be rule over such a person: this is almost as if they should claim to merit ruling over Zeus by splitting the offices. *What remains—and it seems the natural course—is for everyone to obey such a person gladly, so that persons of this sort will be permanent kings in their cities.* (*Politics* III.13, 1284b22-34)[457]

It is true that Aristotle takes kingship and aristocracy as better regimes than polity, better without qualification, but when speaking of the best regime, he does not expect kingship or aristocracy to be within human control, for this kind of outstanding person(s) can only appear by chance.[458] Therefore they are not the best regime in Aristotle's project. In this context, Aristotle's phrase sounds as if the best regime is

[457] For a similar passage, see III.17, 1288a17-32.

[458] Giovanni raises the question that philosophers, though requiring many natural talents, are not by chance but through education, just like ordinary citizens. But it seems to me that to reach the average virtuous state is up to education, but to have the kind of complete human being as depicted in Chapter V is very much a chance-event, just like the appearance of a philosopher like Aristotle in human history.

different from kingship, and real kingship seems to be generated from such a best regime. Aristotle's best regime within human deliberation and choice is polity, but this polity is open to and welcome this kind of supreme person(s), and allows them to stand out as permanent ruler(s), and thus to turn this city, in a period of time, into a kingship or aristocracy, as long as this kind of superior person(s) exist(s).

VII.4 Incorruptibility of the Ideal City

The other question left unanswered is why Aristotle's ideal city is incorruptible from within. Longevity is certainly an important mark of the goodness of the regime, as Aristotle's comment about the two most deviant regimes implies: "oligarchy and tyranny are the most short-lived regimes" (V.12, 1315b11). That the law of the city is in accordance with natural justice as we have seen in the previous chapter certainly provides a positive answer to its longevity. We can also view this issue from a negative perspective, and see why this city is able to resist all the internal causes of corruption and destruction other regimes have to suffer.[459]

As shown in the previous chapter, the incorruptibility of this ideal city is a major difference between Aristotle and Plato. So we may first take a look at the corruption of Plato's *Callipolis* and see whether Aristotle's city is free of that threat. The ultimate cause of the destruction of the *Callipolis* is the miscalculation of the divine numbers concerning the birth of children, and after this miscalculation, the rulers will incorrectly include deficient children into the ruling class and thus causes war and hostility, and eventually the degeneration of the *Callipolis* (*Republic* VIII.546a-547a).[460] Aristotle's ideal city is not liable to such a rather mysterious cause of destruction, for Aristotle never relies on any *a priori* criterion in selecting rulers. Although he prescribes certain laws concerning eugenics, which are rather general such as the regulation of the age of the couple, moral virtues and *phronēsis* are always acquired through habituation and education.

In the more empirical parts of the *Politics*, especially Book V, Aristotle

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[459] Among the literature I am aware of, no one has ever examined the excellence of Aristotle's ideal city from such a perspective.

[460] Aristotle criticizes Plato's theory about the degeneration of regimes in *Politics* V.12.

discusses a number of internal causes of corruption or destruction of a political community. We will now take a look at them in turn, and see whether his ideal city is able to resist them all.

(1) The most common and most destructive cause is political faction (*stasis*), and political faction arises when people in the city regard the distribution of political power as unequal, i.e., the distributive justice is violated. But different people have different views concerning what distributive justice is. Democrats hold that all free persons are equal without qualification insofar as they are all free, oligarchs hold that they are superior in every aspect since they are more wealthy, and nobly-born people hold that they are superior in every aspect because of their ancestors. Faction generates revolution (*metabolē*), and destroys a political community (V.1, 1301a26-b6). This problem of deviant regimes will clearly not affect Aristotle's ideal city, because the citizens, though some more wealthy and some less so, are equal in regard of political powers, and they will share ruling offices in turn as their proper age comes. The citizens in this ideal city have correct view on distributive justice and know from the education since youth that the only thing that matters in selecting official or holding political power is one's virtue instead of wealth, freedom, or birth.

Aristotle also discusses some concrete causes of factional conflict, such as the arrogance and profit of the officials, the unjust distribution of honor, the fear of suffering injustice from the ruled, the disproportionate growth of a certain part of the city, and the lack of cooperative spirit (V.3, 1302b5-1303a2, 1303a26-b3). The ideal city is immune to all these causes. For the officials in this city is not profitable, but only for the sake of the ruled and for the common good; they will not be arrogant both because arrogance is the vice in contrast with moderation, and because citizens hold offices in turn; the honor will be distributed strictly according to merit, the only justifiable criterion of unequal distribution, which the citizens all know; and the laws concerning slaves, manual workers and the eugenics will guarantee that no part of the city will be disproportionately developed; and the citizens in this ideal city will have a true political friendship in sharing the common conception of virtue and happiness, so they will naturally form cooperative relations. There is still another cause of faction,

i.e., the location of the citizens' land or properties (V.3, 1303b7-16), and this problem will be removed by the particular policy of distributing land regulated by the laws, as we have seen in the previous chapter.

(2) Some cities undergo revolutions not through faction, but through electioneering, i.e., a certain person or a group of people who are hostile to the previous regimes are elected as officials may cause radical changes to the regime (V.3, 1303a14-20). The ideal regime will also be free from this cause of destruction, because the citizens are largely homogeneous people and share the same goal of life, i.e., promoting virtue and happiness of all the people. When different people are elected as officials there might be slight differences concerning the way of promoting these goals, but the general policies will keep stable because of the foundation of laws has been set by Aristotle, the founding legislator of this city.

(3) Some regimes are corrupted gradually because the rulers do not pay attention to some small events in the city, such as love affairs, inheritance, and marriage (V.4, 1303b17-1304a17). Aristotle does not explicitly discuss these aspects of the city, except briefly on marriage, but the ideal city, presumably, will lay down laws concerning these matters in order to avoid inconvenience, since the laws of this city will regulate many seemingly trivial aspect of community life. On the other hand, the moral virtues of the citizens will also serve as a kind of cushion to the possible conflict caused by these small factors.

(4) Besides the general account of the causes of faction and destruction of regimes in general, Aristotle also discusses particular causes of revolutions in different regimes, and it is easy to see that the ideal city, though to certain extent a mixture of the elements of different regimes, will stay far from these problems. In democracy, a particular cause of revolution is the wanton behavior of popular leaders or demagogues (V.5), but the ideal city will not have this kind of demagogues. In oligarchy, the particular causes of revolution are unjust treatment of the multitude, the factional conflict among oligarchs, the oligarchs' seeking popularity, and the oligarchs' engagement in wanton living (V.6), but in the ideal city all the citizens are treated as equal, there is no small group of elite rulers, and the citizens who pursue

real virtue will not devote themselves to the kind of offensive wanton way of life. In aristocracy, there is also danger of factional conflict, because of the inequality concerning honor and prerogative (the same is true for polity), the extreme margin between the wealthy and the poor (V.7), but in the ideal city, the first will be avoided by a good system of distributing honors and offices, and the gap between the rich and the poor will not be too striking given the laws concerning land, public funds and common meals as we have seen in the previous chapter. In the context of Book V, Aristotle does not attribute to monarchies particular reasons of destruction other than the common reason such as arrogance, contempt, profit, misbehavior, the fear and contempt from the ruled, the faction within the ruler's family, but we may raise a famous difficulty concerning the rule of one man, i.e., the succession of monarch, for it is usually the cause of destruction in monarchs.[461] Although Aristotle's ideal city allows such permanent ruler to be crowned, the problem of succession does not seem to be able to corrupt this regime, because the rise of such ruler is only on the ground of his outstanding virtue. Since this ruler himself is perfectly virtuous and especially prudent, he would not allow his unqualified descendants to succeed his throne, and since the city is well-governed before such person arises in accordance with a set of mature laws, after he passes away or steps down from his throne, if there is no equally outstanding person existent, the city will simply go back to their previous regime, without the danger of any disaster.

From the consideration in the previous two sections, we see some key features of Aristotle's solution to the central tension in political life through establishing an ideal city. Its stability in the rule of a mature system of laws, its flexibility in the combination of good elements of law and rhetoric and different pure regimes, and its longevity in the resistance of all the internal causes of corruption and destruction, make Aristotle's ideal city a long-term project, and very much worth pursuing, and

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[461] Aristotle indicates this question at III. 15, which is raised by others to object the supremacy of kingship, but does not answer it: "but if one were to regard kingship as the best thing for cities, how should one handle what pertains to the offspring? Must the family as kings also? But if those born into it are persons of average quality, it would be harmful. Perhaps he will not turn it over to his children in spite of having authority to do so? But it is not easy to believe this either; it would be difficult, and [require] greater virtue than accords with human nature" (1286b21-28). What happens in his ideal city will provide a perfect answer to this question.

also not quite a castle in the air.[462]

Certainly in regard of any possible regime, there might be chance events which may cause destruction (V.3, 1303a2-13, we may add the shortage of material supplies to this category), and Aristotle also take into consideration of the fact that a powerful and hostile neighboring city may cause destruction of a regime, as Athens destroyed neighboring oligarchies while Sparta destroyed neighboring democracies (V.1307b20-25), but these factors are certainly beyond human deliberation and choice, and thus beyond the scope of Aristotle's ideal city, and thus beyond his solution to the tension between private and common good.

[462] It can be brought to reality either through gradual reform carried out by the politicians and legislator educated by Aristotelian ethics and politics, or through founding a new colony which adopts the laws outlined by Aristotle in *Politics* VII-VIII.

Conclusion A Virtuous Circle:
Aristotle's Dialectical and Dynamic Solution to the Tension between Private and Common Good

Given human being's self-interested nature, the possible tension between private and common good is innate to any human political community, and poses a central question to any political philosopher. When Aristotle and his predecessors faced such a tension, they all sided with common good, but they proposed strikingly divergent solutions. Those one-sided solutions given by Aristotle's predecessors such as Gorgias, Pericles, Alcibiades, and Plato failed in one way or another, because this tension is so deeply-rooted, and so embedded in human condition, that it does not allow any simple solution. Aristotle, based on his keen understanding of human nature and in his typical dialectical and dynamic manner, tried to incorporate their correct elements into a new synthesis, proposing a radically different solution to this tension.

Aristotle is fully aware that any single tool, be it political rhetoric, rational ethical persuasion, or the compulsory legislative force, cannot solve this deep tension, because the changing nature of human affairs resists such a single dimensional solution. However powerful each of them seems to be, they, when taken alone, all have severe limitations. Therefore, to really solve this tension, Aristotle has to make full use of all the possible intellectual resources available to him, to work out a complicated system, and to make these tools supplement each other.

In his typical dialectical examination of *endoxa*, Aristotle admits the power of political rhetoric championed by Gorgias, Pericles and Alcibiades. Through different kinds of rhetorical skills and different genres of rhetoric, the orators are able to solve the tension to certain extent by referring to their own character, appealing to their audience's passion and making rational argument, and make the people willingly submit their private goods to the common good when conflict arises. But sharing in Plato's profound suspicion of the practice of political rhetoric and clear awareness of the innate limitation of the power of persuasion, Aristotle never sees rhetoric as

omnipotent. Aristotle agrees with Plato that legislation provides a more stable and better alternative in solving the tension at issue. Before attempting to solve the tension through legislation, Aristotle in his ethical treatises provides an extensive theoretical reconciliation of private and common good through the acquisition of real virtue and the pursuit of real happiness, and this ultimate theoretical solution is on the one hand intended to persuade the legislators (both actual and potential), and on the other hand serves as the guideline of legislation for an ideal *polis*. But at the same time, Aristotle is more alert to the innate limitation of the rule of law than Plato. To compensate the too universal nature of law, Aristotle brings back the decent and prudent politician and the practice of rhetoric as supplement of the rule of law, and thus makes his ideal city flexible enough to meet any challenge of corruption and destruction.

Therefore, we eventually reach a circle, starting from political rhetoric, through rational ethical rhetoric, to legislation, and at last rhetoric comes back again to compensate the defect of legislation. It is not a vicious circle, but a virtuous one, because it is neither going back to the same starting point, nor running on the same level. The rhetoric which is used to compensate the rule of law is no longer the common practice of rhetoric in Greek cities, but a more refined kind based on Aristotle's moral and political teachings, and regulated by certain laws of the ideal city; the orators are no longer such demagogues as Cleon and Alcibiades, but a more prudent kind of politicians who is educated by Aristotle's practical philosophy, and who will be similar to Pericles.

Furthermore, this circle will not stop at the bringing back of rhetoric, because new situation will require new laws, and the new laws will become defective when facing still newer situations. The inexactness of moral and political matters (a point on which I always deeply appreciate Aristotle's insight) makes the circle ultimately dynamic and will last as long as the city survives, for as *human beings* instead of gods, we cannot make human affairs as precise as mathematics. There are always movements and uncertainties in human affairs, and thus it always requires a dynamic way of solving them. The virtuous circle between rhetoric and legislation in the settings of the Aristotelian ideal city provides citizens in that city an ultimate way of

solving all the political problems, but the ultimate solution itself is still dynamic and dialectical, which is in perfect agreement with the general characteristics of Aristotelian philosophy as a whole.

Such a dynamic solution, in the sense that it makes good use of all the available intellectual resources and puts them all into perfect position, is like a dynamic *kosmos* (meaning both universe and order, or better put, an ordered universe) in which everything is in its perfect position. Aristotle inquires from the well-ordered universe up to its final cause, the god as unmoved mover; and we may inquire from such a beautifully-balanced solution which attempts to give order (*kosmos*) to an ideal city up to its final cause, the most divine philosopher who works like that ultimate unmoved mover!

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(By no means do I intend to provide a thorough bibliography on the issues discussed in this dissertation, which will fill a small library; rather, I only list the works cited in this present study.)

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