

CHAPTER TWO

The First Founding Father: Aristotle on Freedom and Popular Government

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THE WESTERN TRADITION of political philosophy can be divided into two opposed strands. On the one hand are the defenders of individual freedom and popular government. On the other are those who subordinate individual freedom to collective goals imposed by ruling elites. These two strands of thought can be traced back to the founding documents of the tradition: elitism and collectivism to Plato's *Republic*, individualism and popular government to Aristotle's *Politics*.¹ Thus, if we are to understand the connection of freedom and popular government

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1. I accept the arguments of Leo Strauss and his many students, not to mention Plato's explicit statements, that the *Kallipolis* of the *Republic* is meant not as a serious political proposal but as a thought-experiment for illuminating the structure of the soul and for illustrating the ultimate incompatibility of the philosophical life and the political life, that is, the impossibility of a "philosopher king." See Leo Strauss, *The City and Man* (Charlottesville: The University Press of Virginia, 1964), ch. 2. But this does not imply that Plato was a friend of individualism and popular government. Nor does it change the fact that the collectivist strand of the Western philosophical tradition constantly harkens back to the *Republic*.

and defend them persuasively, we must turn first to Aristotle's *Politics*.

To cite Aristotle as the father of individualism and popular government may, at first glance, seem implausible. After all, Aristotle did not think that individual freedom is the highest political value. Indeed, he explicitly advocates using state coercion to morally improve citizens. Nor did he think that democracy is the best form of government. Aristotle shares Plato's elevated conception of the philosophical life as the pursuit of wisdom. Philosophy begins with opinions about the cosmos, the soul, and the good life, then ascends dialectically to the truth. Opinion is the common coin of political life, but truth is rare and precious, the possession of the few. This does not sound consistent with the advocacy of popular government.

Nevertheless, Aristotle's *Politics* offers a number of powerful and persuasive arguments for popular government as a bulwark of individual freedom. Such political theorists as Hannah Arendt, J. G. A. Pocock, Sheldon Wolin, and Mary P. Nichols place Aristotle in a tradition of republicanism that stresses active citizen participation in government.² Furthermore, Fred D. Miller Jr. has argued persuasively that Aristotle is the father of

2. See Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), chs. 1–2; J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton: Princeton University Press, 1975), 550; Sheldon Wolin, *Politics and Vision* (Boston: Little, Brown, 1960), 57–8; Mary P. Nichols, *Citizens and Statesmen: A Study of Aristotle's Politics* (Lanham, Md.: Rowman and Littlefield, 1992). Although Nichols takes seriously Aristotle's case for popular participation, she explicitly differentiates her reading of Aristotle from those of Arendt, Pocock, and Wolin by emphasizing the necessity of statesmanship to guide popular participation. In this, she seeks to incorporate elements of the aristocratic interpretation of Aristotle offered by Strauss (*The City and Man*, ch. 1) and his students: Carnes Lord, "Politics and Philosophy in Aristotle's *Politics*," *Hermes* 106 (1978): 336–57; Delba Winthrop, "Aristotle on Participatory Democracy," *Polity* 11 (1978): 151–71.

The First Founding Father / 31

the tradition of natural rights theory, one of the richest sources of arguments for individual freedom and popular rule.³ Finally, both John Adams and Thomas Jefferson saw Aristotle as one of the first formulators of the principles of the American founding, a view seconded by such scholars as Harvey C. Mansfield Jr., Charles M. Sherover, Paul A. Rahe, and Carl J. Richard.⁴

I. THE NECESSITY OF POLITICS

Aristotle is famous for holding that man is by nature a political animal. But what does this mean? Aristotle explains that “even when human beings are not in need of each other’s help, they have no less desire to live together, though it is also true that the common advantage draws them into union insofar as noble living is something they each partake of. So this above all is the end, whether for everyone in common or for each singly” (*Politics* 3.6.1278b19–22).⁵ Here Aristotle contrasts two different

3. Fred D. Miller Jr., *Nature, Justice, and Rights in Aristotle’s Politics* (Oxford: Clarendon Press, 1995). See also *Aristotle’s Politics: A Symposium, The Review of Metaphysics* 49, no. 4 (June 1996), which consists of six extensive papers on Miller’s book and Miller’s reply. Roderick T. Long’s contribution, “Aristotle’s Conception of Freedom,” is an often persuasive attempt to push Aristotle even further in the direction of classical liberalism.

4. Adams and Jefferson are quoted in Paul A. Rahe, *Republics Ancient and Modern*, vol. 3, *Inventions of Prudence: Constituting the American Regime* (Chapel Hill: University of North Carolina Press, 1994), 27, 58–73; Harvey C. Mansfield Jr., *America’s Constitutional Soul* (Baltimore: The Johns Hopkins University Press, 1991), chs. 8, 9, and 14; Charles M. Sherover, *Time, Freedom, and the Common Good: An Essay in Public Philosophy* (Albany: State University of New York Press, 1989), ch. 5; Carl J. Richard, *The Founders and the Classics: Greece, Rome, and the American Enlightenment* (Cambridge: Harvard University Press, 1994), esp. ch. 5; cf. John Zvesper, “The American Founders and Classical Political Thought,” *History of Political Thought* 10 (1989): 701–18.

5. All quotes from Aristotle are from *The Politics of Aristotle*, trans. and ed. Peter L. Phillips Simpson (Chapel Hill: University of North Carolina Press, 1997). Simpson’s edition has two unique features. First, the *Politics* is

needs of the human soul that give rise to different forms of community, one prepolitical, the other political.

The first need is material. On this account, individuals form communities to secure the necessities of life. Because few of us are capable of fulfilling all our needs alone, material self-interest forces us to cooperate, developing our particular talents and trading our products with others. The classical example of such a community is the city of pigs in the second book of Plato's *Republic*.

The second need is spiritual. Even in the absence of material need, human beings will form communities because only through community can we satisfy our spiritual need to live nobly, that is, to achieve *eudaimonia*, "happiness," which Aristotle defines as a life of unimpeded virtuous activity.

Aristotle holds that the forms of association that arise from material needs are prepolitical. These include the family, the master-slave relationship, the village, the market, and alliances for mutual defense. With the exception of the master-slave relationship, the prepolitical realm could be organized on purely libertarian, capitalist principles. Individual rights and private property could allow individuals to associate and disassociate freely by means of persuasion and trade, according to their own determination of their interests.

But in *Politics* 3.9, Aristotle denies that the realm of material needs, whether organized on libertarian or nonlibertarian lines, could ever fully satisfy our spiritual need for happiness: "It is not the case . . . that people come together for the sake of life

introduced by a translation of *Nicomachean Ethics* 10.9. Second, Simpson moves books 7 and 8 of the *Politics*, positioning them between the traditional books 3 and 4. I retain the traditional ordering in my citations, indicating Simpson's renumbering in brackets. Unless otherwise noted, all quotes are from the *Politics*. Quotes from the *Nicomachean Ethics* will be indicated with the abbreviation *NE*.

The First Founding Father / 33

alone, but rather for the sake of living well” (3.9.1280a31) and “the political community must be set down as existing for the sake of noble deeds and not merely for living together” (3.9.1281a2). Aristotle’s clearest repudiation of any minimalistic form of liberalism is the following passage:

Nor do people come together for the sake of an alliance to prevent themselves from being wronged by anyone, nor again for purposes of mutual exchange and mutual utility. Otherwise the Etruscans and Carthaginians and all those who have treaties with each other would be citizens of one city. . . . [But they are not] concerned about what each other’s character should be, not even with the aim of preventing anyone subject to the agreements from becoming unjust or acquiring a single depraved habit. They are concerned only that they should not do any wrong to each other. But all those who are concerned about a good state of law concentrate their attention on political virtue and vice, from which it is manifest that the city truly and not verbally so called must make virtue its care. (3.9.1280a34–b7)

Aristotle does not disdain mutual exchange and mutual protection. But he thinks that the state must do more. It must concern itself with the character of the citizen; it must encourage virtue and discourage vice.

But why does Aristotle think that the pursuit of virtue is political at all, much less the defining characteristic of the political? Why does he reject the liberal principle that whether and how individuals pursue virtue is an ineluctably private choice? The ultimate anthropological foundation of Aristotelian political science is man’s neoteny. Many animals can fend for themselves as soon as they are born. But man is born radically immature and incapable of living on his own. We need many years of care and education. Nature does not give us the ability to survive, much less flourish. But she gives us the ability to acquire the ability. Skills are acquired abilities to live. Virtue

34 / *Gregory R. Johnson*

is the acquired ability to live well. The best way to acquire virtue is not through trial and error but through education, which allows us to benefit from the trials and avoid the errors of others. Fortune permitting, if we act virtuously, we will live well.

Liberals often claim that freedom of choice is a necessary condition of virtue. We can receive no moral credit for a virtue that is not freely chosen but is instead forced upon us. Aristotle, however, holds that force is a necessary condition of virtue. Aristotle may have defined man as the rational animal, but unlike the Sophists of his day, he did not think that rational persuasion is sufficient to instill virtue:

. . . if reasoned words were sufficient by themselves to make us decent, they would, to follow a remark of Theognis, justly carry off many and great rewards, and the thing to do would be to provide them. But, as it is, words seem to have the strength to incite and urge on those of the young who are generous and to get a well-bred character and one truly in love with the noble to be possessed by virtue; but they appear incapable of inciting the many toward becoming gentlemen. For the many naturally obey the rule of fear, not of shame, and shun what is base not because it is ugly but because it is punished. Living by passion as they do, they pursue their own pleasures and whatever will bring these pleasures about . . . ; but of the noble and truly pleasant they do not even have the notion, since they have never tasted it. How could reasoned words reform such people? For it is not possible, or not easy, to replace by reason what has long since become fixed in the character. (*NE* 10.9.1179b4–18)

The defect of reason can, however, be corrected by force: “Reason and teaching by no means prevail in everyone’s case; instead, there is need that the hearer’s soul, like earth about to nourish the seed, be worked over in its habits beforehand so as to enjoy and hate in a noble way. . . . Passion, as a general rule, does not seem to yield to reason but to force” (*NE* 10.9.1179b23–25). The behavioral substratum of virtue is habit, and habits can be

The First Founding Father / 35

inculcated by force. Aristotle describes law as “reasoned speech that proceeds from prudence and intellect” but yet “has force behind it” (NE 10.9.1180a18). Therefore, the compulsion of the appropriate laws is a great aid in acquiring virtue.

At this point, however, one might object that Aristotle has established only a case for parental, not political, force in moral education. Aristotle admits that only in Sparta and a few other cities is there public education in morals, whereas “In most cities these matters are neglected, and each lives as he wishes, giving sacred law, in Cyclops’ fashion, to his wife and children” (NE 10.9.1180a24–27). Aristotle grants that an education adapted to an individual is better than an education given to a group (NE 10.9.1180b7). But this is an argument against the collective reception of education, not the collective provision. He then argues that such an education is best left to experts, not parents. Just as parents have professional doctors care for their childrens’ bodies, they should have professional educators care for their souls (NE 10.9.1180b14–23). But this does not establish that such professionals should be employees of the state.

Two additional arguments for public education are found in *Politics* 8.1:

[1] Since the whole city has one end, it is manifest that everyone must also have one and the same education and that taking care of this education must be a common matter. It must not be private in the way that it is now, when everyone takes care of their own children privately and teaches them whatever private learning they think best. Of common things, the training must be common. [2] At the same time, no citizen should even think he belongs to himself but instead that each belongs to the city, for each is part of the city. The care of each part, however, naturally looks to the care of the whole, and to this extent praise might be due to the Spartans, for they devote the most serious attention to their children and do so in common. (8.1[5.1].1337a21–32)

36 / *Gregory R. Johnson*

The second argument is both weak and question-begging. Although it may be useful for citizens to think that they belong to the city, not themselves, Aristotle offers no reason to believe that this is true. Furthermore, the citizens would not think so unless they received precisely the collective education that needs to be established. The first argument, however, is quite strong. If the single, overriding aim of political life is the happiness of the citizens and if this aim is best attained by public education, then no regime can be legitimate if it fails to provide public education.⁶

Another argument for public moral education can be constructed from the overall argument of the *Politics*. Because public education is more widely distributed than private education, other things being equal, the populace will become more virtuous on the whole. As we shall see, it is widespread virtue that makes popular government possible. Popular government is, moreover, one of the bulwarks of popular liberty. Compulsory public education in virtue, therefore, is a bulwark of liberty.

2. POLITICS AND FREEDOM

Aristotle's emphasis on compulsory moral education puts him in the "positive" libertarian camp. For Aristotle, a free man is not merely any man who lives in a free society. A free man possesses certain traits of character that allow him to govern himself responsibly and attain happiness. These traits are, however, the product of a long process of compulsory tutelage. But such compulsion can be justified only by the production of a free and happy individual, and its scope is therefore limited by

6. A useful commentary on these and other Aristotelian arguments for public education is Randall R. Curren, *Aristotle on the Necessity of Public Education* (Lanham, Md.: Rowman and Littlefield, 2000).

The First Founding Father / 37

this goal. Because Aristotle ultimately accepted the Socratic principle that all men desire happiness, education merely compels us to do what we really want. It frees us *from* our own ignorance, folly, and irrationality and frees us *for* our own self-actualization. This may be the rationale for Aristotle's claim that "the law's laying down of what is decent is not oppressive" (*NE* 10.9.1180a24). Because Aristotle thinks that freedom from the internal compulsion of the passions is more important than freedom from the external compulsion of force and that force can quell the passions and establish virtue's empire over them, Aristotle believes as much as Rousseau that we can be forced to be free.

But throughout the *Politics*, Aristotle shows that he is concerned to protect "negative" liberty as well. In *Politics* 2.2–2.5, Aristotle ingeniously defends private families, private property, and private enterprise from Plato's communistic proposals in the *Republic*, thereby preserving the freedom of large spheres of human activity. Aristotle's concern with privacy is evident in his criticism of a proposal of Hippodamus of Miletus that would encourage spies and informers (2.8.1268b22). Aristotle is concerned to create a regime in which the rich do not enslave the poor and the poor do not plunder the rich (3.10.1281a13–27). Second Amendment enthusiasts will be gratified at Aristotle's emphasis on the importance of a wide distribution of arms in maintaining the freedom of the populace (2.8.1268a16–24; 3.17.1288a12–14; 4.3[6.3].1289b27–40; 4.13[6.13].1297a12–27; 7.11[4.11].1330b17–20). War and empire are great enemies of liberty, so isolationists and peace lovers will be gratified by Aristotle's critique of warlike regimes and praise of peace. The good life requires peace and leisure. War is not an end in itself but merely a means to ensure peace (7.14[4.14].1334a2–10; 2.9.1271a41–b9). The best regime is not oriented outward, toward dominating other peoples, but inward, toward the hap-

piness of its own. The best regime is an earthly analogue of the Prime Mover. It is self-sufficient and turned inward upon itself (7.3[4.3].1325a14–31). Granted, Aristotle may not think that negative liberty is the whole of the good life, but it is an important component that needs to be safeguarded.⁷

3. THE ELEMENTS OF POLITICS AND THE MIXED REGIME

Because the aim of political association is the good life, the best political regime is the one that best delivers the good life. Delivering the good life can be broken down into two components: production and distribution. There are two basic kinds of goods: the goods of the body and the goods of the soul.⁸ Both sorts of goods can be produced and distributed privately and publicly, but Aristotle treats the production and distribution of bodily goods as primarily private, whereas he treats the production and distribution of spiritual goods as primarily public. The primary goods of the soul are (1) moral and intellectual virtue, which are best produced by public education, and (2) honor, the public recognition of virtue, talent, and service rendered to the city.⁹ The principle of distributive justice is defined

7. For a fuller discussion of the value Aristotle puts on liberty, see Roderick T. Long, "Aristotle's Conception of Freedom," 787–802.

8. One could add a third category, instrumental goods, but these goods are instrumental to the intrinsic goods of the body, the soul, or both, and thus could be classified under those headings.

9. As for the highest good of the soul, which is attained by philosophy, Aristotle's flight from Athens near the end of his life shows that he recognized that different political orders can be more or less open to free thought, but I suspect that he was realist enough (and Platonist enough) to recognize that even the best cities are unlikely to positively cultivate true freedom to philosophize. I would wager that Aristotle would be both surprised at the freedom of thought in the United States and receptive to Tocquevillian complaints about the American tendency toward conformism that makes such

The First Founding Father / 39

as proportionate equality: equally worthy people should be equally happy, and unequally worthy people should be unequally happy, commensurate with their unequal worth (*NE* 5.6–7). The best regime, in short, combines happiness and justice.

But how is the best regime to be organized? Aristotle builds his account from at least three sets of elements.

First, in *Politics* 3.6–7, Aristotle observes that sovereignty can rest either with men or with laws. If with men, then it can rest in one man, few men, or many men. (Aristotle treats it as self-evident that it cannot rest in all men.) The rulers can exercise political power for two different ends: for the common good and for special interests. One pursues the common good by promoting the happiness of all according to justice. Special interests can be broken down into individual or factional interests. A ruler can be blamed for pursuing such goods only if he does so without regard to justice, that is, without a just concern for the happiness of all. When a single man rules for the common good, we have kingship. When he rules for his own good, we have tyranny. When the few rule for the common good, we have aristocracy. When they rule for their factional interest, we have oligarchy. When the many rule for the common good, we have polity. When they rule for their factional interest, we have democracy. These six regimes can exist in pure forms, or they can be mixed together.

Second, Aristotle treats social classes as elemental political distinctions. In *Politics* 3.8, he refines his definitions of oligarchy and democracy, claiming that oligarchy is actually rule by the rich, whether they are few or many, and democracy is rule by the poor, whether they are few or many. Similarly, in *Politics*

freedom unthreatening to the reigning climate of opinion. A cynic might argue that if Americans actually made use of their freedom of thought, it would be quickly taken away.

4.11[6.1], Aristotle also defines polity as rule by the middle class. In *Politics* 4.4[6.4], Aristotle argues that the social classes are irreducible political distinctions. One can be a rich, poor, or middle-class juror, legislator, or officeholder. One can be a rich, poor, or middle-class farmer or merchant. But one cannot be both rich and poor at the same time (4.4[6.4].1291b2–13). Class distinctions cannot be eliminated; therefore, they have to be recognized and respected, their disadvantages meliorated and their advantages harnessed for the common good.

Third, in *Politics* 4.14[6.14], Aristotle divides the activities of rulership into three different functions: legislative, judicial, and executive.¹⁰

Because rulership can be functionally divided, it is possible to create a mixed regime by assigning different functions to different parts of the populace. One could, for example, mix monarchy and elite rule by assigning supreme executive office to one man and the legislative and judicial functions to the few. Or one could divide the legislative function into different houses, assigning one to the few and another to the many. Aristotle suggests giving the few the power to legislate and the many the power to veto legislation. He suggests that officers be elected by the many but nominated from the few. The few should make expenditures, but the many should audit them (2.12.1274a15–21; 3.11.1281b21–33; 4.14[6.14].1298b26–40).

In *Politics* 3.10, Aristotle argues that some sort of mixed regime is preferable because no pure regime is satisfactory: “A difficulty arises as to what should be the controlling part of the city, for is it really either the multitude or the rich or the decent or the best one of all or a tyrant? But all of them appear unsat-

10. On the complexities of the executive role in the *Politics*, see Harvey C. Mansfield Jr., *Taming the Prince: The Ambivalence of Modern Executive Power* (Baltimore, Md.: The Johns Hopkins University Press, 1993), chs. 2–3.

The First Founding Father / 41

isfactory” (3.10.1281a11–13). Democracy is bad because the poor unjustly plunder the substance of the rich; oligarchy is bad because the rich oppress and exploit the poor; tyranny is bad because the tyrant does injustice to everyone (3.10.1281a13–28). Kingship and aristocracy are unsatisfactory because they leave the many without honors and they are schools for snobbery and high-handedness (3.10.1281a28–33; 4.11[6.11]. 1295b13ff). A pure polity might be unsatisfactory because it lacks a trained leadership caste and is therefore liable to make poor decisions (3.11.1281b21–33).

4. CHECKS AND BALANCES, POLITICAL RULE,
AND THE RULE OF LAW

Aristotle’s mixed regime is the origin of the idea of the separation of powers and checks and balances. It goes hand in hand with a very modern political realism. Aristotle claims that “all regimes that look to the common advantage turn out, according to what is simply just, to be correct ones, while those that look only to the advantage of their rulers are mistaken and are all deviations from the correct regime. For they are despotic, but the city is a community of the free” (3.6.1279a17–21).

It is odd, then, that in *Politics* 4.8–9[6.8–9] Aristotle describes the best regime as a mixture of two defective regimes, oligarchy and democracy—not of two correct regimes, aristocracy and polity. But perhaps Aristotle entertained the possibility of composing a regime that tends to the common good out of classes that pursue their own factional interests.

Perhaps Aristotle thought that the “intention” to pursue the common good can repose not in the minds of individuals but in the institutional logic of the regime itself. This would be an enormous advantage, for it would bring about the common good without having to rely entirely upon men of virtue and

good will, who are in far shorter supply than men who pursue their own individual and factional advantages.

Related to the mixed regime with its checks and balances is the notion of *political rule*. Political rule consists of ruling and being ruled in turn:

. . . there is a sort of rule exercised over those who are similar in birth and free. This rule we call political rule, and the ruler must learn it by being ruled, just as one learns to be a cavalry commander by serving under a cavalry commander. . . . Hence it was nobly said that one cannot rule well without having been ruled. And while virtue in these two cases is different, the good citizen must learn and be able both to be ruled and to rule. This is, in fact, the virtue of the citizen, to know rule over the free from both sides. (3.4.1277b7–15; cf. 1.13.1259b31–34 and 2.2.1261a32–b3)

Aristotle makes it clear that political rule can exist only where the populace consists of men who are free, that is, sufficiently virtuous that they can rule themselves. They must also be economically middle-class, well armed, and warlike. They must, in short, be the sort of men who can participate responsibly in government, who want to participate, and who cannot safely be excluded. A populace that is slavish, vice-ridden, poor, and unarmed can easily be disenfranchised and exploited. If power were entirely in the hands of a free populace, the regime would be a pure polity and political rule would exist entirely between equals. If, however, a free populace were to take part in a mixed regime, then political rule would exist between different parts of the regime. The many and the few would divide power and functions between them. Not only would members of each class take turns performing the different functions allotted to them, but also the classes themselves would rule over others in one respect and be ruled in another. In these circumstances, then, checks and balances are merely one form of political rule.

The First Founding Father / 43

In *Politics* 3.16, Aristotle connects political rule to the rule of law:

What is just is that people exercise rule no more than they are subject to it and that therefore they rule by turns. But this is already law, for the arrangement is law. Therefore, it is preferable that law rule rather than any one of the citizens. And even if, to pursue the same argument, it were better that there be some persons exercising rule, their appointment should be as guardians and servants of the laws. For though there must be some offices, that there should be this one person exercising rule is, they say, not just, at least when all are similar. (3.16.1287a15–22)

Aristotle's point is simple. If two men govern by turns, then sovereignty does not ultimately repose in either of them but in the rule that they govern by turns. The same can be said of checks and balances. If the few spend money and the many audit the accounts, then neither group is sovereign, the laws are. If sovereignty reposes in laws, not men, the common good is safe. As Aristotle points out, "anyone who bids the laws to rule seems to bid god and intellect alone to rule, but anyone who bids a human being to rule adds on also the wild beast. For desire is such a beast and spiritedness perverts rulers even when they are the best of men. Hence law is intellect without appetite" (3.16.1287a23–31). The greatest enemy of the common good is private interest. Laws, however, have no private interests. Thus, if our laws are conducive to the common good, we need not depend entirely on the virtue and public-spiritedness of men.

Aristotle would hasten to add, however, that no regime can do without these characteristics entirely, for the laws cannot apply themselves. They must be applied by men, and their application will seldom be better than the men who apply them. Furthermore, even though a regime may function without en-

tirely virtuous citizens, no legitimate regime can be indifferent to the virtue of the citizens, for the whole purpose of political association is to instill the virtues necessary for happiness.

5. THE GOOD MAN AND THE GOOD CITIZEN

Having now surveyed Aristotle's thoughts on the elements and proper aim of politics, we can now examine his arguments for popular government. When I use the phrase "popular government," it should be borne in mind that Aristotle does not advocate a pure polity but a mixed regime with a popular element.

Aristotle's first case for bringing the many into government can be discerned in *Politics* 3.4. Aristotle's question is whether the virtues of the good man and the good citizen are the same. They are not the same, insofar as the virtue of the good citizen is defined relative to the regime and there are many different regimes, whereas the virtue of the good man is defined relative to human nature, which is one. One can therefore be a good citizen but not a good man, and a good man but not a good citizen. History is replete with examples of regimes that punish men for their virtues and reward them for their vices. Aristotle does, however, allow that the good man and the good citizen can be one in a regime in which the virtues required of a good citizen do not differ from the virtues of a good man.

The chief virtue of a good man is prudence. But prudence is not required of citizens insofar as they are ruled. Only obedience is required. Prudence is, however, required of citizens insofar as they rule. Because the best regime best encourages happiness by best cultivating virtue, a regime that allows the many to govern along with the few is better than a regime that excludes them. By including the many in ruling, a popular regime encourages the widest cultivation of prudence and gives the greatest opportunity for its exercise. The best way to bring

The First Founding Father / 45

the many into the regime is through what Aristotle calls political rule: ruling and being ruled in turn, as prescribed by law.

Political rule not only teaches the virtue of prudence to the many, but it also teaches the virtue of being ruled to the few, who must give way in turn to the many. Because the few aspire to rule but not to be ruled, Aristotle argues that they cannot rule without first having been ruled:

The ruler must learn [political rule] by being ruled, just as one learns to be a cavalry commander by serving under a cavalry commander. . . . Hence it was nobly said that one cannot rule well without having been ruled. And while virtue in these two cases is different, the good citizen must learn and be able both to be ruled and to rule. This is, in fact, the virtue of the citizen, to know rule over the free from both sides. Indeed, the good man, too, possesses both. (3.4.1277b7–16)

Aristotle names justice as a virtue that is learned both in ruling and being ruled. Those born to wealth and power are liable to arrogance and the love of command. By subjecting them to the rule of others, including their social inferiors, they learn to respect their freedom and justly appraise their worth.

6. POTLUCKS, CHIMERAS, JURIES

Aristotle's next case for bringing the many into the regime is found in *Politics* 3.11.¹¹ Aristotle seeks to rebut the aristocratic argument against popular participation, namely, that the best political decisions are wise ones, but wisdom is found only among the few, not the many. Popular participation, therefore, would inevitably dilute the quality of the political decision mak-

11. For useful discussions of the arguments of *Politics* 3.11, see Nichols, *Citizens and Statesmen* (66–71), and Peter L. Phillips Simpson, *A Philosophical Commentary on the Politics of Aristotle* (Chapel Hill: University of North Carolina Press, 1998), 166–71.

ers, increasing the number of foolish decisions. Aristotle accepts the premise that the wise should rule, but he argues that there are circumstances in which the few and the many together are wiser than the few on their own. The aristocratic principle, therefore, demands the participation of the many:

. . . the many, each of whom is not a serious man, nevertheless could, when they have come together, be better than those few best—not, indeed, individually, but as a whole, just as meals furnished collectively are better than meals furnished at one person’s expense. For each of them, though many, could have a part of virtue and prudence, and just as they could, when joined together in a multitude, become one human being with many feet, hands, and senses, so also could they become one in character and thought. That is why the many are better judges of the works of music and the poets, for one of them judges one part and another, another and all of them, the whole. (3.11.1281a42–b10)

At first glance, this argument seems preposterous. History and everyday life are filled with examples of wise individuals opposing foolish collectives. But Aristotle does not claim that the many are *always* wiser than the few, simply that they can be, under certain conditions (3.11.1281b15).

The analogy of the potluck supper is instructive (cf. 3.15.1286a28–30).¹² A potluck supper can be better than one provided by a single person if it offers a greater number and variety of dishes and diffuses costs and labor. But potluck suppers are not always superior—that is the “luck” in it. Potlucks are often imbalanced. On one occasion, there may be too many desserts and no salads. On another, three people may bring chicken and no one may bring beef or pork. The best potluck,

12. For more on the potluck supper analogy, see Arlene W. Saxonhouse, *Fear of Diversity: The Birth of Political Science in Ancient Greek Thought* (Chicago: University of Chicago Press, 1992), 222–24.

The First Founding Father / 47

therefore, is a centrally orchestrated one that mobilizes the resources of many different contributors but ensures a balanced and wholesome meal.

Likewise, the best way to include the many in political decision making is to orchestrate their participation, giving them a delimited role that maximizes their virtues and minimizes their vices. This cannot be accomplished in a purely popular regime, particularly a lawless one, but it can be accomplished in a mixed regime in which the participation of the populace is circumscribed by law and checked by the interests of other elements of the population.

Aristotle's second analogy—which likens the intellectual and moral unity of the many to a man with many feet, hands, and sense organs, that is, a freak of nature—does not exactly assuage doubters. But his point is valid. Although even the best of men may lack a particular virtue, it is unlikely that it will be entirely absent from a large throng. Therefore, the many are potentially as virtuous or even more virtuous than the few if their scattered virtues can be gathered together and put to work. But history records many examples of groups acting less morally than any member on his own. Thus, the potential moral superiority of the many is unlikely to emerge in a lawless democracy. But it could emerge in a lawful mixed regime that actively encourages and employs the virtues of the many while checking their vices. This process can be illustrated by adapting an analogy that Aristotle offers to illustrate another point: A painting of a man can be more beautiful than any real man, for the painter can pick out the best features of individual men and combine them into a beautiful whole (3.11.1281b10–11).

Aristotle illustrates the potential superiority of collective judgment with another questionable assertion that “the many are better judges of the works of music and the poets, for one of them judges one part and another, another and all of them,

the whole.” Again, this seems preposterous. Good taste, like wisdom, is not widely distributed and is cultivated by the few, not the many. Far more people buy “rap” recordings than classical ones. But Aristotle is not claiming that the many are better judges in all cases. Aristotle is likely referring to Greek dramatic competitions. These competitions were juried by the audience, not a small number of connoisseurs.

A jury trial or competition is a genuine collective decision-making process in which each juror is morally enjoined to pay close attention to the matter at hand and to render an objective judgment.¹³ Although each juror has his own partial impression, when jurors deliberate they can add their partial impressions together to arrive at a more complete and adequate account. To the extent that a jury decision must approach unanimity, the jurors will be motivated to examine the issue from all sides and persuade one another to move toward a rationally motivated consensus. A jury decision can, therefore, be more rational, well informed, and objective than an individual one.¹⁴ The market, by contrast, is not a collective decision-making process. It does not require a consumer to compare his preferences to those of others, to persuade others of their validity or defend them from criticism, or to arrive at any sort of consensus. Instead, the market merely registers the collective effects of individual decisions.¹⁵

13. I wish to thank Martin L. Cowen III for suggesting the model of a jury trial.

14. For a beautiful description of the deliberative process of a jury, see John C. Calhoun, *A Disquisition on Government*, in *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 49–50.

15. Friedrich A. Hayek’s classic essay “The Use of Knowledge in Society,” in his *Individualism and Economic Order* (Chicago: University of Chicago Press, 1948), argues that the market is superior to central planning because it better mobilizes widely scattered information. The market is, of course,

The First Founding Father / 49

7. FREEDOM AND STABILITY

Another argument for popular government in *Politics* 3.11 (1281b21–33) is that it is more stable. Aristotle grants the Aristocratic principle that it is not safe for the populace to share in “the greatest offices” because, “on account of their injustice and unwisdom, they would do wrong in some things and go wrong in others.” But then he goes on to argue that it would not be safe to exclude the many from rule altogether because a city “that has many in it who lack honor and are poor must of necessity be full of enemies,” which would be a source of instability. Instability is, however, inconsistent with the proper aim of politics, for the good life requires peace. The solution is a mixed regime that ensures peace and stability by allowing the many to participate in government but not to occupy the highest offices. In *Politics* 2.9, Aristotle praises the Spartan Ephorate for holding the regime together, “since, as the populace share in the greatest office, it keeps them quiet. . . . For if any regime is going to survive, all the parts of the city must want it both to exist and to remain as it is” (2.9.1270b17–22; cf. Aristotle’s discussion of the Carthaginians in 2.9.1272b29–32; see also 4.13[6.13].1297b6).

larger than any possible jury and thus will always command more information. However, if one were to compare a market and a jury of the same size, the jury would clearly be a more rational decision-making process, for the market registers decisions based on perspectives that are in principle entirely solipsistic, whereas the jury requires a genuine dialogue that challenges all participants to transcend their partial and subjective perspectives and work toward a rational consensus that is more objective than any individual decision because it more adequately accounts for the phenomena in question than could any individual decision. It is this crucial disanalogy that seems to vitiate attempts to justify the market in terms of Gadamerian, Popperian, or Habermasian models and communicative rationality. For the best statement of this sort of approach, see G. B. Madison, *The Political Economy of Civil Society and Human Rights* (New York: Routledge, 1998), esp. chs. 3–5.

50 / *Gregory R. Johnson*

In *Politics* 2.12, Aristotle offers another reason for including the populace in government. Solon gave the populace “the power that was most necessary (electing to office and auditing the accounts), since without it they would have been enslaved and hostile” (2.12.1274a4–6). Here Aristotle makes it clear that he values liberty and that he values popular government because it protects the liberty of the many.

8. EXPERT KNOWLEDGE

In *Politics* 3.11, Aristotle rebuts the argument that the many should not be involved in politics because they are amateurs, that decisions in politics, as in medicine and other fields, should be left to experts. In response to this, Aristotle repeats his argument that the many, taken together, may be better judges than a few experts. He then adds that there are some arts in which the products can be appreciated by people who do not possess the art: “Appreciating a house, for example, does not just belong to the builder; the one who uses it, namely, the household manager, will pass an even better judgment on it. Likewise, the pilot judges the rudder better than the carpenter, and the dinner guest judges the feast better than the chef” (3.11.1282a19–22). If the art of statesmanship is like these, then the best judge of the quality of a statesman is not the few political experts but the many political laymen who are ruled by him. The judgment of the populace should not, therefore, be disdained.

9. RESISTANCE TO CORRUPTION

In *Politics* 3.15, Aristotle argues that popular regimes are more resistant to corruption. Even in a regime in which law ultimately rules, particular circumstances exist that the laws do not antic-

The First Founding Father / 51

ipate. Where the law cannot decide, men must do so. But this creates an opportunity for corruption. Aristotle argues that such decisions are better made by large bodies deliberating in public:

What is many is more incorruptible: the multitude, like a greater quantity of water, is harder to ruin than a few. A single person's judgment must necessarily be corrupted when he is overcome by anger or some other such passion, but getting everyone in the other case to become angry and go wrong at the same time takes a lot of doing. Let the multitude in question, however, be the free who are acting in no way against law, except where law is necessarily deficient. (3.15.1286a33–38)

Aristotle's argument that the many may collectively possess fewer vices than the few is merely a mirror image of his earlier collective virtue argument. Here, as elsewhere, Aristotle defends popular government only under delimited circumstances. The populace must be free, not slavish, and they must decide only when the laws cannot.

IO. DELEGATION AND DIFFUSION OF POWER

Politics 3.16 is devoted to arguments against total kingship. One of these arguments can be turned into a case for popular government. Aristotle claims that total kingship is unsustainable: "It is not easy for one person to oversee many things, so there will need to be many officials appointed in subordination to him. Consequently, what is the difference between having them there right from the start and having one man in this way appoint them? . . . if a man who is serious is justly ruler because he is better, then two good men are better than one" (3.16.1287b8–12; cf. 3.16.1287b25–29). Because total kingship is unworkable, kings must necessarily appoint superior men as "peers" to help them. But if total kingship must create an aris-

ocracy, then why not have aristocracy from the start? This argument could, however, be pushed further to make a case for popular government. An aristocracy cannot effectively rule the people without the active participation of some and the passive acquiescence of the rest. As we have seen, Aristotle argues that the best way to bring this about is popular government. But if aristocracy must eventually bring the populace into the regime, then why not include them from the very beginning?

I I. WHEN REGIMES FAIL

In *Politics* 4.2[6.2], Aristotle returns to his list of pure regime types. The three just regimes are kingship, aristocracy, and polity; the three unjust ones are tyranny, oligarchy, and democracy. Aristotle proceeds to rank the three just regimes in terms of the kinds of virtues they require. He identifies kingship and aristocracy as the best regimes because they are both founded on “fully equipped virtue” (4.2[6.2].1289a31). Of the two, kingship is the very best, for it depends upon a virtue so superlative that it is possessed by only one man. Aristocracy is less exalted because it presupposes somewhat more broadly distributed and therefore less-exalted virtue. Polity depends upon even more widespread and modest virtue. Furthermore, the populace, unlike kings and aristocrats, lacks the full complement of material equipment necessary to fully exercise such virtues as magnificence.

By this ranking, polity is not the best regime but the least of the good ones. But Aristotle then offers a new, politically realistic standard for ranking the just regimes that reverses their order. Kingship may be the best regime from a morally idealistic perspective, but when it degenerates, it turns into tyranny, which is the worst regime. Aristocracy may be the second-best regime from a morally idealistic perspective, but when it de-

The First Founding Father / 53

generates, it turns into oligarchy, which is the second-worst regime. Polity may be the third choice of the moral idealist, but when it degenerates, it merely becomes democracy, which is the best of a bad lot.

Because degeneration is inevitable, the political realist ranks regimes not only in terms of their best performances, but also in terms of their worst. By this standard, polity is the best of the good regimes and kingship the worst. Kingship is best under ideal conditions, polity under real conditions. Kingship is a sleek Jaguar, polity a dowdy Volvo. On the road, the Jaguar is clearly better. But when they go in the ditch, the Volvo shows itself to be the better car overall.

12. THE MIDDLE-CLASS REGIME

Aristotle displays the same political realism in his praise of the middle-class regime in *Politics* 4.11[6.11]: “If we judge neither by a virtue that is beyond the reach of private individuals, nor by an education requiring a nature and equipment dependent on chance, nor again a regime that is as one would pray for, but by a way of life that most can share in common together and by a regime that most cities can participate in . . . ,” then a large, politically enfranchised middle class has much to recommend it: “In the case of political community . . . the one that is based on those in the middle is best, and . . . cities capable of being well governed are those sorts where the middle is large . . . ” (4.11[6.11].1295b35–36). Because the middle class is the wealthier stratum of the common people, Aristotle’s arguments for middle-class government are ipso facto arguments for popular government. Aristotle makes it clear from the beginning, however, that he is not talking about a purely popular regime but a mixed one compounded out of a middle-class populace

and those elements of aristocracy that are not out of the reach of most cities (4.11[6.11].1295a30–34).

Aristotle's first argument for the middle regime seems a sophistry: "If it was nobly said in the *Ethics* that the happy way of life is unimpeded life in accordance with virtue and that virtue is a mean, then necessarily the middle way of life, the life of a mean that everyone can attain, must be best. The same definitions must hold also for the virtue and vice of city and regime, since the regime is a certain way of life of a city" (4.11[6.11].1295a35–40).

In the *Nicomachean Ethics*, Aristotle makes it clear that the fact that virtue can be understood as a mean between two vices, one of excess and the other of defect, does not imply either that virtue is merely an arithmetic mean (*NE* 2.2.1106a26–b8) or that virtue is to be regarded as mediocrity, not as superlative (*NE* 2.2.1107a9–27). Here, however, Aristotle describes the mean not as a superlative but as a mediocrity "that everyone can attain." This conclusion follows only if we presuppose that the morally idealistic doctrine of the *Ethics* has been modified into a moral realism analogous to the political realism of *Politics* 4.2.

Aristotle then claims that in a regime, the mean lies in the middle class: "In all cities there are in fact three parts: those who are exceedingly well-off, those who are exceedingly needy, and the third who are in the middle of these two. So, since it is agreed that the mean and middle is best, then it is manifest that a middling possession also of the goods of fortune must be best of all" (4.11[6.11].1295b1–3). Aristotle is, however, equivocating. He begins by defining the middle class as an *arithmetic* mean between the rich and the poor. He concludes that the middle class is a *moral* mean. But he does not establish that the arithmetic mean corresponds to the moral.

Aristotle does, however, go on to offer reasons for thinking

The First Founding Father / 55

that the social mean corresponds to the moral mean. But the middle class is not necessarily more virtuous because its members have been properly educated but because their social position and class interests lead them to act as if they had been.

First, Aristotle argues that “the middle most easily obeys reason.” Those who are “excessively beautiful or strong or well-born or wealthy” find it hard to follow reason because they tend to be “insolent and rather wicked in great things.” By contrast, those who are poor and “extremely wretched and weak, and have an exceeding lack of honor” tend to become “villains and too much involved in petty wickedness.” The middle class is, however, too humble to breed insolence and too well-off to breed villainy. Because most injustices arise from insolence and villainy, a regime with a strong middle class will be more likely to be just.

Second, Aristotle argues that the middle class is best suited to ruling and being ruled in turn. Those who enjoy an excess of good fortune—strength, wealth, friends, and so forth—love to rule and dislike being ruled. Both of these attitudes are harmful to the city, yet they naturally arise among the wealthy. From an early age, the wealthy are instilled with a “love of ruling and desire to rule, both of which are harmful to cities” (4.11[6.11].1295b12), and “because of the luxury they live in, being ruled is not something they get used to, even at school” (4.11[6.11].1295b13–17). By contrast, poverty breeds vice, servility, and small-mindedness. Thus, the poor are easy to push around, and if they do gain power, they are incapable of exercising it virtuously. Therefore, without a middle class, “a city of slaves and masters arises, not a city of the free, and the first are full of envy while the second are full of contempt.” Such a city must be “at the furthest remove from friendship and political community” (4.11[6.11].1295b21–24). The presence of a strong middle class, however, binds the city into a whole, lim-

iting the tendency of the rich to tyranny and the poor to slavishness, creating a “city of the free.”

Third, Aristotle argues that middle-class citizens enjoy the safest and most stable lives, imbuing the regime as a whole with these characteristics. Those in the middle are, among all citizens, the most likely to survive in times of upheaval, when the poor starve and the rich become targets. They are sufficiently content with their lot not to envy the possessions of the rich. Yet they are not so wealthy that the poor envy them. They neither plot against the rich nor are plotted against by the poor.

Fourth, a large middle class stabilizes a regime, particularly if the middle is “stronger than both extremes or, otherwise, than either one of them. For the middle will tip the balance when added to either side and prevent the emergence of an excess at the opposite extremes” (4.11[6.11].1295b36–40). Without a large and powerful middle class, “either ultimate rule of the populace arises or unmixed oligarchy does, or, because of excess on both sides, tyranny” (4.11[6.11].1296a3; cf. 4.12[6.12].1297a6).

Fifth is the related point that regimes with large middle classes are relatively free of faction and therefore more concerned with the common good. This is because a large middle class makes it harder to separate everyone into two groups (4.11[6.11].1296a7–10).

Finally, Aristotle claims that one sign of the superiority of middle-class regimes is that the best legislators come from the middle class. As examples, he cites Solon, Lycurgus, and Charondas (4.11[6.11].1296a18–21).

13. CONCLUSION:

ARISTOTLE’S POLITY AND OUR OWN

If the proper aim of government is to promote the happiness of the citizens, Aristotle marshals an impressive array of arguments

The First Founding Father / 57

for giving the people, specifically the middle class, a role in government. These arguments can be grouped under five headings: virtue, rational decision making, freedom, stability, and resistance to corruption.

Popular government both presupposes and encourages widespread virtue among the citizens, and virtue is a necessary condition of happiness. Middle-class citizens are particularly likely to follow practical reason and act justly, for they are corrupted neither by wealth nor by poverty. Popular participation can improve political decision making by mobilizing scattered information and experience, and more informed decisions are more likely to promote happiness. In particular, popular government channels the experiences of those who are actually governed back into the decision-making process.

Popular participation preserves the freedom of the people, who would otherwise be exploited if they had no say in government. By preserving the freedom of the people, popular participation unifies the regime, promoting peace and stability, which, in turn, are conducive to the pursuit of happiness. This is particularly the case with middle-class regimes, for the middle class prevents excessive and destabilizing separation between the extremes of wealth and poverty.

Popular governments are also more resistant to corruption. It is harder to use bribery or trickery in order to corrupt decisions made by many people deliberating together in public than by one person or a few deciding in private. This means that popular regimes are more likely to promote the common good instead of allowing the state to become a tool for the pursuit of one special interest at the expense of another. Furthermore, if a popular regime does become corrupt, it is most likely to become a democracy, which is the least unjust of the bad regimes and the easiest to reform.

All these are good arguments for giving the people a role in government. But not just any people. And not just any role.

First, Aristotle presupposes a small city-state. He did not think that any regime could pursue the common good if it became too large. This is particularly true of a popular regime, for the larger the populace, the less room any particular citizen has for meaningful participation.

Second, he presupposes a populace that is racially and culturally homogeneous. A more diverse population is subject to faction and strife. It will either break up into distinct communities or have to be held together by violence and governed by an elite. A more diverse population also erodes a society's moral consensus, making moral education even more difficult.

Third, political participation will be limited to middle-class and wealthy property-owning males, specifically those who derive their income from the ownership of productive land, not those who are merchants and craftsmen.

Fourth, Aristotle circumscribes the role of the populace by assigning it specific legal roles, such as the election of officers and the auditing of accounts—roles that are checked and balanced by the legal roles of the aristocratic element, such as occupying leadership positions.

If Aristotle is right about the conditions of popular government, then he would probably take a dim view of its prospects in America. First and foremost, Aristotle would deplore America's lack of concern with moral education. Aristotle's disagreement would go beyond the obvious fact that the American founders did not make moral education the central concern of the state. America has neglected to cultivate even the minimal moral virtues required to maintain a liberal regime, virtues such as independence, personal responsibility, and basic civility. Second, Aristotle would predict that multiculturalism and non-White immigration will destroy the cultural preconditions of popular government. Third, Aristotle would reject America's ever-widening franchise—particularly the extension of the vote

The First Founding Father / 59

to women, non-property owners, and cultural aliens—as a sure prescription for lowering the quality of public decision making in the voting booth and the jury room. Fourth, Aristotle would be alarmed by the continuing erosion of the American working and middle classes by competition from foreign workers both inside and outside America’s borders. He would deplore America’s transformation from an agrarian to an industrial-mercantile civilization and support autarky rather than free trade and global economic integration. Fifth, Aristotle would be alarmed by ongoing attempts to disarm the populace. Sixth, he would condemn America’s imperialistic and warlike policies toward other nations. Finally, Aristotle would likely observe that because genuine popular government is difficult with hundreds of thousands of citizens, it will be impossible with hundreds of millions.

In short, if Aristotle were alive today, he would find himself to the right of Patrick J. Buchanan, decrying America’s decline from a republic to an empire. Aristotle challenges us to show whether and how liberty and popular government are compatible with feminism, multiculturalism, and globalized capitalism.

To conclude on a more positive note, however, although Aristotle gives reasons to think that the future of popular government in America is unpromising, he also gives reasons for optimism about the long-term prospects of popular government in general, for his defense of popular government is based on a realistic assessment of human nature, not only in its striving for perfection but also in its propensity for failure.