

# THE STATE AND THE COMMUNITY IN ARISTOTLE'S *POLITICS*

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THE term '*polis*', like most key terms in Aristotle's philosophical writings, is used in different senses. The full significance of this fact—observed by Aristotle himself at *Politics* III, 3, 1276a23-24—has not been fully appreciated by Aristotle or his later commentators. Although it is a commonplace that the concept of the *polis* does not involve a clearcut distinction between the state and the community, not much use has been made of this in unraveling the tangled skein of Aristotle's argument, especially in Book III of the *Politics*. I will try to begin the unraveling here. First, I shall argue that when Aristotle presents a justification of the *polis* in Book I, he is preoccupied with a certain sort of community. In the opening chapters of Book III, he is engaged in an analysis of the state. But in the later chapters of Book III, the concerns of social philosophy and of political philosophy become confused with each other. This is especially evident in Aristotle's criticisms of an ancient Greek version of libertarianism.

## I

The *polis* or city-state, together with its institutions, customs, and laws, came under philosophical fire during the fifth century B. C. The Sophists and their pupils, men such as Antiphon and the Callicles of Plato's *Gorgias*, based their critique of Greek social and political traditions on a contrast between *nomos* (convention) and *physics* (nature). Traditional laws and customs were characterized as strictly conventional without any basis in nature. Callicles asserted, further that the law of the *polis* was in conflict with nature (*para physin*). Against this law he proclaimed the law of nature (*nomos tes physeos*), which is that

the stronger should despoil the weaker, the better rule the worse, and the worthier have more than the feckless (*Gorgias* 483c8-d2, e2-3, 488b2-5). The conservatives committed to tradition were represented by men like Aristophanes, who reacted with slanderous, anti-intellectual broadsides such as the *Clouds*. However, serious minds in Athens met the Sophists on their own terms and sought by means of philosophical analysis to break down the dichotomy between convention and nature.

Aristotle's objective in the first book of the *Politics* is accordingly, to show that the *polis* exists according to nature (*kata physin, physei*). This requires, on the one side, a different view of human nature, the view that man is by nature a *polis*-oriented animal (*politikon zoon*), and, on the other side, a complementary analysis of the *polis* itself. In carrying out this analysis he employs a combination of techniques: the method of analyzing a complex into unanalyzable constituents (I, 1, 1252a18-23) and the method of tracing a growing thing from its origins (1252a24-26). The two methods overlap in this case because the basic constituent of the *polis*—the household (*oikia*)—is also the seed out of which, on Aristotle's account the *polis* historically developed.

The household itself is a complex of relationships, those of husband to wife, parent to child, and master to slave. Aristotle argues that these are all fundamentally *natural* relationships. The first two are due to a natural desire to leave behind another like oneself (1252a28-30). The latter rests on the master's capacity to "look into the future by reasoning" and the slave's physical capacity to carry out his master's orders; while this explains the difference between master and slave, the relationship of slavery exists by nature because "the same thing benefits master and slave" (1252a31-34).<sup>1</sup> The family is a natural association concerned with its members' everyday needs. The next stage in man's social development is the village (*kome*), an association of families. The village aims at a higher level of self-sufficiency (*autarkeia*) in maintaining human existence. Finally the *polis* emerges:

The complete association, formed from several villages, is a *polis*, which should be said to have attained the point of

self-sufficiency: It came into existence for the sake of life, but exists for the sake of the good life. So every *polis* exists by nature, since the basic associations did, too. For it is their end, and nature is an end. For whatever each thing is, when it is completed, we call its nature, e.g. the nature of a man, a horse, or a household (1252b27-34).

The *polis* is the end of human association, since it is the context in which the individual can live the good life. Human relationships find their fulfillment within the *polis*. As their end, it constitutes their nature; and since they exist by nature, it exists by nature also.

The *polis* which Aristotle is defending in Book I is clearly not the state in the narrow, modern sense of an agency possessing a monopoly over the legitimized use of coercive force within the community. Rather, the *polis* is understood as the community itself, a complex system of human relationships, voluntary as well as coercive, personal as well as public. This is evident from the fact that the household or family-unit is the starting-point of his analysis of the *polis*. The community does not consist merely in *political* relationships, although Aristotle values these highly. Within the community individuals can also establish satisfying filial relationships, seek an education<sup>2</sup>, practice a profession, gratify one's spiritual aspirations<sup>3</sup>, join a fraternal association<sup>4</sup>, and, most importantly for Aristotle, form close personal friendships. The community is thus an intricate web of human relationships, in which the individual can achieve the good life.

It seems worth adding at this point that although Aristotle is thinking specifically of the Greek city-state here, his argument could be applied to any other community in which individuals could achieve their various ends to a comparable extent. The great popularity of the *polis* and the Greek life-style among barbarian populations in the post-Aristotelian era is due largely to the fact that other communities were not able to satisfy the full range of human aspirations in the manner of the *polis*.

## II

When, in the third book of the *Politics*, Aristotle undertakes to explain what a *polis* is, he is clearly concerned with a political

entity, the state, rather than with the community. The state is an agency within the community with prescribes a certain set of laws to be applied by means of coercive force throughout the community. That Aristotle is preoccupied with this sense of 'polis' is obvious from the fact that when he applies the method of analysis again in Book III (at 1274b38-41), the basic constituent he arrives at is a citizen (*polites*) rather than a member of a basic social relationship (husband-wife, parent-child, master-slave), as was the case in Book I. Mere residency within the community did not make a man a citizen, since slaves and resident aliens<sup>5</sup> did not qualify as citizens. The citizen in the strict sense, according to Aristotle, is a man who partakes in judgment and authority, which is to say that he has some role in establishing or applying the laws by which the *polis* is governed (1275a22-23, b17-19). The state (*polis*) is finally defined as "an association of citizens in a constitution" (1276b1-2). It is the function of the constitution to define which offices shall exist for the sake of framing, applying, and coercively enforcing the laws and to spell out which portion of the entire community is eligible to fill these offices and how they may come to fill them (cf. IV, 1, 1289a15-20).

In order for us to see that the *Politics* as a whole is a coherent work we must recognize that in the early chapters of Book III the *polis* discussed by Aristotle is the state, a political entity, and not the full-blooded community described in Book I. For in the third chapter of Book III Aristotle deals with the question of the identity of the *polis* over time. Since he is here defining the *polis* as a collection of citizens under a constitution, it follows that if there is a change of constitutions (e.g. if an oligarchy is overthrown, and a new democratic regime is established), a new *polis* comes into existence. Aristotle's criterion for the continued existence of a *polis* over time is thus identity in constitution rather than identity of territory or persistence of a given tribal stock.

Aristotle has been criticized for taking this stand on the grounds that "the absurd consequence would follow that a city would not change its constitution without committing suicide" and also on the grounds that it "seems quite inharmonious" with the rest of the *Politics*: "It is particularly discordant with the

emphasis in Book I on the city's being a natural growth".<sup>6</sup> The appearance of discordance between Books I and III disappears, however, once it is recognized that in Book I it is the *polis* in the sense of a community which is treated as a natural growth. In III, 3 the focus is on the *polis* in the sense of the state, which is just one aspect of the total community. This interplay between senses of '*polis*' is what makes the question of identity over time for the *polis* so difficult to resolve. Thus, in connection with the first criticism, it *would* be absurd to say that the *community* could not change its constitution without committing suicide. It would not be at all absurd to say this in regard to the *state*. The question of identity over time for states is, of course, not in the least academic. Revolutionary states are seldom willing to shoulder the obligations assumed by their predecessors, on the grounds that *they* did not originally assume them. According to Aristotle's criterion, this is the correct position for them to take.

### III

Aristotle has, so far, been reasonably clear in what he has been about. Unfortunately, this clarity is not sustained throughout Book III. The muddle becomes most serious in chapter 9, where Aristotle is canvassing different conceptions of justice.

Aristotle criticizes a certain definition of the *polis* which, he maintains, cannot be correct. "It is clear, then, that the *polis* cannot be an association of men in a territory with the aim of preventing them from doing injustice to themselves and of promoting commerce" (1280b29-31). Aristotle clearly regards this as an attempted definition of the just *state*, since he regards it as one account of the objectives of enforceable law (cf. 1280b5-6). This conception of the state, which I shall call the *libertarian* conception of the state, is that the sole purpose of the state is to prevent anyone from doing injustice to another within its jurisdiction. It seeks to prevent individuals from doing physical injury and perpetrating fraud against others as well as to protect its citizenry from foreign invaders. Aristotle argues that such an arrangement is a state (*polis*) in name only, not in reality (1280b6-8). It is merely a "defensive alliance"

between parties residing in the same locality rather than, as is usually the case with defensive alliances, between countries at some distance from each other. The law (*nomos*) becomes a mere covenant for this purpose.

Aristotle associates this theory with the sophist, Lykophron, whom he quotes as calling the law "a guarantee (or guarantor) of mutual rights (*dikaion*)" (1280b10-11). Practically nothing else survives of the political thought of this early libertarian. Fortunately, there is a rather longer discussion in Politics II, 8 of Hippodamus of Miletus, an early urban planner, who also had libertarian tendencies. Commissioned to plan the street-system of the Piraeus, Athens' port, he invented the method of dividing cities into separate quarters. He was a nonconformist in appearance as well as thought. "He had long hair with very expensive ornaments, and yet he wore a garment that was cheap but warm, keeping it on not only in the winter but also in hot weather. He also wanted to be conversant about nature in general" (1276b22-28). What is interesting about Hippodamus' political views is that he believed that there were only three kinds of laws concerning which lawsuits should take place: laws against *hubris* (violent personal assault), *blabe* (damage, as to property); and *thanatos* (homicide) (b37-39).

The emergence of the libertarian idea of political justice was an important development. In the first place, it tends to refute the commonplace view that "the 'limit of state interference' never suggested itself to the Greek philosophers as a problem for their consideration".<sup>7</sup> For Lykophron and Hippodamus have provided very clear limits for the scope of state power. The theorists Aristotle is attacking clearly want to limit the activity of the state to the protection of rights, and it is for this very reason that he is attacking them. Moreover, the libertarian idea of justice challenges the old alternative between the idea of "natural justice" proclaimed by Callicles in the *Gorgias* and conventional altruism. Plato describes this old alternative as follows at *Laws* 890a2-9:

All these ideas, my friend, belong to the men who seem wise to young men, prose writers and poets, who assert that the greatest justice consists in vanquishing by brute

force. Consequently, irreligion infects our young men, as though there did not exist gods such as the laws command us to believe in; and, consequently, subversive factions arise as they attract men, by these means, to "the right life in accordance with nature (*kata physin*)", which is, in truth, a life of controlling others and not serving others according to law and convention (*kata nomon*).

Lykophron, in effect, exposes this as a false alternative. For libertarian justice consists neither in exploitation of one's fellow citizens by force or fraud nor in self-sacrificial servitude to one's fellow citizens. Rather, it consists in the citizens' mutual respect for one another's rights. Accordingly, the laws are framed so as to protect individuals from other individuals. This is a significant breakthrough in political philosophy.

Unfortunately, this significance is lost on Aristotle. He criticizes the libertarian state on the grounds that it is not concerned with making its citizens good and virtuous:

Whoever thinks about good must be concerned with the virtue and vice of a citizen. So it is clear that a *polis* must be concerned with virtue if it is to be truly called a *polis* and not merely verbally (1280b5-8).

Aristotle's critique of libertarianism rests on the premise that the state and the laws must aim not merely at requiring its citizens to treat one another honestly and justly, but also at making them good men. This paternalistic premise (which is invoked nowadays to justify legal prohibitions against the use of certain drugs, against prostitution, against polygamy, and so forth) is derived from the underlying premise that the *polis* "exists for the sake not merely of life, but of the good life" (1280a31-32). The end of the *polis* is not merely surviving, but living a happy and fine life (1280b39-1281a2). This underlying premise is evidently not intended to be gratuitous. For although there is no explicit cross-reference in III, 9 to Book I, Aristotle's statement of this thesis repeats almost verbatim his statement about the *polis* in Book I (cp. 1252b29-30). Thus Aristotle's critique of the libertarian theory of the *polis* in Book III is derived from his own theory of the *polis* in Book I.

But if this is the case, Lykophron would seem to have a defense against Aristotle's criticism. In Book I, as we have seen, '*polis*' refers to the community as a whole. The end of the *community*, which is the fundamental justification for its existence, is the good and happy life, in the sense that the fundamental reason *individuals* have for living in communities and for engaging in a wide variety of community relations is to lead good and happy lives, i.e. to realize themselves and be virtuous. But it does not follow at all that the function of the *state* is to use coercive force against its citizens so as to *make* them virtuous and happy. Aristotle, in making such an inference, is confusing the two senses of '*polis*', and is assigning to the *polis*, in the sense of 'state', a function which belongs properly to the *polis*, in the sense of 'community'. Lykophron could argue that the proper function of the state is to use force only to prevent its citizens from harming each other. In doing this the state provides a legal framework in which the community can perform its function. But the state should not try to do more than this. Virtue and happiness are attained only by means of voluntary, spontaneous activities, e.g. friendship, career, the pursuit of wisdom. A man cannot be forced to be happy or virtuous. But the pursuit of virtue and happiness in the community by means of voluntary activities would be impossible without the existence of a state dedicated to the protection of individual freedoms.

<sup>1</sup> One wants, of course, to object that while this provides a good reason for engaging in *voluntary* relationships in which one party provides direction and another follows, it is quite irrelevant to slavery or involuntary servitude. The slave is forced to obey his master. He obeys because he will be punished otherwise, not because it is in his interest to do so. If he had good reasons for obeying the master, then, presumably, the gun and the whip would be unnecessary.

<sup>2</sup> After a careful examination of all the available evidence, John P. Lynch has concluded that the great philosophical schools in Athens were essentially private institutions. "As far as the law of the city was concerned, there is nothing to suggest that the Lyceum, the Academy, and other Athenian institutions of higher learning had any official status at all. The schools appear to have been allowed, or at least not forbidden, to exist without formal sanction or registration" (*Aristotle's School: A Study of a Greek Education Institute* (Berkeley, 1972), p. 128).



<sup>3</sup> Religious groups (*thiasoi*) and social clubs (*eranoi*), voluntary groups formed for personal pleasure, are described as among those associations belonging to the community (*politike*) at *Nicomachean Ethics* VIII, 9, 1160a19-21. These associations often, but not always, enjoyed a technical legal status. See Lynch, *op. cit.*, p. 109 n. 5.

<sup>4</sup> The *hetairoi* was a widespread form of voluntary social organization in Aristotle's time, resembling present-day lodges such as the Masons or the Elks. See *Nicomachean Ethics* VIII, 12, 1161b33-1162a1.

<sup>5</sup> The resident aliens—metics or *metoikoi* as they were called in Athens—were allowed to settle in Athens, generally for the purpose of commerce, in return for payment of a special tax. Since citizenship was generally hereditary in Greece (see *Politics* III, 2), the resident aliens remained without political voice and they enjoyed only rather tenuous legal rights.

<sup>6</sup> Richard Robinson, *Aristotle's Politics Books III and IV*: Translated with Introduction and Comments (Oxford, 1962), p. 10.

<sup>7</sup> Ernest Barker, *The Politics of Aristotle*: Translated with an Introduction, Notes and Appendixes (Oxford, 1958), p. li.