

Ideal Theory as Democratic Theory

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Bachelor of the Arts, Reed College, 1998

Submitted to the Graduate Faculty of
The School of Arts and Sciences in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy

University of Pittsburgh

2008

UNIVERSITY OF PITTSBURGH

School of Arts and Sciences

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2008

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This dissertation is a defense of the claim that ideal theory is democratic theory. I begin with an interpretation of Plato's famous critique of democracy. One is properly equipped, Plato argues, to exercise authority in politics in virtue of the possession of knowledge. Therefore, sane political arrangements involve distributing political authority to experts. But democracy does just the opposite: by putting political authority in the hands of the majority, it substitutes ignorance for knowledge where we can least afford it. I turn to Aristotle for help in answering this challenge. Aristotle argues that the political art belongs to an important category of rational but non-technical capacities, the exercise of which is essential to leading a good life. The Platonic argument in favor of rule by experts is objectionable because one is equipped to participate in the government of the affairs of one's community as a result of one's upbringing and life experience as a member of that community, and because it is wrong to deprive someone of the opportunity to exercise the capacity for self-government, even if this capacity is flawed. In the second half of my dissertation I explore the consequences of this argument for ideal theory. I argue against "value pluralism": the doctrine that political values, like freedom, equality, and justice, conflict with one another. In order to be practicable, a conception of the ideal must consist of values that are compatible rather than incompatible. I also argue against "the thesis of moderate scarcity": the claim that for ideal theory to be practicable we must assume that the polity lacks, to a moderate degree, the material resources it needs. On the contrary, for the political ideal to be

practicable it must require only limited material resources. For the purposes of ideal theory we must assume that material resources are *sufficient* rather than moderately scarce. The conclusion of my argument is that ideal theory is the theory of a democratically self-organized society, governing itself in accordance with a set of compatible values, in conditions of sufficient material resources.

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PREFACE

This dissertation was the precipitate of constant conversations with teachers, family and fellow graduate students.

First I would like to thank my teachers. Kieran Setiya was an invaluable mentor and an incisive critic. Michael Thompson and John McDowell taught me, in some profound way I couldn't even begin to articulate, what it is to think philosophically. Anyone familiar with Michael's work will see its mark on every page

I would like to thank the community of graduate students in general; they are what brought me to Pittsburgh, and they never disappointed. The insight that was to form the core of Chapter Six was conceived in conversation with Ian Blecher and we discussed its contents many times. Tim Willenken gave me very helpful comments on an early version of Chapter Seven. Chapter Three benefited from conversations with Matt Boyle. I would also like to thank Stephen Makin, who had the patience to conduct many, often heated, conversations about politics and political philosophy despite the fact that our perspectives differ sharply. But without a doubt my greatest philosophical debt is to Anton Ford, who has been my tireless comrade-in-arms. The ancient components came out of our joint work on Plato's *Republic*. He has read every piece of this dissertation and we have discussed every argument. I learned to do philosophy by doing it with him.

I have discussed matters of politics and political philosophy constantly with my amazing wife, Julie Oppenheimer, who knows through practice the ideas that I come to through theory. My parents, Marty Washburn and Joanne Laurence, both read Chapter Six, and have given me constant support. This dissertation is dedicated to my mother, who taught me to love justice and through whose love I became what I am now.

1.0 INTRODUCTION

This dissertation is a series of essays organized around the thesis that ideal theory in political philosophy—the theory of the ideal political community—is democratic theory. Strange as it may sound, there are certain problems one faces in writing about the foundations of democratic theory in a democratic society.¹

The value of democracy is not at present contested, at least not in most European or English speaking countries, and certainly not in the respectable journals of analytic political philosophy. Almost no one, for example, who is likely to read this essay, or any of the contemporary sources it cites, will be opposed to democracy. In their heart of hearts, a few may harbor doubts; but avowed enemies will number with flat-earthers. There is, to put it mildly, a dearth of credible opponents of democracy in the conversation of political philosophy.

This is doubtlessly owing to historical facts about the societies in which analytic political philosophy is produced. The historian Eric Hobsbawm has written about the emergence of modern democratic mass politics in Europe in the decades at the end of the nineteenth century.² During this time, as a result of extended political struggle, the franchise expanded dramatically across Europe. He notes that in these decades, as a dramatically larger proportion of men (only

¹ I'm not complaining. We might paraphrase the character Marlo from the HBO series *The Wire*, who asks concerning a difficulty engendered by his newly acquired position as a reigning drug lord of Baltimore, "This is one of them good problems, right?" by saying that the problem facing a contemporary democratic theorist is certainly one of them good problems.

² See Eric Hobsbawm, *The Age of Empire*, pp.87-94.

men) won the right to vote, and mass politics began to take hold for the first time, debate among politicians about the value of democracy all but disappeared from public view. The question of the justification—or lack of justification—for democracy, which had been quite lively and openly discussed in the preceding decades, was, at that point, permanently taken off the table of popular political discussion. Hobsbawm describes the sudden change in vivid terms.

Unfortunately for the historian, these problems disappear from the scene of open political discussion in Europe, as the growing democratization made it impossible to debate them publicly with any degree of frankness. What candidate wanted to tell his voters that he considered them too stupid and ignorant to know what was best in politics, and that their demands were as absurd as they were dangerous to the future of the country? What statesman, surrounded by reporters carrying his words to the remotest corner tavern, would actually say what he meant? Increasingly politicians were obliged to appeal to a mass electorate; even to speak directly to the masses or indirectly through the megaphone of the popular press (including the opponents' papers). Bismarck had probably never addressed other than an elite audience. Gladstone introduced mass electioneering to Britain (and perhaps to Europe) in the campaign of 1879. No longer would the expected implications of democracy be discussed, except by political outsiders, with the frankness and realism of the [earlier] debates... (Hobsbawm, 84)

As Ellen Meiksins Wood notes, this same transition came much earlier to American politics, owing to the colonial experience and the revolutionary struggle, and to the tremendous democratic organization and expectations to which they gave birth.³ She writes,

The colonial and revolutionary experience had already made it impossible just to reject democracy outright, as ruling and propertied classes had been doing unashamedly for centuries and as they would continue to do for some time elsewhere. Political realities in the US were already forcing people to do what has now become conventional and universal, when all good political things are

³ See Ellen Meiksins Wood, “The Demos Versus ‘We, the People’: from Ancient to Modern Conceptions of Citizenship” in her *Democracy Against Capitalism* (Cambridge: CUP 1995), pp. 204-248.

‘democratic’ and everything we dislike in politics is undemocratic: everyone had to claim to be a democrat. (Wood, 225)

This relatively sudden transition to democracy in both Europe and America produced a strange situation. Politicians, who previously had been openly and vocally opposed to democracy, suddenly, of necessity, began talking the democratic talk. Hobsbawm characterizes the politics that emerged as one “of public hypocrisy, or rather, duplicity”. Enlightened authoritarianism is, no doubt, a tough sell to a newly empowered democratic majority; and if you want to preserve as much of it as you can, you’re going to have to engage in a lot of hypocrisy and even outright lying.⁴

We in the United States are now, of course, a long way past Hobsbawm’s age of “public hypocrisy, or rather, duplicity”. It is no longer a question of the former opponents of democracy presenting a publicly democratic face; the former opponents are all long dead and gone, and their descendants are committed to democracy like everyone else.⁵ We are steeped in what Rawls calls “our public democratic culture”, which we begin absorbing at our mother’s breast, or more literally, at home and at school: from conversations at the kitchen table, from civics and history classes, from the newspaper and the television, and ultimately from the experience of voting and participation in local politics. The pressures against the frank expression of anti-democratic sentiments have, of course, only expanded with time. For we are not talking about pressures

⁴ Ellen Meiksins Wood argues, following the constitutional and revolutionary historian Gordon Wood, that the US constitutional process involved large servings of just this sort of duplicity. See also Peter Manicasas’ fascinating and disturbing article, “The Foreclosure of Democracy in America”.

⁵ Or perhaps we should say, so as not to beg any important questions, committed to the *language* of democracy and the practice of *what passes for democracy around here*. I do not mean to imply, by any of these remarks on the ubiquity of a commitment to democracy, that our democracy lives up to the promise of democracy, or is a *really democratic* democracy.

limited to the public pronouncements of newly frustrated politicians—democratic assumptions have by now gotten under our collective skin.

In light of this situation, it may be worth reflecting on what form something that would have expressed itself in other historical conditions as opposition to democracy can take in a society with a well-entrenched public democratic culture. For the anti-democratic impulse may be alive still, but forced, as it were, for its expression into other channels and byways. The options for the expression of the anti-democratic impulse in an entrenched public democratic culture are obviously limited. If one is an avowed anti-democrat one inevitably comes off looking like a villain. If one doesn't want to be written off, one will have to be cautious in the expression of one's views.

Leo Strauss is, arguably, one major political philosopher of such convictions who exercised this sort of caution.⁶ Strauss was a German Jew, who came of age under the Weimar Republic. Luckily for Strauss, he was away in London, researching a book on Thomas Hobbes, when Hitler assumed the chancellorship and the Republic collapsed. From London, Strauss made his way to the United States, where he had a long and influential career writing and teaching political philosophy. Nicholas Xenos argues that an interesting shift can be discerned between Strauss' Weimar writings, in which he was more or less openly opposed to democracy, and his more cautious American writings. The smoking gun from the Weimar period is a stunning letter Strauss wrote to Karl Löwith from London, which claims that the only possible criticism of Hitler is—incredibly enough—*from the right*, on grounds of a true “authoritarianism, fascism, and imperialism”. The problem with Hitler apparently was that focus on “the Jewish Problem”

⁶ Nicholas Xenos argues this case in detail in his fascinating book *Cloaked in Virtue* (New York: Routledge 2008). The facts about Strauss that follow are all drawn from this book.

and racial ideology distracted him from the true business of authoritarianism at home and imperialism abroad, the model for which, Strauss' letter suggests, was the Roman Empire under the Caesars. Xenos finds further evidence of these anti-democratic convictions in Strauss' philosophical writings, especially those written after Strauss had come across the fascist philosopher Carl Schmitt, who fascinated Strauss, but did not seem to him to *go far enough* in his critique of modern liberal democracy.

By contrast, in none of his American works does Strauss come out and *say* he is against democracy. In fact he takes the trouble to deny it from time to time, damning liberal democracy, as it were, with faint praise. But then again he developed a theory of the esoteric form philosophical writing must take under conditions of "persecution", and he seems to have applied this category of persecution very broadly in his interpretation of other philosophers. So his own work would seem ripe for an analysis that follows up all the clues and looks below the surface, which is precisely what Xenos has done. Xenos argues that as soon as Strauss arrived on American soil and was faced with making his way in a firmly entrenched public democratic culture, his anti-democratic convictions went underground, and that he began, for the first time, to employ the very esoteric method of writing that he found used by so many other authors, in which his approval of authoritarian imperialism was cloaked in an opaque critique of modernity. This much is certain and fits Xenos' analysis: Strauss frequently expressed skepticism about democracy, and the elements of Platonic political philosophy on which he laid warm emphasis, decade after decade, are patently anti-democratic.

Perhaps Xenos is right; I am not qualified to conclude one way or the other. But if so, Strauss would serve as an illuminating example of the tortuous routes into which the pressures of a public democratic culture will force the expression of self-consciously anti-democratic

convictions. Strauss, however, is an odd case, not only because of his idiosyncratic views, but also because he came of age in a newly democratic society that was visibly under strain and soon to collapse. He was one of many voices vocally critical of the Weimar democracy—voices that in fact prevailed in dismantling the regime. So there was, as it were, room in the culture during the course of his *Bildung* for him to develop actually anti-democratic arguments and positions before he landed on American soil.

Far more common for those actually raised in a stable and entrenched public democratic culture, without such room, is for similar sentiments to find expression in less patently anti-democratic form, which as a result, does not need an esoteric expression. Now, one major source of opposition to democracy has always been the thought that ordinary people *just aren't up to the task of governing themselves*. Certainly this is something that Strauss seemed to believe, and the vivid form in which Plato expressed this conviction is part of what seems to have attracted Strauss to him. But suppose we take democracy for granted as the only credible or possible form of government. If we combine this resignation to democracy with the anti-democratic conviction, what we get, instead of an argument against democracy, is a deeply cynical view of politics and democracy. For then the only credible or possible form of politics will seem like a farce.

Among political theorists, such cynicism is likely to issue in definitions or analyses of democracy that show it in an especially shabby light, such as Schumpeter's infamous definition of democracy as a system in which elites compete with one another in elections for the right to rule the masses. The trick here is, of course, to analyze democracy in such a way that it is shown to be the farce that these theorists think it must be; not, of course, as a prelude to suggesting some more genuinely democratic arrangements, but with an apparent resignation, or even a certain relish. Many political scientists have followed Schumpeter's example, and current studies

that trumpet and revel in the ignorance and apathy of voters may be the latest “scientific” incarnation of the anti-democratic sentiment under the pressure of a resignation to democracy. Needless to say, such cynicism is not confined to the ivory tower, but is utterly familiar and ordinary in everyday life.

Consider the problems this poses for someone, like me, who wishes to give an argument in favor of democracy under such conditions. On the one hand, in doing so, one suffers from the problem of arguing for a thesis that seems *trivial*, precisely because it is utterly “uncontroversial”. But of course, the devil is in the details, and it makes a huge difference what kind of a defense one gives. There is, for example, a great difference between resignation to democracy as the best among miserable options, and a defense of democracy on which it is a beautiful and (God willing) practicable ideal. There is also a question of how deep our commitment to democracy goes. Do we think, for example, that it is pragmatically justified, taking more basic political values as fixed, and arguing that in light of empirical facts democracy best preserves these values? Or do we think that democracy is itself among the political fundamentals, and so justified on a less contingent and more basic level? Surely much may turn for our understanding of democracy on the basis and foundation we uncover for it. So the charge of triviality is, although predictable, perhaps not difficult to meet.

But this is not the only problem, for one also suffers from not having an opponent against whom to argue. For it is not clear how profitable it is to argue against the anti-democratic sentiment *as it is expressed in our public democratic culture*. Certainly if one wishes to argue against a crypto-anti-democratic, like (arguably) Strauss, one will be faced with a tremendous

hermeneutical headache and the constant possibility of shadow-boxing.⁷ And is it the best way to shed light on the foundations of democracy to argue against the distortions and (unintentional) obfuscations of cynics? Certainly this is important and vital work.⁸ But it may be that to get clear about the foundations of democracy it is not as profitable to argue against someone who first takes democracy for granted and then goes on to say withering things about it, as it is to argue against someone who is honestly, and openly, arguing against democracy from the start.

Luckily there is no dearth of authors, of the greatest brilliance, from previous ages and societies, writing explicitly and honestly against democracy. The obvious solution then suggests itself of looking to the history of philosophy for help. Not, of course, with the purpose of beating a dead horse, but rather for the sake of seeing more clearly what exactly is at stake in the idea of democracy. This is the course pursued by David Estlund in his book *Democratic Authority*, who frames his defense of democracy as an attempt to resist a powerful anti-democratic argument advanced by Plato.⁹ This gives Estlund's work an admirable freshness and fruitfulness. I intend to follow his strategy, although I will oppose myself to some aspects of his construal of Plato's argument, and more still to his own attempt to resist it.

Chapters 2 through 4 of this dissertation consist of three essays that constitute the democratic and ancient philosophical moments of my argument. In 2 I sketch the Platonic

⁷ Xenos' irritation at having to ferret out Strauss' esoteric message, and the resulting long-suffering tone of his prose, is plain on every page.

⁸ The admirable anthology *Deliberative Democracy* edited by James Bohman and William Rehg is loosely organized around the theme of rejecting such cynical accounts.

⁹ See Josiah Ober's fascinating work *Political Dissent in Democratic Athens* (Princeton: Princeton University Press 1998) for his discussion of Plato and Aristotle as dissident authors. He provides a very interesting attempted explanation of the fact that Western political philosophy was born in, and in opposition to, democratic Athens. In general my work on ancient political philosophy in this dissertation is indebted to Ober.

challenge to democracy as it is found in the *Republic*.¹⁰ In 3 I present David Estlund's contemporary response to this challenge and find it wanting. His response serves as an example of a kind of theory that defends democracy as a derivative value that is justified on the basis of other fundamental values and some quasi-empirical facts. This paves the way for the different sort of defense of democracy that I favor as a fundamental value implicit in the nature of the political community. I attempt this defense in 4, drawing on and extending some of Aristotle's arguments against Plato. The conclusion of the first four chapters is that the ideal political community is a democratic one, where all citizens have a share in the political power to which they are subject.

In chapters 5 through 7, I move to a broader exploration of the practical character of ideal theory, understanding ideal theory now as democratic theory. Here, after an introduction discussing the practical character of ideal theory in 5, I go on to criticize two popular contemporary views in political philosophy. I begin in 6 with what is sometimes called "value pluralism": the doctrine—held by Isaiah Berlin, Bernard Williams, and others—that political values, like freedom, equality, and justice, conflict with one another. I argue that in order to be practicable, a conception of the ideal must consist of values that are compatible rather than incompatible. Value pluralism then amounts to a form of defeatism that would unacceptably have us rest content with conceptions of the values that are not fully practicable.

In 7 I consider the thesis of "moderate scarcity" embraced by Hobbes, Rawls, Gauthier and others. According to this thesis in order to be realistic we must assume for the purpose of ideal theory that the polity lacks, to a moderate degree, the material resources it needs. I attempt here a similar reversal: the practical character of political philosophy demands instead a

¹⁰ It will be only a sketch. A full treatment would occupy its own dissertation.

conception of the political ideal as requiring only limited and so satisfiable material conditions. For the purposes of ideal theory, therefore, we must assume that material resources are *sufficient* rather than moderately scarce.

Putting it all together, my thesis is that ideal theory is the theory of a democratically self-organized society, governing itself in accordance with a set of compatible values, in conditions of sufficient material resources.

2.0 THE CASE AGAINST DEMOCRACY

2.1 INTRODUCTION

Among the philosophical enemies of democracy, pride of place surely goes to Plato. In the *Republic*, the founding document of Western political philosophy, Plato advanced the first systematic critique of democracy. It is a striking fact that among the first uses to which political philosophy was put was the criticism of democracy. Plato had some reason to complain: the *Republic* was, after all, written roughly 40 years after Socrates' judicial murder. In it the tables are turned and this time it is democracy that stands on trial, forced to defend itself not with the art of rhetorical persuasion favored in its courts and assemblies, but with the same philosophical method of investigation that Plato represents Socrates so disastrously attempting at his trial. That the indictment is delivered from the mouth of Socrates gives the whole performance undeniable pathos and a certain pleasing irony. The *Republic* has many bones to pick, but this is surely among the most important.

In the *Republic* Plato brings to bear several lines of argument that appear in earlier dialogues and it will be useful to start a little further back. Let us begin with the *Crito*.

2.2 KNOWLEDGE OF JUSTICE IN THE CRITO

The scene is this: Socrates is imprisoned and now has one last opportunity to escape from jail and flee before he is executed. Crito has come to implore him to take advantage of this opportunity. The question the dialogue poses is whether or not it would be just for Socrates to do so. Socrates and Crito agree that if fleeing is unjust, then it cannot be the right course of action.¹¹ So we have here a deliberative question about what the just course of action would be, pursued with the help of philosophical reasoning. The conclusion of the dialogue is that to flee would be unjust because it would involve wronging the *polis* and its laws.

The *Crito* is a defense of the legitimacy of the authority that Athens exercises over its citizens, including Socrates. It is, therefore, a defense of democratic authority. But the attitude of the dialogue to democracy is hardly ringing endorsement. This comes out well in an initial exchange between Socrates and Crito. One of Crito's first concerns is that if Socrates does not flee, the majority (*hoi polloi*) will think that his friends value their money more than Socrates' life. For it will be incredible to them that someone would choose to face death rather than flee when given the opportunity, so they will naturally assume that Crito and others were unwilling to put up the requisite bribe. Socrates chides Crito for being concerned with what the *hoi polloi* will think. He argues this way.

¹¹ For Socrates justice is what Philippa Foot calls a "verdictive". To say that an action is unjust is to render a negative verdict on its advisability all things considered: to say that an action is unjust is to say, *eo ipso*, that it ought not to be done. The concept of action either in accordance with, or contrary to, a virtue in both Plato and Aristotle always functions in this way. The explanation for this is the virtues, as they understand them, are the names for different aspects of the perfected capacity to deliberate. Start with the *sophos* (Plato) or the *phronimos* (Aristotle)—the person who always gets it right in practical deliberation. The virtues are so many names for the perfections of the soul that enable him to do this. See NE 1107a9-25.

Consider then, do you not think it a sound statement that one must not value all the opinions of men, but some and not others, nor the opinions of all men, but those of some and not others?—It is.—One should value the good opinions, and not the bad ones?—Yes.—The good opinions are those of wise men, the bad ones those of foolish men?

Socrates' point is clear and seemingly right-headed. When considering how to act, we should not care about all opinions, good and bad indifferently, but rather about sound opinions only. And we should not care about the opinions of all men, fools and wise men alike, but only the opinions of wise men. The link between these two points is clear: for the opinions of wise men will be good—it is this in which their wisdom consists.

Socrates continues with the help of one of his usual unvarnished similes.

Should a man professionally engaged in physical training pay attention to the praise and blame and opinion of any man, or to those of one man only, namely a doctor or trainer?—To those of one only.—He should therefore fear the blame and welcome the praise of that one man, and not those of the majority?—Obviously.—He must then act and exercise, eat and drink in the way the one, the trainer and the one who knows, thinks right, not all the others?—That is so.

For the purposes of the simile we are to consider someone who is engaged in physical training. For such a person, the opinions about how to act and the evaluations of his actions as praiseworthy or blameworthy worth attending to are those of the professional trainer. These opinions are good in virtue of the possession of his *techne*, a practical capacity that equips him to deliberate soundly about physical training. This capacity is also a form of knowledge: as we say quite naturally, the trainer *knows how to train*—he *understands* well the ins and outs of physical training, and is an *expert* in these matters. And owing to this knowledge he is in a position to evaluate intelligently, and give sound advice concerning, matters of physical training. The *hoi polloi*, by contrast, are ignorant about training, being laypeople rather than experts in this matter

and so lacking knowledge of the requisite craft. Their opinions about training and their corresponding praise and blame, resting on ignorance rather than knowledge, are likely to be bad. It is clear that if someone is engaged in physical training, and deliberating about what to do as part of his training—how to exercise, what to eat, and so on—he would do well to consider the opinions of the trainer—“the one who knows”—and to ignore the rest.

Socrates drives the point home by completing the simile.

So with other matters, not to enumerate them all, and certainly with actions just and unjust, shameful and beautiful, good and bad, about which we are now deliberating... We should not think so much of what the majority will say about us, but what he will say who understands justice and injustice, the one, that is, and the truth. So that, in the first place, you were wrong to believe that we should care for the opinion of the many about what is just, beautiful, good and their opposites.

The same point that held with training holds, Socrates claims, with the subject matter about which he and Crito are now deliberating, namely just and unjust action. The good opinions, to which they should pay heed in deciding how to act, are those of the wise person rather than the *hoi polloi*. The implication is that the wise person, like the trainer, is wise in virtue of the possession of a capacity to deliberate soundly, but in this case concerning the subject matter of acting justly rather than physical training. If the cases are parallel then this wisdom is also a form of practical knowledge, comparable to the *techné* possessed by the trainer, in virtue of which the wise man can be said to *know about*, and *understand* justice and injustice. And it is clear from this passage that the goodness of his opinions about what to do consists in their truth, as we would expect, being founded as they are on his knowledge of justice.

What is expressed by this simile is a commitment to an objective conception of justice and just action, along with a corresponding commitment to the application of the cognitive

categories of ignorance and knowledge to opinions concerning justice. The picture is one of objective moral properties attaching to actions that we can be on to or fail to be on to, depending on whether our opinions are true or false. To be on to them is a cognitive achievement deserving of the title “knowledge”, and to fail to be on to them is a cognitive failing worthy of the title “ignorance”. The simile also suggests that for Plato the first and fundamental employment of this knowledge is in deliberation about what to do. He conceives of this knowledge, therefore, as issuing from a practical capacity to deliberate and act well and in this way too Plato thinks of it as analogous to *technai* like medicine, physical training or carpentry.¹²

The anti-democratic element in this presentation comes in the off-handed assumption that the *hoi polloi* lack such knowledge. Socrates is quite emphatic on this point, going so far as to say that they have *no knowledge* of such things. The *hoi polloi* are, with respect to knowledge about justice, in the position of the majority who are ignorant of physical training. The analogy is clear, and we should not mince words: the *hoi polloi* are laypeople, ignoramuses, when it comes to matters of justice. Now if democracy is the form of government where the *hoi polloi* rule, then it is a form of government where authority is in the hands of people who are ignorant about justice. And it’s not hard to see how that will go, as the context of the *Crito* suggests. Given his situation one can hardly begrudge Socrates this opinion! And were this opinion to receive no further development elsewhere, we would be justified in letting it go as a bit of hyperbole attached to some otherwise sound points about what sorts of opinions one ought to take account

¹² The capacity is itself a kind of knowledge, and in virtue of this, the exercise of the capacity is also knowledge. A carpenter knows about working wood in general. And exercising this general knowledge, he knows here and now what a good way is to join these two pieces. Similarly, the *sophos* knows about justice in general, and through the exercise of the general capacity, knows here and now that it would be unjust to flee Athens.

of when deliberating about matters of justice, in the context of a generally cognitivist and virtue oriented position in ethics.

2.3 THE ART OF RULING

But these thoughts do receive further development in the *Republic*. Let us start with Book I. The topic of the dialogue is once again justice. The argument takes off in earnest with Socrates' criticism of Polemarchus, who has been defending a rather crude account of justice as helping one's friends and harming one's enemies. But just as Socrates and Polemarchus are reaching an agreement that justice does not require us to harm anyone, this conversation is derailed with the explosive entrance of Thrasymachus, who puts forward an account of justice as "the advantage of the stronger". When he's pressed by Socrates to explain, this is what he says.

Don't you know that some cities are ruled by a tyranny, some by a democracy, and some by an aristocracy?—Of course.—And in each city this element is stronger, namely, the ruler?—Certainly.—And each makes laws to its own advantage. Democracy makes democratic laws, tyranny makes tyrannical laws, and so on with the others. And they declare what they have made—what is to their own advantage—to be just for their subjects, and they punish anyone who goes against this as lawless and unjust. This, then, is what I say justice is, the same in all cities, the advantage of the established rule. (338d-339a)

According to Thrasymachus the rulers of a political community make laws to their own advantage, and these laws determine what is just. He has, therefore, a cynical and relativistic conception of justice. We need not concern ourselves with the details here, for our interest lies ultimately with the views of Socrates rather than Thrasymachus. When Socrates points out that

rulers are sometimes in error about what is to their advantage, and that in these cases the advantage of the rulers comes apart from the laws they establish, Thrasymachus turns the conversation to a discussion of the craft of ruling.

Thrasymachus thinks of the craft of ruling as a capacity to deliberate correctly about political matters, which is exercised in the first instance by rulers in their government of their political community. Thrasymachus likens it explicitly to other crafts like medicine and shepherding. It is in this context that he introduces his famous “craftsman in the strict sense” (340d-341a). He argues that the craft of medicine, if we are to speak in the strictest way, is the capacity to deliberate well about medicine. It is therefore responsible for *good* medical deliberation rather than *bad* medical deliberation. To the extent that one errs in medical deliberation, this error is to be attributed, if we are speak strictly, not to the medical art, but rather to *lack* of the medical art. We could put the point this way. Speaking strictly, the medical art is *ability* rather than *inability*; *capacity* rather than *incapacity*; *knowledge* about medical matters rather than *ignorance*; and so on. And Thrasymachus introduces a similarly strict understanding of the subject possessing the craft. A doctor in the strict sense is a possessor of the medical craft in the strict sense. So to the extent that one deliberates badly in medical matters, to that extent one lacks the medical craft, and so is not a doctor in the strict sense.

Thrasymachus applies this same distinction to the craft of ruling. The ruler in the strict sense is a possessor of the political art in the strict sense (341a). As a result he deliberates well about the government of his community. To the extent that he errs, he lacks the political art, and is not a ruler in the strict sense. His initial account of justice was meant to apply to the ruler in the strict sense, and so is safe from Socrates’ objection employing the idea of error. It applies, as

it were, to the paradigm case of a true ruler exercising his political art in sound deliberation about what laws to enact to his own advantage.

Socrates approves of the introduction of the craft of ruling into the conversation, and he especially likes the idea of the craftsman in the strict sense, which he promptly turns against Thrasymachus. The crux of his disagreement with Thrasymachus is whether the ruler in the strict sense aims to benefit himself, or rather the subjects over whom his authority is exercised. Socrates maintains the appealing position that when a political ruler aims to benefit himself rather than the community over which he exercises authority he is abusing his authority and position, in something like the way that a doctor who makes medical decisions in order to reap profits rather than treat his patients successfully abuses his medical authority (341c-342e). To the extent that someone does this, Socrates argues, his decisions are not the product of the craft of ruling but rather the abuse and perversion of it, and he is not acting as a ruler in the strict sense.

For the connection of this line of thought with the argument from the *Crito*, we need only turn to later passages, where Socrates puts forward his positive political doctrines. Having described in outline the ideal political community in Book II-III, he makes the following observation in Book IV about the wisdom that would be found in such a community.

I think that the city we described is really wise. And that's because it has good judgment, isn't it?—Yes.—Now, this very thing, good judgment, is clearly some kind of knowledge for it's through knowledge, not ignorance, that people judge well.—Clearly.—But there are many kinds of knowledge in the city.—Of course.—Is it because of the knowledge possessed by its carpenters, then, that the city is to be called wise and sound in judgment?—Not at all. It's called skilled in carpentry because of that... Then, is there some knowledge possessed by some of the citizens in the city we just founded 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?—There is indeed.—What is this knowledge, and who has it?—It is guardianship, and it is possessed by those rulers we just now called complete guardians.

The ideal political community Socrates describes is wise, because it has good judgment. This good judgment itself rests on knowledge possessed by its citizens, “for it’s through knowledge, not ignorance, that people judge well”. The relevant knowledge is of the city “as a whole” and about the establishment of good relations both in it and with other cities. The citizens who possess this knowledge are the rulers of the community, the complete guardians that Socrates has described in Books III and IV. Presumably, the knowledge they possess—here called “guardianship”—is the craft of ruling from Book I.

So as in the *Crito*, in the *Republic* we have sound opinions in deliberation, amounting to a kind of wisdom, and resting on a practical knowledge that is in certain ways comparable to other *technai*. Indeed, the difference is even smaller, for the most important relationship between the citizens that the political art seeks to maintain is precisely—justice (433de). So the wisdom in question in the *Republic*, like that in the *Crito*, is concerned with justice, but now between citizens and in the political community as a whole, rather than in one’s personal conduct. So once again, the picture is one of an objective justice, in this case political, that our judgment can be either in or out of touch with. And once again, Plato thinks of this difference in the cognitive terms of knowledge and ignorance. In the case of the craft of ruling, however, the knowledge is paradigmatically exercised not in deliberation about one’s personal conduct, but rather in participation in the government of the affairs of one’s community. What this knowledge equips its possessor to do well is rule.

Now, this concept of the craft of ruling serves as the lynchpin of Plato’s argument against democracy. But to see the antidemocratic uses to which Plato puts the concept in the end, we must turn to Book II and follow along Socrates’ argument for a little ways.

2.4 PRACTICAL KNOWLEDGE AND THE DIVISION OF LABOR

According to Socrates, the political community (*polis*) exists because none of us is self-sufficient. We all need many things, and we call on one person for help with one thing, and on another for help with another. In this way, Socrates thinks of citizens as partners engaged in a cooperative enterprise that aims at meeting their collective needs through a division of labor (369bc).¹³

When Socrates describes our lack of self-sufficiency and neediness as justifying the division of labor, what he has in mind is the need for the *products* produced by the various *technai*. The standard of this need is the human good, i.e. our happiness (*eudaimonia*). What one needs from the perspective of leading a good life, on the most basic level, are various things like *shoes, food, a house*—goods that are the products of labor, but which one is unable to produce, or to produce easily, or at a high level of quality, on one’s own. This lack of self-sufficiency is met through a division of productive activities (369d-370c). The fact that someone else does the cobbling is a fine solution to my need for shoes, as the fact that in return for shoes I bake bread is a fine solution to the problem posed by the hunger of the cobbler. This division of activities answers to our lack of self-sufficiency by providing us with the “partners and helpers” that we need.

Now, according to Plato, the division of labor is at the same time a division of practical knowledge. For, Plato thinks of the productive activities as the exercise of various *technai*

¹³ This starting point is similar to that of John Rawls: the idea of society as a fair system of cooperation distributing the benefits and the burdens of social cooperation. In the description of Socrates’ account of the *polis* I draw here and in what follows on a paper I jointly authored with Anton Ford, “The Parts and Wholes of Plato’s Republic”, which contains a much fuller treatment of these topics. It perhaps bears remarking that although I am critical of Plato’s attack on democracy, there is a great deal in the argument of the *Republic* that I believe is sound.

(428be). There is, for example, the activity of working wood, essential for the production of the furniture and shelter we need, which in turn presupposes the knowledge of carpentry possessed by the carpenter, or the activity of producing shoes, which is the fruit of the knowledge of cobbling. The division of these activities therefore presupposes an underlying division of technical knowledge.

Since this idea of the division of labor and the corresponding division of underlying practical knowledge is so crucial for Plato's argument, let us pause to make some basic observations. People must do a great many things for life in a political community to proceed, and these activities are always underwritten by capacities of various kinds. But it would not do to divide *all* activities and *all* underlying capacities. It is worth reflecting on what fits an activity and capacity for such division. For example, much speaking, walking, seeing, and eating are necessary for life to proceed, and underlying each of these activities is a corresponding capacity, in some cases rising to the level of practical knowledge. But it would not do to divide these activities or the underlying capacities between people. The reasons are simple. The first is the obvious point that nothing is to be gained by such a division—it would not address any genuine need. But even if it in some way did, these still would not be good candidates for such division. For to prevent people from performing these activities, or to deprive them of the requisite capacities underlying them, would be to harm them. To lack these things is to be in a deficient state, not just in the way that any lack is a form of deficiency, but *as a human being*. These activities are an element of the human good, and so to deprive people of them is to detract from their happiness.

To take a particularly gruesome example, justice does not permit us to divide the activity of walking between men and women by binding the feet of women when they are young. For, if

we do this, we deprive women both of the ability and the activity of walking which are essential to the human good. This sort of division, therefore, cuts across the elements of happiness in an objectionable way. Since the division of labor Plato makes the basis of his political philosophy has its rationale as an answer to genuine human need, and so as serving the happiness of the members of society by providing them with the partners and helpers, the division of such things has no place in it. We may call capacities for which this point holds “essential capacities”.

What makes the division of labor different from this is that the productive activities, and the practical knowledge underlying them, are non-essential from the point of view of the human good. They are non-essential in the sense that if I describe someone as not engaging in the activity of cobbling I do not thereby describe that person as in a state of deficiency qua human being. If I wanted to know about someone’s happiness, this information would be neither here nor there. (“Fine, he doesn’t make shoes,” I might ask, “but what about it?”) The same obviously holds of the *knowledge* of cobbling. If I say that someone lacks this capacity, although I do describe the individual as deficient in some respect (i.e. in respect of cobbling), I do not describe him as in a state of deficiency as a human being. If the fact that he doesn’t know cobbling is a tragedy for him, that will depend on further information, about for example, his aspirations and the life prospects open to him in his society. Since *technai* are capacities of this non-essential sort, the division of labor does no harm—and potentially a great deal of good—by dividing them up. If there is harm in the division of labor, it lies elsewhere, in the injustice of the particular division in question, or in the specifics of one’s idiosyncratic situation.

Now, since technical knowledge is amenable to this sort of division, with *technai* we get a quite straightforward distinction between cognitive insiders and outsiders, of the kind that Plato appeals to when discussing the physical trainer in the *Crito*. At one extreme we have the experts,

who have learned and mastered the skills in question. At the other end we have those who are altogether ignorant of the profession in question. Of these people it makes no sense to say that they are good or bad practitioners, because one is called a craftsman of the relevant sort by virtue of possession of the craft, and they do not possess the skill at all. For example, it would not be correct to say of me that I am a renal oncologist, only a very, very bad one; no; like the rest of the *hoi polloi* I am not a renal oncologist at all. In between these extremes of ignorance and mastery we have a scale that stretches from a weak grip on the skill, that possessed, for example, by an educated amateur—perhaps a person with renal cancer herself who has had to learn a great deal about it in the course of her treatment—or an intern fresh from medical school, past competence, all the way up to the higher reaches of skill and experience terminating with the ranks of the veritable wizards of renal oncology. So here it is legitimate to divide the cognoscenti from the ignorant *hoi polloi*, as Plato is so fond of doing. And this point holds as much for carpentry, plumbing, farming, or any of the other *technai*.

We could contrast this structure with the one that we find in the case of certain essential capacities that rise to the level of practical knowledge. Start with an extremely primitive case, e.g. walking. Here the division between experts and laypeople seems out of place. In the ordinary course of human development, one learns how to walk, and so it is something which everyone knows how to do. There are no ignoramuses of walking; if someone cannot do it we do not think of the individual as a layperson, but rather as suffering from a disability. This is not to say that there aren't differences among those who know how to walk: for some people can walk a great distance, or very quickly, or quietly, and so it is possible to be better and worse at walking. So there are differences, but nonetheless they do not fit naturally into the rubric of layperson and expert.

A less primitive case of an essential practical capacity would be acquisition of one's first language. For, in the ordinary course of human development, one learns how to speak one's native tongue. Once again, it seems artificial to divide native speakers of a language into experts and laypersons. Native speakers are, one and all, *cognitive insiders* when it comes to their own language, and are all to be contrasted with the real cognitive outsiders: people who do not know the language, or are on their way to learning it as a second language. As with walking, if someone does not know his native language, i.e. does not possess a first language, we do not call him a layperson in this respect. Again the case is more naturally put under the rubric of extreme disability, and the horrific failure of development. This is, of course, not to say that there are not differences of skill and mastery among native speakers, which there obviously are, but once again these differences are not, I think, properly brought under the same rubric that so neatly fits non-essential practical capacities. They are not the differences between an expert and a layperson.

Having made these observations let us return to Socrates' argument. Now, Socrates has a quite determinate idea about how the division of labor should go. He argues that each person should specialize in one trade (*techne*) and work at it, and it alone, for the course of his life. Socrates' argument in favor of this distributive principle rests on three factors. The first is the uneven and particular distribution of natural talents. Some people are better at some things, others at others.¹⁴ The principle of specialization harnesses this fact by allowing individuals to focus their energies where their talents are located. It also frees them from having to deal with other things that they may be less good at. The second is the role that experience and practice

¹⁴ "We aren't all born alike, but each of us differs somewhat in nature from the others, one being suited to one task, another to another" (370a).

plays in the mastery of a craft.¹⁵ A trade is something that one learns by practice. In general, it takes time to acquire mastery of a craft, and with experience—if one possesses the requisite talents—one becomes more proficient in it. The principle of specialization allows people to acquire the requisite training and to bolster it with a great deal of experience. Finally, one practices a trade best if one is not distracted by having to do two or three other jobs at the same time (370b).¹⁶

Now, Plato's principle of specialization goes, I think, a bit overboard. The limitation to one trade over the course of one's entire life seems more than is required by the considerations he brings to support it. It also invites worries about basic principles of justice governing, for example, the free choice of occupation in the modern context of a labor market. But the points he makes are familiar and not entirely without merit. For example, it is clear that the mastery of certain crafts requires remarkable and rare talents in their practitioners. In order to be a marksman, a stand-up comic, or a brain surgeon, I must have a certain threshold of natural talent that not everyone can be counted upon having. In the case of brain surgery, for example, the level is quite high, and probably only a small number of people have the requisite capacities. Given this fact, it makes sense for the division of labor to be organized in such a way that only those with the requisite talents have an opportunity to learn and practice the trades in question.

¹⁵ “[N]o one can become so much as a good player of checkers or dice if he considers it only as a sideline, and doesn't practice it from childhood. Nor can someone pick up a shield or any other weapon or tool of war and immediately perform adequately in an infantry battle or any other kind. No other tool makes anyone who picks it up a craftsman or champion unless he has acquired the requisite knowledge and has had sufficient practice” (374cd).

¹⁶ Plato focuses here on the *kairos*, the right moment, arguing that the right moment in a craft does not wait on the leisure of the craftsman. It is hard to know exactly what he has in mind, and the emphasis on timing is odd. Perhaps he is thinking of farming with the different seasons for the sowing and reaping of crops?

For example, in our society in order to practice medicine one must first graduate from medical school, and to practice law one must first pass the bar. And even in those trades that are not regulated, our labor market along with private ownership of the means of production ensures that, in general, those lacking the requisite talents to practice some career will tend to have trouble finding work in that field, and will tend to be fired if they do. So the division of labor in our society is sensitive to the distribution of natural talents, and if it doesn't quite meet Plato's principle of specialization, it does go some way towards it. And this makes good sense; brain surgery just isn't for everyone. In fact, given the great importance and peril involved in brain surgery, it would be quite alarming if the arrangement were different. So, although he may go a bit far, in making these initial remarks about specialization Plato is not out of line. The sorts of considerations he brings to bear do seem like sensible considerations pertaining to the division of labor.

2.5 THE CASE AGAINST DEMOCRACY

Now part of Plato's political agenda is to apply the principle of specialization, and so the concept of the division of labor as well, to functions that went along in Athens with basic citizenship, and ultimately to the craft of ruling. In effect, Plato tries to use the principle of specialization to successively strip the citizens of the *Kallipolis* of various functions that were part of the hard won inheritance of Athenian citizenship. He then assigns these functions to newly created classes of specialists. The first such maneuver comes with military matters. When the necessity for war is adduced, Socrates infers that they will have to introduce a whole army of military specialists (the "guardians") into the city (369d). "Why aren't the citizens themselves adequate for the

purposes?” Glaucon asks innocently, referring to common Athenian practice (370a). In reply, Socrates adverts to his principle of specialization, limiting a citizen to one trade. He goes on to argue that the principle of specialization ought to apply to military matters all the more strongly than other crafts, in as much as military matters are more important. Soldiers should be given freedom from practicing other occupations, so that they can acquire the experience necessary to do their job well, and practice without distraction. Furthermore, given its importance, only people with a very high level of the requisite abilities should be allowed to serve in this capacity (370de). Books II and III are then concerned with the question what kind of nature is suited to this way of life, and what sort of education such individuals should receive. This problem is especially pressing given the professional character of the army that Socrates has introduced, for the danger is great that instead of the guard dogs they ought to be, the guardians will turn on the citizens like wolves.

As alarming as this line of argument might have been to an ordinary Athenian citizen—a member of the *hoi polloi* and a citizen-soldier—it really pales in comparison to what comes next. After all, it was not long ago in this country that we made the transition to a professional army without any catastrophic loss of citizen power. At any rate, in the United States there seems little danger now that the guard dogs will turn on their flock like the wolves they’re supposed to protect us from. So the proposals Socrates is making here are perhaps not in themselves anti-democratic, and there clearly are benefits to have a professional army, of the sort that Socrates describes. But there can be little debate about what comes next. For, as soon as Socrates has finished discussing the education and upbringing of the guardians, he asks casually, “All right, then what’s the next thing we have to determine? Isn’t it which of these same people will rule

and which be ruled?” “Of course,” Glaucon responds, as though it were the most natural question in the world (412bc). Socrates continues,

Now, isn't it obvious that the rulers must be older and the ruled younger?—Yes, it is.—And mustn't the rulers also be the best of them?—That, too.—And aren't the best farmers the ones who are best at farming?—Yes.—Then, as the rulers must be the best of the guardians, mustn't they be the ones who are best at guarding the city?—Yes.—Then, in the first place, mustn't they be knowledgeable and capable, and mustn't they care for the city? (412c)

As is clear from the sequel, Socrates is not just discussing who is to rule and be ruled in the military context, for example, who is to be a general rather than a private. He is asking about the government of the *polis* as a whole, and so the rule in question is over the citizen body in its entirety, both guardian and producer alike. In this passage he assumes without argument—what is really pretty stunning—that the rulers of the political community are to be drawn from the class of military specialists. It would be worthwhile to discuss what further assumptions are leading Socrates to treat this claim as unremarkable here. But since it is not relevant for the purposes of getting the anti-democratic argument on the table, I will pass this topic by.

What is relevant is not from what group the rulers are drawn, but rather the idea that there should be a specialized class of rulers at all. The sorts of consideration that Socrates brings in favor of separating the function of ruling the political community from ordinary citizenship are of the same as the considerations he brought in favor of having professional carpenters, say, and also a professional army. They are broadly speaking the considerations underlying the idea of the division of labor, as they apply to a particularly important case.

Ruling a political community is the most difficult and important of any of the crafts. Just as it wouldn't make sense to have someone practice carpentry who does not possess the requisite

knowledge of carpentry, it does not make sense to have people in charge of the political community who do not know the craft of guardianship. But, as Socrates points out, the stakes with cobbling are pretty low: the result of having a citizen who does not know cobbling make the shoes is only *some bad shoes*. By contrast, the result of having people rule who do not know the political art is *the ruin of the city*, and more specifically, a great deal of injustice and all around pretty terrible decisions about matters that touch on the safety and wellbeing of the political community (434ac). So it seems like the reasons in favoring of restricting this work to able practitioners are like the reasons for doing the same with brain surgery, but only on a much greater scale.

Indeed, the craft of ruling is comparable to brain surgery in another way as well, according to Plato. The natural talents requisite for acquiring and mastering the craft of ruling are extremely high (485a-d). For rulers must understand justice and the other political virtues, and be equipped to put this knowledge to use in sound political deliberation about domestic and foreign policy. They must be capable of preserving good relations between citizens, and see to the happiness of the *polis*. They must also be able to preserve good relations with other Greek cities, but also be prepared to engage in effective warfare should it be necessary. Finally, they must be incorruptible: they must aim unfailingly at the public good, rather than private wealth or power (412d-414a). The set of natural talents necessary to master and practice this art successfully include prodigious mental, social and military abilities, as well as sterling moral qualities, and an undying commitment to ones *polis*. As a result, the majority of citizens, who after all do not possess these remarkable abilities, are incapable of mastering or successfully exercising the art of guardianship. “Indeed,” asks Socrates, “of all those who are called by a certain name because they have some kind of knowledge, aren’t the guardians the least numerous?” To which Glaucon

replies unhesitatingly, “By far” (428d-e). The case for having a specialized class of rulers is further bolstered by the points about experience and focus. For mastering the art of ruling requires a great deal of education and experience, things that one will not be able to acquire unless one is exempted from having to practice other crafts. Finally, having mastered the political art, those exercising it should be freed to focus exclusively on it; ruling is, as we say, *a full time job*.

The upshot of this argument is that rule over the political community should be put in the hands of a class of specialists, the “complete guardians” as Socrates calls them (414b). These will be individuals who display the requisite natural talents, receive the long and arduous required course of education and experience, and are freed from other tasks to run the political community full time on the basis of their knowledge.

At this point the process is complete by which Plato has stripped the citizen of all the elements of his power. Having laid down his weapons, he no longer exercises a military function. And now having set aside his judicial and legislative functions as well, he does not serve as a juror, or as a member of the council or the assembly, setting foreign and domestic policy, or in the *nomothetai* to enact laws. What is left to him is, as Plato says in his colloquial gloss on his own account of justice, “to mind his own business and not meddle” (433a).

Having seen Plato’s argument for rule by those who know the art of ruling, we are in a position to consider his diagnosis of the evils of democracy. This diagnosis once again brings to bear the sorts of categories that pertain to the division of labor; this time what is especially relevant is the cognitive distinction between laypeople and experts. For the basic allegation is the one we should be familiar with from the *Crito*: democracy is rule of the political community by ignoramuses rather than experts. This allegation receives its most striking expression in Plato’s

strange and disturbing simile of the ship of state (488ae). David Keyt has argued persuasively that we should think of the ship of state as standing in the Platonic corpus to Plato's political philosophy in something like the position the cave stands to his metaphysics and epistemology.¹⁷ Keyt points out that in each of these images the alienated and strange serves as a symbol for the ordinary world, and the ordinary serves as a symbol for something higher. With the cave the strange world of the prisoners mirrors the epistemological situation of ordinary people, beholden to shadows cast by cultural artifacts, whereas the ordinary world outside the cave stands for the reality of the forms and the man viewing it for the epistemological situation of the true philosopher. Similarly, the strangely disordered ship Socrates describes is meant to symbolize the political life of Athens and other democratic *poleis*. The implied contrastingly orderly ship, run on familiar and sane principles, then symbolizes the higher ideal of Plato's *kallipolis*.

The passage begins this way. Socrates says, "What the most decent people experience in relation to their city is so hard to bear that there's no other single experience like it." He continues, "Hence to find an image of it and a defense for them, I must construct it from many sources, just as painters paint goat-stags by combining the features of different things." The composite image he provides is this.

Imagine, then, that something like the following happens on a ship or on many ships. The shipowner is bigger and stronger than everyone else on board, but he's hard of hearing, a bit short-sighted, and his knowledge of seafaring is equally deficient. The sailors are quarreling with one another about steering the ship, each of them thinking that he should be the captain, even though he's never learned the art of navigation, cannot point to anyone who taught it to him, or to a time when he learned it. Indeed, they claim that it isn't teachable and are ready to cut to pieces anyone who says that it is. They're always crowding around the shipowner, begging him and doing everything possible to get him to turn the rudder over to

¹⁷ Keyt citation

them. And sometimes, if they don't succeed in persuading him, they execute the ones who do succeed or throw them overboard, and then, having stupefied their noble shipowner with drugs, wine, or in some other way, they rule the ship, using up what's in it and sailing in the way that people like that are prone to do. Moreover, they call the person is clever at persuading or forcing the shipowner to let them rule a "navigator," a "captain," and "one who knows ships," and dismiss anyone else as useless. They don't understand that a true captain must pay attention to the seasons of the year, the sky, the stars, the winds, and all that pertains to his craft, if he's really to be the ruler of a ship. And they don't believe there is any craft that would enable him to determine how he should steer the ship, whether the others want him to or not, or any possibility of mastering this alleged craft or of practicing it at the same time as the craft of navigation. Don't you think that the true captain will be called a real stargazer, a babbler, and a good-for-nothing by those who sail in ships governed in that way, in which such things happen? (488a-e)

The powerful shipowner represents the *hoi polloi*, the masses who hold the power in democratic Athens. Their limited natural talents are represented by the partial deafness and blindness of the owner, and their ignorance of the political art is symbolized by the owner's deficient knowledge of seafaring. The sailors, locked in constant struggle (*stazein*—faction) to convince the owner to let them get their hands on the steering oars and play the captain, symbolize the *rhetores*—the public speakers constantly vying for the approval of the *demos*, which after all is the only lever of power there is in a direct democracy like Athens.¹⁸

But if in the image the shipowner does not know seafaring, nor do the sailors. Instead of studying "the seasons of the year, the sky, the stars, the winds" and all the other things that pertain to the art of seafaring, what they study day in and day out is how to persuade the owner

¹⁸ As Josiah Ober rightfully stresses in *Masses and Elites*, rhetor was not an official position, and the *rhetores* were certainly not elected representatives. In Athenian democracy, representation was considered anti-democratic, because those elected would inevitably be from the class of elites, and rule by elites would threaten the power of the *demos*. Hence the procedures of selecting officials by lots, of reserving important decisions for direct vote by the assembly, and the various methods of bringing suits against even unofficial speakers, like the *rhetores*, who tended strongly to be elites, for bringing forward proposals that threatened the democracy.

to hand over the steering oars. Socrates describes the strange education that replaces the political art with rhetoric this way.

It's as if someone were learning the moods and appetites of a huge, strong beast that he's rearing—how to approach and handle it, when it is most difficult to deal with or most gentle and what makes it so, what sounds it utters in either condition, and what sounds soothe or anger it...In truth, he knows nothing about which of these convictions is fine or shameful, good or bad, just or unjust, but he applies all these names in accordance with how the beast reacts—calling what it enjoys good and what angers it bad. He has no other account to give of these terms. (493ac)

The *rhetores* do not study and have no account of justice other than what plays well with the people in meetings of the assembly or at trials. More generally, they do not have the practical knowledge of “the city as a whole, and how to maintain good relations both internally and with other cities” that constitutes the political art. Just as the sailors have never studied seafaring, they have, “never learned it, nor can they point to anyone who taught it to” them, or to any time when they learned it. And just as the sailors don't understand that a true captain must attend to the stars and the winds and ridicule anyone who does, the *rhetores* call someone who attends to the form of justice “a good for nothing, a real stargazer, and a babbler”.

In the topsy-turvy epistemological world represented by Socrates, the sailors call the ones among them who are able to persuade the shipowner “navigator”, “captain”, and “one who knows ships”. This corresponds to the fact that the *rhetores* call the ones who are able to persuade the *hoi polloi* to vote with them “statesmen”, and “politicians”, and “one who knows the politics”. Rather than blame them, Socrates indicates that we should take pity on the *rhetores* for the belief that they are genuine statesman, asking Glaucon, “do you think it's possible for someone who is ignorant of measurement not to believe it himself when many others who are similarly ignorant tell him that he is six feet tall?” How are they to know that they are not true

statesmen, when being ignorant of statesmanship themselves, they are lovingly celebrated as statesmen by the equally ignorant masses?

What is the result we can expect from such a form of government? The first is the endless faction and struggle between the *rhetores* for the approval of the masses. But when things have gone badly in the struggle, the simile suggests, there is always the remedy of judicial murder or exile (ostracism) to be used against ones more successful opponents. Another feature suggested by the simile is the stupefying of the masses, corresponding to the drugging, or intoxication of the shipowner. Plato may have had in mind here democratic reforms, like pay for jurors and assemblymen, and redistributive taxation that could ensure the popularity of a politician, who—insulated from challenge—would then be free to use up the cargo of the ship of state for his own purposes. But beyond this sort of struggle and plunder, what we can expect is a ship of state without a true captain, someone who knows how to produce justice and the other political virtues in the community, and so arrive safely at the port that would correspond to the happiness of the *polis*.

2.6 CONCLUSION

Having seen Plato's defense of rule by specialists, and his criticism of democracy as an epistemic farce, we may ask in what ways this argument might be resisted and the value of democracy defended. There are, no doubt, many lines that someone might take, and in Chapter Three I will consider the arguments by David Estlund against the Platonic position, which he calls "epistocracy". His defense is, I will argue, ultimately unsatisfying, for reasons that are

illuminating. But before we delve into extant views, we may note that given the arguments of this chapter, there are two obvious lines of response to Plato.

Since Plato's entire argument is premised on a conception of the political art as a form of knowledge, one way to resist it would be to reject the notion of objective cognition on which it rests. For example, one might maintain that there is no truth of the matter concerning political values, like justice. In the same spirit, one might also reject the notion of a true end at which the political community aims. Doing this would block the argument for rule by experts by depriving them of their field of expertise. There would, as it were, be no objective matter for them to be expert in. David Estlund has argued that such an approach throws the baby out with the bathwater, and in Chapter Two I gladly recapitulate his arguments.

But this is not the only obvious fault line in Plato's defense of epistocracy. For, Plato's argument also hinges crucially on the concept of the division of labor and the application of this concept to the case of political authority. Another less drastic line might grant the existence of a capacity to rule that has as a central component the cognitive apprehension of justice and the other political values, but resist Plato's attempt to shoehorn it into the division of labor. For, we saw that what makes the division of labor unproblematic is precisely that the activities and capacities divided are non-essential. This suggests the possibility of undermining Plato's argument by defending the claim that the political art is an essential capacity, its exercise a constituent of the human good like speaking a language, or walking. Of course, how one might defend this claim, and what such a defense would commit one to, are difficult questions that remain to be addressed.

But even if this claim can be made intelligible and defended, it will not take us all the way to democracy. For unless one can explain how the successful exercise of this capacity does

not depend on the possession of extraordinary talents, or on full time focus on political matters, one will not be in a position to understand how ordinary people, lacking these talents and unlimited time, might govern themselves with a modicum of success. We would then be left with a Hobson's Choice: either deny people the opportunity to exercise an essential capacity, or accept government by the incompetent.

After finding Estlund's approach wanting in Chapter Three, in Chapter Four I turn to address these difficult questions. Of course, philosophical arguments can only take us so far. But I will attempt to show, with the help of Aristotle, both that *politike* is an essential capacity, and that its successful exercise, at least in principle, need not rest on unusual talents or full time occupation. The defense will ultimately be no more or less tenuous than our basic moral commitments. But the idea that we could find a firmer basis than this is perhaps a longing for a non-existent stick with which we could beat those who fundamentally disagree with us into accepting our conclusions. That our defense of democracy can go no deeper than our deep, but still substantive and ultimately contestable, moral commitments is neither surprising, nor, I will argue, should it be disconcerting.

3.0 TWO VARIETIES OF DEMOCRATIC THEORY

3.1 INTRODUCTION

In this chapter I consider the recent attempt by David Estlund to pick up the Platonic gauntlet, and come to the defense of democracy. I dwell on Estlund's work for two reasons. The first is his lively sense of the Platonic challenge. The second is for methodological reasons. For Estlund's argument serves as an example of an instrumental defense of democracy. This can, I think, be fruitfully contrasted with the different approach that I favor, on which democracy is defended as a norm that is implicit in the nature of the political community. My hope is that meditation on what is unsatisfying about his approach will motivate the different sort of theory that I attempt to sketch, with the help of Aristotle, in Chapter Four.

3.2 THREE TENETS UNDERLYING THE PLATONIC CHALLENGE

Estlund's vivid appreciation of the considerations motivating the Platonic challenge is displayed in passages like this:

The idea of democracy is not naturally plausible. The stakes of political decisions are high, and the ancient analogy is apt: in life-and-death medical decisions, what could be stupider than holding a vote? Most people do not know enough to make

a wise medical decision, but a few people do, and it seems clear that the decisions should be made by those who know best. (Estlund, 3)

Estlund calls the Platonic position, motivated by thoughts like these, “epistocracy”. Epistocracy is the view that political authority ought to be in the hands of those experts who know best how to make political decisions. Estlund sees the case for epistocracy as resting on these three tenets (Estlund, 30).

- (1) *The Truth Tenet*: There are true normative standards on the basis of which political decisions ought to be made.
- (2) *The Knowledge Tenet*: Some people know what these normative standards require better than others.
- (3) *The Authority Tenet*: If some know better what the normative political standards require, then political authority ought to be in their hands.

If we were to construct an argument for epistocracy from these tenets, then we would have to say that the truth of epistocracy follows from The Knowledge Tenet taken together with The Authority Tenet. For The Knowledge Tenet tells us that the condition obtains—the differential possession of knowledge—which The Authority Tenet tells us warrants the rule of the epistemically privileged.

The Truth Tenet serves not as a premise in this argument, but as a necessary precondition for The Knowledge Tenet. For if there is no field of normative truths governing political decisions, then—as we observed at the end of the last chapter—there is no subject matter for the supposed knowledge of The Knowledge Tenet. And if the relevant knowledge doesn’t exist, then clearly it cannot be differentially distributed either, as The Knowledge Tenet claims. Without

The Truth Tenet then, the argument in favor of epistocracy falls to the ground. The Knowledge Tenet turns out to rest on a false presupposition, and as a result, the condition mentioned in The Authority Tenet is not fulfilled.

These tenets represent three points at which Estlund thinks one might attempt to erect a defense of democracy. Estlund's own defense comes by rejecting The Authority Tenet, but he is aware that some will be tempted to try to defend democracy by getting off the train earlier: some as early as The Truth Tenet, and some a little later at the Knowledge Tenet. He thinks that to do so would be a mistake: to reject the Truth Tenet in the attempt to defend democracy would be to throw the baby out with the bathwater; and once the Truth Tenet is granted, rejecting the Knowledge Tenet is simply perverse. So if we're going to get off the train anywhere it will have to be at the last stop with the Authority Tenet.

Let us start with the Truth Tenet. Appeal to objective normative political standards lies at the heart of democratic politics. Estlund notes, rather tersely, that, "One standard motive in political activity is to promote collective decisions that one holds to be normatively good, or right, or otherwise in the public interest" (Estlund, 26). Certainly in a representative democracy like ours, candidates run on platforms that are articulated in terms of their support for various policies on the grounds of "normative standards" like justice, democracy, freedom, and equality. They appeal to voters precisely by applying these standards in definite ways to pressing political issues. To the extent that the voter agrees with the politician's platform, say on what taxation policy is just, or whether the equality of women demands equal pay for equal work, or whatever, she is invited to cast a vote in favor of the politician. It would seem then that one central issue in democratic politics is precisely debate about the correct application of normative standards to pressing political issues. What seems then to be at stake in democratic politics is the *truth* of

various claims about justice and equality, e.g. what tax policy is just, or what it would be to treat women equally.¹⁹

Estlund also makes the argument—again very tersely—in terms of what we might call “the heroic moments” of democracy. He invites us to fix our minds on moments in democratic history that stir our blood. The example he offers in passing is, “activists fighting for racially equitable laws protecting civil rights” (Estlund, 26) It certainly would be hard to find in recent American history a more actively self-organized body of citizens, pursuing by broadly democratic means a nobler goal, than the civil rights movement. But what moved civil rights activists? Surely it was the conviction that American society was falling short of the demands of justice and equality. After all, they were fighting racial injustice and inequality, as they saw it in American society. But if there’s no truth of the matter about what justice demands, and so no truth about whether or not society was living up to those standards, then it’s hard to see what was so great about the civil rights movement. What then would distinguish it from any other movement pushing hard for something or other—like the racist defenders of the status quo on the other side? The whole thing seems to turn precisely on the genuine righteousness of the cause.

¹⁹ If we wish to make the point in terms of actual democratic decision-making rather than the election of representatives, we may consider the practice of our representatives in the legislative branch. A large portion of their activity consists of making arguments on the basis of normative standards, both to one another and to the public, either for or against pieces of legislation. And if the fact that we are discussing representatives at all is distracting here, we may hearken back to ancient Athens, and to the public deliberation of the Assembly leading up to a vote. The Assembly was a directly democratic legislative body, which was attended by a large fraction of the entire citizen body. In the Assembly *isegoria* reigned—the right of any citizen to argue either for or against any piece of policy. We actually have a number of speeches given by *rhetores*. As we would expect, they are chockfull of appeals to shared political values, to justice, equality and freedom for example. These “normative standards” are clearly being brought by the speakers to bear in arguments for or against particular political decisions. You just can’t get away from it. Dispute about what normative standards truly demand (speak in favor of, etc.) is at the heart of democratic politics.

Estlund remarks, “There is a cost here worth keeping track of: a normative theory of politics should be able to recommend admiration for aspects of politics that are, on reflection, admirable” (Estlund, 26). If we defend democracy by rejecting The Truth Tenet it appears that we have defended it at the cost of making either unintelligible or unremarkable what is most admirable in it.

In considering all this, we don’t have to be naïve about the role that irrational factors like self-interest, power, emotion, and charisma play in democratic politics. We can go quite a way in the name of realism towards a jaded view. But if we go so far as to reject the objectivity of such normative standards at all, then the whole thing becomes a farce. For to reject truth about what such standards require is to make a mockery of the argument and appeal to reason that is a centerpiece of democratic politics, and to deprive us of the resources to appreciate what is genuinely admirable in it.²⁰ Such a “defense” would save democracy from the Platonic argument, only to gut it.

One might have other philosophical reasons for rejecting the Truth Tenet that lie beyond the purview of this dissertation. But to the extent that one is motivated by the desire to defend democracy, I think Estlund’s argument, as I have elaborated it, is decisive. If one still feels some temptation on this score, Estlund hopes to undermine it by showing that democracy can be defended while embracing the Truth Tenet. And while I do not find his defense ultimately

²⁰ As Estlund observes, a sophisticated non-cognitivism, which makes room for correct and incorrect moral judgments, and leaves some version of moral argument in place, will not be touched by this argument. But such a non-cognitivism does not reject the Truth Tenet in a way that would undermine the argument for epistocracy. For all we really need to get the argument going is the idea that some people are more prone to make correct judgments concerning justice and the other values. Whether we understand this correctness in terms of truth, or the tendency to correctness in terms of knowledge, does not materially affect the argument.

satisfying, I will follow him in trying to undermine the temptation to deny the tenet by providing a defense of democracy that peacefully coexists with it.

Now Estlund thinks that if we grant The Truth Tenet it would be a mistake to reject The Knowledge Tenet. Once we admit that there are normative truths it does seem natural to apply the categories of knowledge and ignorance to their cognition. And Estlund suggests that once we admit talk of knowledge and ignorance there can be no reason to refrain from essaying comparative judgments about the different levels of knowledge possessed by different subjects. He asks, rhetorically, “on what ground can it be denied that while there are (as we now grant for the sake of argument) normative political truths, no one knows them better than anyone else?” (Estlund, 32) As he points out, we need not go so far as to claim that some have an infallible and total knowledge; all we need for the Knowledge Tenet is some appreciable difference of degree. And at other points he suggests that we assure ourselves of this difference by focusing on *the really bad cases*, for although we may balk at saying that some are especially knowledgeable, “we all think some are much worse than others” (Estlund, 4).

Now, I should say that I have no complaint against the Knowledge Tenet on a modest reading. It seems harmless, and an obvious truth, to say that some people possess sounder political judgment than others. But I do think that Estlund gets himself into some trouble here owing to his insensitivity to questions about what sort of a capacity this knowledge constitutes; and this insensitivity colors his interpretation of the Knowledge Tenet in objectionable ways. This comes out in his tendency to assimilate the differential possession of normative political knowledge to the paradigm of expert and layperson. An example of this would be the quote about medicine given above, with which he begins his book, in which the knowledge differential is pictured as analogous to the difference between a doctor and a layperson. Given the cognitive

division of labor, we have in the medical case the structure of cognitive insiders and outsiders described in Chapter One, with experts on one end and laypeople on the other. These are the terms in which Estlund constantly describes the knowledge differential in the political case.²¹ He calls the politically wise people “experts” and likens the knowledge difference in question, again and again, to that between layperson and an expert in some technical and esoteric field like medicine or physics. But to suppose that this capacity admits of a cognitive division of labor of this sort is to grant a Platonic assumption about the kind of capacity in question, an assumption that *in no way follows from the fact of a difference in knowledge*. For, there are differences in knowledge not only between cognitive insiders and cognitive outsiders, but also among cognitive insiders as well.

I will return to this point in a moment, but first an observation. Estlund himself draws attention to a disparity between the moral/political and the technical cases that puts this assumption into question, although he doesn’t seem to realize its significance. Estlund observes that, although it is irresponsible not to defer to an expert in technical cases, this is not true in the moral/political case. He points out, correctly, that even if I have the strongest reason to trust someone’s moral judgment, I still cannot assent in her judgment if she describes something as right that seems wrong to me. But he is puzzled about what makes for this difference and seems to think of it as some special fact about moral judgment. Here is a passage in which he remarks on the difference.

²¹ A random sampling of examples: comparison to difference between doctor and layperson (3), between physicist and layperson (106), use of the term “expert” to describe the knowers from the knowledge tenet (30), or more generally (4), (7).

It would normally be epistemically irresponsible to dismiss the trained physicist's judgment about whether, say, there is such a thing as objective simultaneity, merely on the ground that things seem a certain way to us. It might seem to me that there is objective simultaneity, but I should normally take the physicist's word for it if she tells me that there is not... We are permitted to doubt the moralist even though it would be irresponsible to doubt the physicist in parallel circumstances. (Estlund, 105-106)

If a trained physicist tells me (a layperson) that there is no objective simultaneity, then it certainly is irresponsible for me to reject that claim on the basis of the fact that it seems to me that there is objective simultaneity. On the other hand, if someone whose moral judgment I believe is sounder than mine tells me that physician assisted suicide is permissible, then it is not irresponsible for me to reject that claim on the basis of the fact that, on reflection, it does not seem true to me.

But the whole air of mystery disappears if we take a difference in knowledge not between a specialist and a layperson, but between two specialists. For example, consider two historians of the French Revolution, with an appreciable difference in their knowledge, one being pretty clearly a better historian than the other. (Suppose that they both know and privately accept that the one is a better historian than the other.) Imagine that you ask them to come to a historical conclusion about a controversial question concerning, say, the causes of The Terror. In this case it would not be irresponsible for the lesser of the two historians to deny what the greater says, on the basis of the fact that, having examined what the evidence says, it seems to him that the conclusion of the greater historian is false. *I*, being an amateur historian of the French Revolution, would have reason to defer to either of the two of them, and greater reason to defer to the better of the two. But the lesser historian does not have this reason: in the division of cognitive insiders and outsiders, *he is on the inside*. And being on the inside, we expect him to make up his own mind and reach conclusions on the basis of the evaluation of the evidence.

That, after all, is what a historian does. A historian, although he may trust and rely on what other historians say, having examined the evidence, does not defer to other historians in his area of expertise.

But if the application of the idea of a division of labor when it comes to morality and politics is fundamentally misguided, as I will be arguing in Chapter 3, and if as a result the contrast between experts and laypersons falls to the ground here, then we are all to be thought of as cognitive insiders when it comes to the capacity for political judgment. In this case the knowledge differential will be more like the difference between experts than between expert and layperson. If this is true, then the facts about deference that Estlund finds puzzling are exactly what we would expect: it is not irresponsible for us to refuse to defer. Now what it would be to think of the political art in such a way that we—members of the *hoi polloi*—are cognitive insiders is a difficult question that I leave to the next chapter. But for the moment I will just note that Estlund’s uncritical assimilation of the nature of the capacity in question to a technical paradigm may blind him to certain possibilities for erecting a defense of democracy. He may be needlessly granting the crucial Platonic premise, and then casting about for a way, nonetheless, to preserve democracy.

3.3 ESTLUND’S REJECTION OF THE AUTHORITY TENET

So on to Estlund’s rejection of the Authority Tenet and his defense of democracy. His argument here is complicated. It proceeds against the background of a hypothetical consent theory of the justification of political authority, roughly on a Lockean model. The authority of a government is justified by the fact that without it there would be tremendous problems securing (pre-political)

justice, on the scale of a humanitarian crisis. Individuals would then have a strong moral duty to consent to the authority of a government that came into existence to address these problems. Given the fact that if there was no government people *would* have a moral duty to promise to obey a newly introduced government that was capable of doing a passable job of securing justice, they now *actually* have the duty to obey the authority of the existing government—provided it too is capable of doing a passable job securing justice (Estlund, 144-158). But the details and subtleties of this account of authority do not concern us.

For, Estlund's rejection of the Authority Tenet and his defense of democracy turns on a further condition that he claims a government must meet in order to be legitimate. This condition is, roughly speaking, Political Liberalism of a Rawlsian sort. This is the condition that falsifies the Authority Tenet, and singles out democracy, from among all the governments that would do a passable job, as the only legitimate one. In short, Estlund argues that the principles of democracy follow from Political Liberalism. But what does he understand by Political Liberalism?

Liberalism has long been identified with the protection of certain areas of life from the claims of collective authority. Central to the cluster of liberal protections has been a guarantee of freedom of speech, thought, and conscience. Citizens could not legitimately be compelled to acknowledge, for example, the tenets of any particular creed or religion. John Rawls and others have recently extended the liberal concern for freedom of conscience in a natural direction, with Rawls calling the view "political liberalism". Political liberalism asserts bold principles of philosophical toleration in the realm of political justification. (Estlund, 43)

The Rawlsian version of the story is something like this. Modern constitutional democracies are characterized by the fact that their citizens are divided by commitment to diverse and incompatible, but nonetheless reasonable, fundamental religious and moral views. They are partisans of different "comprehensive views" of the human condition, of man's relation to his

fellow man, to God, and to the natural world. Rawls calls this historical fact “the fact of reasonable pluralism”. In the face of this fact, the aim of political philosophy must be to find a public conception of justice, around the standard of which the different reasonable factions can rally. Such a public conception of justice cannot be drawn from one partisan view or another but rather must be drawn from the public democratic culture that is the shared inheritance of every citizen.²²

Now “the bold principles of philosophical toleration” of which Estlund speaks are prohibitions against the development of a partisan political philosophy. Given the fact of reasonable pluralism, political philosophy must apply the principle of toleration to itself. Our philosophical defense of a theory of justice must not rest on doctrines drawn from some but not other reasonable comprehensive views. To appeal to such a partisan doctrine would amount to a form of intolerance and exclusion of those who do not subscribe to the doctrine. As a result, truth must be, to a certain extent, bracketed for the purposes of political philosophy. The truth of a doctrine is not a sufficient basis for its inclusion in an account of our public conception of justice, for although true, it may be a partisan doctrine rejected by some reasonable views. Estlund puts the point this way.

Truth is held to be neither necessary nor sufficient for a doctrine’s admissibility. The moral idea behind this principle is that no person can legitimately be coerced

²² This brief summary shows that Rawls builds democracy in to his theory from the get-go. He begins from a particular form of society, “the modern constitutional democracy” that has democracy as a central element, and then draws on “the public democratic culture” to find a non-partisan theory of justice. It follows, I think, that Rawls would never attempt to derive democracy from liberalism, any more than he would attempt to derive liberalism from democracy. Some of his followers are not satisfied with this approach, but see one or another aspect as the really fundamental one. So Estlund fastens on liberalism as the fundamental feature and argues that democratic principles follow from it. By pleasing contrast, Joshua Cohen fastens on the democratic aspect as the fundamental feature, and tries to derive liberal principles from it.

to abide by legal rules and arrangements unless sufficient reasons can be given that do not violate that person's reasonable moral and philosophical convictions, true or false, right or wrong. (Estlund, 43)

The coercive nature of political authority raises exacting standards of justification. The exercise of such authority must be justifiable to any reasonable citizen, in terms that he could appreciate. Given the fact of reasonable pluralism, this justification will have to be available to citizens holding fundamental religious and moral convictions, different from and incompatible with those held by other possible qualified citizens. It does not matter whether the religious or moral convictions in question are true or false, provided they meet some basic qualifications.

Rawls' term for the necessary qualification is "reasonableness". But Estlund remains agnostic on what the relevant qualifications are. The point is just that there will be some subclass of possible qualified citizens holding conflicting religious or moral views, to whom the exercise of political authority must be justifiable in terms they could accept given their convictions. As Estlund frequently says, for political authority to be legitimate it "must not be open to qualified objection".

Now, one might think that this justificatory demand all by itself was enough to block the argument for epistocracy. For if truth is bracketed when controversial, it would seem to make the Truth Tenet and the Knowledge Tenet irrelevant. What does it matter that some know the true morality better than others, if that morality is part of a partisan comprehensive doctrine? For then it, and the greater knowledge of it possessed by some, must be set aside for the purposes of political justification. But this appearance of irrelevance is illusory. For, as Estlund points out, it is possible to reconstruct the argument for epistocracy, replacing truth with acceptability to all qualified citizens (Estlund, 34-35). The revised Truth Tenet will say now that there are some political norms, acceptable to all qualified citizens. The revised Knowledge Tenet will tell us that

some people know what these acceptable political norms require better than others. And the Authority Tenet will tell us that this knowledge justifies their political authority. So it seems that the argument for epistocracy can be reconstructed with Rawlsian materials. We just substitute Rawlsian liberalism for the true morality and turn the crank again to get a new epistocracy of the sages of Political Liberalism. These sages would know best what the principles of a properly liberal, public conception of justice require. Their rule would be justified, e.g. by the fact that they were best positioned to establish a basic structure of society that protects equal basic liberties for all, and realizes the Difference Principle.

So far it would seem that Political Liberalism is neither here nor there when it comes to democracy. But Estlund has an ace up his sleeve. For he notes that the new case for epistocracy, although cast in undeniably liberal terms, nevertheless proceeds from a truth that might be open to qualified objection as well: the truth about who exactly the liberal sages are whose expertise in liberal principles would equip them to rule.

A justification proceeding from the fact—or truth—that someone is an expert is not yet admissible according to the acceptability criterion. In addition, his status as an expert must be beyond qualified rejection...Here, then, is a way to block the new case for epistocracy without denying that there are generally acceptable standards of political decisions, and without denying that some could rule more wisely than others by those very standards: argue that any particular person or group who might be put forward as an expert would be subject to controversy, and qualified controversy in particular. No invidious comparisons among citizens with respect to their normative political wisdom can pass the appropriate general acceptability criterion...of political legitimacy. (Estlund, 35-36)

If the status of any liberal sage as a sage would be open to qualified objection, then that status would be inadmissible, owing precisely to the general acceptability criterion introduced by Political Liberalism. Although it might be true that someone was a liberal sage, that truth would

have to be bracketed in the name of liberalism itself. In this way liberalism would block an appeal to the status of what, in reality, are its own favored children.

So Estlund's basic picture is that the liberal sages are out there somewhere, but that identifying these hidden masters is bound to raise controversy of a sort that we must avoid if we're to have a political system that is justifiable to all qualified points of view. So we may grant the Truth Tenet and the Knowledge Tenet but still resist the Authority Tenet on the grounds of the difficulty and reasonable controversy surrounding identifying the relevant knowers.²³

But what does Estlund have to say in favor of democracy? His idea is that democracy can be defended as a sort of default position, provided that it can serve as a passable solution to the humanitarian problems that would confront agents in the absence of a government (Estlund, 36-38). The acceptability criterion central to liberalism has its rationale, on Estlund's view, owing to the very high standards required to justify the coercive power exercised by political authorities. Although democracy does involve the exercise of coercive power, it is unique in placing that power in the hands of the majority of citizens. Although this is still a case of some ruling

²³ Estlund seems to think it obvious that pretty much any way of singling out proposed sages will be open to qualified objection. His reasoning seems to be that any relatively sane argument objecting to a way of selecting rulers—even if that argument is ultimately flawed—passes the bar of qualification. Since it is likely that sane individuals will have perhaps flawed, but by no means ridiculous, reasons to object to any way of selecting candidates, every method of selection will fail the acceptability requirement. (Certainly this the way he himself argues against Mill's proposals. He shows that there is a sane, but perhaps misguided, form of argument available to Mill's opponents.) This shows that Estlund understands the constraints of Political Liberalism in a much more demanding and, I think, less plausible way than Rawls does. For Rawls the basic restriction is that the theory of justice must be constructed from elements drawn from the shared public democratic culture. The results of the theory may very well be controversial in the sense that many people will give sane, but flawed arguments against them (witness: every aspect of Rawls' theory has been questioned). But as long as the theory is not partisan, in the sense that it avoids drawing on any comprehensive doctrines, it meets the strictures of Political Liberalism. For Rawls the restriction of Liberalism is about the source of the, perhaps quite controversial, theory of justice. For Estlund it is about the theory avoiding all controversy that meets some very low bar.

others—the majority ruling the minority—membership in either group isn't fixed, but varies with each vote. Since the coercive power being exercised over one is not permanently placed in the hands of someone else, democracy has a lower bar to meet than other forms of government that do fix one permanently in the position of subject rather than ruler. The same thing that motivates the acceptability criterion also suggests, therefore, that democracy should be thought of as a kind of default, answering to a lower justificatory standard than other forms of government. After all, it's only when I lose out in a vote that I have coercive power exercised over me, and if I lose out today, I might very well win out next week.

3.4 INSTRUMENTAL AND NON-INSTRUMENTAL THEORIES

I would like to pause now to relate Estlund's view to a broader family of views, according to which a form of government is defended on what we might call an instrumental basis. Such views begin from a characterization of the nature of the political community: its purpose and function; certain fundamental principles under which it falls, etc. For our purposes, it does not matter where these views concerning the political community come from. Perhaps they are in turn justified in non-political terms, as Locke and Estlund defend accounts of the nature of the political community on the basis of morality, or Hobbes does in terms of self-interest, or perhaps they are taken as basic starting points, as Estlund takes Political Liberalism. What is crucial is just that these views concerning the nature of the political community do not yet fix a form of government. There is enough distance between the idea of a political community and the forms of government, so that we can frame the idea of a substantive defense of the one in terms of the other.

Usually the defense will have a quasi-empirical character to it. For the fundamental political ideas will have been fixed by some kind of philosophical or broadly a priori reflection, without yet having fixed one form of government as uniquely justified. So empirical material will have to be interposed to take us from these basic materials to a defense of one or another form of government. Perhaps it is a straightforwardly empirical matter: with some desiderata fixed by philosophical reflection, and the claim that, as experience has shown us, democracy or monarchy meets these desiderata better than other forms of government. Or perhaps although the defense is not so nakedly empirical, it proceeds on the basis of a contingent fact of some generality, not contained in the idea of the political community. The point is that on this approach a form of government receives a sort of instrumental justification. It is defended on the basis of some fundamental political values or purposes that, in light of some empirical facts, it can be seen to uniquely subserve or harmonize with.

Sometimes, as in Estlund's case, a view of this shape is motivated by a certain explanatory ambition. There's a frame of mind one can get into where it seems that any defense of democracy as a fundamental ideal is a sort of copout: it *presupposes*, or builds in at the ground level, what most needs to be justified. If we really want to defend democracy, say, we should start rather with some more basic materials and give a full-blooded, substantive argument in its favor. Anything less, we might think, would amount to a lot of philosophical hot air. (This is how Estlund views the arguments of contemporary deliberative democrats: by building democracy at the ground level they have failed to really rise to the challenge of defending democracy in a substantive way.) In this frame of mind, it is quite natural to view the fact that empirical evidence, or broad but clearly contingent facts, must be brought into the arguments as

a strength rather than a weakness. For the empirical aspect of the argument only makes the justification seem more substantial and full blooded.

But instrumental defenses of forms of government are not always motivated by explanatory ambitions. Sometimes they are motivated simply by the fact that the interests and insights of the author lie elsewhere. In this case the form of government seems relatively superficial compared with some other deep insight into the nature of the political community. This is, roughly, how Hobbes and Locke approach the different forms of government. Let us take Hobbes as our example. According to Hobbes, the fundamental insight is that sovereign power is necessary to save us from the war of all against all. It does this by bringing justice into existence through the establishment of a system of punishments. Given this account of the nature of the political community Hobbes argues for various theses, for example, that since sovereign power makes possible and brings into existence justice, it is not itself limited by considerations of justice; that sovereign power, in order to solve the war of all against all, is and must be recognized to be unitary, etc.²⁴

Having completed these elaborate and sophisticated arguments, Hobbes points out that sovereign power comes in three different varieties: monarchy, aristocracy and democracy, depending on what fraction of the subjects are members of the sovereign. From among these three, Hobbes offers a defense of monarchy and a critique of democracy. But the defense Hobbes mounts is not, say, that monarchy is genuine sovereign power—on the grounds of its unity and unlimited character, say—while democracy is not, and so that monarchy is a norm implicit in the

²⁴ Locke is in many ways the reverse of this. What he really cares about is precisely that sovereign power is limited by the pre-political justice that it seeks to secure. For this reason sovereign power must be divided, etc. The form of government is by comparison treated as a relatively superficial feature of a political community.

nature of the political community. No, each of the three is a legitimate form of sovereign authority, as he has discussed the concept. The elaborate theses he takes himself to have proven apply equally to all three. The defense Hobbes offers of monarchy as against democracy is instead *broadly pragmatic*. It takes off from the idea of sovereign power as unlimited by justice, and makes use of empirical facts, e.g. the fact that one person can only use up so many resources by himself, but if everyone is trying to enrich himself through the government they're likely to collectively break the bank. Or again, his reasons have to do with the temptations to treason. What reason could a king possibly have to be treasonable, already possessing as he does everything, being the source of all property rights? Whereas a democratic politician could very well sell his vote for a greater share of loot than he now has his hands on, being only one of many governors. In short, monarchy is justified as a form of government that raises the least pragmatic difficulties given the unlimited character of sovereign authority.

Now, let me contrast this approach with a non-instrumental alternative. It is possible to provide a defense of a form of government as an ideal that is implicit in the nature of the political community. This approach treats a form of government as a fundamental political value rather than one that is instrumentally justified. So, for example, as Locke argues on the basis of an account of the nature of the political community that it is subject to and limited by principles of pre-political justice, one might argue that democratic principles flow from the nature of the political community. This would be a defense of democracy as a fundamental political value. Its defense would then have the character of philosophical reflection on political fundamentals, rather than an instrumental defense on the basis of some more fundamental values and quasi-empirical evidence.

As an example we might take Rousseau's defense of democracy.²⁵ He begins with the attempt to find a form of association that reconciles natural freedom with political authority. He argues that the only form of legitimate sovereignty accomplishing this is rule according to the exercise of the general will (Rousseau, 29). But, he claims, every act (every exercise) of the general will is a law. And a law in turn possesses a double generality, subjective and objective, generality of the will and generality of the object of the will. Or, as he says in plainer language, a law "comes from all and applies to all". Political authority, therefore, flows from all those to whom it applies. It, as he puts it, "is not a convention between a superior and an inferior, but a convention of the body with each of its members." (Rousseau, 37) In short, sovereignty is democracy: rule of the political community as a whole, by the political community as a whole. As Rousseau depicts it, this self-reflexive character is essential to the nature of political authority. He does not, therefore, first isolate the character of the political community, and then in a second step offer an instrumental argument on the basis of extra and quasi-empirical facts to establish the superiority of democracy. Precisely not. As he puts it, "the words *subject* and *sovereign* are identical correlatives, whose meaning is combined in the single word *citizen*" (Rousseau, 72). To be a citizen, a member of a political community, is to be both subject and sovereign. No doubt this is difficult and contentious material. But it may serve us as an example of a view that treats democracy as a fundamental rather than derivative and instrumentally justified political value.

²⁵ In the *Social Contract* he uses the term "republic" in place of "democracy". He reserves the word "democracy" for one shape that what we would call "the executive branch" might take. But in earlier works, he's happy to use the term "democracy" to refer to the ideal he is in favor of, for example in the preface to the *Second Discourse*.

If we were to locate Estlund's defense of democracy in one or the other family, it would firmly belong to the first. For him the fundamental political materials are (1) the account of the political community as existing to secure pre-political justice and so prevent the humanitarian crises that would exist without it, (2) the corresponding hypothetical consent theory of political authority, and (3) the general acceptability criterion drawn from Political Liberalism. As he puts it, succinctly,

Democracy is not the foundational value. It is not, so to speak, an axiom but rather a theorem. I argue, or conjecture, that it is the solution to the question of how to honor both a certain epistemic imperative [to secure justice] that might seem to lead toward epistocracy, and the qualified acceptability condition on political justification. (Estlund, 167)

Given these materials he argues for democracy on the basis of two empirical or quasi-empirical facts. The first is that experience shows that democracy does a passable job of securing justice and so preventing the humanitarian crises that would arise in the absence of political authority.²⁶ The second is that, owing to human fallibility, there is bound to be great controversy about which individuals are best qualified to lead the political community. The first fact makes democracy *an* option. The second, along with the general acceptability criterion, fixes it that no government that involves the selection of qualified rulers, such as *epistocracy*, is an option. Democracy is then the only acceptable form of government remaining, because it is the only form of

²⁶ He does this by extrapolating from a list of six primary bads that democracy can be seen, empirically, to avoid to an acceptable degree: war, famine, economic collapse, political collapse, epidemic, and genocide (Estlund, 163).

government that does a passable job of securing justice without requiring the controversial selection of especially qualified rulers.²⁷

3.5 CRITIQUE OF ESTLUND

Now, as a way into saying what seems to me unsatisfying about this approach, let me make some observations about the thinness of Estlund's criticism of epistocracy and his defense of democracy. Estlund's objection to the rule of, say, a benevolent and effective king is that some reasonable people are bound to mistakenly doubt his benevolence and effectiveness, and in light of that fact, it's not right to force them to go along with his rule. This is a rather tepid objection to monarchy. For example it suggests that the only objection I might have to being ruled by a monarch, whom I know to be benevolent and effective, is on behalf of other people who might reasonably doubt his sterling qualities. But could this possibly be right? Is our objection to kings so thin that, as long as I know the king to be an able and moral ruler, I have no reason to object to him ruling *me*, but must reach instead for an objection on behalf of *other* people who are mistaken, however reasonably, about his righteousness? Isn't our objection to being under the rule of a king an objection that in the first instance each of us is in a position to make on behalf of himself or herself? After all, with what right does any king, however well qualified, presume to rule over me?

²⁷ Estlund assumes that a form of government that fixes political authority in the hands of not especially qualified individuals has little going for it; it is, as it were, the worst of both worlds. So either it's *epistocracy*, or it's democracy. Since *epistocracy* is disqualified by Political Liberalism, democracy is left standing as the sole option. For his own summary of his argument, on which I have drawn, see (Estlund, 157).

Estlund's criticism of authoritarian governments does not seem to get right who the subject is that (even pretty decent) authoritarian forms of government wrong. It suggests that the only people who are wronged in an epistocracy are those who are confused about the qualifications of the rulers, whereas it seems to me, at least, that everyone is wronged.²⁸ (I would think of revolution as justified in these circumstances if other good options were lacking, and as freeing us *all* from the yoke of oppression, not just the individuals who were confused about the good qualities of the relevant authorities.)

Another way in which Estlund's critique of epistocracy is a bit weak is that it makes the objection to epistocracy rest on the possibility of well-intentioned confusion. After all, the critique of epistocracy rests on the ever-present possibility that some reasonable citizens might *mistakenly* object to the qualifications of any given set of epistocrats, or any method for their selection. If we could somehow do away with this frailty and error then the objection to epistocracy would presumably fall away. Since surely things would be *better* without this myopia concerning the qualifications of our leaders, it starts to look suspiciously like epistocracy is really the ideal, although it is put out of reach because of our inevitable (and is it inevitable?) confusion about who is best qualified to rule us. In short, it begins to look as though the objection to epistocracy is that epistocracy is *too good* for the likes of us. It is the really ideal ideal, if only we could somehow get to it. But is this really the sort of criticism we want of authoritarian governments? I, at any rate, would think that we want an objection to authoritarian governments that show them to be pretty squarely non-ideal.

²⁸ Granted this is a moral intuition that someone will only have who is committed to democracy. But I am taking it for granted that we are committed to democracy, and suggesting that Estlund does not provide a proper account of the basis of our conviction. These and the following intuitions are meant to suggest that our commitment to democracy outstrips the meager basis that Estlund provides for it.

It's the flipside of the same point that it appears that Estlund is defending democracy as a second best, a sort of concession to our weakness in coming to agreement about who is most capable of ruling us. This is certainly the impression one gets from passages like this.

It might seem as though epistemic proceduralism [Estlund's view] must deny that the ignorant masses will often outvote the enlightened few. I propose to grant it. It might seem that I need to argue that democracy is the epistemically best arrangement. Rather, I grant that it is not. It might seem that I must at least argue that democracy usually gets the right answer. I think that is far more than I need to argue...If democratic arrangements are shown to be probably better than random [!], then my argument [from Political Liberalism]...does the rest of the work, showing that the epistemic case for any nondemocratic arrangements is bound to go beyond what can be accepted in public reason. (Estlund, 167-168)

One starts to get the feeling that this is a strange defense of democracy, which grants that other arrangements would be better, but then puts those arrangements out of reach because of controversy stemming from our confusions. It is hardly a ringing endorsement of democratic convictions and aspirations.

Estlund would, no doubt, reply that if this is a legitimate objection to his view, it is an objection to Political Liberalism as well. Political Liberalism, after all, has us bracket the truth in the face of disagreement about the great questions of life. This too is a doctrine that "error has its rights", and that for the purposes of politics we should set aside certain options that might, objectively speaking, be better, if only agreement on fundamental questions was possible.

Now, Rawls is extremely sensitive to this objection. It is crucial to his project that he be engaged in genuine ideal theory, and not some theory of the unfortunate second best. In his late work, *Justice as Fairness: A Restatement*, he lists the Hegelian goal of "reconciliation" as one of the main practical tasks of political philosophy, and the reconciliation he has in mind is with the fact of reasonable pluralism and the idea of a pluralistic society. Before we come to political

philosophy we may regret the fact of pluralism, and long to get past it to a rational agreement on life's fundamental questions. But by doing political philosophy we can come to see that this fact is not something to regret or wish that we could overcome. First of all, we can come to see that such pluralism is part and parcel of a free society where reasoning about life's fundamental questions is uncoerced. To regret the fact of reasonable pluralism is, therefore, in a certain sense to regret freedom itself. Furthermore, when we reflect on the form of society where such freedom reigns, we find that it contains a robust political ideal. Part of the inclination to lament comes from the assumption that such an ideal would have to be based on a comprehensive view. But reflection on Political Liberalism reveals this assumption to be false; a non-partisan ideal is implicit in our public democratic culture.

I'm not sure whether Rawls' reply to this objection is ultimately satisfying; this is a very hard question that goes to the heart of the project of Political Liberalism. But for our purposes it is not necessary to answer this question. For it should be apparent that the kind of controversy that Estlund points to is not amenable to the same treatment. We may see this by first noting that the kind of controversy he has in mind arises separately from that over the fundamental questions of life. We are to suppose that the fact of reasonable pluralism obtains, and that a non-partisan theory of justice is available that is compatible with this fact. It is at this point that the controversy is supposed to arise over who exactly is best qualified to administer this non-partisan justice. This is not a matter of one of life's fundamental questions; we have already taken account of *that* disagreement, and the non-partisan theory of justice dealing with that it is already supposed to be ready to hand. What we are talking about is simply a *further* confusion about who is best placed to administer this neutral justice. I simply do not see how this further confusion can be argued to be part and parcel of a free and uncoerced reason, in the same way that we

might hold that disagreement over the existence of God, or of man's relation to the natural world, is. At any rate, it's hard to see what sort of liberating insights might reconcile us, in Hegelian fashion, to this sort of error. The way Estlund has treated it makes it seem like something it would be good to get past, if only we could.

I think we are justified in wanting more from a defense of democracy than Estlund gives us. What we want is a critique of authoritarian regimes that shows them to wrong those subject to them in some pretty basic way. And what we want is a defense of democracy, not as some kind of second best, a concession to human weakness, but as a genuine ideal. If we could see clearly, and our minds were strong, this is surely the form of society we would choose to live in.

But we may ask now how far these objections generalize. Do they, for example, scuttle any instrumental defense of democracy? Of course not. But I do think they generalize to *some* extent. A defense of democracy as a derivative value begins from some fundamental political values and some further empirical or quasi-empirical materials, and argues in favor of democracy on this basis. It will always be true of such a defense that if the quasi-empirical facts varied sufficiently the defense would fail. We will always be justified in pursuing this point by asking whether we feel that the defense of democracy ought really to be hostage to this set of facts. We may find at that point that our democratic convictions outstrip the defense being given. The problem will always be especially strong if the facts in question seem to be non-ideal circumstances, as I have tried to argue our confusion about the qualifications of potential rulers would be. For in that case, making the defense of democracy hinge on such facts will ensure that what one is engaged in is not ideal theory, and that the defense of democracy is as a non-ideal second best. In that case the defense will always be at odds with our commitment to the

democratic ideal. In short, far from being especially full blooded, instrumental defenses of democracy threaten to be awfully thin.

While these criticisms do not necessarily put paid to all instrumental defenses of democracy, it is clear that they get *no* traction on a defense of democracy as a value implicit in the nature of the political community. For such a defense of democracy places it in the same boat with the other fundamental political values that even an instrumental defense of democracy must proceed from. In this case, democracy will only be hostage to whatever facts enter into the constitution of political fundamentals in the first place. And such a defense of democracy is bound to belong to ideal theory, inasmuch as the value of democracy is shown to arise directly from the nature of the political community. In the following chapter, taking up the Platonic gauntlet afresh, I try to provide a defense of democracy as a fundamental political value. If successful, it will at least stand a chance of taking the full measure of our democratic commitments.²⁹

²⁹ I leave hanging for the moment the issues raised by the hankering I claim can be discerned in Estlund for a substantive defense of democracy which does not, as it were, build democracy in on the ground floor.

4.0 AN ARISTOTELIAN DEFENSE OF DEMOCRACY

4.1 PLATONIC AND ANTI-PLATONIC THEMES

The *Nicomachean Ethics* begins with a memorable and often cited discussion of the ordering of the ends of human activity. What is not as often remarked on is the fact that the discussion seems to be an elaboration and commentary on Plato's discussion of the nature and the origin of the political community in the *Republic* that we touched upon in §1.3.

As we have seen, Plato begins from the thought that human beings are not self-sufficient but need many things, which they can only provide for themselves with the aid of partners and helpers through a division of productive activities.³⁰ As Plato points out, these activities, and so implicitly the capacities underlying them as well, stand in relations of dependence, for no productive activity is self-sufficient, but each needs many things as well: farming, building and weaving each depend for their possibility on the antecedent production of their tools and materials, as in turn do the productive activities responsible for these (370d). As Aristotle puts the point,

In many instances several pursuits are grouped together under a single capacity: the art of bridle-making, for example, and everything else pertaining to the

³⁰ Aristotle has a parallel discussion of our lack of self-sufficiency and the relation of that point to the need for the political community at 1253a20-30 of the *Politics*.

equipment of a horse is grouped together under horsemanship; horsemanship in turn, along with every other military action, is grouped together under strategy; and other pursuits are grouped together under other capacities. (NE 1094a10-19)

So Plato and Aristotle each begins his political investigation with an abstract discussion of the relations of dependence between productive activities and the practical capacities that underlie them. And strikingly, each also finds at the top of this ordering the same master capacity: our old friend first adumbrated in the *Crito*—the political art, the knowledge in virtue of which one is equipped to rule one's political community.

The *Politics* opens with a discussion that tightly parallels the passage concerning the teleological ordering of ends at the start of the *Ethics*. This time, however—as befits a treatise on politics—the ordering of activities is viewed through the lens of community (*koinonia*). The activities in question are, therefore, those characteristic of the members of various communities, and through them, of the community of which they are members. Underlying this activity, again in close parallel to the *Ethics*, Aristotle sees the operation of different practical capacities. The communities he considers are all ones in which authority is exercised, and he is especially concerned with the practical capacities underlying the exercise of this authority. For, on Aristotle's view, individuals are equipped to participate in decisions concerning the affairs of these communities through the possession of various forms of practical knowledge.

So as soon as Aristotle introduces the community of the household, he introduces *oikonimia*—the capacity for household management, in virtue of which the head of the household is equipped to exercise authority in the government of the affairs of his household (1253b1-3). But Aristotle argues that the community of the household is itself a community of communities, containing within it three different communities and three corresponding forms of authority: that of the master to the slave, the husband to the wife, and the father to the child

(1253b4-6). In each case, having mentioned these authority relations, Aristotle immediately introduces a practical capacity underlying the exercise of this authority, inventing names where necessary. So we get in quick succession *despotike* (mastership), *gamike* (marriageship), and *technopoietike* (parentship) (1253b8-11).³¹ These are the sub-capacities knowledge of which together constitutes the complex capacity for household management.

Now this idea of different forms of community, each with its characteristic authority figures exercising a distinct practical capacity, plays an important role in the argument. For Aristotle frames the discussion of his *Politics* in terms of his opposition to the doctrine that the master, household manager and statesman are all the same in kind, differing only in respect of the number of people ruled: for the master a few, for the household manager more, and for the statesman more still (1252a8-12). In opposition to this identity Aristotle maintains that “there are many kinds of rulers and ruled” (1254a22), and also that there are many different forms of rule (e.g., 1253b16-17).

The denial of this identity is crucial for Aristotle because of two connected political theses that stand at the heart of his political philosophy: that the relationship of citizens to one another is one of equality, and that a citizen is someone who has a share in the exercise of the very political authority to which he is subject (1277a25-b15). For, I think that Aristotle considers it as something on the order of an obvious truth that a community of free equals would govern itself in this way, sharing the political authority to which each was subject. Barring the

³¹ Grammatically these would all seem to be the names for crafts, for they are adjectives needing to be completed by a feminine noun, which is presumably *techne*, or perhaps *episteme* (science). However, Aristotle’s grammatical brevity here serves a philosophical point, for it is his considered view—see NE VI—that none of these capacities can, strictly speaking, be called crafts or sciences. Of course, Aristotle is not always completely fastidious on this point; at times grammar pushes him to speak in ways that, strictly speaking, contradict his considered view.

appearance of a godlike individual to lead them, this is the ideal form of government, uniquely consonant with their free and equal status.

But he thinks that this obvious truth is potentially obscured by the presence of naturally inferior forms of human beings in the *polis*, most notably women and slaves. For, given their natural inferiority, the kind of authority appropriate to exercise over them is not this equal kind, but is rather unilateral and unequal in character. In contrast to political authority, it has its rationale precisely in the subordination of the naturally inferior to the naturally superior. Aristotle's solution is to distinguish rigorously between the household and the political community, and to locate the two different kinds of authority in these respective communities. By rigorously distinguishing the forms of authority found in the household from that exercised by the statesman in the political community, he is able to hold on to the political ideal of a community of free equals, sharing in the authority to which they are subject. Aristotle thinks that if we do not effect this rigorous distinction we are bound to lose sight of this ideal, ending up instead with a political authority infected by the inequality characteristic of the household. In that case our political philosophy will be either paternalistic or despotic.

Plato is clearly the intended target of this criticism, for when Aristotle enunciates the identity he opposes he is practically quoting a passage found in the *Statesman* at 258e-259d. But lest we conclude that this criticism is aimed only at the doctrines advanced in that later dialogue, leaving the *Republic* unscathed, we should note that following the analysis of the forms of authority found in the household, and an initial stab at differentiating them from political authority in Book I of the *Politics*, Aristotle turns straightaway to a criticism of the *Republic* in

Book II.³² The constant refrain of this criticism is that Plato tries in the *Republic* to give the political community the unity appropriate to the household, while simultaneously, and somewhat paradoxically, promoting arrangements that undermine the ties essential to the family.³³ The details of the critique aside, the upshot is clear enough: Plato inappropriately assimilates the *polis* to the *oikos*, and so political authority to the forms of authority found in the household. As a result his conception of political authority is either paternalistic or despotic, and in any case not appropriately political.³⁴

As we will see, one crucial element of this story is Aristotle's account of *politike*, the capacity in virtue of which one is fitted to exercise authority in the political community. For according to Aristotle, *politike* is one department of the more general capacity *phronesis*, and as such belongs to a category of essential and non-technical rational capacities of an especially important sort. It would seem to be one of his complaints against Plato did not fully recognize the significance of this category, and that this lack of clarity allowed for the assimilation of political to despotic and paternalistic authority.

In this chapter I hope to vindicate these interpretative claims about Aristotle. But I also wish to argue that Aristotle was right, and that by extending the application of the categories of freedom and equality beyond Greek males to embrace all of humanity we will arrive at a proper

³² It is, of course, entirely possible that the arrangement of these books is the result not of Aristotle's design, but of later editorial choices. But, in any case, the order seems logical, and if it was an editorial choice to arrange the books this way, it seems to me something on the order of an insight rather than an imposition.

³³ For an interesting discussion of the role that unity plays in this argument, see Robert Mayhew's book, *Aristotle's Criticism of Plato's Republic*, especially Chapter 2, pp.13-31.

³⁴ My analysis throughout this chapter of Aristotle's criticism of Plato is indebted to Martha Nussbaum's "Shame and Separateness: Aristotle's Critique of the *Republic*". Also extremely helpful is the terse summary presented in Malcolm Schofield's interesting paper, "Ideology and Philosophy in Aristotle's Theory of Slavery", pp. 105-109.

defense of democracy, while simultaneously correcting for the distortions in Aristotle's own political philosophy introduced by misogyny and a commitment to slavery. Instead of relegating natural inferiority to the household, as does Aristotle, and thereby purifying the political community in that way, we will eliminate the disturbance from the ideal of equality by rejecting the categories of natural inferiority altogether. In this way we will arrive at a reply to the Platonic challenge articulated in Chapter One, and a broad defense of democracy, more satisfying than that attempted by Estlund, discussed in Chapter Two. The key will be to reflect—as I suggested in Chapter Two Estlund conspicuously failed to—on the category of capacity to which *politike* belongs.

4.2 PHRONESIS

Aristotle treats of a broad and a narrow sense of the term *phronesis* (practical wisdom); we will turn to the narrow sense soon enough, but for now let us focus on the broader sense of the term. *Phronesis* in this broad sense is the capacity to govern one's affairs in general. In NE VI Aristotle locates *phronesis* in a category of rational practical dispositions (1139b12). It is, first of all, a disposition (*hexis*). A disposition, in Aristotle's terminology, is a capacity acquired by performing the acts that the disposition, once acquired, enables one to perform. A disposition is, therefore, an ability one acquires through *practice* (1103a14-1103b25). *Phronesis* is furthermore a *rational* disposition that grasps the truth (*hexin alethes meta logou*) (1140b4). Aristotle locates it in a family of other intellectual dispositions, along with science (*episteme*), wisdom (*sophia*), craft (*techne*) and several others, which all involve the perfection of some aspect of our reason. As perfections of reason, these dispositions enable one to grasp the truth when reasoning about

some matter. Now, so far *phronesis* shares these qualities with, e.g. doing math and geography, which are dispositions that are acquired through practice, and which equip their possessors to grasp the truth in their respective theoretical domains. But, unlike math or geometry, *phronesis* is furthermore a *practical* disposition, concerned with reasoning about things that are in our power to effect and bring about (1140a1). The sort of reasoning in question is, therefore, deliberation about what to do rather than inquiry of a theoretical sort. *Phronesis* is a disposition that enables its possessor to grasp the truth about what to do in deliberation (1140a31-32, 1141b8-13)).

Now all of this is true as well of *techne*, which falls in this same family. Carpentry, for example, is also clearly a *hexis*, since one learns to do it by doing it. And it is both rational and practical in the relevant senses, for it enables the carpenter to grasp the truth about how one ought to go about the production of wooden artifacts. But it is different as well in important ways that Aristotle takes pains to elaborate. One way Aristotle differentiates the two is in terms of their respective ends. The goal of *phronesis* is action (*praxis*) and more definitively acting well (*eupraxia*). A life, according to Aristotle, is composed of actions. So the end pursued by *phronesis* is ultimately a good life, or happiness (*eudaimonia*). The end of *techne* by contrast is production (*poesis*) of some product (*ergon*). The end of a craft is certainly not acting well, or a good life, in general, but some good thing like *a chair, victory, health, etc.*, (1140a1-24).

Another contrast Aristotle makes is in terms of the subject matter of the knowledge in each case. *Techne* is knowledge of what is good and bad in (some specific branch of) production. When one employs a *techne*, therefore, one acts as a craftsman, someone who exercises knowledge in the production of some end. *Phronesis* by contrast is knowledge of what is good and bad in human life (1140a25-32). The Socratic formula, therefore, fits well here: *phronesis* is knowledge of how one ought to live. Or to put it more prosaically, it is the ability to bring

knowledge of what matters in human life to bear in the conduct of one's affairs. When one employs *phronesis* one acts, therefore, as a human being rather than a craftsman. Whereas expertise in carpentry makes someone a good carpenter, a high degree of *phronesis* makes someone a good human being, or as we say more colloquially, a good person. Aristotle thinks of the paradigm exercise of this capacity as in deliberation about what it would be to act well as a human being in some particular situation that calls for the exercise of practical intelligence.

The way in which one acquires *phronesis* is also quite distinctive, although it bears some similarity to the way in which one acquires a craft insofar as both are practical-rational dispositions. One acquires *phronesis* first by being habituated into a set of dispositions to act and be affected in appropriate ways in various domains of human experience. One acquires *phronesis* by learning how to act and feel appropriately—as Aristotle will say, in the right way, at the right time, to the right degree, in relation to the right things. This is a process that begins in childhood with the help of one's parents.³⁵ It is developed further through one's life experience, as one confronts real situations which call for the exercise of practical intelligence. So one acquires what *phronesis* one has in the ordinary course of one's upbringing, and from one's practical life experience. Although the lectures Aristotle gives and practical philosophy more generally, may play some role in the perfection of this capacity, for the most part it is not acquired through esoteric or technical training. It is therefore unlike training in either an *episteme*, such as geometry, or a *techne*, such as medicine, which one learns in school with the help of experts.

Phronesis, according to Aristotle, is a capacity that has several different departments. One such department Aristotle also calls *phronesis*, using the term in a narrower sense, to refer to

³⁵ For an illuminating and appealingly metaphysical account see Aryeh Kosman's wonderful paper "On Being Properly Affected". Also relevant here are the excellent papers by Myles Burnyeat "Aristotle on Learning to Be Good", and John McDowell "Virtue and Reason".

the government of one's private affairs as an individual. We have already met the other departments Aristotle attributes to this master capacity. One is that which equips one to run the household, *oikonomia*, with its various sub-departments of *despotike*, *gamike*, and *technopoietike*. Yet another department is that which equips one to participate in the government of one's political community, our old friend *politike*.³⁶ Aristotle's picture is, therefore, of one master capacity that has many different departments (1141b23-35, 1253b3-11).

It is in light of this picture that we must understand Aristotle's famous claim that *phronesis* is the same disposition as *politike*, differing only in definition (1141b). This claim has seemed strange to modern ears, and it has generally been perceived as a commitment that is either idiosyncratic or hopelessly old-fashioned. But the strangeness, I believe, is in part the product of a lack of familiarity with Aristotelian concepts, and of the usual translations of *politike* as "political science" or "the political art". For to say that practical wisdom (*phronesis*) is the same as political science is patently bizarre! How could practical wisdom be the same as any particular science or craft? After all, being practically wise is being a good person who is capable of making sound choices in life, and that doesn't involve being a political scientist. But, as NE VI shows, this very point is actually an Aristotelian orthodoxy: *neither politike* nor *phronesis* is a science or craft at all. The translation of *politike* as "political science" or "political art" is, therefore misleading, and creates an unnecessary stumbling block to understanding

³⁶ Aristotle, with a clear mania for distinguishing the deployment of capacities, thinks of *politike* as dividing into legislative, executive and judicial sub-deployments. I can deploy the capacity to participate in the government of the affairs of my community by (1) participating in the legislative process, or (2) participating in the setting of domestic or foreign policy, or (3) serving on a jury. These divisions mapped onto those registered in Athenian political practice of Aristotle's day, between the *nomothetai*, the *boule* and *ekklesia*, and the role of a *dikastes*.

Aristotle's claim.³⁷ But once it is dissociated from this confusion, what does the identity asserted here amount to?

Now one thing the identity Aristotle asserts cannot mean is that everyone is just as good or bad at politics as he is at conducting his life more generally. We may dramatize this point by noting that Aristotle would presumably assent to a string of further identities. For presumably, just as he is willing to say that *phronesis*, in the broad sense, is the same disposition as *politike* when this disposition is deployed in relation to the *polis*, he would be willing to say that *phronesis*, in the broad sense, is the same disposition as *phronesis*, in the narrow sense, when deployed in relation to my private affairs, and that it is also the same disposition as *oikonomia* when deployed in relation to my household. But now nothing could be clearer than that one may be a better parent than a statesman, and a better person than a parent. And if I am somewhat bad at all of them, I need not be bad to the same degree!³⁸ This is a point that Aristotle himself makes explicitly, claiming that engaging in politics is harder, and so more noble, than taking care of private affairs (1129b26-1130a8). (Some would say, no doubt, that raising children is harder still.)

³⁷ See note 3 above for a mention of the grammatical issues here tending to force these translations. But we should not allow grammatical considerations to trump clearly articulated and central arguments that Aristotle explicitly makes. Having allowed ourselves the term “practical wisdom” to translate *phronesis*, we might try “political wisdom” for *politike*. This would at least have the advantage of not falsifying Aristotle's distinctions and of bringing out the identity he has in mind. (This is the translation used by Martin Ostwald in his translation of the *Nicomachean Ethics*.)

³⁸ I suspect, however, that Aristotle would claim that the *perfection* of any one of them requires the perfection of the others. The identity in question in that case resembles that alleged in the argument for the unity of the virtues at NE VI.12. I may be more courageous than just, and more just than temperate, but to fully possess any one virtue I must possess them all, and practical wisdom to boot. Similarly, I may be a better father than a husband, and a better husband than a citizen. But to be a *perfect* husband, on Aristotle's view, I would have to be a perfect father and citizen, and so on.

If the point is not one of equal degree, wherein can the identity consist? According to Aristotle human beings possess reason, which has a practical as well as theoretical part.³⁹ Human practical reason—*phronesis*—is the power through which we organize and conduct our affairs. But it is helpful to remember that on Aristotle’s view human beings are also political and household dwelling animals (1252b29-1253a3). It is part of a description of our nature that we arrange ourselves in communities of this sort and such communities figure in an account of the human good. This has the rather unremarkable consequence that the affairs it belongs to human reason to organize are not only individual, but familial and political as well. In light of this fact, Aristotle thinks that we may consider this capacity of human reason in various ways. We may consider it in general, as the capacity through which we conduct and organize all our affairs taken as a whole; or we can consider it in relation to a specific subset of our affairs, e.g. as the power through which we organize our individual affairs, or the affairs of our family, or the affairs of our political community.

This suggests a rather plain way to understand the curious formula Aristotle uses about *phronesis* and *politike* being “the same disposition but different in definition.” Aristotle gives the name *phronesis* to the disposition—human practical reason—considered as the power through which we organize all of our affairs. He gives the name *politike* to the same disposition when we consider it as the power through which we organize a subset of our affairs, viz. the political ones. Although it is the same disposition in each case, the definition is different, insofar as that of *politike* makes special reference to the political deployment of this disposition, while

³⁹ See, for example, Aristotle’s famous function argument in NE I.7.

that of *phronesis* refers generally to all deployments of the capacity.⁴⁰ Hazardous a Fregean formulation, we might say that although the terms “phronesis” and “politike” have the same Meaning, their Sense is different: thoughts expressed using the two terms single out the same disposition in different ways. The same point would hold of the other relevant terms, like “oikonomia”, which picks out the same disposition considered now as the power through which we organize the affairs of our household.

Any individual will likely be better at exercising the capacity to reason practically in some departments than in others. But this need not prevent us from seeing it as one general capacity to reason about how to live, and so to exercise authority in taking care of the domains pertinent to human life. The point is just that since human affairs divide in these ways, the capacity will have different deployments corresponding to these divisions.

Let us pause for a moment and try to abstract a bit from this Aristotelian material. Let’s start with *phronesis* in general. For the purposes of the argument of this chapter, the details of the Aristotelian account of *phronesis* will not matter (my treatment of them was, in any case, entirely cursory). What is essential is just that we recognize some such capacity (1) in virtue of which one is equipped to govern one’s affairs, and (2) that is non-technical in character: the product of one’s upbringing and life experience rather than esoteric lessons and demonstrations. Aristotle’s *phronesis* is one sublime philosophical articulation of the idea of such an item, but there are

⁴⁰My model here is what Aristotle says about the whole of virtue and justice in the general sense in NE V, where he uses the same formula, saying of the two that “They are the same, but their definition is different.” What he means is clear from the context. When we think of the disposition as the whole of virtue, we consider it without qualification in relation to human life in general. But when we think of it as general justice, we consider the same disposition specifically as it relates us to others (*pros heteron*). See 1129b27-1130a13.

others, and what we need for our argument here is really just the kernel of common sense at the core of all these philosophical attempts.

But what of the identity of *phronesis* and *politike*, as we have understood it? Here the worry is potentially greater, insofar as this identity is often thought to be unacceptable given a modern conception of politics, or somehow hopelessly old-fashioned. If our argument relies on this identity, isn't it rendered similarly hopeless? I will reply to this worry in two steps. I will first explain why I do not think the identity is nearly as objectionable as it is often thought to be. I will then try to say what in the neighborhood of the identity is necessary for our argument, and suggest that even if we reject the identity, the elements we need from it can still be defended on a case by case basis.

If we see individual conduct, parenting and politics all as deployments of one general capacity, this will no doubt have *some* consequences for understanding each of these deployments and the general capacity so deployed. But the first thing I want to stress is that it is not clear what the consequences are, or how deep they go. It is true that Aristotle sees the discussion of politics and individual ethics as utterly continuous. He claims, for example, that the political community has the same end of *eudaimonia* that the individual does, and he thinks that one of the main functions of the state is educating its citizens to moral virtue. This has certainly been thought to be old-fashioned, and Political Liberals will no doubt want a stricter separation of ethics and politics than anything found in Aristotle, perhaps rightly. But I do not see any reason why this should lead them to oppose the identity as we have so far interpreted it.

Let us take the later Rawls as our example of a contemporary, thoroughly new-fangled Political Liberal. So far from rejecting the identity of *phronesis* and *politike*, one might actually take this identity to be implicit in his claim that citizens as free and equal adults possess the

capacity both to form a conception of the good (*phronesis* in the narrow sense), on the basis of which they're equipped to conduct their private affairs, and a sense of justice (*politike*), on the basis of which they're capable of deciding with others how to live together as a political community. For it seems natural to view these two abilities as part of the achievement of a single general competence possessed by full-grown adults to govern their own affairs.⁴¹ At any rate, it would clearly be Rawlsian in spirit to begin from some such conception of the citizen, drawn, no doubt, from "our public democratic culture". What will be crucial for Rawls is the fact that in a modern society like ours (characterized as it is by the fact of reasonable pluralism), when we account for the political deployment of this general capacity we must avoid appeal to partisan ethical and religious principles, of the sort that will inevitably figure in a characterization of the deployment of the capacity in each person's government of his private affairs or the affairs of his family. But I can see nothing in this that speaks against the idea that these deployments—differing as they do—are deployments of one capacity to govern our affairs that is the inheritance of ordinary adult citizens. It seems then, at the very least, that there are possible Liberal interpretations of the Aristotelian identity, and that the Liberal beef with Aristotle's political philosophy, whatever its merit, has more to do with how he conceives of the political deployment of the capacity of practical reason than with his view that *phronesis* is *politike*.

But if it should still grate against some reader's sensibility or commitments to think of practical reason as one general capacity with different political and ethical deployments, the truth is that this identity is more, strictly speaking, than we will need for our argument. For all that we really will need is the idea of a category of essential, rational, non-technical practical capacities,

⁴¹ This is how Rawls, at times, presents his view. See especially his lectures entitled *Kantian Contractualism*, where, following Kant, he calls the master capacity "practical reason".

one member of which is individual *phronesis*, and another member of which is *politike*. Whether they are both members of this category because they are differing deployments of the same master capacity of practical reason, or whether it is because they belong to a loose family of such capacities does not matter for our purposes. For we can defend the claim that capacities belong to this category on a case by case basis if we have to. The rational capacity to govern the affairs of some community can be placed in this category provided (1) it is a non-technical, and (2) the government of the affairs of the community in question is especially important, so that the exercise of this capacity might plausibly be seen as an important element of our good. (This latter condition fixes it that the capacity in question is essential, rather than non-essential, in the terminology of §2.4.)

4.3 OIKONOMIA I: DESPOTIKE

Let us begin, as Aristotle does, with the household. As we noted, the household is comprised of three authority relations: master to slave, husband to wife, and father to child, and Aristotle gives a name to the knowledge in virtue of which authority is exercised in each case: *despotike*, *gamike* and *technopoietike*, respectively. Except for the slave, all the roles mentioned above are occupied by freepersons. So let us begin with the division between freeperson and slave.

Since I will be granting considerable space to an explanation of Aristotle's views on freedom and slavery, let me give a brief indication of why this is worth doing. Aristotle's account of what's wrong with enslaving the naturally free hinges on the attribution to them of a non-technical rational capacity that is, in the language of Chapter One, essential rather than optional. We find here in especially clear form, therefore, the articulation of a category of

essential practical capacity. But, believing in natural slaves, Aristotle does not apply this category to all human beings. Our commitment to the universal wrongness of slavery provides us with the example of a case where we can arrive at the truth, as we see it, by extending an Aristotelian commitment further than Aristotle does himself. Since I wish to argue, with Aristotle, that *politike* is a capacity in this same category, and think that we can arrive at a proper defense of democracy by extending the application of this category to all people, the discussion of slavery provides an excellent model for the argument to come. So let us turn to freedom and slavery.

According to Aristotle, what makes someone naturally free is his possession of *phronesis* (practical wisdom). With this caveat in mind, let us return to Aristotle's discussion. What in Aristotle's mind does *phronesis* have to do with freedom and slavery? Aristotle begins his analysis of slavery with a general discussion of property (he uses the term in a technical and philosophical sense). He puts property in the category of tools. Since each thing is distinguished by its function (*ergon*) and capacity (*dunamis*) (1253a23), tools differ in kind based on the activities for which they serve. What are normally thought of as tools are those used by craftsman for the sake of production (*poesis*), but there are also tools used for the purposes of living (*praxis*) (1254a6), and it is these tools that Aristotle calls "property". Aristotle makes a further division between tools that are animate and tools that are inanimate, for every assistant is classed as a tool (1253b32). A slave, Aristotle claims, is a piece of property that is a human being, belonging to a master. A slave is, therefore, an animate tool for the sake of *praxis* (1254a15).⁴² In particular, through the supervised labor of the slave, Aristotle thinks of the

⁴² It is interesting that Aristotle defines slavery in essentially domestic terms. There were a large number of slaves who worked outside of the household in Athens, most notably in the silver

association of master and slave as providing the master with the necessities of life, so that he can be freed up for more important political and philosophical activities.

Phronesis enters into this description of slavery in two ways. Since the slave is a tool for action, and action is the end pursued by *phronesis*, the first thing to say is that a slave is a tool that is put to use by his master's *phronesis*; a slave is one of the tools with which *phronesis*, appearing in the guise of *despotike*, operates when it is available. The second way that *phronesis* enters into the account is that a slave does not govern his own private affairs. The government of the slave's private affairs is put instead in the hands of the master, from whom the slave receives his orders, and who uses the slave to take care of the necessities so that he can focus on more important things. A slave, therefore, does not have the opportunity to fully exercise his capacity for *phronesis*. A portion of its exercise is essentially handed over to his master.⁴³ We may remark further that since *phronesis* is the product of one's upbringing and life experience, someone raised as a slave will likely have a stunted and damaged *phronesis*, for he will have been raised to exercise *phronesis* in a limited and dependent way.⁴⁴

This is in effect a distribution of the opportunity to exercise the capacity for *phronesis*. The government of the slave's affairs has been, in effect, handed over to his master, and this

mines. But these were slaves who were clearly being employed for the sake of *poesis* rather than *praxis*, and so Aristotle's analysis would seem not cover them. I suspect that Aristotle was less interested in them because his interest in slavery really arises from his attempt to categorize the different departments of *phronesis* in the broad sense, one of which is *despotike*. Given the distinction between *praxis* and *poesis*, the slaves in the silver mine are tools for *techne* rather than *phronesis* and so less interesting from the perspective of ethical and political philosophy.

⁴³ The capacity for *phronesis* will not be possible to muzzle altogether, insofar as the slave makes any choices at all. But a goodly share of its exercise in important matters can very well be handed over to his master.

⁴⁴ For a brutal depiction of what damaging affects American chattel slavery—a particularly nasty form of slavery—had on both slaves and masters see Frederick Douglas' *Narrative of a Life of a Slave*. In attributing *phronesis* to the slave, I assume in this and the previous sentence that there are no natural slaves. See below for Aristotle's different view.

means a diminished sphere for the operation of the slave's *phronesis*. If we take the commonsense point about the upbringing of a slave into account, the institution of slavery also amounts to a distribution of the full-blown capacity: for free children will be raised to develop *phronesis* fully, whereas slave children will not. Slavery, therefore, is an institution that distributes to the slave a diminished *phronesis* and curtails the opportunities for its exercise. But the slave's loss is, in a sense, the master's gain. For this institution involves a transfer, of sorts, to the master, who may now exercise his *phronesis* to govern not only his own life, but that of his slave as well.

Let us consider the relationship of this distribution to the Platonic division of labor (§1.3) and the sorts of considerations that pertain to it. As we have seen, one consideration speaking in favor of the division of labor, clearly remarked on by Plato, is that there is some advantage to having people who are better at a given trade learn that skill and practice it for others. Another relevant consideration to which Plato appealed is the limitation on our time and energy that make focusing on many different occupations difficult. In our initial discussion I noted that such considerations did not justify this sort of division in the case of the exercise of all capacities, noting that it seemed to work well for what I called "non-essential capacities", but not so well for "essential capacities". For to deny someone the acquisition or exercise of an essential capacity is to harm him in a grave way, and in the face of this the considerations of convenience and efficiency that pertain to the division of labor fall to the ground. For, the division of labor has its rationale in terms of the benefit of those who are subject to it.

If we try to bring considerations pertaining to the division of labor to bear on the exercise of *phronesis*, I think we can see that it clearly belongs in the category of essential capacities—which is where Aristotle clearly placed it. Now, there is more than one kind of rationale for

putting the government of someone's affairs to some extent into the hands of someone else. Slavery is only one case; parenting is another, and marriage in a society, like ancient Athens, with serious gender inequality is another. We will come to these other cases in due course. Let us restrict ourselves for the moment to the case of slavery. Slavery puts the government of the slave's private affairs into the hands of his master for the benefit of freeing the master from necessary labor. In the course of discussing the justification of slavery Aristotle asks a question about what could justify such an arrangement.

If both [ruler and ruled] share in what is noble-and-good, why should one of them rule once and for all and the other be ruled once and for all? (It cannot be that the difference between them is one of degree. Ruling and being ruled differ in kind, but things that differ in degree do not differ in that way.) (1259b34-38)

If both a cad and a sage share to any degree in what is noble-and-good (i.e. in virtue and in *phronesis*), Aristotle tells us, then we do not recognize the difference in *degree* of the perfection of their capacity as a reason for taking the exercise of this capacity out of the hands of the less perfect and putting it into the hands of the more perfect. And he is surely right about this: the fact that someone is something of a fool or a knave, and so is making a mess out of his life, is nothing like a sufficient ground for enslaving him. As Aristotle says, ruling and being ruled don't work that way—the difference that it would take to justify such a condition is not one of degree, but a difference of kind. (We will come to the sort of difference Aristotle thinks would do the trick in a moment.)

It follows that the distribution of natural talents, or the failures and successes of upbringing, that result in differences in one's capacity to conduct one's affairs well do not provide good reasons for enslaving those people, e.g. with rotten parents, or whose natural I.Q. is

on the low end. Similarly, to claim that someone ought to be enslaved on the sort of pragmatic grounds that are relevant to the division of labor is ridiculous. For example, to argue that if someone were free he would have to focus *both* on conducting his private affairs and doing his regular job—and that that would be a bit too much for one person to handle—is to make a bad joke. If slavery is going to be justified it will have to be justified in some way other than this. It cannot be justified by the kinds of considerations that pertain to the division of labor, for *phronesis* is an essential capacity.

Now, Aristotle does think that slavery is justified in some cases and, interestingly, that what justifies it is of the same sort as what justifies the other forms of authority exercised in the household. In none of these cases does a mere difference in degree of the perfection of a fully developed *phronesis*, or considerations of convenience, alone justify the authority in question. But slavery is the most extreme of these cases and so provides an especially stark and interesting example. Since the slave is a tool of the master's *phronesis* the same is true of the slave that is true of any tool: they function for the sake of the end for which they are used. Since the end in question is the *praxis*, and so ultimately *eudaimonia* of the master, the relation of slavery clearly exists for the sake of the good of the master. For this reason, with clear logic, Aristotle concludes that despotic authority exists for the good of the ruler rather than for the good of the ruled (1278b33-36). This is different from the authority of the parent or the husband, and it raises the question of what could justify this sort of thing in the most dramatic fashion possible.

Given the fact that *phronesis* is an essential capacity this question is difficult; as we saw in the quotation above, Aristotle holds that the difference between ruler and ruled must be a difference in kind rather than a difference of degree. But what sort of difference in kind could do

this trick? Well, after his analysis of slavery Aristotle takes a stab at characterizing the slave, saying,

It is clear from these considerations what the nature (*phusis*) and capacity (*dunamis*) of a slave are. For anyone who, despite being human, is by nature not his own but someone else's is a natural slave. And he is someone else's when, despite being human, he is [by nature] a piece of property; a piece of property is a tool for action that is separate from its owner. (1254a13-17)

It is clear that “nature” and “capacity” are playing a role in the argument here. A slave is someone who is by nature (*phusei*)—rather than merely by convention or law—a tool for the *phronesis* of a master. And this presumably has something to do with his capacity (*dunamis*) as well. But what would it be to be such a tool “by nature”?

Here some remarks about Aristotelian metaphysics are in order. The nature of a living thing is connected in Aristotle's thought with certain standards and also with the concepts of benefit and harm. For, Aristotle remarks in an oft-quoted passage from the politics, “one should examine what is natural in things whose condition is natural, not corrupted” (1254a35-36). With a living thing, the nature of the kind is revealed in the good (the “uncorrupted”) case. For example, if I wish to study a species of plant or animal, the proper specimen on which to focus for an understanding of the nature of the species is a healthy and undeformed one. The nature of a living thing therefore contains within it certain standards, in that the defects of a defective organism are departures from the nature of its kind.⁴⁵ And since organisms grow and develop

⁴⁵ For an illuminating contemporary treatment of these Aristotelian themes, see Michael Thompson's “The Representation of Life”. For some relevant points about the relation of the nature of a living being to benefit and harm, see Philippa Foot, *Natural Goodness*.

into their mature state, the nature of a living thing is also, in Aristotle's thinking, its *telos*—that into which it will develop if all goes well (1252b30-33).

What it is to benefit a living being, according to Aristotle, depends in various ways on its nature conceived of in these ways. For this reason an understanding of harm and benefit will turn on some knowledge of the nature of the organism harmed or benefited. For whether something is a beneficial or harmful for some kind of living thing depends on how things of that kind get on, and what they need in order to do this. For example, water benefits an oak because it is a means of nourishment that is taken up by the tree's root system. To understand why water is beneficial for an oak, I must therefore, at least implicitly, make reference to the role that water plays in the nutrition of plants of this kind that have developed a root system sufficiently healthy to absorb water. In general what benefits an organism will depend in this kind of way on its nature.

So if a slave is a human being that is a tool *by nature*, this means that he must be a kind of human being for whom, when he has received a proper upbringing, and everything is functioning with him as it ought to function, the government of his private affairs is in the hands of a master who makes use of him to free himself from performing necessary but base labor. He must, as it were, *be naturally constituted to serve in this way*; this must be his *telos*, that towards which a sound development tends, and freedom, by contrast, must be a kind of perversion or corruption for him. In other words, he must be a different kind of human being than a freeperson, subject to different standards, and benefited and harmed in different ways. But what kind of difference between freeperson and slave would make for such a constitution?

In a way it's obvious from the observations we've already made. If *phronesis* were among the capacities a slave comes to possess as the result of a normal upbringing and life experience, then he would not be constituted by nature to serve; for he would be harmed by

living under the authority of a master: one of his particularly important essential capacities would be stunted by his upbringing, and its exercise would be limited by his servitude as an adult. He would be in the position of the woman mentioned in §1.3 whose feet were bound, and, as a result, whose capacity for walking was deformed, and who was denied the opportunity to exercise this capacity in any case. So if slavery is to be justified it must be true that there is a kind of human being for whom the ordinary and natural course of development does not involve the acquisition or exercise of *phronesis*. For someone who belongs to a kind that develops *phronesis* in the ordinary course of things is naturally free.⁴⁶

Now, Aristotle's way of talking about the abstract set of capacities that constitute a kind of living thing, and which organisms of that kind possess as a result of a normal development, is in terms of the soul. The soul, as Aristotle understands it, is the set of capacities that make up the essence of a kind of living thing. (The soul is the *phusis* of living beings.) As we have seen, *phronesis* is Aristotle's term for the perfection of the capacity belonging to the practical aspect of reason; it's the Aristotelian conceptualization of the capacity that other authors—like Kant—simply call “practical reason”. So we arrive at the conclusion, expressed in a surprising Aristotelian idiom, that if slavery is to be justified, the slave must differ from the freeperson in terms of his very soul. He must be a kind of human being whose essence does not include practical reason. And this is exactly what Aristotle says.

For free rules slaves, male rules female, and man rules child in different ways,
because, while the parts of the soul are present in all these people, they are present

⁴⁶ Compare Locke's similar account, “Thus we are born free, as we are born rational; not that we have actually the exercise of either: age, that brings one, brings with it the other too...The freedom of a man, and liberty of acting according to his will, is grounded on his having reason...” See his *Second Treatise of Government*, §§61-63.

in different ways. The deliberative part of the soul is entirely missing from a slave; a woman has it but it lacks authority; a child has it but it is incompletely developed. (1260a9-14)

This passage is on the face of it strange. For Aristotle first seems to say that women, children and slaves all possess reason in different ways, but when he goes on to say *how* a slave possesses reason he seems to say that he possesses it *by lacking it*. But what Aristotle has in mind is clear from other passages, like this one.

[T]hose people who are as different from others as body is from soul or beast from human, and people whose *ergon*, that is to say, the best thing to come from them, is to use their bodies are in this condition—those people are natural slaves. And it is better for them to be subject to this rule...For he who can belong to someone else (and that is why he actually does belong to someone else), and he who shares in reason to the extent of understanding it, but does not have it himself (for the other animals obey not reason but feelings), is a natural slave. The difference in the use made of them is small, since both slaves and domestic animals help provide necessities with their bodies. (1254b16-23)

So the slave possesses reason “in a sense” insofar as he may understand and hearken to the reason of his master. In this he is different from other animals, which after all do not possess this understanding. As Aristotle makes clear (e.g. at 1255b26) the slave possesses various non-phronetic rational faculties. He may, for example, master various *technai* and so presumably deliberate in technical contexts. But he does not possess the full-blown *phronesis* that goes with *prohairesis*.⁴⁷

Given such a nature the slave needs a master. For although slavery exists for the benefit of the master in the sense that the slave is a tool used for the sake of the master’s happiness, in another sense slavery exists for the benefit of the slave. At times Aristotle tries to make this point

⁴⁷ See the very helpful discussion in Schofield, pp.102-103.

with a comparison to other domestic animals: just as chickens, being thoroughly domestic animals, need to be cared for, for the sake of their safety and wellbeing, so too do slaves who are after all another kind of domestic animal. Of course, this is a tough pill to swallow given the existence of barbarian slave races, existing from generation to generation outside of the master's coop. But Aristotle has other things to say as well that are less nakedly inadequate. Given the exalted character of *phronesis*, and its unique relation to *eudaimonia*, it is best for a human being to be ruled by this capacity and to achieve this end. Since a slave lacks his own *phronesis*, he cannot possess *eudaimonia* himself, any more than other animals can. But since, unlike other animals, he can hearken to his master's *phronesis*, some of the stardust of his master's happiness will fall on his shoulders, for at least he may understand that he is under the direction of, and has a material role to play in supporting, something so exalted and fine. Aristotle also suggests that slaves are in a sense childish, and so need the admonishment and discipline of a master to maintain their slavish virtues (1260a38-1260b6). The exercise of one's virtues, of course, constitutes the successful achievement of one's *ergon*, which amounts to doing well for the kind of thing one is. So the slave needs the master in something like the way a child (who is never going to grow up!) needs a parent, to educate him to virtue.

For, as Aristotle concludes quite rationally, all those who differ in respect of their soul have different virtues. If we carry on the quotation above, about the difference in soul that justifies slavery and the other household authority relations, Aristotle makes this point immediately.

We must suppose, therefore, that the same necessarily holds of the virtues of character [as holds of the rational part of the soul]: all must share in them, but not in the same way; rather, each must have a share sufficient to enable him to perform his own task...For people who talk in generalities, saying virtue is a good

condition of the soul, or correct action, or something of that sort, are deceiving themselves. It is far better to enumerate the virtues, as Gorgias does, than to define them in this general way. Consequently, we must take what the poet says about a woman as our guide in every case: “To a woman silence is a crowning glory”—whereas this does not apply to a man. Since a child is incompletely developed, it is clear that his virtue does not belong to him in relation to himself but in relation to his end and leader. The same holds of a slave in relation to his master. But we said that a slave is useful for providing the necessities, so he clearly needs only a small amount of virtue—just so much as will prevent him from inadequately performing his tasks through intemperance and cowardice. (1260a13-33)

The virtues of a freeperson are internally connected to *phronesis*, the rational capacity to govern his own affairs, and they equip him for happiness. In a slave, by contrast, these virtues are internally connected with being able to follow the orders of someone with *phronesis*. They thus equip the slave to serve well as a tool for *phronesis*, and this is what doing well amounts to for a slave. So although a slave must have the inferior slavish correlate of courage and temperance, these virtues will differ from the superior versions possessed by the freeperson. (This claim about different virtues possessed by the slave brings out the point nicely that the slave, as Aristotle conceives him, is not a defective free person. Rather, he belongs to a different and inferior kind, with slavish virtues enabling the performance of his inferior slavish *ergon*.)⁴⁸

⁴⁸ Both Nussbaum and Schofield miss the relevance of the idea of a difference of kind, and of the corresponding idea that the slave has a different *phusis* from the naturally free, with different (but related) virtues, function, and *telos*. Nussbaum, who makes excellent use of Aristotelian materials for her own political arguments, is evidently so embarrassed by the doctrine of natural slavery that she cannot muster the patience to interpret it charitably. She writes as though Aristotle, when describing the slave, must be discussing someone of the free sort who is severely mentally disabled. Schofield actually goes so far as to explicitly identify the natural slaves Aristotle describes with “those we commit to paternalistic institutions”. He therefore seems to be suggesting—what is clearly false—that Aristotle is offering a theory of how to treat the handicapped. I think one thing that is ultimately causing authors of this caliber to go awry is that they think of Aristotle’s discussion of the soul on the model of individual psychology, rather than on the model of the discussion of the capacities that go to constitute different forms of life. So when Aristotle says that slaves lack *phronesis*, they do not hear him to be claiming that humans

Now I think a certain amount of race thinking was helpful to Aristotle in maintaining the idea of natural slavery.⁴⁹ For to sort people into kinds in this way, we need a way of distinguishing, say, a mentally disabled freeperson from a soundly constituted natural slave. And we will need especially to be able to distinguish those who have been twisted by their upbringing into a slavish disposition, and those whose slavish disposition flows from the fact that they are of the slavish sort. We thus need a way of distinguishing the freepersons from the slaves that gives us a grip on their different forms, and that is not immediately tied to the condition individuals are actually in. It is very helpful to have an appreciable and quasi-biological difference between human beings to hang these different forms on. (This is the role played by gender in misogynistic cultures; it is a difference on which Aristotle hangs the inferior form of wife, as he conceives it.) The idea of race serves this purpose nicely, especially if slaves are acquired primarily through warfare with non-Greek peoples. (Aristotle tells us that the craft of slave acquisition is a branch of hunting and warfare, justly practiced against barbarians (1252b22-26).)

This is just the use to which Aristotle puts it. In the course of rejecting the view that anyone—including the naturally free—seized in war deserves to be a slave, Aristotle notes that

divide into essentially different kinds, and so as articulating a different form of human being from the naturally free. They hear him as though he was discussing e.g. brain damage victims, which is clearly not his topic. His topic is soundly constituted members of an inferior kind rather than defective members of a superior kind.

⁴⁹ The concept of race deployed by the ancient Greeks will clearly be different from modern concepts of race. The ancient Greeks had little concept of historical development and natural science, so their ideas about race will clearly be different from those of, e.g. race scientists of the 19th and 20th centuries. But there is some commonality as well, insofar as they both are (pseudo) biological concepts, put to a similar use in dividing human beings into different biological kinds with supposedly different essential characteristics. (None of my remarks here—as I hope is clear!—should be taken as endorsing the use of the concept of race. It is likely to be confused in many ways, and in any case, does not support the inferior forms that racists, modern or ancient, hang on it.)

this would have the absurd consequence that “those regarded as the best born would be slaves or the children of slaves, if any of them were taken captive and sold.” He continues,

That is why indeed they [people who hold that military victory justifies slavery] are not willing to describe *them* [captured Greeks], but only barbarians [captured in war] as slaves. Yet, in saying this, they are seeking precisely the natural slave we talked about in the beginning. For they have to say that some people are slaves everywhere, whereas others are slave nowhere. The same holds of noble birth. Nobles regard themselves as well born wherever they are not only when they are among their own people, but they regard barbarians as well born only when they are at home. They imply a distinction between a good birth and freedom that is unqualified and one that is unqualified. As Theodectes’ Helen says: “Sprung from divine roots on both sides, who would think that I deserve to be called a slave?” But when people say this, they are in fact distinguishing slavery from freedom...For they think that good people come from good people in just the way that human comes from human, and beast from beast. (1255a25-41)

What we see operating here is the thought, presented as sound common sense, that we can identify slaves on the basis of who their parents were. If their parents were Greek then they are freepersons. But if their parents belonged to one of the non-Greek races of slaves, then they too will be slaves. In this way we can see a form of human being (an Aristotelian “soul”, or if souls are what human beings all share, perhaps we will have to call it a “sub-soul”) being transmitted from parent to child, in something like the way we do with species of plants and animals when they reproduce. So the concept of race plays an important supporting role in Aristotle’s thinking on slavery.⁵⁰

⁵⁰ Without it Aristotle would have faced very uncomfortable questions about how to distinguish slaves from freepersons. Perhaps by tests, when young? Any such non-racial proposal for distinguishing individuals would open up the possibility that the children of free Greeks ought to be enslaved. But the wrongness of this was, as Rawls would put it, “one of the settled moral convictions” of the ancient Greeks, to which we see Aristotle appealing above.

The things Aristotle says in defense of slavery are extreme and very ugly, but I think we should admit that they are no more extreme than the institution of slavery itself. The depths Aristotle is willing to go in his attempted justification serve as a testament to the seriousness of his appreciation of the status of *phronesis*. For it is his proper appreciation of the importance of *phronesis* that leads him to rightly conclude that no one who belongs to a kind that possesses this capacity could be justly enslaved. And so, having uncommonly clear philosophical vision, and wishing to defend what was taken more or less as a matter of course in his society, Aristotle is led to articulate the idea of natural slaves.

But it is one of our settled moral convictions that slavery is always and everyone wrong. This is one of our deepest moral beliefs. But if there were natural slaves as Aristotle describes them, although we might haggle over the details about how individuals of this kind should be treated, I think we simply have to accept that *something* like slavery would be justified. If we have a certain positivistic frame of mind we might find this result surprising, but I do believe that our substantive moral conviction here is inextricably bound up with “factual” beliefs about what human beings are like. Our deep conviction that slavery is morally wrong is at the same time a conviction that there are no natural slaves. But what does this belief commit us to? And in what way is this commitment empirical, and vulnerable (say) to empirical refutation?

Let us think about what we who hold the belief that there are no natural slaves are to say about Aristotle’s observations about barbarian slave races. Where Aristotle sees different kinds of human beings, with different essential capacities, some fitted to serve as slaves to others, we see only one kind of human being: the free, *phronesis* possessing kind. But how does this difference of perception work? When Aristotle sees a difference between the Greeks he believes to be free and the members of other barbarian races, he registers these differences as so many

indications of which kind the races in question are to be slotted into, whereas we, looking at the same groups, see only the kind of differences that exist between human beings of the same sort. We, in essence, fit the differences into the same framework into which Aristotle fits the differences between, say, free Athenians and Spartans. What he sees as so many indications of natural slavishness, we will see as cultural and historical differences between Greeks and non-Greeks.

In part this is an explanatory commitment. What Aristotle sees as explicable in terms of the nature of the different kinds, we see as calling for a different sort of explanation. And what we see as unremarkable in light of the equality and natural freedom of all people, he sees as puzzling in a slave race. For a rather neat illustration of this point we may consider Aristotle's remark on the oppression of women among barbarians. Aristotle says,

Among barbarians a woman and a slave occupy the same position. The reason is that they do not have anything that naturally rules; rather their community consists of a male and female slave. That is why our poets say "it is proper for Greeks to rule barbarians". (1252b4-10)

Let us set aside the point that Aristotle's observations about barbarians are hardly to be trusted, and suppose that he has correctly observed that among (surely some specific group of) non-Greeks a particularly nasty gender institution has taken hold. The men of the tribe set themselves up as masters over the women who are treated as their slaves, and are accorded no better status than that of especially important domestic animals. We share Aristotle's perception that this is a strange and sorry state of affairs. But we differ with Aristotle on what precisely is strange and lamentable about it. According to Aristotle, it's no surprise that barbarian women are treated as slaves in their society. Barbarian women are, after all, *really and actually slaves*, belonging as they do to a slave race. That they serve as slaves is, therefore, explicable by their natural

attributes and is what is to be expected from the likes of them. What calls for remarking on, by Aristotle's lights, is rather that the men of this tribe perversely set themselves up as masters when "they do not have anything that naturally rules," i.e. practical reason and *phronesis*. For this arrangement is at odds with their natural constitution, and so requires a special explanation as the anti-natural perversion he thinks it to be.

We, by contrast, see the fact that non-Greek people rule themselves as calling for no special explanation. For we do not see this as a failure or perversion, but rather the ordinary course of things, since there are, after all, *no natural slaves to begin with*, and all people—Greeks and non-Greeks alike—have the same very, very good reasons to resist being enslaved. We may add that, as far as we are concerned, they are perfectly capable of conducting their own affairs, given that they possess the same basic capacities possessed by Greeks. So that the men do not have the status of slaves is, from our perspective, unremarkable. What calls for explanation from our perspective is, by contrast, the ideology and organization of society that leads to this especially brutal treatment of women. After all, women are as naturally free as men. This institution of gender oppression, therefore, actively covers over and suppresses this equality, no doubt by indoctrinating men and women alike. How such institutions work is an interesting and difficult question.

Now, we may say if we like that our deep conviction that slavery is wrong is empirical, if we mean by this that it is bound up with a belief in certain facts about what human beings are like, and certain corresponding explanatory commitments. But I think it bears emphasizing that this deep conviction does not rest on a scientific basis, even taking science in the broad sense to include history, anthropology and the other human and social sciences. The belief that slavery is wrong seems to me on a par with the belief that murder is wrong, or that I ought not to bear false

witness, or torture the innocent. It seems to go as deep as these beliefs go, and to have the same sort of status and basis that they do.⁵¹ Whatever this status is, surely it is not the status of scientific theory, and consequently, the justification of such beliefs does not rest on scientific evidence.⁵²

If anything, it seems to me that something more like the reverse is true: the reason I'm *absolutely positive* that the science, if conducted properly, will break my way is that I'm *absolutely certain* that slavery is wrong. Since it follows from my most basic moral beliefs that there are no natural slaves, I think that the results of good science will be compatible with this truth, as they are with every truth. In this way it seems to me that our moral beliefs set the agenda for scientific explanation. If someone produces a treatise arguing that there are slave races, our scientists—if they're worth their salt—will debunk it, partly by rejecting the supposed facts on which it rests and partly by fitting the facts that are adduced into a different explanatory framework. Perhaps there is some neutral way of comparing the explanatory value of the different approaches these differing commitments would produce. But perhaps there isn't. In any case, it is not because our scientists and historians can offer better explanations that we believe that there are no natural slaves.

⁵¹ These beliefs are connected. For, if there were natural slaves I think it would be an open question whether, e.g. I could kill one to save five. (I certainly can treat other domestic animals and my possessions in this way.) But prohibitions such as this are an important part of the prohibition against murder. Presumably the same point applies to the other primitive moral prohibitions on this list. For example, if there were natural slaves, it seems to me an open question whether it would be permissible to torture an innocent slave in order to obtain information needed to catch the murderer of a freeperson.

⁵² It does not follow from the fact that our belief that slavery is wrong does not rest on scientific evidence that no amount of scientific evidence could prove that we are wrong in this belief. A fuller treatment of this difficult topic might proceed by imagining what sorts of evidence, if any, someone who began with the conviction that there are no natural slaves would have to be confronted with in order to be justified in rejecting this view.

4.4 OKINOMIA II: GAMIKE AND TECHNOPOIETIKE

As we have seen, *oikonomia* has several parts that correspond to the different authority relations found in the household. Since we have just dealt with slavery that leaves the relationship of husband to wife, with the corresponding capacity Aristotle calls *gamike* (marriageship), and father to child, with the corresponding capacity Aristotle dubs *technopoietike* (parenting). A man on Aristotle's view is capable of leading a household by virtue of being able to exercise, in addition to *despotike*, both these capacities, being equipped by them to exercise authority over a wife, on the one hand, and over his children on the other. In virtue of the possession of these capacities a man is equipped to be the head of the household.

Consider the authority the father exercises over his children. Aristotle holds, not surprisingly, that the community of parent and child exists for the good of the child: for the provision of his health and safety, but also for the sake of his education and upbringing. Parental authority, unlike despotic authority (which is exercised for the sake of the master), is therefore exercised for the sake of the ruled rather than for the sake of the ruler (1278b37-38). The ground of this authority lies in the fact that "something older and completely developed is naturally more fitted to lead than someone younger and incompletely developed" (1259b3). The parent differs from the child in being equipped to govern his own affairs through his possession of *phronesis*. The child does not yet possess this ability but will someday, and it is precisely for the sake of developing this ability that the parent has authority. For by exercising authority over the child, the parent is able both to care for the child and to educate him into the full possession of

phronesis. The end product of this relationship is a full grown adult, capable of transcending parental rule, and taking the government of his own affairs into his own hands.⁵³

Following the case by case approach articulated above, let us ask whether parenting really is a non-technical rational capacity as this account suggests. (In this way we may see what is involved in locating a capacity in this category; this may serve us when we come to *politike* in §3.5.) Parenting does seem to be a practical capacity that people possess to varying degrees of perfection, and in virtue of which one is positioned to feel and act appropriately in the care of one's children. So it would seem to be a rational and practical capacity. But a doubt might creep in about whether it is really non-technical. After all, isn't there all manner of expertise that pertains to the rearing of children? Surely, we might think, such knowledge will best equip one to care for one's children. And in that case, won't parenting fall in the category of *techne* rather than *phronesis*?

Sometimes in the darker moments of one's relationship with ones parents, or when faced with stories of child abuse or neglect, one is tempted to say: child rearing should be left to the experts. But I think that for most people, such thoughts are just passing fancies. My impression is that most of us think that what is required for the rearing of children is the general capacity, suitably informed and developed, that full-grown adults possess to live life in a reasonable manner. We think that child rearing, therefore, is the business of ordinary full-grown adults. When we seriously contemplate the alternative, we find something horrifying in the idea of such development being taken out of the hands of ordinary people and put entirely under the

⁵³ Compare Locke: ...These statements must be modified if the child is a daughter rather than a son. In that case, she will not be educated to the *full* possession of *phronesis* as the son will be, but rather to the non-authoritative and advisory possession appropriate to a wife.

command of technicians and specialists. So it would seem that we do not accept the claim that parenting ought to be in the hands of experts.

But does this amount to a Luddite rejection of the usefulness of knowledge about childhood development, pediatric medicine and all the other technical disciplines pertaining to childhood? Echoing Plato's critique of democracy, we might ask whether this makes parenting into an epistemic farce, putting one of the most important practical tasks in the hands of those least equipped to handle it. I don't think such a charge would be apt here. First off, we should agree that what is required for parenting is ordinary adult competence, accompanied by a supporting practical knowledge (a large part of which can be gained on the job if necessary) of the basic facts about the care and development of children. So certainly, some empirical knowledge is necessary for parenting. But this is equally true of the exercise of our adult competence in any area whatsoever: we must always know the basic practically relevant facts. We would hardly think that geography swallows up *phronesis* because a *phronimos* might need to read a map to act well in some circumstance. So here too, the fact that parents to care for their children must have general knowledge of various things does not entail that parenting is a matter for experts.

But there are such experts, and what are we to say of them? We may embrace their usefulness to parenting and yet remain consistent, provided we see this expert knowledge as something that *supplements* parenting, and can be *made use of* by it. Let's take pediatric medicine as our example of a relevant expertise. As Aristotle says, "there is a way in which it is the task of a household manager to see to health, but in another way it is not his task but a

doctor's" (1158a30).⁵⁴ I think Aristotle has something like the following in mind with this remark. One takes care of the health of one's children in the ordinary course of things as a layperson, just as one sees to one's own health. But if one's child is sick, and one lives in a society where such expertise is available to consult, then in such circumstances one sees to the health of one's child...by making a doctor's appointment for him. One thus uses medicine as an "assistant craft" (1158a34), calling on it for aid when necessary. Similarly, to take a modern example, if one's child is having emotional or developmental problems, and the resources are available, one can call in developmental specialists or child psychologists. But it is clear, I think, that to be a good parent is not to be an expert in any of these fields, even if a good parent will make *use* of such experts when available. So the correct picture of sound parenting, I believe, is one of ordinary people raising their own children with the help, where relevant, of specialists. So it would seem that Aristotle is right in thinking that parenting is a non-technical rational capacity.

⁵⁵ (I will consider arguments suggesting that it alongside *gamike* is an essential capacity below. This would complete the piecemeal argument for locating *technopoietike* in our favored category.)

⁵⁴ Aristotle makes this observation in the course of his similar argument that *despotike* is non-technical, defending the claim that "A master is so called not because he possesses a science but because he is a certain sort of person" (1155b21). (This is the light in which his discussion of whether and in what way wealth acquisition is part of household management should be seen. Some of the puzzles he discusses arise because *oikonomia* is *phronesis*, and so the question arises how we to conceive of its relation to various technical matters, knowledge of which seems necessary for running a household.)

⁵⁵ This would explain the widespread sense that the experts do not, for all their expertise, necessarily make better parents than other people. If the relevant forms of expertise are "assistant crafts" to parenting (1258a34), and as Aristotle tells us, every assistant is classed as a tool (1253b30), then such expertise is a tool that is put to use by a non-technical capacity to rear one's children. But, as Plato points out, "no...tool makes anyone who picks it up a craftsman or champion unless he has acquired the requisite knowledge and has had sufficient practice" (374d).

So let us turn to the relation between husband and wife, the last of our authority relations. Aristotle here obviously reproduces the misogyny of ancient Athenian culture. For, in his account, a husband both exercises authority over his wife in their joint affairs, and is the primary authority figure in relation to their children. In keeping with the scruples discussed above, Aristotle sees this subordination of women as resting on a difference in kind between men and women, parallel to, but different than, the difference between slave and freeperson. On Aristotle's view a practically sound and properly brought up Greek woman has *phronesis* all right, and so is no mere slave. This *phronesis*, however, "is not authoritative", as he says with maddening brevity, and so is properly subordinated to that of a husband (1260a9-14). When a Greek woman is properly brought up she has a share in *phronesis*, but her *phronesis* is of an advisory and consulting kind, and so needs to be attached to a *phronesis* of the full-blown decision-making kind possessed by her man.

One problem of interpretation that arises here, owing no doubt to Aristotle's dismissive briefness, is that the description of female *phronesis* as non-authoritative seems to suggest a difference of degree rather than of kind. For it is tempting to assimilate this difference between male and female *phronesis* to the difference between the degree of expertise of someone with a commanding knowledge of medicine and someone with a less authoritative grasp of the subject. But we know this cannot be Aristotle's view, for he tells us explicitly that such authority relations cannot be justified by a difference in degree. It is clear anyway that it is not his view. For if it were a mere difference of degree then (1) a woman would possess the rational part of the soul in the same way that a man does, (2) a woman who possessed the authoritative degree of *phronesis* would be better than a woman who did not, and (3) the virtue of women and men would be the same. But Aristotle rejects all three of these claims, endorsing the contrasting

misogynistic view that “to a woman silence is a crowning glory”, and that female virtues are therefore different than male virtues (1264a20-30). As Aristotle notes elsewhere, “a man would seem a coward if he had the courage of a woman, and a woman would seem garrulous if she had the temperance of a good man” (1277b20). Aristotle would presumably then think of a woman who inserted herself actively into a leading role in a marriage as a mannish perversion of the female ideal.

So once again, what Aristotle has in mind is a sound example of an inferior form (hung this time on gender differences instead of race), rather than an unsound example of the same superior form that men have. A woman’s *phronesis* and virtue have different functions than those of a man. They do not equip her to govern her own affairs, but rather to play the role of a consultant and obedient advisor to her husband.

We will return to the offensiveness of this conception in a moment. If we generalize and abstract a bit from Greek arrangements, we might gloss *gamike* as the capacity to conduct a committed relationship. (By doing this we can discuss this capacity without yet importing the offensive misogynistic assumptions.) Conducting a relationship is certainly a practical capacity that different people possess to different degrees of perfection; some people are clearly better partners than others. The capacity seems to be rational in the requisite sense as well. For, someone who is a good partner is someone who feels and acts appropriately in this practical domain, and who is, therefore, well placed to hit upon the truth about what would be a good, or bad, appropriate, or inappropriate thing to do in the relevant deliberative contexts. In this case the capacity is clearly non-technical; we do not find even the temptation to conflate this capacity with neighboring technical expertise. No one thinks that one becomes a good spouse through esoteric lessons, or the mastery of technical subfields, but rather through ones upbringing and

practical life experience with such relationships. So *oikonomia* with both of its sub-capacities appears to be, like *phronesis*, a practical *hexis alethes meta logou* of the non-technical sort.

All that remains then is the question whether these are essential or non-essential capacities. I think there is a strong case to be made that they fall in the former category. This becomes clear when we focus on the grave harm that institutions that curtail their development and exercises wreak on the individual so affected, and on the kinds of reasons that would be required for justifying such institutions. My strategy here parallels our reflections on slavery, where we brought out the essential character of individual *phronesis* by reflecting on the grave harm that slavery does to those with that capacity, and the kind of reasons that, in light of this fact, we find (hypothetically) sufficient and (actually) insufficient for enslaving someone. We may focus on two sorts of institutions that curtail the development and exercise of the domestic capacities: the first is the subjugation of women of the sort Aristotle discussed, and the second is a eugenics policy of the sort advocated by Plato in the *Republic*, that allows some but not others to procreate and that takes parenting out of the hands of parents altogether.

Now, as was the case with slavery, it is clear that we will have none of Aristotle's account of wives. For we believe that women are naturally equal to men, and that if all is going well a husband and a wife exercise joint and equal authority in the government of the affairs of their family, both in their affairs as a couple (*gamike*) and in the affairs of their children (*technopoietike*). We believe, therefore, that there are no wives as Aristotle conceives of them. For we do not believe that humans divide by sex into essentially different kinds with respect to *phronesis*. Just as we reject his attempt to hang essential differences with respect to *phronesis* on race, we reject his attempt to hang milder but still offensive essential differences on gender. We

could court paradox by saying that, on our view, both men and women are Aristotelian husbands. Each belongs to a kind that when soundly developed possesses *phronesis* that is authoritative.

In light of this commitment to equality, when we consider an institution of marriage that subjugates women to their husbands, and so restricts the development and use of the capacity for exercising control over their relationship and family, we feel that a grave harm is being done to them. (Presumably we feel the same way about the institution that Aristotle would feel about an institution that so subjugated men.) In the face of the gravity of this harm we do not, for example, accept differences of the degree of the perfection of this capacity, or considerations about convenience, or the distribution of natural talents, as good reasons to distribute the exercise of this capacity to some in a relationship but not others. It is just as Aristotle says in our favorite passage: “It cannot be that the difference between them is one of degree. Ruling and being ruled differ in kind, but things that differ in degree do not differ in that way,” (1259b34-38). We feel that this is as true when it comes to control over ones marriage and family situation as it does when it comes to ones basic freedom as an individual.

This is why Locke’s justification, for example, of the authority of husbands over their wives seems so inadequate. (It also has the flaw of being based on a false claim about the distribution of natural talents between the sexes, but I leave that criticism aside.) He says,

The husband and wife, though they have but one common concern, yet having different understandings, will unavoidably sometimes have different wills too; it therefore being necessary that the last determination, i.e. the rule, should be placed somewhere; it naturally falls to the man’s share, as the abler and the stronger. (Locke, 44)

Locke here presents what is a pragmatic problem as a reason for subjugating women. His thought is that husbands and wives, being different people, will naturally sometimes disagree, but that

nonetheless they must still exercise authority over their joint affairs, and so often there must be a “last determination”, i.e. decision, reached.⁵⁶ His ground for thinking that one of the two partners must be subjugated to the other is, therefore, that the pragmatic difficulties of working out disagreements would be too great if they shared in the authority. Having settled on subjugation as a solution to the hassle of marital disagreement, he then asks which partner ought to be in charge. In answer to this question he trundles in some supposed differences in the distribution between natural talents between men and women to justify giving the authority over to the men.

But such pragmatic considerations do not give us adequate reason to subjugate one partner to another in the first place. It’s true that sometimes decisions must be made in the face of disagreement between committed partners, and one must admit that this is something of a hassle, but this is an *utterly inadequate* ground for curtailing the exercise of the capacity of women to exercise authority in their relationships. To justify the subjugation of women it would take the Aristotelian maneuver of attributing essentially different power to the two sexes, and in particular, denying women the capacities for *gamike* and *technopoietike*. Short of this nothing

⁵⁶ In *Leviathan* xx, Hobbes makes a similar case for the necessity of subjugating one spouse in a marriage, but he dispenses with the false claims about the superior natural talents of men, arguing that convention and law settle—in civil society at any rate—which spouse should be the one to rule. He follows his usual perverse strategy of arguing that people who are equal ought permanently to be subject to extremely authoritarian arrangements. He is able to do this, because Hobbes, unlike Locke or Rousseau, does not operate with the concept of essential capacity. In part this is owing to his anti-Aristotelian metaphysical scruples, scruples palpably lacked by Locke and Rousseau. But since the category we are considering is ethical and, I will be arguing, political in character, it is also in keeping with Hobbesian explanatory commitments to avoid appeal to it. Hobbes seeks to justify morality and politics on the basis of self-interested rationality—the only rationality there is according to Hobbes. This motivation for abstaining from appeal to such categories is a deep one that must be engaged with on a suitably deep level. Ultimately I would want to call into question the restrictive conception of rationality with which Hobbes begins, and on which his explanatory ambitions are based. But I do not shoulder this task here.

justifies the subjugation of one partner in a committed relationship. But it is just this kind of justificatory demand that makes something an essential rather than optional capacity.

Now in the *Republic* Plato is very good about the relationship between the sexes; he actually manages to philosophize his way out of the misogyny of his society. It is a clear example of a case where Plato's willingness to condemn—at the drop of a hat—any and all contemporary arrangements enables him to come closer to the truth as we see it than Aristotle's contrasting tendency to think that Greeks are more or less on the right track. So Plato does not end up defending the subjugation of women as Aristotle does on the basis of the claim that women have different souls than men, explicitly rejecting such an essential difference. But he does infamously argue against the institution of the family, at least for his class of guardians. I will just briefly indicate some of the arrangements he champions and the reasons that he gives in support of them.

He suggests that just as when breeding domestic animals we are justified in breeding from the best in order to get offspring with the best natural traits, so reproduction among the guardians should be arranged so as to breed only from the best in order to produce future citizens with the greatest natural talents possible. He arranges for this with an elaborate procreation lottery that is rigged to throw together the best men and women, and to shut out those less good from procreation altogether (459a-460d). So the exercise of the capacity for sex and procreation are denied to some people and allowed to others, depending on the distribution of their natural talents.

Now, since these lotteries are annual and since Plato also forbids private cohabitation, having the guardians live like soldiers in common quarters, it seems like a bit of a stretch to think of these lotteries as resulting in stable relationships at all. Beyond sex then, all guardians are

denied the exercise of the capacity for living together in a relationship with a partner (*gamike*). Plato's reasons for this proposal is that the individual associations characteristic of the household, like romantic love and private property, give one a private interest different from one's interest as a citizen (460d-461d). For this reason Socrates also argues that children should be taken from their mothers at their birth and be raised by nannies. Parents should have no idea which children are theirs, and no hand in raising their family—so *technopoiétique* goes by the board too, also for the sake of cultivating a singular loyalty to the fatherland. Instead, Socrates argues, the concepts of family should be deployed in relation to the class of guardians as a whole. So one will think of the entire generation above one as one's parents, and the entire generation below one as one's children. This will harness familial relations, while decoupling them from the privacy of the family; the family will become, as it were, a civic institution.

These proposals have rightly been found monstrous by all commentators not of a national socialist bent. The reason broadly speaking is that Plato here curtails the exercise of essential capacities on the basis of considerations that are clearly insufficient for doing so. Let us start with the “marriage” lottery. Sex and procreation are pretty basic goods, on a par with other biological needs and functions. In curtailing the exercise of these capacities in the less talented, the marriage lottery is surely a distribution that cuts across the human good, doing great damage to those who are shut out. In light of this fact, the desirability (and is it so desirable?) of having a citizen body with especially great natural talents does not justify us in denying the basic goods of sex and procreation to those of lesser natural talents. Indeed, since *by Plato's own lights* the city exists in order to satisfy the needs of its citizens in light of their lack of self-sufficiency, the

denial of the opportunity to satisfy such a basic set of needs seems unjustifiable.⁵⁷ We might bring out the unacceptability of these arrangements by asking, for the sake of what is this sacrifice being asked of its less talented guardians? They are being asked to give up essential functions so that in the future more natural talent will exist to serve a city—that will presumably continue to harm its citizens in this way. But should we be keen to feed such a monster?

Let us turn to the proposals concerning parenting and the family. Aristotle spends considerable ink arguing that the generational ties Plato seeks to establish will inevitably be poor substitutes for their genuine and necessarily private household correlates (1261b16-1262a24). In doing so Aristotle is arguing in part for the value of the household and its particular associations, and so, implicitly, for the essential character of the underlying capacities. No doubt this is a deep topic in ethics about which there is a great deal one could say. Many possible family arrangements have been tried in different societies, and countless others are doubtless possible. I, for one, would not want to assume at the outset, for example, that marriage and the institution of the nuclear family as it has been conceived in the West in very recent times is free of deep and systematic problems, or uniquely justified. But I would, I think, be open to the thought that there are pretty basic and fundamental capacities in the neighborhood, of roughly the sort Aristotle names, viz. *gamike*, the capacity to share a life with a partner (or perhaps partners), and *technopoietike*, the capacity to raise a family of one's own. Although these capacities may be

⁵⁷ As Nussbaum argues, part of what is moving Plato here is his view of the appetites as evil, and so his tendency not to see sex and procreation as essential capacities. (They are, as it were, dangerous concessions we make to our material envelope, and the appetites for them constantly threaten to drag us away from the light of reason.) She rightly connects this to Plato's view of the soul as submerged in a material body that he describes explicitly as mangling it. (Here we begin to see some of the political consequences of Aristotle's sane and attractive hylomorphism in contrast to Plato's Manichean metaphysics of a good immaterial soul and an evil material body. These are not innocent theoretical disputes; our metaphysical conception of man has practical consequences.) See "Shame, Separateness and Political Unity," pp. 410-415.

exercised in various possible cultural and institutional shapes, it seems at least arguable to me that they cannot just be thrown overboard by a political community without doing a grave harm to its citizens. At any rate, some thought along these lines would explain what seems so monstrous in Plato's proposals for dissolving the family. Again the reason—the need (and is it a need?) for maximally patriotic citizens—seems incommensurate to the sacrifice being demanded. We can bring out the unacceptability of this trade off by asking, once again what the trade off is for. The citizens are to sacrifice the possibility of having private relationships so that, with the added loyalty this will produce, the city can go on doing this sort of thing to future generations.

These considerations taken together strongly suggest that *oikonomia*, once shorn of *despotike*, is an essential capacity, or set of essential capacities. Or, if we are skeptical of this claim, I think we have at least to admit that it is at least not obviously wrong. Since *oikonomia* possesses the other marks of the category occupied by individual *phronesis*, this shows that individual *phronesis*—important as it is—isn't necessarily one of a kind. There may be more members of this category; there is certainly nothing incoherent in the thought, and it seems that we may even have found some likely candidates. And if that is true, might we find *politike* there as well?

4.5 POLITIKE

As I noted at the outset of this chapter, Aristotle opens the *Politics* by announcing in programmatic terms the line of criticism that he will be pursuing against Plato. He takes as his target Plato's assimilation of forms of authority and the practical capacities underlying their

exercise. This assimilation is most explicit in the *Statesman*, but is clearly operating behind the scenes in the *Republic* as well. According to Aristotle, Plato fails properly to distinguish the different forms of *koinonia*, and especially does not come to terms with the tremendous differences between the political community, on the one hand, and the forms of community found in the household, on the other. As a result he fails adequately to distinguish the role of the statesman from the role of household authority figures, assimilating political authority to the authority of a master over his slaves, a husband over his wife, or a father over his children.

It will be useful, having gone through them, to see what commonality unites the forms of authority found in the household on the one hand, and what separates them from political authority on the other. As different as the forms of household authority are, they nevertheless share much in common. For one thing, the subjects over whom these forms of authority are exercised are united by the fact that they lack the relevant ability to govern their own affairs, at least in an authoritative way. And the roles of the different authority figures are united—in addition to often being occupied by the same free male head of the household, who simultaneously wears all three hats of master, husband and father—by the fact that the authority figure possesses the capacity that the subjects over whom the authority is exercised lack.

It is thus characteristic of the authority exercised in the household, on Aristotle's view, that the ruler is superior to the ruled precisely in respect of the possession of the capacity to rule. As a result, the authority exercised in the household when functioning properly has a unilateral quality. For it is rule by a superior individual over other inferior individuals. Such a separation between ruler and ruled is inevitable in any community where the form of authority exercised is justified on the basis of a lack of capacity, on the part of those governed, to govern their own affairs in the relevant domain. *For in this case the very thing that necessitates the exercise of*

authority ensures that the ones over whom authority is exercised are not fit to possess a share in this authority. This is the deep common structure, according to Aristotle, shared by the forms of authority exercised in the household. They are united precisely by a separation of the ruler from the ruled, predicated on the basis of this asymmetry of capacity.

The household is, as it were, Aristotle's receptacle for all the dross in the *polis*: the slaves, the women and the children. The household is where natural inferiority has its literal home. But having found this receptacle Aristotle is freed to see the political realm as the wheat without the chaff. For citizens in the unqualified and most proper sense are, according to Aristotle, free men, who are in possession of *phronesis*, and so are equipped to govern their own affairs.⁵⁸ In the political realm we therefore find a form of authority that is unlike any found in the household in that it is exercised over free and equal individuals (1255b20, 1279a20). These are individuals who are equal to one another precisely in terms of the possession of the capacity to exercise authority (NE 1134b14, 1277a25). *Politike* is, for this reason, a very different deployment of *phronesis* from *oikonomia*. For, *politike* is what equips one for exercising authority over one's equals, who possess this capacity as well. For this reason, the possession of *politike* unites ruler and ruled, rather than dividing them, as does *oikonomia* and its sub-capacities.

Now Aristotle infers straightaway from this equality that those who are subject to political authority ought to have a share in the very authority to which they are subject. He suggests that only such an arrangement is fitting, given the equality between ruler and ruled in

⁵⁸ Free women and children are citizens in a qualified way, slaves not at all. For the exclusion of slaves and children see 1275a5-21.

the political case (e.g. 1259b4-6, 1261b).⁵⁹ This sanguine rejection of authoritarian forms of government, and the embrace of what we might call a limited democracy of free men is perfectly logical on Aristotle's assumptions. For, since man is a political animal, membership in the political community is an important element of human nature. The exercise of *phronesis* in the government of the affairs of this community is, for this reason, an essential constituent of our good. Democracy is, therefore, the only form of government that has so much as a chance of providing citizens with the conditions within which they can choose a good life.

A permanent division between ruler and ruled in the political case, by contrast, would amount to a grave harm to those locked into the position of ruled. Given the usual Aristotelian scruples (1259b34-38), the only thing that could justify such a unilateral authority would be the lack, on the part of those ruled, of the capacity to rule. But the political case is precisely one where this condition is not met. An authoritarian form of government would, therefore, harm its citizens by denying them the opportunity to exercise an essential capacity. And since Aristotle also holds that one acquires a full-blown *politike* through practice and experience (1127b7-12), the denial of the opportunity will end up amounting to a diminished capacity as well. This would be, in essence, to treat a free citizen who was the natural equal of his ruler as though he were a slave or a child.

A limited democracy is, therefore, justified on the ground that it is the only form of government that distributes to its citizens the opportunity to govern the affairs of their political community. It is the only form of government that is compatible with the nature of the political community as a community of free and equal citizens. For the citizen in the fullest sense is

⁵⁹ Aristotle often imagines this sharing in terms of taking turns ruling and being ruled. But it is clear that there are many possible arrangements here, and we should be flexible in how we think of this sharing.

someone who exercises his *politike* alongside others, and so who both rules and is ruled in turn. As Aristotle tells us, “the capacity to rule and be ruled is at any rate praised, and being able to do both well is held to be the virtue of a citizen” (1277a25). And still more stirring, “this is the virtue of a citizen, to know the rule of free people from both sides” (1277b15). One can’t help but be reminded here of Rousseau, who expressed the same idea beautifully in a different idiom by saying, “The essence of the body politic consists in the harmony of obedience and liberty; and the words subject and sovereign are identical correlatives combined in the single word citizen” (Rousseau, 111). Democracy is therefore justified as the only form of government where citizens “know the rule of free people from both sides”. It is the only form of government that befits the possessors of a capacity for practical reason with a political deployment.

The justification is for only a *limited* democracy because Aristotle sees only a small subset of human beings as possessors of *politike*, and so as citizens in the unqualified sense. If one is a natural slave then one is not free; one belongs to a kind that does not possess *phronesis* at all, and so one has no need for the opportunities for its exercise. If one is a free woman, then although one does possess *phronesis*, it is not authoritative; as a result one can exercise one’s *phronesis* in the political sphere only through one’s husband. If one is a free male child, then although one is on the way to possessing *politike*, one does not possess it yet; to distribute the exercise to male children would be premature. Since women, slaves and male children, when added together, naturally make up the majority of human beings, the rationale for democracy applies very narrowly indeed on Aristotle’s view. Most human beings are not free equals and so do not qualify for citizenship in the full sense.

Now we reject Aristotle’s treatment of two out of three of these groups. We do not accept his attempt to hang an inferior form on the barbarians, for we do not believe in natural slaves.

We therefore extend the category of the naturally free to embrace all of humanity, regardless of race (§3.3). Nor do we accept Aristotle's attempt to hang an inferior form on the female gender, for we do not believe in natural wives either. We extend the category of those with authoritative *phronesis* to all human beings, regardless of gender (§3.4). We, therefore, give equality a much wider scope than does Aristotle. Women and barbarians are in; children are out, for the harmless reason that Aristotle gives. Since they are developing they will be in soon enough. Given our wider commitment to equality and freedom, our rationale for democracy expands correspondingly. There is, for us, no one outside the circle who will not be in the circle eventually.

For Aristotle, *politike* is an employment of *phronesis* that is on a par with (indeed, even superior to) the other important deployments of *phronesis* that he discusses. If Aristotle is right to view *politike* as the equal of *oikonomia* or *phronesis* in the narrow sense, then it seems like his argument goes through. Given our expansion of the circle of potential *phronimoi*, this will amount to a full-fledged argument on behalf of democracy, as the only form of government compatible with our equal status as human beings. This would be a satisfyingly non-instrumental defense of democracy. Given our piecemeal approach, we may ask however, as we did with *gamike* and *technopoietike* in §3.4, whether *politike* really does belong in our favored category of practically rational non-technical essential capacities.

I think we can take it as uncontroversial that *politike* is a practically rational capacity, in virtue of which one is equipped to make good decisions about the government of the

affairs of the political community.⁶⁰ But the question does arise whether it is non-technical and essential. There are appearances that might *seem* to be incompatible with each of these features. I will attempt to argue, however, that these appearances need not be so interpreted, and so do not really stand in the way of an Aristotelian view. By the end I may not have said enough to shutter all debate, but I hope to at least have cast some light on the contested terrain, and said enough to make reasonable the expanded Aristotelian position.

If in §3.4 we noted that there was a great deal of expertise out there pertaining to the rearing of children, we must admit there that is a great deal more still pertaining to the political community. This was, of course, true in Aristotle's day as well. Even ancient Athenians had to deal with military matters, with city planning and construction, and with taxation and finance. But it is also true that such expertise pales in the face of the massive technical knowledge required for the running of a modern economy and military in a contemporary geo-political context. Just think of all the relevant expertise! Law, economics, history, environmental science, engineering, city planning, military strategy—the list goes on and on; it is in fact indefinitely extensible. The appearance that the capacity to participate in the government of the political is a matter for experts, and that ordinary citizens are just not up to the task is even greater now than it was in Plato's day. The mind positively boggles at the requisite expertise. How in the face of all that can we pretend that *politike* is a non-technical capacity possessed by ordinary adults as a result of their upbringing and practical experience?

But perhaps we can raise a doubt about this objection precisely by appealing to the indefinite extensibility of the list. Can it seriously be maintained that in order to participate in the

⁶⁰ Someone could deny this on the grounds that there are no objectively good or bad decisions to be made on skeptical or non-cognitivist grounds. I do not argue against these positions in this dissertation. See §2.1 for a brief discussion.

government of one's political community one must be expert in all of these fields? Surely this is impossible for any one person. We cannot then think that one must know all these things, unless we are really ready to say that *no one at all* is qualified to participate in governing the affairs of his political community. Surely something is going wrong here.

It is not hard to see what: for we may appeal here precisely to the division of labor (§1.3). The reason that no one individual needs to know it all is that the political community provides us with the requisite partners and helpers. What I lack in knowledge is made good by the expertise possessed by others. The experts are there, only waiting to be consulted: generals, economists, architects, engineers, historians, etc. And so the rulers of the political community need not possess all this expertise, provided they are willing to draw on "assistant crafts", in the way that parents may draw on pediatric medicine and developmental psychology as needed. And this is exactly what Aristotle tells us about the relationship of the arts and sciences to *politike*: *politike makes use* of all the other arts and sciences (1094b).

As with parenting, we may happily admit that a great deal of general knowledge may be necessary to exercise *politike* sensibly. For one thing, since *politike* is a disposition, practice and experience with civic participation is necessary in order for one to be capable of competent civic participation. So some experience clearly is necessary. Furthermore, as we have seen, it is always necessary to be generally informed in order to exercise ones rational capacities intelligently. To able to participate in the government of the affairs of one's community, one must have knowledge of basic civics: of the workings of one's government, of history, of current affairs, perhaps even of economics. But one need not be an expert in any of these things, because one may lean on the cognitive division of labor by consulting the requisite experts as necessary. So

we can admit that one must be informed, and have experience, without giving up on the non-technical status of *politike*.

The case really does seem analogous to parenting. In order to be a good citizen, one does not need to be a historian, economist, city planner, or general any more than one needs to be a pediatrician or child psychologist to be a good parent. One needs only one's ordinary adult competency, supplemented with practical experience of civic participation, and a general knowledge of relevant facts. But, as with parenting, this does not amount to a Luddite rejection of expertise in areas touching on politics, for such expertise can and must be put to good use by citizens who consult the relevant experts. So the appearances of the relevance of tremendous amounts of expertise can be comfortably accommodated without giving up on the non-technical character of the capacity to have a hand in one's government.

That *politike* is an essential capacity is, of course, a crucial premise in Aristotle's argument as well. For if it were an inessential capacity, then one could put its exercise in the hands of a fraction of the community without harming the rest. The fact that it was non-technical would then be neither here nor there for the defense of democracy. But there are also appearances that, when misinterpreted, can lead one away from the view that *politike* is an essential capacity.

In the context of a modern nation state the ordinary citizen is typically *very* far removed from the workings of his government. By contrast, in ancient Athens any individual citizen, as one of perhaps 20,000 citizens, could play a very active role in his government. Athens was, furthermore, a direct democracy, and in addition to directly voting on laws and policies, an individual would very likely serve in some kind of office when his name came up in one of the many lotteries. In the contemporary context of massive nation-states and representative

democracies, the impact and involvement of an individual citizen is normally much less. Perhaps every four years he casts a vote; perhaps he doesn't even do this. He is unlikely to ever meet any of his representatives, or to serve in any office himself, except perhaps as a juror at a trial. We should also note that the prevailing mode of production in all modern democracies is currently capitalism, with money playing a pretty tremendous role in terms of access to, and influence on, one's representatives. If a citizen is not very rich, he is unlikely to feel or be politically empowered.

In the face of these facts it can become tempting to think of *politike* as a non-essential capacity. If politics is something that whirls far above one's head, out of one's reach and control, while personal and familial affairs are directly under one's influence, then it becomes easy to think of politics, unlike family and one's individual pursuits, as something that is not essentially connected with one's life. In this frame of mind politics can appear as something that only certain odd people take up. For isn't politics just one of the many things an individual might be interested in, something that might figure on a long list of possible interests on one's Facebook page, alongside various hobbies and sports? This line of argument has been pursued most recently by Stephen Taylor Holmes, who explicitly argues against the Aristotelian position on the basis of just such dispiriting observations. He says many things like this:

In modern society there is no longer any question of morally and humanly fulfilling participation for the mass of citizens inside the political system. As a matter of fact, the right not to participate in politics...is often viewed as a fundamental condition of one being able to live with some degree of happiness and dignity. At least this is what lends creditability to Nietzsche's claim, so shockingly unlike Aristotle's, that politics is "a field of work for the punier heads." The un-Greekness of such influential and compelling reinterpretations of political participation seems unmistakable. No one can "realize" him- or herself through mass ballot voting... (Holmes, 19)

According to Holmes the problem with an Aristotelian view in the modern context is that it makes politics seem much more important to people than it actually is.

The first thing to point out about this argument is that it has a disturbing form. Whenever prevailing institutions are far from ideal these institutions will always throw up appearances that can be used to justify them. Unjust institutions in this way have a self-justifying character. For example, one feature of institutions that subjugate women is that some women, having been shaped by these institutions in the course of their upbringing, will not object to such subjugation, or in fact will actively defend it. Or again, one consequence of the institution of slavery, or any institution that oppresses some group in a particularly brutal way, is that the members of this group will then be broken down, and tend not to function at their best. It will always then be open to argue, in a maddening self-justifying fashion, for the unjust institution on the basis of the appearances it produces. We may conclude that slaves or women are naturally inferior on the basis of the fact that slavery has *made* them inferior. Or we may argue that they are happy being slaves on the basis of the fact that they have been raised to profess satisfaction with the institutions that oppress them. So one worries here that the consequences of what seem like serious problems with current political arrangements are being presented in order to justify the very flawed institutions that produce them. Certainly the sorts of things that are being put forward here as evidence, that ordinary citizens have little say in government, that they are cynical and detached, that being involved in politics is the privilege of the rich, and so on seem pretty squarely non-ideal.

So some of these appearances can set aside as pretty suspiciously non-ideal. But I think that others can be openly embraced. For example, our sense that some people may choose to be more involved in politics, while others may be less interested in doing so, is compatible with the

view of *politike* as an essential capacity. For the same is true of parenting: some people choose not to have or raise children. We recognize that this is a choice that may be justified for some people, and under some circumstances. Just because a capacity is very important, and tied up with our good, it does not follow that everyone must choose to exercise it. But what does seem to follow is that, provided it is possible, everyone should have the *option* of exercising the relevant capacity should they choose to. That not everyone wants to serve actively as a representative, or to spend great quantities of time on politics, is compatible with the fact that everyone should have the option of doing so.

The fact that everyone *must* have the option is, I think, explained by the fact that we are talking about a capacity the exercise of which touches directly on one's good. This is why to deny someone the exercise of it is to render him a great harm. That some people might be justified in leaving aside, to some extent, the exercise of this capacity for other things is not incompatible with this; for what they are leaving aside is something that touches directly upon their good. Similarly, if one chooses not to have children or to get married then one forgoes what is in general a great good. Perhaps one is justified in doing so. But what one leaves aside is no small matter. I think it is right to say something similar about politics. Having a say in the government of the affairs of one's political community is a great good. Some may choose to forgo it to some extent, perhaps with sufficient justification. But what they are forgoing is something really important.

We may test the view that *politike* is an essential capacity directly by considering what kinds of grounds seem sufficient for denying its exercise to some. For example, we may consider how we feel about denying a say in government to those with lesser natural talents, in order to ensure that political decisions are made by those most capable of making them well. To be clear,

these superior people are not experts and their inferiors are not laypersons. We are taking as already established *politike's* non-technical character. Both the more and the less naturally talented may possess the capacity. The less talented are simply people who are likely to exercise it less well because they are, for example, somewhat dim, or prone to irrational fear, or whatever. It seems, to me at least, that making one's right to vote contingent on the results of an IQ or emotional aptitude test would grossly wrong those with lower lesser natural talents. (I leave aside here the fact that such tests would probably fail to gauge people's natural talents. Suppose there was a test that did.) So someone's a bit thick: it's still a lousy thing to take the affairs of their community out of their own hands. A difference in natural talents does not seem the right kind of reason for making such a distribution.

We may also consider broadly pragmatic reasons. For example, should we say that since intelligently engaging in political decision-making takes a lot of time, it's too much to ask an ordinary person to do it, in addition to everything else? It is open to the Aristotelian to say in a sense yes and in a sense no. Within a democracy, there is room for having elected representatives do some of the political decision-making for us, on just such practical grounds. Done rightly this need not deprive ordinary people of control over the affairs of their political community, and so such representation need not be incompatible with democracy. For example, suppose elections were held very frequently, ordinary people had no problem running for office, and money played no role in politics. In that case, you could have institutions that made politics a full time job for a minority of citizens, without depriving the majority of their share of control over their community. But such considerations seem *utterly* inadequate as reasons for, say, denying some portion of the population of the right to vote for representatives. In short, pragmatic considerations seem relevant only as considerations about how to design institutions that are

democratic. When it comes to the question whether to have democracy in the first place, such considerations are not relevant. To say that, on account of time constraints, democratic institutions ought to be thus and so is one thing. To say that the ordinary citizen ought not to have a say in politics because that would be too much of a burden on him is another altogether, and patronizing in the extreme.

Now, I admit that someone might maintain that these facts about what considerations are relevant, and in what ways, are explained by something other than the nature of the underlying capacity. But isn't the obvious explanation just that having a say in what happens in one's political community is a great good? And that as a result the political community will, ideally, give everyone the opportunity to exercise their capacity for participating in the government of the affairs of their community?

If so then the justification of democracy is something simple and fundamental, rather than the baroque and highly contingent affair that Estlund (§2), for example, makes it. Our rejection of authoritarianism shares much in common with our other fundamental moral commitments, such as our rejection of slavery and the oppression of women. For in each case, authoritarian relations would be justified only if the group subject to the authority was of an inferior form, not possessing the capacity to exercise the relevant authority. So our commitment to non-authoritarian forms is at the same time a commitment to equality. Indeed, as this chapter shows, we might think of these three commitments as part of the same story, in as much as a fully democratic society embraces women, and is incompatible with slavery. So democracy travels hand in hand with equality and freedom, and is a primitive political value.

But where does this leave us vis-à-vis the enemies of democracy? If you remember, part of Estlund's motivation for his approach, I claimed, lay in his desire to give a substantive defense

of democracy. He was casting about for a real stick with which he could thrash the enemies of democracy. It is a curious thing, but the desire for such a stick leads one, I think, to give as flimsy and unsatisfying a defense of democracy as Estlund, in the end, gives. By contrast, if one admits that democracy is a fundamental value, on a par with our rejection of slavery, or the oppression of women, and gives what seems a red-blooded defense, one is left, to some extent, stickless. For if democracy is a fundamental political value, implicit in the very nature of the political community as a community of free and equal citizens, then the disagreement with the enemy of democracy will be of an especially fundamental kind, and it will be open to him to deny our premises.

There are perhaps several ways for an enemy of democracy to do this. The most direct way would be to reject the equality of human beings. This would amount to the claim that there are what we might call “natural subjects”; that human beings divide into kinds, with some sound individuals lacking the capacity for *politike* and others possessing it. In this case the debate will have the same quality that the debate over slavery takes (§4.3). Such a debate will inevitably take on a queerly empirical character, although what lies at its basis is not an empirical theory, but rather opposing moral convictions. A less drastic rejection of democracy could come by denying that *politike* is an essential capacity. I have argued that the appearances do not force us to think in this way, and that furthermore we have strong moral intuitions that point the opposite direction. But the opponent of democracy will not share these moral intuitions. Lacking these convictions it will be open to him to argue, for example, that it is really no big deal for people to be deprived of the right to vote, and that the added benefits of different arrangements justify them over democracy. It will be hard to find a stick with which to beat such an opponent into submission.

But perhaps the desire for such a stick is misguided. I'm not sure; I admit that I feel the pull of it myself. In the absence of such a stick, one feels that the case for democracy is somehow vulnerable. But perhaps this is a feeling of vulnerability that one should learn to live with. For that democracy rests on some crucial and deeply held moral beliefs *that someone could reject*, we might think, leaves it no more or less vulnerable than the rest of our basic moral and political convictions.

If we embrace this vulnerability and accept the Aristotelian defense, what are we to say about Plato's blistering critique of democracy? What are we to say in reply to the Ship of State and Plato's depiction of democracy as an epistemic farce? And what are we to say about his corresponding defense of epistocracy—the rule of experts?

I think we are in a position to see that there are two problems with Plato's Ship of State. The first is the idea that an adult citizen with a normal upbringing and much practical experience of civic participation can be likened to a sailor who "never learned the art of navigation, cannot point to anyone who taught it to him, or to a time when he learned it" (488b). For the capacity that corresponds to the art of the navigator in the political case—*politike*—is non-technical, and is acquired precisely through one's upbringing and practical experience with civic participation. Plato's error is to try to infer from the fact that one is fitted to rule by dint of the possession of practical knowledge to the conclusion that rule should be the province of experts. But this inference works only where the practical knowledge in question is technical. Plato here imagines *politike* as an esoteric, technical art that one learns through lessons, and that is out of the reach of ordinary citizens on the basis of their ordinary experience of politics. But *politike*, like parenting and practical reason more generally, just isn't that kind of capacity.

The second problem comes from the fact that *politike* is an essential capacity. It may do no great harm to sailors to be under the authority, while at sea, of a captain who is knowledgeable about seafaring. For navigating is not an essential capacity. So a description of a sailor as not involved in the navigation of a ship is not thereby a description of an individual who has been injured and wronged. But this can hardly be likened to the political case. For once the sailors arrive at port and re-enter the political community, they will be greatly wronged if they are under the thumb of their captain or anyone else.

So if *politike* is an essential and non-technical capacity, then sailing is a bad analogy on two crucial counts. The upshot is then that Plato has not made his case for epistocracy. In its place we find democracy as the ideal befitting a community of free and equal citizens.

5.0 SOME REFLECTIONS ON IDEAL THEORY

5.1 INTRODUCTION

Political philosophy is a practical inquiry. This fact is widely recognized and perhaps beyond dispute. But not all contemporary authors appreciate the far-reaching consequences of this fact. In particular, I will argue that two widely held theses in political philosophy—the thesis of value pluralism and the thesis of moderate scarcity—are both in conflict with the practical character of political philosophy and so should be given up.

I begin in this introduction by making some remarks about the practical character of political philosophy. I argue that the ultimate object of political philosophy is to advance an account of the ideal political community. I argue that this account has two components. One is a value component, an articulation of the values like freedom and justice that make a political community good and determine our political duties to one another. The other is a material component, a conception of the material resources required for the realization and continued existence of the ideal political community. I defend a practicality requirement on this account of the political ideal taken as a whole consisting of both the value and material components, and suggest that failure to meet this requirement is what is wrong with a political philosophy that is utopian.

In 6 I turn to the value component, and consider the popular thesis of value pluralism.

One element of what goes under the name “value pluralism” in political philosophy is the claim that fundamental political values such as freedom, equality and justice are necessarily in conflict with one another. As a result some can be achieved only at the expense of others, and it is impossible to have them all, at least to their full degree. On the basis of this view, value pluralists maintain that the notion of the ideal political community, understood as one fully realizing all the fundamental political values, is to be rejected as an unrealistic fantasy. This rejection is animated by an anti-utopian spirit and a pretension to realism; but as Berlin—the grandfather of the view—notes, “there exist more ways than one to defy reality”. I argue that although the value pluralists seem to embrace realism on one level, they defy it on another, and so are in conflict with the practical character of political philosophy. As a result we ought to give up the thesis of value pluralism and replace it with a political correlate of the unity of the virtues.

In 7 I turn to the material component, and consider the popular “thesis of moderate scarcity”: the view that for the purposes of reflection on political justice we must assume that the polity is somewhat deficient in material resources. According to the proponents of this thesis, the fundamental application of political justice is to situations where there is not enough to go around. At the basic level justice is to be understood as a fair scheme for the arbitration of the conflicting claims of citizens on scarce resources. This seems at first glance like a very practical and realistic doctrine. But I argue that this appearance is misleading. What considerations of practicality demand in political philosophy is the reverse: that we adopt the “thesis of sufficiency”—the claim that the fundamental application of the concept of political justice is to situations where resources are sufficient, rather than scarce.⁶¹

⁶¹ C.B. Macpherson, over the course of his distinguished career, persistently attacked the thesis of moderate scarcity, first in his *Theory of Possessive Individualism* (New York: OUP 1964),

Putting together 3-7, the general conclusion of this dissertation is that the ultimate aim of political philosophy is to give an account of a democratically self-organized society, governing itself in accordance with a set of compatible values, in conditions of sufficient material resources.

5.2 THE PRACTICAL CONCEPTION

In the ordinary course of human life we are ineluctably confronted with the question “How to live?” One version of this question confronts us as individual agents, namely “How should I live?” I assume that it belongs to ethics to articulate this knowledge. It is true that this question is a peculiar one, and not the sort that she is likely to raise in these terms, unless she is also a philosopher. But her good choices are an expression of practical knowledge, and this question has served, since Socrates’ time, as an intuitive way of marking its domain. Ill equipped to answer it as we may be, we all still confront this question: as practical agents we live one way or another, which can be evaluated as good or bad, and for which we are responsible.

But this is not the only version of the question “How to live?” For example, we confront other versions in connection with the different communities to which we belong, like the family and the political community. If in the first version of the question the agent reasons about herself, in these other versions she reasons about the community of which she is a part. Since these

then in *The Real World of Democracy* (Concord, Ontario: House of Anansi Press Limited, 1965), and finally in his collection of essays *Democratic Theory: Essays in Retrieval* (Oxford: OUP 1973). His argument proceeded from a conception of democratic theory. My argument proceeds from a slightly more abstract conception of ideal theory. But since I think (although I do not argue the point here) that ideal theory *is* democratic theory, I hope that in the end my arguments are in spirit, if not detail, consonant with his.

communities consist of a plurality of reasoning agents, these latter questions are naturally posed in the first person plural rather than the first person singular. It is this version of the question to which political philosophy addresses itself, namely, “How should *we* in the political community live?” or more specifically, “How should *we* live *together*?”

We might put our conclusion from Chapter Four in terms of this Socratic question. If the argument there is sound, then the political community is a community of free and equal citizens. We have seen that, ideally speaking, such a community is democratically self-governing: instead of dividing into separate classes rulers and subjects, the citizens all have a share in the exercise of the political authority to which they are subject. For this reason, when things are functioning properly in the political community, this question how to live is one that is addressed to all the citizens. For the citizens, all sharing the power to which they are subject, must decide how they are to use this power in organizing and conducting the affairs of their political community.

For as a political community they must live together in one way or another, which can be evaluated as good or bad, and for which they, as both sovereign and subject, are collectively responsible. For this reason, although ordinary citizens in a democratic society are not likely to pose it in these frankly Socratic terms, this question is nonetheless drawn from the ordinary practical life of such a society. Consciousness of this question and of collective responsibility for the answer we give to it is manifested in a wide variety of phenomena: in feelings of resentment at being politically wronged, or of indignation and shame at the treatment received by one’s fellow citizens, in national pride, in voting, in interest in the latest decisions of the Supreme Court, in participation in community or activist groups, in engagement in political debate and discussion, in the study of civics and politics in high-school and college, and in a million other ways.

Political philosophers attempt to answer this question at a higher and more philosophically reflective level by defending a political ideal: an account of what it is, at a fundamental level, for a political community to function as it ought to function. We may distinguish two elements in such an account. One element is the defense of “principles” or “values”. These principles specify an aspect of a political ideal: they are articulations of what makes a polity good. At the same time they place demands on our action: for in telling us how we should live, they tell us what to do. They therefore simultaneously specify an aspect of political goodness and tell us what, collectively speaking, our political duty is. I will use the term “principle” in a technical sense. My remarks here can be taken as a stipulative definition of this term: a principle is that which simultaneously specifies a respect in which a polity can be good and what our political duties are to one another. This definition is meant to be broad enough to include both rules, such as Rawls’ Difference Principle, and values (qualities) of a polity such as freedom or equality, about which there is much to say, but which cannot necessarily be reduced to a set of lexically ordered rules.

By arguing in favor of some principles (or some interpretation of them) and against others, political philosophers aim to justify their answers as *correct*. For it is possible to be wrong about what it is for a polity to be good, and about what our political duties are to one another. If Rawls is right about the Difference Principle, then Nozick’s attack on distributive justice must be mistaken. And if Locke is right that a just government protects its citizens’ pre-political property rights, how can Marx be right that a system of such rights amounts to exploitation? These philosophical disagreements and the attempts to justify philosophical positions mirror at a higher level of reflection ordinary activities. For just as a social democratic philosophy is opposed to a libertarian one, so too the opinions of an ordinary citizen with

libertarian sentiments are opposed to the opinions of an ordinary citizen of a socialist bent, and the attempt on each side to justify such opinions is part and parcel of ordinary political debate and discussion. By carrying on in this way, we take it that there are right and wrong *answers* to the question “How should we live?” We may, accordingly, speak in political philosophy of “true principles” as giving a correct answer to the question, and “false principles” as giving incorrect answers.⁶²

The other element that we may distinguish in an account of the ideal is a conception of the material resources required for its full realization and actualization. For the political community, as a community of flesh and blood human beings, requires a certain level of resources to maintain itself in existence. For citizens to go on living they must eat food, drink water and breathe air. They must have shelter and clothing to protect themselves from the elements. Since these resources do not fall from the heavens the members of the political community must produce them. For this reason, if the political community is to continue in existence from day to day and week to week, it must produce and reproduce over and over again the material resources to keep its citizens living and breathing.

But, of course, the aims of the political community are broader than simple biological existence. As we have seen in 4.5, its aims encompass democratic self-government. But they clearly embrace other things as well, like security, freedom, justice and so on. And what is true about anything that has a purpose or a function applies to the political community as well. Anything that has a purpose or function must have two different sorts of things in place in order

⁶² If Rawls is right about political liberalism then a correct answer to the question, as it is posed in a modern constitutional democracy, is a *reasonable* answer (in his technical sense), rather than a *true* one. We may, therefore, substitute “reasonable” for “true” as the epithet marking out the principles that provide a correct answer. It makes no difference to my argument which term is used to mark the correctness of principles.

to achieve this purpose, or fulfill this function. On the one hand the functional thing will have to have a certain internal structure. It will need to have the qualities that make it capable of achieving its purpose. For example, if a hammer is to succeed at hammering nails, it must have certain qualities itself that enable it to do this. On the other hand, the functional thing will need certain external conditions to be met as well. For a hammer to serve its function, in addition to having certain qualities itself, there will obviously have to be nails to hammer, and someone to wield the hammer. This will be just as true for the political community. For the political community to achieve the lofty goals of democratic self-government, security, freedom, justice, etc., in addition to possessing many sterling qualities, certain material conditions will have to be in place.

To take a rather humdrum example, if citizens are to democratically govern themselves they will need both to be properly informed and to have the requisite means to participate in political decision-making. Both of these things require resources. For a society to function democratically then, resources must be available to the political community sufficient for the purposes of educating its citizen body, and for sustaining their active involvement in government. For each value something similar can be said, for freedom, justice and security and all the rest. In order for a polity to function in accordance with any value it will need certain material resources. Since such resources do not spring into existence on their own, the political community will have to be organized so as to produce and reproduce these resources day to day, week to week, and year to year.

This point applies with absolute generality. For any conception of the political values whatsoever, there will be a corresponding level of material resources requisite to realize and sustain those values. This dependence on resources is especially clear, however, in those theories

that characterize the broad purpose of the political community in distributional terms, relating the various values like in relation to this distribute aim. Let us briefly consider two such theories, that of John Rawls and that of Martha Nussbaum. According to both Nussbaum and Rawls the political community is a system of cooperation that exists in order to distribute to its citizens opportunities to exercise their fundamental capacities.⁶³ For Rawls these capacities are the two carefully circumscribed “moral powers”: the capacity to form a conception of the good, and the sense of justice, which is the capacity to come to an agreement about and abide by principles of justice with other reasonable individuals. These capacities are carefully circumscribed owing to Rawls’ “political liberalism”: his view that a theory of justice must not be based on a specific and contentious conception of the human good, but must rather rest on a “political conception”.⁶⁴ For Martha Nussbaum, by contrast, the capacities in question are not so circumscribed, but extend to the whole panoply of essential human powers. As a result her theory, unlike Rawls’, does rest on a conception of the human good. The political community, according to Nussbaum, has the distributional aim of making available for all citizens the opportunity to choose a flourishing human life, a life of full functioning as a human being.⁶⁵

But if we set aside their disagreement about which capacities are involved, we are left with the agreement that the political community aims to distribute to its citizens the opportunity to exercise some fundamental capacities or other. We can observe, furthermore, that fulfilling

⁶³ See *Justice as Fairness: A Restatement*, John Rawls (Cambridge, MA: HUP), and “Nature, Function, and Capability: Aristotle on Political Distribution,” Martha Craven Nussbaum in *Marx and Aristotle* edited by George E. McCarthy (Savage, MD: Rowman and Littlefield Publishers 1992), 175-212.

⁶⁴ For the two moral powers, see e.g., *Justice as Fairness*, 18-24. For the limits imposed by political liberalism, see especially Lecture V of *Political Liberalism* (Cambridge: CUP 1993), 73-211.

⁶⁵ See “Nature, Function and Capability”, 175-179.

this distributive aim requires the distribution of various material resources. For among the conditions of the exercise of these capacities—whether circumscribed or uncircumscribed by liberal scruples—are material conditions. To put it crudely, a certain amount of *stuff* will have to be available for the citizens to exercise their fundamental powers, and so for the polity to function as it ought to function. Their answer to the question how to live therefore contains a material component in addition to the obvious value component—as will any view.

Now this question how to live, with both its material and value components, is a practical one and this fact has consequences for the kind of answers one can give to it. It is concerned with real possibilities for organizing ourselves as a community, and asks from among these possibilities, which is the ideal that we should through our collective actions realize. A correct answer to the question “How should we live?” must, therefore, be a way in which we *can* live. It need not pick out a possibility that is open to us right at this moment, situated as we are in the present. But what it names must be a possibility for us, at least under favorable but nevertheless realistic and imaginable conditions.

This practical character is what distinguishes political philosophy from other exercises of the political imagination. We may deploy political concepts and think about political principles in the context of a daydream, or science fiction, or in the fanciful construction of utopias that has become its own literary genre. But in none of these other enterprises are we engaged in genuinely practical reasoning. They are all idle; they do not ask which among the possible ways of organizing ourselves as community we should through our collective action bring about. If they construct an ideal, therefore, it need not be a genuine possibility. It may combine wildly incompatible features, or fly in the face of the facts of human life: it may involve a computer that adjudicates all our disputes, or depend on manna falling from heaven, or men living forever and

communicating through telepathy. But political philosophy is different. Here—to paraphrase Aristotle—we inquire about the political ideal not merely to contemplate it in thought, but also to have it in reality. This means that the political principles must add up to an ideal that is suited to beings such as we are. They cannot presuppose citizens with practical powers that vastly differ from our own, or with psychologies of an alien cast. Nor can the material component presuppose material conditions unknown to human life on Earth.⁶⁶ The ideal that political philosophy aims to articulate must be an ideal for human beings rather than for Martians, brutes, or angels.⁶⁷

This necessarily practical character of the political ideal equips us to understand what is wrong with utopianism. Let us call an ideal that does not embody a real practical possibility a “utopia”, and a political philosophy propounding such an ideal “utopian”. We can put the problem with utopianism this way. If the ideal articulated by a political philosophy is a utopia, then it does not represent a way that we can live. But in that case it does not provide an answer to the question “How should we live?” that political philosophy addresses. Any utopian political philosophy is, therefore, to be rejected because it does not do what political philosophy aims to

⁶⁶ The last two sentences correspond to what Rawls calls the “circumstances of justice”, the first sentence to the “subjective circumstances” (the nature of human psychology and motivation), and the second sentence to the “objective circumstances” (the worldly conditions of human life). See *A Theory of Justice* (Cambridge, Ma: HUP 1999), 109-112, and *Political Liberalism*, 66.

⁶⁷ The thought that the political ideal must be an ideal for human beings, situated as we are somewhere between the brutes and the gods, and possessing our own peculiarly human features, is a recurring theme of Martha Nussbaum’s political philosophy. See, for example “Aristotle on the Foundations of Ethics” in *World, Mind and Ethics: Essays on the Philosophy of Bernard Williams* edited by J.E.G. Altham (Cambridge: CUP 1992), 86-131, and “Shame, Separateness, and Political Unity: Aristotle’s Criticism of Plato” in *Essays on Aristotle’s Ethics* edited by Amelie Oksenberg Rorty (Berkeley: University of California Press 1980), 395-437.

do. It offers as an answer to a question what does not have the right shape to be an answer. It puts forward, as though it were to be done, something that cannot be done.⁶⁸

We may, in turn, use this diagnosis of the error of utopianism to explain the demand for realism in political philosophy. This demand can, quite naturally, be understood as the requirement that political philosophy advance a practically possible ideal rather than a utopia. On this understanding of realism, therefore, to call a political philosophy “realistic” is simply to say that it is not utopian. To call it “unrealistic”, by contrast, is to level the charge that it is utopian. Because a utopian philosophy fails to do what any political philosophy must, we can understand the seriousness of this demand and of the accusation of the failure to meet it.

⁶⁸ I have learned a great deal from Nagel’s discussion of utopianism in *Equality and Partiality* (New York: OUP 1991), but my definition is broader than his, according to which an ideal is utopian if and only if it is unrealizable owing to the structure of human motivation. The definition I offer embraces other sources of unrealizability as well. (I have no reason to think Nagel would be opposed to this broader definition.)

6.0 TWO WAYS TO DEFY REALITY: UTOPIANISM AND VALUE PLURALISM

6.1 THE THESIS OF VALUE PLURALISM

It would be generally agreed that the reverse of a grasp of reality is the tendency to fantasy or Utopia. But perhaps there exist more ways than one to defy reality.

Isaiah Berlin, *On the Concept of a Scientific History*

Value pluralism was introduced into political philosophy by Isaiah Berlin and has been championed more recently in one form or another by John Gray, Thomas Nagel and Bernard Williams. The term “value pluralism” is rather elastic and tends to denote a range of positions and commitments. The particular aspect of value pluralism I will be concerned with is the view that there is a plurality of fundamental political values that are in conflict with one another, and that as a result some fundamental political values can be achieved only at the expense of others, and that it is impossible to have them all, at least to their full degree.⁶⁹ This thesis is understood by many value pluralists to hold not only in dire circumstances, where many might be inclined to agree that something has to give, but under ordinary or even favorable circumstances.

⁶⁹ I leave aside both here, and throughout this essay (excepting only footnote 23 below), the claim of some value pluralists about the incommensurability of goods and focus on incompatibility instead. The claim concerning incommensurability is developed thoughtfully and ably by Joseph Raz in *The Morality of Freedom* (Oxford: Clarendon Press, 1996).

The value pluralists speak in terms of “values” rather than “principles”, and they tend to include all manner of things under this heading, including pretty much anything that can serve as a consideration in deliberation: cultural and artistic preferences, positive personality traits, forms of leisure, career paths, virtues, political rights, etc. But I think we can see from some of the arguments that they make that our principles must, at the very least, be included among them. As I defined them, these principles specify, on the one hand, the goodness of a polity, and on the other hand, our political duty. The value pluralists, in claiming that in politics some values must be sacrificed to others, all mean to embrace at least one, and some both, of these aspects.

This is clear from the emphasis they are apt to place on *tragedy* and *loss* in politics. Their claim is that politics essentially involves tragic choices between values, and that in a tragic choice some genuine good must be lost. The “values” of the value pluralists clearly then specify respects in which a polity can be good, because the necessity of sacrificing them is the necessity of losing out on genuine goodness at which a polity aims. Their claim is that a polity must, of necessity, be to some extent bad.⁷⁰

Some of them clearly include the other aspect of our principles (namely, that they settle our collective duties) in their sacrifice of values. For example, they argue that philosophers in the past have rejected value pluralism because they have held the dogma that the rights of all citizens must be compatible. They are thus happy to put their conflict of values in terms of a conflict of rights.⁷¹ The claim of at least some value pluralists is then precisely that no matter what we do in

⁷⁰ See e.g. Isaiah Berlin, “Two Concepts of Liberty” in his *Liberty* (New York: OUP 2000), 213-214, and John Gray, *Isaiah Berlin* (Princeton: PUP 1996), 113-114.

⁷¹ See Berlin, “Two Concepts of Liberty,” 119-120. The inevitability of conflicts in our obligations to others is a recurring theme of Williams’ work in moral philosophy. See “Consistency and Realism” and “Ethical Consistency” both in his *Problems of the Self* (New York: CUP 1973), 187-206, and 166-186 respectively.

politics, to some extent, some must be wronged. For this reason we must fail to some extent in our collective duties; this too is part of the tragedy of politics. They therefore view at least some of their competing values as both sources of goodness and as specifying our political duties, and their point is that we cannot have it all in either department. From now on I will restrict my use of the term “value” to the sub-class of values that answer to the two marks of my “principles” (political goodness and duties), and leave the rest of the values aside. My arguments will apply only to this important but small subclass of values.

Some value pluralists are led, not surprisingly, to spurn pursuit of the ideal in the name of realism. For it is natural to think that the very idea of the ideal is that of “the perfect state” that they spurn, a polity that gets it right, not only in part, but in full, i.e. that is in no fundamental way bad, and does not in any fundamental way fail in its collective duties. It is natural, in other words, to think of the ideal as a polity that exemplifies all the true principles. But according to the value pluralist this is impossible. Since political philosophy aspires to practicality, it must aim only at what can be done. It must accordingly abandon the search for the ideal, so understood, as necessarily utopian.⁷²

This leads methodologically self-conscious value pluralists to a conception of the polity not as aspiring to a unified ideal, but rather as embodying a *compromise* between fundamental values. We might call this the “compromise theory” of government. It also leads them to espouse a different conception of the task of political philosophy and political thought more generally. Political thinking aims to answer the question “How should we live?” not by articulating an

⁷² Williams, “Conflicts of Values” in *Ideas of Freedom: Essays in Honor of Isaiah Berlin* edited by Alan and Jean Ryan (New York: OUP 1979), 221-232, Isaiah Berlin, “Pursuit of the Ideal” in his *The Crooked Timber of Humanity* (Princeton: PUP 1993), 1-19, and his “Two Concepts of Liberty”, 213.

unachievable ideal, but rather, by in some way helping us understand when the necessary political compromises and sacrifices are justified. Its primary task is to tell us, insofar as it admits of rational adjudication, how to go about balancing competing values against one another.⁷³ The value pluralists are therefore led to what we might call the “damage control” theory of political thought and philosophy. Political philosophy serves us in our attempt to make compromises between values in an acceptable way, that is, in a way that minimizes, contains, or otherwise makes tolerable the badness that to some degree is a necessary part of political life. It is in this spirit that value pluralists have tended to argue in favor of liberalism as a system that adjudicates political compromise, and shields individuals from the worst political outcomes.⁷⁴

6.2 THE ARGUMENT AGAINST VALUE PLURALISM

Now, I think that our reflections from 5.2 already provide us with the materials to see that this doctrine of the value pluralists must be wrong. For, when the value pluralist puts forward his necessarily conflicting values, he puts forward a picture of political goodness that is impossible for the likes of us to achieve, here on Earth. Indeed, from his account he explicitly concludes that

⁷³ See Thomas Nagel, “Pluralism and Coherence” in *The Legacy of Isaiah Berlin* edited by Mark Lilla, Ronald Dworkin and Robert B. Silvers (New York: New York Review of Books 2001), 110-111, and Berlin, “Pursuit of the Ideal”, 19. For a value pluralist who is skeptical even of the possibility of performing even this more modest task, see John Gray, *Isaiah Berlin*, 141-168.

⁷⁴ Nagel says, for example, “The aim should not be to deny pluralism but to encompass it in a system that permits conflicts to be adjudicated without the triumph of one master value over its rivals. This, I think, is the core of liberalism in political theory,” (“Pluralism and Coherence”, 110). This is also a constant theme of Berlin’s liberalism. This is not the only possible justification for liberalism. John Rawls and Ronald Dworkin, for example, offer justifications for liberalism that do not turn on such considerations. Dworkin explicitly rejects pluralism in “Do Liberal Values Conflict?” in *The Legacy of Isaiah Berlin*, 73-90, to which this chapter is heavily indebted.

full goodness is not possible in a polity, and that we should jettison the ideal, so understood, altogether. In doing this he seems to be embracing realism, and merely rejecting utopian theorizing; this is certainly his self-understanding. But the problem is that the value pluralist does not go far enough. For he does not allow considerations of practicality to inform his conception of what it is to be a political value in the first place. His rejection of the ideal is, for this reason, premised on an impractical conception of the political values, a conception on which it is impossible for them to be fully realized together by human beings. Should we not conclude then that his fragmented conception of value fails to provide an answer to the question “How should we live?” In short, shouldn’t we conclude that his view of the ideal is not sufficiently realistic?

I am suggesting here that value pluralism shares a fundamental mistake with utopianism. The utopian puts forward an impracticable conception of the full good of politics. This the value pluralist does this as well; so far they are in agreement. But while the utopian goes on under the illusion that the ideal is practical, the value pluralist draws attention to its impracticality in order to heap scorn on it. But for all his pretensions to realism the value pluralist shares in the same mistake as the utopian he criticizes. They both put forward an account of full goodness that is not practicable. For this reason, it is tempting to call a position like the value pluralist’s “sour grapes utopianism”. For it puts forward an account of the values on which they fail to constitute a practical ideal, and then realizing this is sour grapes about the ideal. But the thing to say when someone gives an impractical conception of the ideal is not: so let’s give up the ideal (after all, that in essence concedes the impractical account of it), but rather: that’s not a good account of the ideal. Given the practical character of political philosophy that cannot be the correct account, because it does not give a coherent picture that can be realized in practice. So the description the value pluralist gives of the principles cannot be correct.

This suggests an argument for the denial of the value pluralist doctrine of conflict, at least when it comes to values that correspond to true principles in the sense articulated in 5.2. A true principle in this sense is a partial specification of a correct answer to the question “How should we live?” Taken together then, a full correct answer to this question is a set of true principles. As we saw, since this question is practical, a correct answer to it is a way that we *can* live, an ideal that it is possible for human beings like us to realize, at least under favorable circumstances. A set of true principles constituting a correct answer to this question, therefore, specifies an ideal that is realizable, at least under favorable conditions. *But only compatible principles can be realized together under favorable conditions; incompatible principles cannot be so realized.* So any correct answer must consist of a set of compatible, rather than incompatible principles. The members of the set are possible to exemplify together because they provide an answer to a practical question, and only principles that are compatible can do that. The practical conception of political philosophy, therefore, entails that any set of true principles that constitute a correct answer must hang together in such a way that they do not conflict, at least under favorable circumstances.⁷⁵ It turns out that the demand for realism in political philosophy precludes all utopianism, whether of the naïve or the sour grapes variety.

Now I wish to address straightaway the understandable suspicion that this argument begs the question against the value pluralists. After all, it proceeds from the practical conception of political philosophy, and as I pointed out myself in 6.1, value pluralists tend to advance a

⁷⁵ Value pluralists tend to lump together the thesis of value holism with the thesis that there is only one right answer to the question of political philosophy (see e.g. Berlin “Pursuit of the Ideal” 5). It seems to me that the questions are, however, separable. Any arguments that they have, therefore, against the latter thesis do not speak to the former thesis. For it may be true that there are as many ideals as you like, but still true that in each of them the values involved are compatible.

different conception of political philosophy—so what gives? Can't the value pluralists just reject the premises from which I begin?

To begin with, even if the value pluralists do reject the premises, the argument is worthwhile nonetheless. I think it would be fair to characterize the attitude of value pluralists to the denial of their position as, in general, one of bafflement. For what reason would someone deny that the fundamental political values conflict? Isn't it just obvious that they do? In the face of this seeming obviousness, Isaiah Berlin suggests that the motive for such a denial must be an "ancient faith" in harmony, or a perhaps noble but immature revulsion with discord and conflict.⁷⁶ Others, like Bernard Williams, have assumed that it must rest on a fallacious assimilation of political philosophy to the interpretation of the law, where there is pressure for our judgments to harmonize, or on a spurious theoretical demand for consistency that philosophers levy on the basis of an ill conceived comparison with the principle of non-contradiction.⁷⁷

But I think that my argument shows that the opposing viewpoint is based on sane premises that are widely held, even if the value pluralists do not themselves hold them. For the argument is based on two elements. The first is the view that political philosophy aims to provide a correct answer to the question, "How should we live together?" Not that we have an answer in hand, or even that there's only one, but just that in political philosophy this is what we are trying to do: give a correct answer. The second element is the claim that there is a non-utopianism, or practicality, requirement on a correct answer. A correct answer must amount to a way that we can live, at least under favorable circumstances. And from this modest objectivism, plus this

⁷⁶ Isaiah Berlin, "Two Concepts of Liberty", 212-217.

⁷⁷ See Bernard Williams, "Liberalism and Loss", 99, and also his "Ethical Consistency".

non-utopianism requirement, I claim that the falsity of the value pluralist doctrine of conflict follows. So it seems to me that even if the argument does not dislodge the value pluralists, it is of considerable interest nonetheless, as showing the rational and respectable motivations for the opposing viewpoint.

But I think that most value pluralists accept enough of the practical conception that they are, after all, vulnerable to the objection. Certainly they embrace an anti-utopianism requirement on political philosophy—this is a prominent theme in the writings of Isaiah Berlin, John Gray and Thomas Nagel. If they reject any element of the practical conception, it's the modest objectivism, the idea that in political philosophy we aim to give a correct answer to the question "How should we live together?"⁷⁸ But, it needs to be stressed that, for the great majority of value pluralists, they do not reject this modest objectivism in favor of relativism or subjectivism, but in favor of a still more modest objectivism. For they conceive of the fundamental political values in an objective way, so that although there may be no correct answer to the question "How should we live together?" there are correct and incorrect answers to the numerous more determinate questions like, "What is freedom?" or "What is justice?" In fact, the distinctiveness of the value pluralist picture, historically, has been to claim precisely that the tragedy of politics consists in the irreconcilable clashes between real and objective fundamental political values.⁷⁹

⁷⁸ Although Williams, Berlin and Gray clearly reject this modest objectivism, Nagel comes close to embracing it. When he comes across a conflict between (say) the values of partiality and equality he treats this as a genuine problem and occasion for further reflection, and is not content to just "call a spade a spade," admit that there is conflict, and conclude happily that one value must be sacrificed to another. He therefore seems to accept that the ideal we aim to articulate in political philosophy ought to be free of conflict between the fundamental values, and is deeply disturbed when he does not see how such reconciliation is possible. This agonizing motion of thought is vividly displayed in his *Equality and Partiality*. (In a way this chapter could be seen as my attempt to explain the unacceptability of finding ourselves in this position.)

⁷⁹ See Thomas Nagel, "Pluralism and Coherence", 105-106.

It seems to me that even this more modest objectivism will do for my objection. For the practicality requirement can be reframed in terms of these more determinate questions. Instead of treating it as a condition on a correct answer to the question “How should we live?”—which the value pluralists after all reject—we will now treat it as a condition on a set of correct answers to these more determinate questions. The condition is that they must meet the demand for realism: they must not together constitute a utopia. You would think that this was a condition that the value pluralists themselves would accept, giving their general railings against utopianism and the correspondingly high price they put on realism. But what is it for a set of principles to add up to a utopia?

It is, I think, for them to fail to be realizable by a community of human beings, living here on earth, even under favorable conditions. For what other condition could it be that the set of answers constituting a utopia fails to meet?

But then here we are again: if the members of the set of correct answers to these more determinate questions must be realizable by one community, they will have to be compatible rather than incompatible, for the simple reason that we have already labored, that only compatible principles can be realized together in action. So it turns out that even the more modest objectivism is enough, when combined with the non-utopianism requirement, to make the objection stick. That the value pluralists will not start by acknowledging that political philosophy aims at providing a correct answer to the question “How should we live?” is not enough to get them out of the pickle. And my argument does not beg the question after all.

6.3 THE ARGUMENT FROM DIFFERENCES

But what speaks in favor of the doctrine of conflict, with its attendant conception of government and political philosophy? What has led the value pluralists to embrace it? I will consider in this section one argument from the difference between values that value pluralists have given in favor of the doctrine of conflict.

In “Liberalism and Loss”, Bernard Williams offers an argument that begins by pointing out that different political values are *different*.⁸⁰ Part of what this means is that what we care about in caring about each of these values is different as well. Each value is connected with what Williams calls a “schema”, expressing in abstract terms the concern connected especially with the value in question. In the case of liberty, for example, he suggests that the concern might be to avoid being “in somebody else’s power”, and in the case of justice, that the concern might be “that of giving each person what he or she should have”.⁸¹ Now these schemata are mere outlines, which a substantive view will need to fill in, and about the filling in of which people are bound to disagree. But even before we fill them in, we can see already from the idea of such schemata that they contain the seeds of conflict. For, what is to prevent these different concerns from pointing us in opposite directions? If so, then a concern for one will be to some extent incompatible with a concern for the other. To insist that this will not happen in the ideal is to insist that these values be redefined so as to guarantee that they will not conflict. But such a

⁸⁰ See Williams, “Liberalism and Loss,” in *The Legacy of Isaiah Berlin*, 92. Here he echoes Berlin: “Everything is what it is: liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience.” (Berlin “Two Concepts” 174)

⁸¹ Williams, “Liberalism and Loss”, 92-93.

redefinition will do violence to the concepts involved. It will force us to falsify the differing concerns that lie behind each.⁸²

Now as this statement of the argument stands, it is fallacious in a way that Williams' full argument is not. But it is important to be clear about what exactly is doing the work in his argument. So let me point out the gap in the argument, and show how exactly Williams tries to fill it.

Someone who rejects value pluralism need not reject the tautology that different values are different. The denial of value pluralism is not equivalent to an assertion that there is only one value. The denial of value pluralism is simply the view that the true political values do not conflict under favorable but still possible conditions. The claim that *they* do not conflict, in fact, *presupposes* that there are different values. So someone who denies Williams' position will embrace the tautology from which he begins.

But what about the differing concerns that animate the different values, must the opponent of value pluralism deny this? Does the denial of value pluralism commit one to the claim that a unitary concern animates all the different values? Clearly it does not. All that someone who denies value pluralism is committed to is that the differing concerns that animate different values can all be met without frustrating or blocking one another: that for example a concern for justice, properly understood, does not require us to crush people's freedom, and that a concern for freedom, properly understood, does not require us to screw people over. And if the question is now asked, what stops them from pointing in different directions in this way, that is

⁸² Williams, "Liberalism and Loss", 92-95. Berlin puts the point this way: "If we are told that these contradictions will be solved in some perfect world in which all good things can be harmonized in principle, then we must answer, to those who say this, that the meanings that they attach to the names which for us denote the conflicting values are not ours." (Berlin "Pursuit of the Ideal" 13)

simply another way of asking why we should deny value pluralism. In answer to this question we may simply refer to the argument given above. What is to stop them from pointing in different directions is that together the true values constitute an answer to a practical question. In other words, so far Williams' argument is question begging.

But Williams does better than this: he gives what he takes to be a positive reason that the concerns *will* point in different directions. He introduces here the metaphor of the "contour" of the values. The contour of a value is a filling in of the abstract schema expressing the value. It is, therefore, a concrete interpretation of the concern attaching to each value. Williams argues that while the abstract schemata may be human universals, the full contour of the values is the product of a rich and varied cultural history that is uniquely its own, and so differs from value to value, and also among different interpretations of the same value.⁸³

Given these different histories and cultural underpinnings there is every reason to think different values, and certainly different interpretations of the same values, will conflict, drawn as they are from such different sources. We could understand how we could know in advance that the values would fit together if they were conjured into existence by the definitions of philosophers, who could define the whole lot at once in such a way as to guarantee compatibility. But given that real values are the product of a history and cultural life of their own that cannot be defined away, such treatment is not open to us. To force them into agreement with one another would be to distort their real character for dubious theoretical reasons (Williams, "Loss", 95-97).⁸⁴

⁸³ Bernard Williams, "Liberalism and Loss", 94.

⁸⁴ Bernard Williams, "Liberalism and Loss", 95-97.

Now to the extent that this argument suggests that what it is to provide an account of the values is to record and interpret prevailing cultural and historical understandings of them, it is vulnerable to objection. For in the Introduction to Part II I suggested that an aspiration to truth was implicit in the practical conception of political philosophy. In political philosophy we aim to provide not just an answer to the question of how we should live together, but a *correct* answer. Since we are concerned with truth in political philosophy we cannot merely record or interpret historical and cultural understandings of freedom or equality, but we must ask whether these understandings are correct, and if they are not, we must revise them. The stakes here are high because we are responsible for how we organize ourselves as a community, and for how we treat each other as fellow citizens. For this reason the aspiration to truth is a pressing practical concern, and we cannot afford to defer to already given cultural and historical interpretations of the values.

This is of course not to deny that we should avail ourselves of the rich history of human thought and reflection on political fundamentals. Unless we are foolhardy, this is obviously where we should begin any investigation. But the properly practical attitude to such material, I think, is to treat it as a starting point and a resource to draw on, rather than as a final arbiter or ultimate subject matter for political philosophy.⁸⁵ I am not sure that Williams would disagree with this, for he is quite insistent that his view leaves room for the criticism of prevailing interpretations of the values, and this suggests that he too thinks of them as the place to start and not necessarily the place to end up. But the important point is that once we open up the room for criticism in this way, the conflict that he argues we are likely to find may itself be the object of

⁸⁵ I here echo a reply to Williams given by Dworkin, who says about liberty “[W]e need something more than history here. We need to confront the essentially moral question of how to construe the ideal of liberty.” See the “Discussion” in *The Legacy of Isaiah Berlin*, 124.

our criticism. For if a prevailing cultural understanding of freedom is incompatible with a prevailing understanding of justice, perhaps this is a reason to look further into the matter and offer a suggestion for reconciling the two. So the fact (if it is a fact) that we are likely to find conflict among prevailing understandings of the values does not yet lead us to the pluralist doctrine of conflict, for that conflict may lead us to revise our understanding of the values.

But Williams is quite suspicious of the demand for compatibility, suggesting that it comes from the theories of philosophers, and not from the nature of political concepts as deployed in their ordinary uses. Even though criticism and revision of the values may be legitimate, conflict is not then a good ground to engage in it. For if the demand for compatibility is a spurious invention of the philosophers, then there is no problem to address when such conflict is found and so it does not provide an occasion for critical revision and appraisal after all.

The problem with this line of defense is that the demand for compatibility is not an invention of the philosophers, but rather flows from the nature of the concepts of the values as deployed in their ordinary uses. For if the practical conception of political philosophy is correct, then the question political philosophy addresses at a higher level of reflection is a question from our ordinary practical life. Since the question is practical, a correct answer must be a way that we can live. Values provide answers to this question, and true values provide correct answers. But a value, whether in ordinary practical thought or the reflections of a political philosopher, aims *to answer the question*: it is a proposed partial specification of a way that we can live together. True values, as I argued in §4.2, constituting a correct answer, will in fact be compatible. This is no invention or merely theoretical requirement of philosophers, but rather is a demand arising from the practical character of the concepts involved.

Even then if Williams is right that given their diverse cultural and historical origins prevailing conceptions of the values are bound to conflict, this is not therefore a decisive argument in favor of value pluralism. For acting under a demand for compatibility drawn from the nature of the political values themselves, we may be justified in revising, altering, or casting aside prevailing cultural conceptions in our search for the truth about our collective duties to one another. To do so is to rise to a challenge set by ordinary practical thought. In saying this we need not throw the baby out with the bathwater: we may deny value pluralism and nevertheless acknowledge what seems obvious and undeniable in Williams' argument. We may affirm that different values are different and that they are animated by different concerns. We may agree that the obvious starting point for philosophical reflection should be the rich history of human thought on politics, and that we would be fools not to avail ourselves of this resource. We may also agree that we should respect the actual logic of political concepts as they figure in ordinary practical thought. All of this is compatible with the denial of the value pluralist doctrine of conflict.

6.4 THE ARGUMENT FROM POLITICAL DELIBERATION

Let us turn now to the second argument. Often value pluralists defend their view by claiming that it is a "commonplace" or part of our "ordinary political experience". They tend to support this claim by citing pairs of values that we are supposed to recognize from our ordinary moral or

political experience as obviously conflicting.⁸⁶ When we restrict ourselves to the genuinely political pairs they offer, what we often get are contrasts that suggest that the conflict the author has in mind concerns a difficult choice between policies. For example we are reminded that a policy of economic growth sometimes conflicts with a policy of conserving nature or a policy furthering equality of opportunity. We are supposed to conclude from this that the “value of economic growth” sometimes conflicts with the “values” of conserving nature or furthering equality. The ordinary experience referred to, therefore, is the experience of political deliberation, with its difficult choices, and its considerations speaking in favor of incompatible policy choices.

Now the first thing to say in reply is that particular policies are not the right sorts of things to serve as values in the relevant sense, namely, as the standards that settle the goodness or badness of a polity and specify our political duties to one another. One way to see this is to note that policies require a justification in terms of both current circumstances and more fundamental principles. They may, with justification, be altered or cast aside when circumstances change and these same fundamental principles justify a new policy. For example, perhaps now is not the time for the state to fund a space program; fine, such a change in policy can perfectly well be justified. Justice and freedom, however, do not seem to require *this sort* of justification, and cannot in this way be discarded; a polity that discarded justice and freedom would, of course, be bad, and would inevitably be failing in its political duties to its citizens. Fundamental

⁸⁶ “The world that we encounter in ordinary experience is one in which we are faced with choices between ends equally ultimate, and claims equally absolute, the realization of some of which must inevitably involve the sacrifice of others.” (Berlin “Two Concepts” 214) For the same thought, see also John Gray, *Isaiah Berlin*, 43-44, Joseph Raz *The Morality of Freedom*, Nagel “Pluralism and Coherence” 110-111 and the whole of his early essay “The Fragmentation of Value” in his *Mortal Questions* (New York: CUP 1976), 128-141.

principles are standards by which policies may be judged good or bad; they are not themselves policies so judged.

So let us try to recast our objection in light of the distinction between policies and values. Selection between incompatible policies *is* clearly a perennial fact of our ordinary political experience, but because of the difference between policies and values this does not yet show that selection between incompatible values is too. But perhaps our objector can argue *from* the conflict among policies *to* the conflict among values. Let us start by noting that choice between policies is often *difficult*. This is so for two reasons: (1) In such choices we are often confronted with a policy that has considerations traceable to one value speaking in its favor, and considerations traceable to a different value speaking against it. (2) The best choice is often one that is, to some extent, bad. Now how are we to model the relation of values to policy deliberation in light of these obvious and undeniable sources of difficulty inherent in political deliberation?

The intuitive thought of the value pluralist is that the only way to do this is with a model of deliberation on which values are sacrificed to one another. Take (1): When we say that considerations traceable to two different values stand on each side of the debate, what could we mean but that Value X demands that we go one way, and Value Y demands that we go the opposite way? When we decide to go with Value X, we therefore fail to meet the demands of Value Y. But to fail to meet the demands of a value is just—to sacrifice it. So to account for the ordinary facts of experience our model of deliberation must involve the sacrifice of values. And as for (2), how could one account for what's often bad about even the best choice, except to say that whichever way one goes one fails to meet the demands of one of the values, and so sacrifices it?

In short, in order to deal with the difficulty often inherent in ordinary political deliberation, the value pluralist wants to conclude that we must have a model of deliberation on which different values demand incompatible courses of action, and so must be sacrificed to one another. But to admit this is to admit that the values are, at least to some extent, incompatible. They cannot fully be realized together, because it will often be the case in deliberation that to plump for one is to cross the other. And this problem will presumably arise frequently in policy deliberation, not only under dire conditions, but even under ordinary or favorable circumstances—wherever choices must be made that are difficult in ways (1) or (2). As a result the polity must be to some extent bad, and we must fail in our duties to one another even under favorable circumstances.

It will help to have a concrete example to work with. I take my example from Bernard Williams, who uses it to make what is essentially this argument. Suppose, Williams says, in light of problems with public education, and the sense that the system will be vulnerable as long as the wealthy can opt out of it, legislators of some society consider a proposal to outlaw private schooling.⁸⁷ Let us suppose that considerations traceable to one value speak in favor of endorsing the policy, and considerations traceable to another value speak in favor of rejecting it. On the one hand, speaking against the policy, there is the consideration of the freedom of parents to use their resources on behalf of their children, and also to have them educated as they see fit. On the other hand, speaking in favor of the policy is the consideration of justice to poorer public school children, who are harmed by the problems with public education that are no fault of their own. In this case, therefore, liberty and justice are weighed in the scales. If we go one way, we

⁸⁷ The policy choice that I envision as the outcome of this debate should not be taken to reflect my own views. For my purposes, it does not matter in which direction our imagined legislators resolve this debate, as long as they resolve it correctly.

will preserve justice at the cost of sacrificing a certain amount of liberty; if we go the other way, we will preserve liberty at the expense of sacrificing some justice. But something has to give: the decision is going to be bad in some way. Suppose that the decision is rightly made to reject the policy. In this case, justice has been outweighed by liberty; a certain amount of justice has been sacrificed, rightly, for the sake of freedom. The decision the legislators have made is unjust, but is nevertheless justified for the sake of preserving freedom.

Now, both the description of this case and the pluralist argument more generally rest on the claim that only a model of deliberation involving the sacrifice of values could account for the undeniable and obvious difficulties (1) and (2) of policy deliberation. In reply, I would like to try to take the bull by the horns and argue that there is an attractive model of deliberation that takes account of these difficulties without entailing the sacrifice of values, even in cases like that of the poor schoolchildren.⁸⁸

Let us see what deliberation would have to be like for the compatibility of the values in deliberation to be preserved, at least under favorable circumstances.⁸⁹ I assume, along with the value pluralist, that if a value speaks in favor of a policy, then to decide against that policy is to

⁸⁸ Fred Neuhauser has suggested to me a different way of replying to the value pluralist. Instead of contesting the value pluralist's account of policy deliberation, one might focus instead on the inference from that account to the doctrine of conflict. For, one might think, the object of political philosophy is to describe something with a certain generality, e.g. the basic structure of a society embodying the fundamental political values. Policy deliberation, by contrast, is concerned with something much more particular and contingent. Perhaps, on the level of policy, values are sacrificed to one another with regularity. Still, it might be the case that the basic structure of society fully realizes the fundamental values because certain institutions necessary for freedom, justice are preserved that are sufficient for an ideal basic structure. At any rate, nothing the value pluralists say shows this to be impossible. I do not further pursue this line of thought here.

⁸⁹ In this discussion of deliberation I draw inspiration from the description of deliberation presented by John McDowell in "Virtue and Reason" in his *Mind, Value and Reality* (Cambridge, Ma: HUP 1998), 50-76.

sacrifice the value in question. For the compatibility of the values to be preserved in deliberation, therefore, it will have to be the case—at least under favorable circumstances—that different values do not really speak on opposite sides of an issue.

I think a model of deliberation with this property, which I will call “the unity view”, is both intelligible and independently attractive. On this model the functioning of the political values in deliberation is to be understood with special reference to the role they play in the justification of correct judgments. A value is to be understood as something that underwrites sound, justified policy decisions. It is not therefore something that is weighed against other values, sometimes outweighing and sometimes being outweighed, and thereby indifferently pointing us in the right direction at times, and pointing us in the wrong direction at others. On the unity view, a true value always points in the right direction. It specifies *right* relations between citizens, and a way in which a polity is *good*. It is like the traditional concept of a virtue, on which all action flowing from a virtue is good. In cases where the action is bad it is not to be ascribed to a virtue but, at best, to a perversion of virtue.

As a result, a policy decision has the property of exemplifying a value on the unity view just in case that policy is justified, all things considered, by that value.⁹⁰ By contrast a policy decision has the property of being contrary to a value just in case the rejection of the policy is justified, all things considered, by that value. A decision that a policy exemplifies a particular value is, therefore, a decision that the policy is not contrary to any other value. It is the decision that in this circumstance the values that seemed to speak against the policy do not speak against it, precisely because of the considerations pertaining to the value that justifies the policy.

⁹⁰ The values in our restricted sense therefore function in deliberation as what Philippa Foot has called “verdictives”. She argues that virtues function in this way in individual ethical deliberation in “Moral Dilemmas Revisited” in *Moral Dilemmas* (New York: OUP 2003), 175-188.

The difference between this and the pluralist alternative can be put this way. In the pluralist alternative we can distinguish two logical stages of deliberation. In stage one we decide which values speak on each side of the issue. Then, in a second stage, we weigh the justification these different values offer and choose accordingly (unless the justifications are incommensurable, in which case we must simply decide for one or the other without weighing). But on the unity view we have only one stage. We decide what policy is justified by our values, and there is no second stage where different answers to that question are weighed against one another. What the pluralist view sees as one value being outweighed by another, the unity view sees as the decision that under these circumstances this value rather than that is the relevant value on which to act. (The one value has, under these circumstances, “silenced” the other—to use John McDowell’s provocative phrase—rather than outweighed it.) On this view although policies are sacrificed to one another, values are not, because if we have deliberated correctly, no value speaks against what we decide to do.⁹¹

We may bring out the attractiveness of the unity view by noting a strangeness of the value pluralist alternative that is papered over by the naturalness of the weighing metaphor for deliberation. For the value pluralist, even under ordinary or favorable circumstances, a value sometimes speaks in favor of a policy that would make a polity bad and that would establish wrong relations among citizens, as the case with the poor schoolchildren makes clear, where he

⁹¹ If the unity view is correct, it ruins some claims that value pluralists have made about the incommensurability of values (see e.g. Joseph Raz *The Morality of Freedom* 321-366 and John Gray, *Isaiah Berlin*, 48-65). For two values are “incommensurable”, as they use the term, only if they recommend conflicting options the justifications of which are in certain ways incomparable. But on this model of deliberation different values do not recommend conflicting options. So, although values are not weighed by a common standard, and certainly cannot be compared in value, nor are they incommensurable in the technical sense of these philosophers. Of course this applies to values only in our restricted sense; many other goods that value pluralists call “values” may very well be incommensurable in their sense.

supposes that to go with what justice demands would involve crossing liberty in an unacceptable way. The value pluralist therefore is committed to the idea that you can have, for example, *too much justice*. Furthermore, the thesis that justice is capable of functioning in this way entails the inevitable corollary that some injustice *might be a good thing politically speaking*, and that injustice might amount to *right relations* between citizens, even under favorable circumstances. But if we have our wits about us, I think that the idea of too much justice, or the claim that even under favorable circumstances some injustice might be a good thing, or that right relations between citizens might be unjust ones, should all strike us as at best infelicitous ways of talking and at worst a sort of Orwellian doublespeak. Where the value pluralist might be led to speak of “too much” justice, the proponent of the unity view would speak instead, with greater sanity I think, of the *perversion* of justice. And where the value pluralist comes out in favor of injustice, the proponent of the unity view, cleaving to the thought that justice is good *as such*, would rightly avoid doing this by denying that values speak in favor of a policies that unacceptably cross other fundamental political values.

Let us apply the unity view to our example. Using this model, we could describe the deliberation as one in which we ask whether liberty really speaks, in this case, in favor of letting the parents enroll their children in private schools, or whether, *instead*, justice really speaks in favor of putting all students in the same boat. And we will think of someone who says “both”, not as having taken a necessary first step towards answering the question, but rather as so far having avoided answering it altogether. Liberty, after all, does not demand that we screw people over, and justice does not require us to violate people’s freedom. (Liberty and justice are ways of getting things right and treating people decently: how could they justify these things?) So if we have decided that freedom does demand rejecting the policy, we will thereby have decided that

justice does *not* demand the alternative course of action. In consequence, if we have decided rightly in this case, our decision is not unjust, precisely because of the considerations of liberty. To say that the decision was unjust would be to say that it was the *wrong* decision to make all things considered. This seems to me like a perfectly intelligible and even attractive way to describe the case.

But now, can this account accommodate and interpret the undeniable facts of ordinary experience? If you remember, the undeniable fact in question was that policy deliberation is often difficult. And more particularly, (1) that it often involves considerations traceable to two values one of which speaks for and one against the same policy, and (2) that the right decision is often one that is bad in various ways. Those are the ordinary facts in question.

Begin by noting that deliberation can be as hard as you like on the unity view. Perhaps in a particular policy dispute it is very difficult to decide which side, if either, our values speak in favor of. In reasoning about this question one might go back and forth and feel the pull, alternately, of one solution and then the other. Nor need this felt difficulty subside after a decision has been made, for one may still be uncertain after one has decided and remain uncomfortable with one's decision. We do not need the pluralist view to do justice to these psychological phenomena. The unity view is perfectly capable of capturing the push and pull of ordinary deliberation.

But what about (1), the fact that the difficulty involved in deliberation is often owing to the fact that considerations exist on both sides of many issues? This is surely part of our ordinary experience of political deliberation. And doesn't this show that the language of sacrifice is the only one that truly describes the situation? For doesn't the unity view involve denying this

obvious truth, and describing the situation as one in which all the considerations, in the end, are on either one side or the other, even if one may vacillate between them?

It need not, for we can perfectly well say that a consideration of liberty speaks against the policy and a consideration of justice for it while maintaining the unity view of justification and deliberation, provided we define “a consideration speaking in favor of a policy” carefully. What we must avoid is not the idea that there are considerations on each side that must be attended to in deliberation, but rather the idea that the values themselves speak in favor of conflicting policies. This is a delicate distinction, which I attempt to capture with the following pair of definitions.

A consideration of value X speaks in favor of policy Y if and only if, everything else being equal, policies like Y exemplify value X.

A consideration of value X speaks against a policy Y if and only if, everything else being equal, policies like Y violate value X.

A consideration of value X, on this view, speaks in favor of a policy Y if and only if it provides a prima-facie justification for policies like Y, on the basis of the value in question. And a consideration of Value X speaks against a Policy Y if and only if it provides a prima-facie justification for rejecting policies like Y.

This definition of a consideration speaking for and against, of course, leaves it open that a consideration of justice, for example, might speak against adopting some policy that, under the circumstances, is perfectly just to adopt.⁹² This will happen when “everything else” is *not* equal,

⁹² If someone should find this consequence difficult to accept he is invited to adopt instead the view denying that genuine considerations do exist on both sides. What are, on this alternative, on

that is, when the *ceteris paribus* clause does not hold. In that case although there may be a consideration of value X speaking in favor of a policy, that policy would not exemplify value X, because of further factors, such as considerations pertaining to value Y, and so value X does not ultimately speak in favor of the policy. Although a consideration of value X may be on the side of adopting the policy, ultimately, value X is not. Under other circumstances it would be unjust to reject a similar policy, but in these circumstances it is not unjust.

So in the public school case, a consideration of justice speaks in favor of the policy, because everything else being equal, policies preventing harm to the innocent are just. Similarly, a consideration of liberty speaks against the policy, because everything else being equal, regulations on how we spend our resources to benefit and educate our children are infringements on our liberty. But although a consideration of justice speaks for adopting the policy, rejecting the policy is not in this case unjust, precisely because of the further issue about the freedom of the parents. So if the legislators have decided correctly, justice does not really speak for outlawing private school.

But since both liberty and justice are relevant to policies of this sort in general, the relation of both values to the policy merits thought. Considerations that should be taken account of exist on each side. In general it can be true, even if at the end of the day conflicting justifications in terms of the values do not exist, and the values do not enter into deliberation by

both sides are *putative* considerations, and the whole point of the deliberation is to decide which putative considerations are real considerations. Here the intuition that there is something on each side of the debate is captured in terms of putative rather than real considerations. These two views are notational variants of one another. In the one a consideration is a putative justification, in the other, “considerations” are restricted to things that are actual justifications, and we get, instead of genuine considerations that provide only “putative justifications”, “putative considerations”. What is crucial is that both variants allow us to deny that values conflict in ordinary policy choices, even though there is *something* on each side of the issue that is relevant and worth considering.

way of weighing and being outweighed, that anyone who considers some issue had better take account of the considerations on both sides of the issue, if he does not want to decide recklessly and irresponsibly. So we can eat our cake and have it too: we may acknowledge that there are relevant considerations, worth attending to, on both sides of an issue, without claiming that the values in question push in opposite directions. So it seems that this model can handle ordinary facts like (1).

Finally let us consider (2), the inevitable badness involved in many decisions. The unity view is, I would claim, perfectly capable of accounting for the loss involved in ordinary choices between incompatible policies. First off, the proponent of the unity view need not deny that values can conflict under situations that are bad enough. In situations of catastrophe it may well be that the values conflict, in that there is *no* justified choice to make. How we think of such binds is a topic for another occasion. But even focusing on favorable conditions, the choice between policies can still be a lousy one on the unity model of deliberation. Although *ex hypothesis* if the decision is justified no *value* is sacrificed, something else may well be. Our values are not the only good things that there are. To return to our example, perhaps we would very much prefer to improve our public schools, even though when we choose to allow parents to send their children to private school we do not wrong public school children, and our polity cannot be criticized or called bad or unjust for making such a decision.

Setting aside the considerations on the other side of the issue may be painful, and we may, in various ways, regret having to do it—after all, we would very much like, other things being equal, to improve the lives of poor children. But although we pass up something important, if we are justified in our choice, we do not compromise our values. We may want, in some cases, to describe this sort of loss as tragic, although it is not a loss of value in our restricted sense. So

the unity view is capable of acknowledging what tragedy there is in ordinary policy choices. It can, therefore, handle undeniable facts of ordinary experience, like (2).⁹³

What remains true is that the unity view is not crafted with tragedy particularly in mind. It does not find tragic conflict to be the central and inevitable core of decision-making. It is not tailor made to provide as great, and as total, a tragedy as a philosopher can imagine. But why should it be? Surely to insist on the absolute inevitability and centrality of the most severe forms of loss is to fetishize tragedy.⁹⁴ In any case, one cannot do it in the name of ordinary experience, or by insisting that such fetishization is only a “commonplace”.

6.5 CONCLUSION

I have argued that the value pluralist doctrine of conflict is false, on the basis of the practical conception of political philosophy. Indeed, this conception tells not only against value pluralism, but against the compromise view of government and the associated conception of political philosophy as damage control as well. Political philosophy begins by describing a practical ideal that is a unity of political principles. The ideal is not a compromise between values, because it is not in any fundamental way bad or failing in its duties, as such a compromise would have to be. As for damage control, no doubt political philosophy can and must speak to that, but it is not its

⁹³ Foot calls this, quite appropriately, “moral loss” in “Moral Dilemmas revisited”, 183-184 in her *Moral Dilemmas*.

⁹⁴ It is a sign that something is going seriously wrong when John Gray says approvingly of Isaiah Berlin, “[W]e can know that nothing short of an alteration in human nature could prevent justice from colliding with mercy, prudence with courage. To acknowledge such collisions is, in Berlin’s view, the first desideratum of moral theory.” (John Gray, *Isaiah Berlin*, 61) The first desideratum? Even if it is a desideratum, which I would strongly deny, why would it be the *first*? What could lead someone to say this but a fetishization of tragedy?

first task. For in answering the question “How should we live together?” we say what it would be to get things *right*, and when we get things right, there is no damage to control. What we describe is what it is for a polity to fully possess the fundamental political values, and so to be both fully good, and successful at meeting its political duties to its citizens. What Rawls and others have called “ideal theory” is the first concern of political philosophy. That is what a true realism demands.

7.0 THE THESIS OF MODERATE SCARCITY

7.1 MODERATE SCARCITY AS A CIRCUMSTANCE OF JUSTICE

According to John Rawls moderate scarcity belongs to “the circumstances of justice”, which play the role in his theory of expressing general facts about human life against the background of which a conception of the political ideal must be framed. By serving to situate our account amidst the basic facts of human life, they play the role of ensuring that our account is realistic rather than utopian, and that our theory of justice is a theory of justice for human beings, situated in the world as we are, rather than for angels or Martians.⁹⁵

In his explanation of this idea, Rawls employs a comparison to courage, which is, like justice, a virtue term. Courage also, he claims, is to be understood in relation to certain general facts about human life. Rawls says,

Unless the circumstances [of justice] existed there would be no occasion for the virtue of justice, just as in the absence of threats of injury to life and limb there would be no occasion for physical courage.⁹⁶

⁹⁵ For the idea that the circumstances of justice play the role of ensuring that the theory of justice is realistic, see *Political Liberalism*, 66. In the later Rawls, some of the circumstances of justice, such as “the fact of reasonable pluralism”, are not general facts of human existence, but are historical in character, pertaining only to “a modern constitutional democracy”.

⁹⁶ Rawls, *Theory of Justice*, 128.

Following Rawls we can take physical courage to be the virtue governing our comportment towards threats of physical harm. In the absence of such threats, there would be no occasion for such a virtue in our lives. There would be no place for physical courage in human life if, for example, we were immortal creatures who were invulnerable to injury. It is only against the background of certain humdrum and extremely basic facts about human existence, as a mortal animal, that the virtue of physical courage has its point. Any account of courage must proceed, if only implicitly, framed by these facts. And Rawls' thought is: there are some such set of general facts about human life, that stand to justice as mortality and vulnerability to harm stand to physical courage.

So what are these general facts? Well, according to Rawls a polity is a cooperative venture for mutual advantage.⁹⁷ "The circumstances of justice," Rawls therefore says, "may be described as the normal conditions under which human cooperation is both possible and necessary."⁹⁸ Where this cooperation is either impossible or superfluous, political institutions are senseless. And where political institutions are altogether without point, there is no place for principles of justice governing those institutions. So the circumstances of justice are the normal conditions under which cooperation for our common good is both necessary and possible. These normal conditions of cooperation will be the general facts about human life standing to justice as our earlier facts stood to physical courage.

What then are Rawls' arguments that moderate scarcity is a circumstance of justice, that is, a normal condition under which human cooperation is both possible and necessary? Although he is not as explicit as we might like here, we can find in his text two independent arguments for

⁹⁷ Rawls, *Theory of Justice*, 4.

⁹⁸ Rawls, *Theory of Justice*, 126.

that claim. The first argument is that were there sufficient resources, principles of justice would not be *necessary*. For if there was enough to go around, our interests would not then conflict, and we would not then need principles to adjudicate our conflicting claims. The second argument is a methodological one: that for the purposes of providing a theory of justice we should assume only conditions that are widespread, and that in particular, we should not make things easier on ourselves by focusing on rosy outliers. For example, we should not assume that our citizens are altruistic saints; no more should we assume that they have enough to accomplish the distributional aims of the polity.

7.2 SCARCITY, SUFFICIENCY AND ABUNDANCE

Before we consider these arguments in detail it is necessary to make some basic points concerning the functioning of the concept of scarcity.⁹⁹ The concept of scarcity, as I will treat it, is a concept that applies to the external resources necessary for the exercise of some capacity. I accord capacity this central role in my account of scarcity for two reasons. The first is a conviction that the primary case of scarcity is scarcity in relation to some definite purpose, the fulfillment of which will always involve the exercise of some capacity. The second is the—in my view right-minded—focus in recent political philosophy on the concept of the capacities of citizens, and the corresponding view of the polity as distributing the opportunities for the

⁹⁹ These remarks are influenced by Aristotle's discussion of external goods, the *locus classicus* of which occurs at NE I.7. For a penetrating discussion of these and other passages see Nussbaum's *The Fragility of Goodness* (Cambridge: CUP 1986), Chapters 11-12. For an application of these points to political philosophy see her "Nature, Function, and Capability: Aristotle on Political Distribution" in *Marx and Aristotle* edited by George E. McCarthy (Savage, MD: Rowman and Littlefield Publishers 1992), 175-213.

exercise of these capacities.¹⁰⁰ My basic account is that to say that something is scarce is to say that, for some resource x and some capacity y , there is *not enough* of x for the full and successful exercise of y . For example my capacity to eat requires food of an appropriate sort for its exercise. Without any food it cannot, of course, be exercised at all. And without food of sufficient quality and quantity I may be able to eat, but I won't be able to eat well. To say that food is scarce is to say that there is not enough to eat well.

The concept of scarcity can be, and typically is, generalized to several more variables as well. These include a period of time t , a geographical area v , and a population w . So, for example, gathering together our five variables and supplying them with an interpretation, we could say that a population of Zebras faced a scarcity of the resource water, for the purpose of exercising well their capacity to drink (rather than, say, bathe), during a certain period of time (the drought), in the geographical area of the Serengeti. But, however many variables are in play, the basic idea of scarcity is the idea of *not enough*, and the standard of enough is set by the external resources necessary to *do something well*, i.e. to exercise some capacity fully and successfully, oftentimes among some population, at a particular place and time.

Now, the first thing to notice is that the concept of scarcity is opposed not to one but to two different contraries. For *not enough* is opposed to both *enough* and *more than enough*. Let us give the name “sufficiency” to the idea of *enough*, and “abundance” to the idea of *more than enough*. Scarcity is then opposed not only to abundance, but to sufficiency as well. The logic of these three concepts is different, as can be seen when we focus on their different relationship to goodness and badness.

¹⁰⁰ See 5.2 for a (brief) mention of two exemplars of this trend.

As we have seen, resources are *scarce* relative to a capacity if there is not enough for the successful exercise of that capacity. Scarcity is, therefore, a form of deficiency and lack. To say that some resource is scarce is to say that something necessary is lacking, at least to some degree. This fact is, in relation to the capacity in question, always a bad thing; it would always be better—as far as the exercise of the capacity goes—to have more. For example if we take as our capacity *carpentry*, and as our resource *tools*, then it will always be a bad thing as far as carpentry goes for a carpenter to lack the tools necessary to work wood well.

By contrast, resources are *sufficient* relative to a capacity if there is enough for the full and successful exercise of the capacity. Sufficiency is, therefore, a form of non-deficiency, or of the absence of lack. If resources are sufficient, then what is necessary for the good exercise of the capacity is not lacking. Relative to the capacity this is always a good thing—as far as the full and successful exercise of a capacity goes it is always good to have enough. If we return to our example of carpentry, it will always be a good thing for the purposes of working wood well to have the necessary tools.

Resources are *abundant* relative to a capacity when there is more than enough for the full and successful functioning of that capacity. Abundance is, therefore, the idea of a surfeit of what is necessary over and above that of sufficiency. This surfeit is, by contrast with the other two concepts, not a fixed value, but sometimes good, sometimes indifferent and sometimes bad. When it is good, it can be so in different ways. Sometimes, although less would be sufficient for exercising the capacity well, abundant resources make the exercise of a capacity easier or more pleasant; sometimes the surfeit acts as a safeguard against contingency by providing extra reserves; and sometimes it allows for exercising the capacity at a higher degree than success (with all the bells and whistles, as it were). To return to our carpenter, if he has especially nice

tools, perhaps this will make working wood easier and more pleasant, or perhaps it will allow him to put some very fine details on his work. Or if he has two hammers, then although one would do, the second acts as a backup if he should lose or damage the other. In these cases abundance is better than sufficiency, and the surfeit is a positive.

But this is not always the case. Sometimes more than enough is superfluous: the surfeit over and above what is sufficient neither helps nor hinders the exercise of a capacity, but is simply too much to use. In this case although sufficiency is good, abundance is no better. For example, if we begin increasing the number of hammers our carpenter possess, then at a certain point we will reach a level above which having further hammers neither facilitates nor hinders the successful exercise of his craft. (What difference does it make if he has 25 hammers or only 20?) And sometimes more than enough is positively *too much*; in this case abundance is bad relative to the exercise of a capacity: it hinders, complicates or thwarts it. In this case abundance is actually worse than sufficiency. If we mercilessly raised the number of hammers still higher, past the point of superfluity, we could imagine that we reach a point where the quantity is excessive. For example, if the carpenter's workshop is full of hundreds of hammers this will be a nuisance and will complicate his work.¹⁰¹ If the situation is bad enough we may even imagine that it would be better if he lacked a hammer altogether. Here we have abundance functioning in its negative modality.

¹⁰¹ If this example is too fanciful, think of child rearing. Obviously if a child does not have enough for her full and successful development, it's a terrible thing. If a child has enough, by contrast, that's always reason for celebration. If, however, a child has more than enough, this abundance can be either a good or a bad thing depending. We are all familiar with children who were not especially benefited by the greater resources available to them, and with spoiled children, whose developments are compromised by being given too much of what are otherwise good things.

Keeping these remarks about the scarcity and its contraries in mind, let us turn to consider Rawls' two arguments for the thesis of moderate scarcity.

7.3 RAWLS' FIRST ARGUMENT

Rawls says that a "society in which all can achieve their complete good...is a society in a certain sense beyond justice. It has eliminated the occasions when the appeal to the principles of right and justice is necessary."¹⁰² In defense of this claim Rawls refers us to Hume's famous thought experiments concerning justice. Justice for Hume is the virtue involved in keeping one's promises and respecting property rights. In the language of the *Treatise* it is an "artificial virtue", depending not on the natural moral sentiments, but rather on the existence of a practice with a certain rationale in terms of the utility the practice has for its practitioners.¹⁰³ In order to demonstrate the dependence of justice on an institution with this sort of rationale, in both the *Enquiry* and the *Treatise* Hume asks the reader to consider several thought experiments. We are to see how justice depends on this rationale, by considering peculiar situations under which this rationale would fail. Hume argues that under such circumstances the institutions of justice would be no more than "idle ceremonials" and the obligations of justice would fall to the ground.

Hume gives us two pairs of contrasting cases: (1) that there is either a "profuse abundance" of material goods, or a dire "want of all common necessities", and (2) that either "every man has the utmost tenderness for every man," or that every man is full of hatred for

¹⁰² Rawls, *Theory of Justice*, 281.

¹⁰³ For an extremely insightful treatment of Hume's argument concerning the rationale for justice see David Gauthier's "David Hume: Contractarian" in his *Moral Dealing: Contract, Ethics and Reason* (Ithaca: Cornell University Press 1990), 45-76.

every man. Under either pair of extreme alternatives specified by his thought experiments Hume thinks that property rights and the other elements of justice would no longer be beneficial, and as a result the obligations of justice would fall to the ground. The conclusion he draws is that justice has application only where there is a “mean” between each of these “extremes”.

Reverse, in any considerable circumstance, the condition of men: Produce extreme abundance or extreme necessity: Implant in the human breast perfect moderation and humanity, or perfect rapaciousness and malice: By rendering justice totally *useless*, you thereby totally destroy its essence, and suspend its obligation upon mankind.¹⁰⁴

In the case of extreme abundance and extreme necessity, Rawls dubs this mean “moderate scarcity”.¹⁰⁵ According to Rawls therefore, Hume’s thought experiments show that moderate scarcity is a circumstance of justice because they show that justice would be pointless in conditions of either abundance or dire want. So let us see how Hume’s thought experiment concerning abundance and scarcity really works, and whether it will support this conclusion.

Here is what Hume says about abundance and why it would render justice pointless. I quote it in full because what he says is so strange and wonderful.

Let us suppose that nature has bestowed on the human race such profuse *abundance* of all *external* conveniencies, that, without any uncertainty in the event, without any care or industry on our part, every individual finds himself fully provided with whatever his most voracious appetites can want, or luxurious imagination wish or desire. His natural beauty, we shall suppose, surpasses all

¹⁰⁴ David Hume, *Enquiries Concerning Human Understanding* (Oxford: Clarendon Press 1975), 188.

¹⁰⁵ Notice that unlike Rawls, Hume does not call the mean “scarcity”. His circumspection is justified, for abundance is opposed to both sufficiency and scarcity. (In addition, as we will see, Hume does not take this “mean” to exclude a less fantastical form of abundance than the one that figures in his thought experiment.)

acquired ornaments: the perpetual clemency of the seasons renders useless all clothes or covering: the raw herbage affords him the most delicious fare; the clear fountain, the richest beverage. No laborious occupation required: no tillage: no navigation. Music, poetry, and contemplation form his sole business: conversation, mirth, and friendship his sole amusement. It seems evident that, in such a happy state, every other social virtue would flourish, and receive tenfold increase; but the cautious, jealous virtue of justice would never have been dreamed of. For what purpose make a partition of goods, where every one has already more than enough? Why give rise to property, where there cannot possibly be an injury? Why call this object *mine*, when upon the seizing of it by another, I need but stretch out my hand to possess myself of what is equally valuable? Justice, in that case, being totally useless, would be an idle ceremonial, and could never possibly have place in the catalogue of virtues.¹⁰⁶

This passage provides us with Hume's depiction of profuse abundance. It is fantastical: indeed, self-consciously so, for he likens it to stories told by poets about the golden age before the fall of man.¹⁰⁷ But when, a few pages later, Hume gives his picture of its opposite, extreme want, the situations he envisages are familiar enough. They are all scenes of starvation and desperation in the face of human calamity: he imagines famine in a besieged city, and sailors grasping for a single plank to cling to in the wake of a shipwreck.¹⁰⁸ Perhaps he is wrong that considerations of justice do not apply in such dire situations; the situations he describes in this case, anyway, are realistic enough. But his picture of abundance is odd. It is not, let us say, drawn from ordinary human experience.

Let me try to say what's strange about it. Hume's sketch of abundance has nature providing for us everything that we now produce through a social division of labor. What now we work together to make, through our collective productive force, comes freely in Hume's

¹⁰⁶ Hume, *Enquiries*, 183-184.

¹⁰⁷ Hume, *Enquiries*, 189.

¹⁰⁸ Hume, *Enquiries*, 186-187.

fancy from nature's "open and liberal hand" and "without any care or industry on our part."¹⁰⁹ This is a very different relationship to our environment, and so to our life activities, than our actual one. I think it would be fair to say that what Hume imagines is roughly the life that would belong to a species of rational deer. Instead of farming, growing crops, and raising livestock, we graze on "raw herbage". Instead of brewing beer, fermenting wine, or squeezing out orange juice, we are pictured as lapping at nature's fountain. And instead of weaving or sowing clothes, from animal hides, silk, cotton or wool, and building homes, from bricks and mortar, we are to imagine that such coverings are superfluous, our own hides being sufficient for the mild weather. Abundance is associated in Hume's fantasy with a release from the need to produce our means of life.¹¹⁰

Fantastical as it is, Hume's thought experiment succeeds at making a legitimate point. It serves to bring out the way in which the idea of justice hangs together with certain facts about human life, for example, that nature does not "provide" us with our enjoyments, which as a result we can extract from nature "in great abundance" only through "art, labour, and industry."¹¹¹ In short, the thought experiment draws our attention to the fact that we must work to produce the means of our existence with the help of technology, skill and social cooperation. It is this hard-won quality of the fruits of social cooperation that gives application to questions of justice concerning property and its distribution and division. The moral of Hume's thought experiment

¹⁰⁹ Hume, *Enquiries*, 189 and 183.

¹¹⁰ There's a hint of something even stranger here. For Hume tells us that nature provides us, without any uncertainty or effort, all our "most voracious appetites can want, or luxurious imagination wish or desire". It is hard to square this description with the idea of animal life at all, which necessarily involves uncertainty, active effort, delayed gratification and a certain amount of disappointment. And do we really know what it would be for all the wishes of our "most luxurious imagination" to be satisfied? Don't they conflict with one another? And don't they conflict at times with the most basic facts about nature and our existence?

¹¹¹ Hume, *Enquiries*, 188.

is in part then, that production and justice travel together. Take away the need for production from human life and much of what we call justice would become superfluous.¹¹²

But one thing this picture of abundance does not do, is provide a genuine opposite to the human scenes of calamity Hume claims as its reverse. For these surely are circumstances drawn from human life: a shipwreck, a besieged city, a famine; there is, unfortunately, nothing fantastical about them. If Hume had wanted to be consistent in this respect he would have to either render the “dire want” in the same fantastic terms, or bring his “profuse abundance” down to earth, and render it in human terms.¹¹³

We have seen that abundance, sufficiency and scarcity are terms that characterize the external resources necessary for the full and successful exercise of a capacity. When we are discussing the good of a kind of living thing, what will count as scarcity, sufficiency and abundance will, therefore, be relative to its needs and its capacities to satisfy those needs. For example, a shark out of water in a cozy room, near some cheese, is in conditions of extreme scarcity and dire want, while a mouse, under the very same circumstances is in conditions of sufficiency. For, it is both because a shark needs oxygen, and because of the possession of gills as the means to procure it, that sufficiency for a shark includes an underwater environment. The same need for oxygen coupled with the different powers of a mouse, make air an element of sufficiency for it. And we could make the same comments about the cheese and fish, and the hunting powers of the shark, in comparison to the scavenging powers of the mouse. And if we

¹¹² As W.E. Cooper points out there would still be a limited scope for justice even for our rational deer. But the point is that there would be no question about the fair distribution of the benefits and burdens of social cooperation. See W.E. Cooper, “The Perfectly Just Society” in *Philosophy and Phenomenological Research*, Vol. 38, No. 1 (Sep., 1977), 46-55.

¹¹³ I do not claim that such consistency is necessary for Hume’s purposes. I argue below that it is necessary for Rawls’ purposes that both be rendered in human terms.

like, for some contrast, we could add that owing to the power of photosynthesis and the possession of green leaves, sufficient sunlight plays a similarly nourishing role for many plants and so counts as an element of plenty for them.

If we are then to imagine a *human* sufficiency or abundance, it will have to be a sufficiency or abundance relative to our needs and powers. Keeping in mind Hume's point that cooperative production is what stands to human life as the hunting of the shark and the scavenging of the mouse stand to their respective lives¹¹⁴, we might try this out for sufficiency: working together, using "industry" and "art", a community produces enough so that each member has what he or she needs for a full and successful life. We need not imagine this to involve fantastically limitless resources; we need only imagine that there is enough for everyone to achieve his or her "complete good", however much that is. And as for a human *abundance*, we need only add a surfeit over and above the amount necessary for sufficiency. Human abundance does not then consist in the availability of a ready-made and limitless Edenic treasure trove; it consists rather in a bounty produced by social cooperation that is, although doubtless of a limited quantity, still more than enough for all to live full and successful lives. In the place then of the generous hand of nature stands our collective productive effort, extracting the goods we need through industry and art from the natural world.

Now, we have two pictures of abundance: Hume's self-consciously fantastical picture, and the more realistic human alternative that stands as the genuine opposite of the scarcity brought about by famine, war and disaster. Let us now ask which of these is relevant for Rawls'

¹¹⁴ Compare Karl Marx, *Capital* (London: Penguin Books 1976), 283-290: "Labour is...a process between man and nature, a process by which man, through his own actions, mediates, regulates and controls the metabolism between himself and nature...It is the universal condition for the metabolic interaction between man and nature, the everlasting nature-imposed condition of human existence, and it is...common to all forms of society in which human beings live."

argument. Rawls wants to conclude on the basis of Hume's thought experiment that "While mutually advantageous arrangements are feasible, *the benefits they yield fall short of the demands men put forward.*"¹¹⁵ And that "society in which all can achieve their complete good...is a society in a certain sense beyond justice. It has eliminated the occasions when the appeal to the principles of right and justice is necessary."¹¹⁶ In other words, Rawls wants the result that were resources sufficient for the good of all, principles of justice would have no point. This is the main thrust of his claim that moderate scarcity is a circumstance of justice: were there enough to go around then principles of justice would fall to the ground. But—this is the crucial point!—*Hume's fantastical thought experiment is irrelevant to this claim.* For we can perfectly well admit that justice would be largely pointless if we were creatures whose relation to nature was entirely different, and nothing will follow about whether principles of justice will have a point when resources are sufficient in a *human* way. What is relevant to Rawls' claim is, therefore, the sense of sufficiency that is properly opposed to the human scarcity discussed by Hume, not the fantastical abundance that figures in Hume's actual thought experiment.

So if Hume's thought experiment is irrelevant to the use Rawls would like to put it, let us ask the question ourselves: would there be any opportunity for principles of justice under conditions of sufficient resources, understanding sufficiency in the human way? Well, the first thing to say is that under such conditions we would certainly have distributables: for if sufficient resources are produced through our collective labor, then we have both labor and the products of labor, and the basic structure of society will determine the distribution of both these things. Presumably this basic structure, and the resulting distribution of labor and goods can be either

¹¹⁵ Rawls, *Theory of Justice*, 127 emphasis added.

¹¹⁶ Rawls, *Theory of Justice*, 281.

fair or unfair. Perhaps there is enough, but it is in the hands of the wrong people, some people possessing more than their share and others less.¹¹⁷ Or perhaps again, although producing enough for the needs of all to be met, some nevertheless do an unfair share of work or work under conditions that are objectionable in some other way. Both of these seem like genuine possibilities. So it would seem that there is room for the possibility of an unfair distribution even here. And given this possibility of getting the distribution wrong, it seems like there must be room for principles specifying what it is to get it right.

But would these be principles of justice? After all, *ex hypothesis* they do not govern our competing demands on scarce resources! Well, Rawls defines principles of justice, early on in *A Theory of Justice*, this way:

A set of principles is required for choosing among the various social arrangements which determine [the] division of advantages and for underwriting an agreement on the proper distributive shares. These principles are the principles of social justice: they provide a way of assigning rights and duties in the basic institutions of society and they define the appropriate distribution of the benefits and burdens of social cooperation.¹¹⁸

I myself think this is an excellent summary of what it is to be a principle of justice. A principle of justice distributes rights and duties, and thereby determines the acceptable distribution of the benefits and burdens involved with social cooperation. By distributing rights and duties it

¹¹⁷ In this and the following discussion, I have benefited from G.A. Cohen's discussion of different things we might mean by the phrase "beyond justice" in Chapter 5 of his *Self-Ownership, Freedom and Equality* (Cambridge: CUP 1995). (My treatment of the Hume and related matters, however, differs from his insofar as he does not distinguish the fantastical from the human interpretations of abundance. Other differences: he does not relate the concepts of scarcity and abundance to capacities, and he does not acknowledge the concept of sufficiency, although it does share certain properties with what he calls "modest abundance".

¹¹⁸ Rawls, *Theory of Justice*, 4.

provides us with a standard by which we can evaluate existing and possible institutions and social arrangements, rejecting some and affirming others. Now according to this description, principles of distribution under conditions of sufficiency clearly count as principles of justice. In specifying the fair terms of distribution they assign various duties and rights. And by doing so they provide criteria for choosing among various social arrangements: those institutions realizing these principles will be in line with them, and others in conflict with them will not. It seems that we are dealing with bona fide principles of justice here. That they do not deal—under conditions of sufficiency—with competing demands on scarce resources seems neither here nor there.

So it seems that the humanized, down to earth, parallel of Hume’s thought experiment does not work. It does not show that justice would be an “idle ceremonial” were resources not “moderately scarce”. Rawls is, therefore, simply wrong that under conditions of sufficient resources there would be no need for justice.

7.4 RAWLS’ SECOND ARGUMENT

Let us now consider the second argument for the thesis of moderate scarcity. The argument rests on a methodological claim, embodied in passages like this, “[T]he original position is meant to incorporate widely shared and yet weak conditions...” (Rawls, 129). We are to assume only conditions that are “widely shared”, or as he frequently puts it, “typical”. We should not focus on exceptionally good cases, like material abundance, because they are rare statistically speaking. If we begin with such infrequent oddities, the thought seems to be, our theory will be restricted in application to such rosy outliers. But our theory must be comprehensive, so we must begin with what is more frequent if somewhat dismal in human experience. Since even the most cursory

historical survey tells us that moderate scarcity is the unfortunate norm in human history, this argument would seem to license adopting the thesis of moderate scarcity.

Now the objection I want to bring against this argument is that it makes an erroneous assumption about the way in which an account of the political ideal has to be relevant to what I, at any rate, would want to call “non-ideal circumstances”. The assumption Rawls seems to be making is this: the only way in which an account of the political ideal could be relevant to polities operating under non-ideal circumstances is by incorporating those very non-ideal circumstances. It is this assumption that allows Rawls to move from the alleged fact that most human societies operate under conditions of moderate scarcity to the conclusion that, for the purposes of our account of the ideal, we should presuppose the thesis of moderate scarcity. For if there were other ways that an account of the political ideal could be relevant to polities operating under such non-ideal conditions, we would not be licensed in inferring *from* the fact that our theory should be relevant to them, *to* the thesis of moderate scarcity.

Now it is surprising that Rawls makes this assumption when it comes to material resources. For he himself, in other contexts, insists that an account of the political ideal can be relevant to polities operating under non-ideal conditions, without incorporating those conditions. So, for example, his account of the principles of justice assumes that the society for which the principles are chosen is “well-ordered”. A well-ordered society is one in which all the members of society strictly comply with the demands of a public conception of justice (Rawls, 4-5, 8-9). He also calls the theory dealing with a well-ordered society “ideal theory” and distinguishes it from “nonideal theory”, which deals with situations of partial rather than strict compliance (Rawls, 245-246). Rawls notes, “Though justice may be, as Hume remarked, the cautious, jealous virtue, we can still ask what a perfectly just society would be like” (Rawls, 8). And

indeed, Rawls builds strict compliance into the original position with the assumption that all of the parties possess a sense of justice which ensures that they will fully comply with whatever principles they adopt. The principles they adopt are principles for a well-ordered society.

Now strict compliance is a statistical outlier for sure. It seems likely that there has never been even a single society in the whole course of human history characterized by strict compliance. The extension of the concept 'well-ordered society' may, therefore, very well be the empty set. Given its lack of frequency isn't to focus on it to limit our theory in application to the most extraordinary cases? Let us see what Rawls' reply is to these objections. It is clear that he is aware of this challenge to his method of proceeding. Indeed, he raises the problem himself explicitly. Here's what he says in reply:

Obviously the problems of partial compliance theory are the pressing and urgent matters. These are the things that we are faced with in everyday life. The reason for beginning with ideal theory is that it provides, I believe, the only basis for the systematic grasp of these more pressing problems...At least, I shall assume that a deeper understanding can be gained in no other way, and that the nature and aims of a perfectly just society is the fundamental part of the theory of justice. (Rawls, 8-9)

In this passage Rawls claims that by focusing on a perfectly just society we can achieve a "deeper understanding" and "systematic grasp" of the problems posed by the operation of justice under less favorable circumstances. Rosy outlier that it may be, understanding of it provides us with comprehension of the more widespread and difficult situations that confront us in everyday life.

But why would this be? Why are they not just *different* situations, which cry out for a *different* justice to govern them? Why would the one situation shed light on the other? Well, what Rawls says is the following:

Viewing the theory of justice as a whole, the ideal part presents a conception of a just society that we are to achieve if we can. Existing institutions are to be judged in the light of this conception and held to be unjust to the extent that they depart from it without sufficient reason. The lexical ranking of the principles specifies which elements of the ideal are relatively more urgent, and the priority rules this ordering suggests are to be applied to nonideal cases as well. . . . Thus while the principles of justice belong to the theory of an ideal state of affairs, they are generally relevant. (Rawls, 246)

Implicit in this passage are two ways in which Rawls claims that ideal theory is necessary in order to comprehend what justice demands under nonideal conditions:

- (1) Ideal theory provides us with the goal: it “presents a conception of a just society that we are to achieve if we can”, and it “guide[s] the course of social reform” (Rawls, 245). So one way in which ideal theory is necessary for understanding justice under nonideal conditions is that it tells us in what direction we are to move in such circumstances. Presumably justice demands that we move in this direction, if it is at all possible. So ideal theory has something to say about what justice demands under nonideal conditions.
- (2) Ideal theory also informs us when institutions in nonideal conditions are in need of justification. For institutions that are in accord with the principles of ideal theory need no special justification. But those that do not conform to the principles of justice as articulated in ideal theory call out for a special explanation: there must be sufficient reason for this deviation from the ideal. So, although deviations from the ideal may be just under nonideal circumstances, they will have to be justified as the deviations they are. And ideal theory equips us to understand what shape such a special explanation must

take. For knowing what counts as a sufficient reason for deviating from the ideal of justice requires knowing the rationale and comparative importance of the principles acknowledged in ideal theory: for we will have to know (i) what rationale the principles of justice have in ideal theory and (ii) why nonideal circumstances make such a rationale inapplicable here in order to know (iii) what principles will come closest to serving the same purpose under these circumstances; and if not all purposes can be served, we will need to know which among them are paramount. So ideal theory tells us, when applied to non-ideal conditions, not only which institutions are in need of justification, but also the shape such a justification must take.

The upshot of all of this is that although the principles of justice delineated in ideal theory may not apply directly to unfavorable circumstances, they are relevant nonetheless. For a systematic grasp of what is acceptable under such circumstances goes through ideal theory. The fact that strict compliance, for example, is infrequently met with in human experience, does not limit the comprehensiveness of Rawls' theory. For what to do in the more frequent and dismal cases with which we are all familiar is to be understood through their relation to the ideal.

It should be clear at this point that the second argument for the thesis of moderate scarcity is at best incomplete. For it is now clear (as Rawls himself teaches!) that an account of the political ideal may be relevant, in some cases, to non-ideal circumstances without incorporating those circumstances. And so the question inevitably arises, might the thesis of sufficiency be justified in the same way as strict compliance? Noting our division of the political ideal into two components, might sufficiency serve to characterize the material component of the ideal of ideal

theory? If so, then the second argument for the thesis of moderate scarcity falls just as surely as the first.

7.5 THE ARGUMENT AGAINST THE THESIS

We may start our argument by referring to the practical conception of political philosophy articulated in 5.2. According to that conception, an answer to the question “How should we live?” must be a way that we can live, on pain of the charge of utopianism. If, therefore, we propose a conception of the political ideal requiring material resources that cannot possibly be met through human practical powers, then our conception of the ideal is utopian and must be abandoned. So to meet the demand of realism, we must propose a political ideal that requires material resources that a community of humans could achieve under favorable conditions. And given this rather obvious requirement of realism we are, I believe, poised to deliver the refutation of the thesis of moderate scarcity.

Suppose we have met the requirement of realism, and so conceived of the material requirements of the polity in a suitably human way, so that we can understand what it would be for beings like us to satisfy them through the use of our own practical powers. Now, when these requirements have been met there is, relative to the requirements of the political ideal, nothing lacking. So when we articulate a conception of the ideal political community, we must be willing to work with a concept of “enough”, that is, a concept of sufficiency. We have to be willing to say that some amount would be enough for the purposes of such a community, and, at the very least, to say that we see no reason to think that this level of resources could not be achieved through human effort, under favorable but still conceivable and suitably human conditions.

In doing so we will have had to set aside the thesis of moderate scarcity at least long enough to assure ourselves that the material requirements of the polity are not being conceived in utopian ways. And once we've taken this step (having cleared away the false obstacles—like those articulated in 7.3 and 7.4) and *allowed* ourselves to imagine what it would be like if there was enough to go around, what we will have done is precisely bring circumstances of sufficiency to our conception of the ideal. We will have envisioned not only a moderately scarce ideal, but a sufficient one as well. At this point we will have two ideals: our original somewhat niggardly ideal of a polity functioning in a deficient state, and our more generous ideal of a polity functioning with sufficient resources. Let us now ask which of these is the proper ideal of ideal theory. Because if it is the sufficient ideal, then the thesis of moderate scarcity will have been overturned and replaced by the thesis of sufficiency: the view that for the purposes of reflection on the political ideal we must begin with reflection on the polity that is *not* deficient in material resources. But which ideal is the ideal of ideal theory?

Well, isn't it just obvious? The sufficient ideal is clearly a higher ideal than the moderately scarce ideal; of the two ideals, it is the *really ideal* ideal. Next to it the somewhat deficient ideal of moderate scarcity looks a bit shabby, and to be frank, *non-ideal*.

But we may put the intuitively obvious point theoretically as well. In ideal theory we try to say how things ought to be politically speaking; that's what ideal theory is: an account of how things ought to be, when it comes to politics. But as we saw in 5.2, for things to be (and remain) as they ought to be, political speaking, there must be material resources sufficient for them to do so. An account that presupposed moderate scarcity would therefore, by that very fact, block itself from giving an account of how things ought to be, politically speaking. What it described would be, to some extent, as it ought not to be, politically speaking. It would therefore inevitably fail as

an account of ideal theory. So in order to engage in ideal theory—to give an account of how things ought to be politically speaking—one must presuppose sufficiency rather than scarcity. The thesis of sufficiency is, therefore, true, and the thesis of moderate scarcity is false.

But should we go further and embrace the thesis of abundance? I don't think so. There is a clear rationale in terms of the anti-utopianism requirement for the thesis of sufficiency, namely that it must be possible to meet the material requirements that our theory ascribes to the polity. But there is no similar rationale for the thesis of abundance: no reason to think that we must be able, not only to meet, but actually *exceed* the material needs of the polity. So although the thesis of sufficiency is supported by the demand for realism and the practical character of political philosophy, the thesis of abundance is not. Furthermore, we should remind ourselves that sufficiency is a purely positive concept (7.2). It is therefore well suited to play a role in ideal theory—in our account of how things ought to be politically speaking. But abundance is not similarly always positive; for sometimes an abundance is superfluous, and sometimes it is positively an excess. There is, therefore, no a priori assurance that an abundance of any given resource required for the distributive aims of the polity will be good, for as a matter of logic it may be indifferent or even bad. The concept of abundance does not, therefore, seem required for, or even especially suited to, ideal theory. What we want for the purposes of the ideal theory is the concept of *enough* material resources for a perfectly just society. What we want is the thesis of sufficiency rather than the theses of abundance or moderate scarcity.

We must of course address situations of scarcity in political philosophy. Like the rest of the sorry affairs treated by non-ideal theory, these are the “pressing and urgent matters” of everyday life. But they belong to what is, if we approach the matter systematically, a secondary

investigation. But its secondary status being noted, we should gladly shoulder the task as among the most important of political philosophy.

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