Eudaimonia and virtù: excellence and conflict in democratic politics

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EUDAIMONIA AND VIRTÙ:
EXCELLENCE AND CONFLICT IN DEMOCRATIC POLITICS

by

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ABSTRACT

Despite renewed interest in republicanism as a political and theoretical alternative to liberalism, much of contemporary republican scholarship emphasizes the ways that republican principles – liberty, rule of law, political participation – fit within a liberal framework, sharing its institutions and commitment to individual liberty. This project, in contrast, extracts a radically democratic republican theory of politics from two founding republican thinkers – Aristotle and Machiavelli. Using an analytical approach, I argue that a concept of human excellence or flourishing is central to a democratic interpretation of these texts. I show, in an analysis of the *Ethics* and *Politics*, that Aristotle demonstrates a significant interest in the excellence of all citizens, though his commitment to the mean and his rejection of conflict as a political mechanism for change limit his ability to achieve that excellence for his citizens. In an analysis of *The Discourses*, I show that Machiavelli places conflict at the center of his politics and, even though he attempts to excise moral virtue and character from that politics, I argue that he actually articulates a Roman form of excellence in the form of virtù, which is just as central to his republican theory as flourishing is to Aristotle's. This project, at its core, is a critique of the value pluralism which both contemporary liberal and republican thinkers ascribe to. I argue that these two concepts, *eudaimonia* and virtù, while theoretically opposite, are politically intertwined. Together, they offer a new model for republican citizenship, one that does not fit within the procedural bounds of liberalism, but which embraces a substantive view of the good and which requires that conflict between the few and the many – class conflict – be central to democratic politics.
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Chapter 1

Introduction – What can a contemporary concept of flourishing mean for a theory of democratic politics?

This project begins with an interest in the Aristotelian concept of flourishing as it applies to democratic theory—specifically as it applies to a critique of contemporary liberal democracy. To flourish, in Aristotelian terms, is to lead a life of excellence—that is, a fully human life. The activity of flourishing is defined as virtuous action taken in accordance with right reason. Thus, humans flourish when they act based upon good character and reasoning ability. What would it mean to organize political life around this activity? How would this look different from a society organized around consent, order, profit, or individual liberty? How would the role of the government change? How would the role of the citizen change? How would this redefine the distinction between what is public and political versus private and non-political? How would the character of work and family life change? My interest in the concept of flourishing stems from all these questions, but particularly how a political commitment to a concept of flourishing would alter attitudes about the role of both state and citizen in the governance of a republic like the United States. I am interested in the ways that holding flourishing as a goal for citizens would change how the tools of democracy are used, specifically, how republican institutions are made more democratic through attention to individual excellence in participation and/or deliberation. If flourishing is a kind of self-rule, and it is the function of the political association to bring about flourishing, the ways in which we govern
ourselves with these goals in mind would look quite different than they do now under contemporary democratic institutions.

Republican critiques of this kind have become much more prominent in recent years after the drop-off of socialist critics; however, republican political thought does not present a unified critique of liberal capitalist democracies. In fact, many republicans sound remarkably like liberals in their emphasis on representative government, separation of powers, and individual liberty. Two primary strands of republican political thought have emerged over the centuries, one strand stemming from Aristotle and the Greeks, the other from Machiavelli and the Romans. The former emphasizes the transformative power of political participation, most clearly exemplified in Aristotle's description of the virtuous public life. In this account, it is only the exercise of certain rational activities in public with others which leads to the good life, and the full realization of our human capacities—that is, flourishing.

The latter, by contrast, posits that this moral basis for the political association is not only unrealistic and unsustainable, but undesirable. Machiavelli, far from claiming that morally virtuous citizens hold a republic together, instead argues that citizens need only wish to remain free of domination in order to demonstrate civic virtue. Based on pure instrumental reasoning, the prince or some collection of individuals bearing similar virtù, establish institutions which allow for citizens, both wealthy and poor, to voice their political opinions and act upon them. This kind of bounded tension and conflict between few and many keeps the population vigilant and the government responsive—all without the need for any kind of positive declaration on the moral character of the citizens.
Because my initial interest was in flourishing, and what flourishing meant to a contemporary theory of democratic politics, I did not think that I would have much use for the Machiavellian and neo-Roman strand of republican political thought. After all, the Aristotelian theory provides just as serious a critique against that notion of politics – as an activity necessary only to protect a private sphere of liberty – as it does against liberalism. Are the republican institutions established during the United States’ founding not just as guilty of perpetuating structural inequalities which bar vast portions of the population from experiencing real human flourishing?

However, this initial indignation over the seeming inability of the Machiavellian strand to have any sort of critique of contemporary democratic politics was too premature. Or perhaps, my reading of Aristotle was a bit too one-sided, as Aristotle is not the first thinker that comes to mind as one of the great defenders of democratic institutions. The Aristotelian conception of flourishing cannot simply be plucked from his writings to stand as the organizing principle for a modern democratic politics, and neither can it be brought to bear in a criticism of modern democratic politics—at least not on its own. The Aristotelian model for political action places just as many, if not more, restrictions on inclusion and participation as any Roman or Neo-Roman institution. And yet, as I will show, Aristotle needs the Machiavellian strand to form a more rigorous democratic theory. Likewise, Machiavelli needs an Aristotelian understanding of character to make a concept of virtù meaningful.

In order to show the ways that both the Greek and Roman strands of republican political thought support one another and are brought into contemporary discourse, I have
organized the project into four sections: Aristotle and his interpreters, and Machiavelli and his interpreters. Both Aristotle and Machiavelli articulate a foundation for democratic politics, providing the very language that we use to talk about it. Both sets of contemporary writers attempt to bring that language and those concepts to bear on contemporary politics, appropriating bits and pieces to make the desired critique.

In my effort to do the same, it is necessary both to establish what Aristotle and Machiavelli have to say about democratic theory, and to determine whether or not the contemporary interpreters have effectively appropriated those contributions. Examining the contemporary writers with the view to how well they apply the language of their predecessors allows me to assess my own interpretation of these foundational thinkers in a similar light. How well do they apply these concepts? Do they take the language too far, positing radical interpretations of concepts that the text cannot support? Or do they not take it far enough, failing to envision a theory of democratic politics as radical as the original allowed for? How do my own interpretations compare?

Despite what his interpreters might wish, Aristotle is not a democrat. He did not think it possible that all citizens could share in democratic politics and also in the activity of flourishing. His outlined political systems either designate only the few excellent individuals be able to flourish, or that a well-designed constitution might do the work of making sure that the political association has stability and longevity. Either very few get to take part, or the many may only approach the ideal by adhering to the constitution. Beyond a standard of democratic equality, the concept of flourishing is not broadly
applicable in the regimes Aristotle outlines, as he does not believe that flourishing is achievable in a broadly inclusive democracy.

I argue this is because he considers conflict a threat to the political association. He views conflict as an inevitable force to be mitigated and minimized through institutional constraints—finding the right balance of power between the few and the many so that they might each play their role and be satisfied. Ideally, these institutions will also encourage the development of a middle class—the ultimate force in reducing class conflict. He does not consider the possibility, or he rejects the possibility, that conflict might actually contribute to a just political order, creating the conditions for the good life, or perhaps even contributing to the activity of flourishing itself. He doesn't allow that engaging with a political opponent under potentially unstable conditions, under conditions which the actors may deliberately make unstable, could also exercise our rational capacities and call for virtuous action.

In interesting ways, Machiavelli does do this. While he goes to great lengths to build a theory of political action free from any vestiges of moral virtue or the Aristotelian good life, I argue that he, in fact, lays the groundwork for institutions which can perform that very function. By advocating institutionalized conflict between the few and the many, Machiavelli hopes to achieve the founding and maintenance of great republics. It is engaging in and managing this conflict which makes a political actor great—virtuous, even, in Machiavelli's terms. While Aristotle rejects conflict as a means of bringing about the good life, Machiavelli all but insists upon it.
I will argue that, taken on his own, Aristotle cannot lay the groundwork for the rigorous democracy his contemporary interpreters wish to build. In their appropriation of his political and ethical writings, they extract the parts of the theory which are useful in a critique of liberalism – flourishing – and strip out the underlying framework, effectively erasing the most powerful differences between liberal and republican theories of citizenship (Nussbaum 2002; 2000). Others of his interpreters attempt to synthesize the incongruous parts of the argument – the importance of individual flourishing vs the stability of the political association – and in doing so, bring together two accounts of politics that work much better in tension with one another (See Collins 2009; Frank 2005; Yack 1993). In short, these thinkers necessarily offer thin readings of Aristotle which nevertheless attempt to solve dilemmas that Aristotle does not.

Machiavelli’s contemporary interpreters, by contrast, do not recognize the extent to which conflict is a constitutive element of Machiavelli’s successful republic. Instead of taking the building blocks of the theory and constructing something that it cannot support, as Aristotle's interpreters do, the members of this neo-Roman school pare Machiavelli's institutions down to their bones, under-emphasizing or leaving out two integral elements: political conflict and the necessity of virtù. For some, the fact of conflict is enough, with very little consideration for the nature of that conflict (See Bellamy 2007). For others, both conflict and the vigilance of a virtuous citizen body are downplayed in the name of protecting the private liberty of citizens and distancing them from the political process. Any public involvement which does occur happens through the filter of institutions which dramatically reduce the political power of majorities. (See
Pettit 2008; 1997; Skinner 1998). The political systems advocated by these writers do not make full use of Machiavellian concepts in building a contemporary theory of democratic politics. By Machiavelli's own standards, they fail to measure up to the institutions he recommends for republican government.

Therefore, I will show that the only way to potentially construct this robust theory of democracy around the concept of human flourishing, as I originally set out to do, is to bring Machiavelli himself into the mix—the self-proclaimed anti-Aristotelian. It is only by developing a theory of the ways in which the conflict between the few and the many may develop the unique skill set embodied in the virtuous political actor, and a theory of how the character of the political actor may still be a viable subject for political discussion, that republican political thought can make any kind of real critique of liberal politics—and have anything to offer in its stead. Without a theory of political conflict, one that distinguishes between the constructive and destructive kinds of conflict, the polis remains static, unable to change itself in the interest of its preservation.

Because the concept of democracy is itself a constantly evolving one, the task of democratic politics is to continuously determine and redetermine what should be under the public purview. Without the possibility of finding new and potentially destabilizing means of political expression, democratic institutions and forms of citizenship will erode, and the republic itself will eventually fall into decline.

But without some account of the good life and the virtuous individual, there's very little to hold these democratic institutions together other than fear of domination. Therefore, while secondary to the first aim of articulating a theory of democratic politics
which rotates around the notion of human flourishing, I will also argue that even Machiavelli brings a working definition of human excellence to his republican theory through his concept of virtù.

Chapter one establishes Aristotle's account of human flourishing and the good life through a detailed analysis of his Ethics and Politics. I lay out what this virtuous individual should be and what he should do, as well as the best circumstances under which he might exist. I explore the restrictions Aristotle places upon who can share in the good life, as well as his reasons for doing so. The standard by which he judges who may share in the good life is the rational capacity of the individual. Those who cannot be fully rational are barred from participation in the good life. Some of these restrictions are not central to the overall theory—for example, his insistence that women and non-Greeks are fundamentally deficient in terms of their rational capabilities. Rejecting this does not substantively change the theory. However, the need for a laboring class – be it slave labor or paid – to do the work of keeping the city running remains vital. They cannot share in the good life because they physically do not have the time to devote to the exercise of virtue. For this population, it is good that they do not have the time to develop these capacities, as, once they had, they would no longer have any interest in doing the menial work of reproducing the city.

It is this limitation which keeps Aristotle from truly embracing democratic equality, no matter that he insists just governing consists in ruling and being ruled by those who are equal. This contribution theory of citizenship, one based on capability rather than intrinsic equality, is at the heart of Aristotle's resistance to widely inclusive
democratic institutions. Even recognizing that all (or very nearly all) are capable of exercising human rational capacities does not take away from the fact that very few engage in the activities which foster those capacities, and should thus, by Aristotle's estimation, be excluded. If they are admitted, they will only degrade the virtue of the association. It is this insistence upon the limitations of individual capacities which requires him to examine the different constitutions which are not so conducive to the good life – for there are any number of combinations of flawed individuals populating imperfect regimes – and Aristotle insists that it is better for these constitutions to maintain themselves as they are, rather than be destabilized and potentially dissolved turning into something else.

The existence of these two strands within Aristotle's political writings is a puzzle. On the one hand, he constructs an ideal polis which insists on individual well-being as its teleological purpose. The political association exists for no other reason than the good life of its members. A contemporary republican theory which uses this idea as its founding principle would require extensive democratic equality, in political and economic spheres to insure that as many citizens as possible might share in the good life. Yet, existing alongside Aristotle's insistence on a rich public life is his analysis of already existing constitutions, those imperfect regimes organized around the distribution of wealth rather than excellence. In these sections (Books 4-6 of The Politics) he does not make recommendations on how to transform these perverse constitutions into right ones; he offers different combinations of oligarchic and democratic institutions which will best maintain them, that is, what will best allow them to pursue the middle course between
oligarchic domination and anarchic popular rule. These recommendations include popular assemblies which allow the working population to participate, but also oligarchic checks which keep a balance of power rather than encouraging deliberation over what might actually be in the public's interest. Thus, ironically, the Aristotelian polis, which provides the most rigorous standard of democratic equality, also boasts the most exclusive definition of citizenship, while the imperfect constitutions, which expressly rely on oligarchic as well as democratic institutions to maintain stability, have much more broad policies of inclusion.

In these sections of his political writings (Books 4-6 of the Politics), Aristotle examines the constitutions which are themselves different mechanisms for approaching the mean. Political justice in these regimes does not necessarily align with what is determined to be just through the exercise of moral and intellectual virtue. Instead, the aristocratic and popular elements find balance through the constitution. Aristotle does not solve this dilemma between the just polis and the imperfect regimes; the two parts exist side-by-side, one committed to eudaimonia, the others organized around the mean.

I argue that these parts remain in tension with each other because Aristotle tries so hard to minimize conflict, to the point that he rejects the opportunities political and economic disputes create for the development of rational capabilities. No political theorist has a better account of the value of political conflict for the development of a political association than Niccolo Machiavelli. Therefore, in part two, I argue that Machiavelli makes a significant contribution to democratic theory in his assertion that
intense and regulated confrontation between *i grandi* and *il popolo* results in both better institutions and better citizens.

While generally associated with the cutthroat political maneuverings of *The Prince*, Machiavelli devotes *The Discourses* to the founding and maintenance of republics. In doing so, he engages in a similar project to Aristotle's Books 4-6 of his *Politics*—that of evaluating a population with the aim of recommending a constitution to fit that population's set of socio-political circumstances. For example, if the population generally behave in a slavish manner – selfishly seeking their own interest above all others – then they are only fit to be ruled by one who can control that behavior. But if they demonstrate the ability to think about the greater good of the community, if they are able to look to its maintenance, then a form of government which allows them to do so is more appropriate.

The difference between the two approaches comes in the setup of the institutions of these various regimes. Both Aristotle and Machiavelli value the long-term success of the republic; both wish for it to perpetuate itself. However, where Aristotle recommends the kind of institutional design which placates both few and many so they feel satisfied that they've received their due, Machiavelli pits the few against the many deliberately. He openly ridicules republics like Venice and Sparta which have stability and balance as their supposed strength, claiming that stability results in weakness and indolence.

It is here that his concept of *virtù* becomes so important. Machiavelli doesn't just prefer unstable situations over tranquility because he thinks the political association must continue to evolve if it is to survive. Rather it is *only* when a political actor navigates the
ever-changing circumstances that necessity and *fortuna* thrust upon him that he develops the characteristics associated with *virtù*. These include cleverness, cunning, foresight, courage, and the general ability to recognize and seize opportunities when they arise. These characteristics equip a political actor with the wherewithal to do great things politically—in a republic, to establish institutions and then to make use of these institutions in the preservation of the city. *Virtù* in this sense is not imbued with any sense of moral 'right' or 'wrong' as it is for Aristotle, but is rather a non-moral set of skills that a person accrues through experience.

It is *virtù* which equips the public, the institutions, and individual political actors with the ability to successfully navigate and take advantage of the ongoing political conflict between the few and the many. The key, however, is to be sure that this conflict is productive rather than destructive, vertical rather than horizontal—specifically that it works through a set of institutions which allow both wealthy and laboring classes to air and act upon their grievances. In *The Discourses*, the Roman tribunes and consuls embodied the conflict between the many and the few. Both offices granted the classes different political powers, which allowed them, not just to keep one another in check, but to actively take part in the governance of the city. The poor had specific outlets of which the wealthy were not part, and the reverse. Here, the aim was not to minimize tension but to allow it to work to produce the kinds of innovative law and policy that Machiavelli admired, the kind that would continuously *redefine* the role of the public in the maintenance of the republic.
It is this that Aristotle misses in his exploration of the intellectual virtues. Even though \textit{phronesis} is the virtue of practical wisdom, the exercise of which necessarily involves an ever-changing set of circumstances and a constantly evolving process of dealing with them that cannot be routinized or made into a calculation, Aristotle appears all too ready to limit the circumstances under which this virtue is exercised in ways that potentially stifle democratic politics. Even though \textit{virtù} is very different from moral or intellectual virtue, its exercise contributes to the success of the republic and the development of the political actor in much the same way that Aristotle's virtues do. Thus, a republican theory of contemporary democratic politics must wrestle with this idea of human capacities and their development, whether or not that theory adopts Aristotelian or Machiavellian assumptions about human motivation.

In the last two parts of this project, I determine how well the neo-Roman and neo-Aristotelian schools engage with the subject of human capacities, as well as the institutions which contribute to and are necessary for their development. First, I examine the concepts most central to the neo-Roman position as articulated by Philip Pettit, Quentin Skinner, and Richard Bellamy: republican liberty and the constitutional arrangements that protect it. Skinner (1998) sets up the dichotomy between negative and positive liberty—between freedom from interference, and the freedom to exercise human capacities. Broadly, this articulates the division between liberty as held by liberals and the kind of freedom Aristotle and Rousseau find in a public life. Skinner works out a third form, a kind of negative liberty which emphasizes freedom from domination, rather than just interference. In the liberal conceptions, so long as the choice is a free one, so long as
consent is given, that individual exercises negative liberty. But, according to the neo-Roman school, this choice could result in domination—on the part of an employer, political leader, or abusive spouse, for example. Thus, commitment to republican liberty requires political institutions which allow citizens to take action against those who seek to dominate them. This results in a kind of positive liberty, as the citizens must remain vigilant and must therefore be active publicly to prevent domination.

This notion of liberty comes right out of Machiavelli. The many, in order to protect themselves (their individual liberty) from the few, must play an active part in political life or suffer under the inevitable cruel appetites of elites who will try to exploit them. But Machiavelli, unlike the neo-Romans, praised the kinds of institutions which allowed poorer citizens direct access to the political decision-making process, institutions which paid particular attention to class distinctions—unlike those which are ostensibly blind to social distinction, but which only serve to allow elite domination (the electoral process, for example).

Pettit (1997) argues in favor of a means for citizens to contest already existing laws that they feel do not track with their interest, effectively removing citizens from actual policy formation in favor of a process of retrospective appeals. This greatly limits the scope of democratic politics, as well as the demographic of citizens who will be equipped to go through the process of contesting an unjust law. Additionally, it seems unlikely that an appeals process will draw the population into public life, where they are needed if domination is to be avoided. Far from inspiring continuing innovation in law
and policy, a system of appeals and contestation seems likely to only result in public action after the most flagrant political violations.

Bellamy's (2007) insistence that actually existing democratic politics, that is, free elections, are a sufficient means of maintaining republican government is equally unsatisfying. Competitive elections and political parties cannot be the sole caretakers of the republic, of the res publica, for the very nature of competition is the elimination of opposing viewpoints rather than the fostering of any sense of common purpose. While Machiavelli advocated strongly for competition between i grandi and il popolo, and for offices open to members of the general public, not just the elite, he recognized the tremendous ability of i grandi to dominate an institution like the electoral process. Elections are not sufficient for preventing the domination of political office or public discourse. In fact, political parties constitute the kind of horizontal divisions of the public which Machiavelli thought destructive rather than useful.

Thus, the neo-Roman school does not offer the sorts of institutions which encourage productive conflict between the few and the many, and they completely neglect the character of the public, claiming that civic virtue is necessary to avoid domination, but providing precious few opportunities for citizens to practice that virtue. Competitive party elections do very little for public-mindedness, and contestation of laws, while certainly educative should the citizen choose to make use of the process, seems an unlikely source of broad civic virtue, as the process is entirely focused on addressing a wrong done to some particular party. How would the citizen even know whether the
policy tracks with public interest when they can only know how it effects them? There is no forum for public discussion of this public interest.

The neo-Aristotelian school shows much greater concern for the character of the citizen body, which only makes sense as virtue is such a central focus of the original text. In their interpretations of Aristotle, these thinkers attempt broad critiques of liberalism, seeking to reassert the centrality of community in public life and the importance of virtue to individual development. But while this is the general communitarian critique of liberalism, the neo-Aristotelian thinkers I examine in the final section of the project do not have such a unified theme as the neo-Romans. Rather than organizing a republican theory of government around a single idea like non-domination, Martha Nussbaum, Bernard Yack, and Jill Frank all draw out particular elements of Aristotle's text to bring to bear on contemporary politics.

For Nussbaum (2002), who most literally takes up the concept of flourishing, this means adding a sense of human capability and potential to the liberal state. She generates a list of human functionings which it is the responsibility of the state to insure all its members reach. Nussbaum jettisons the necessity of moral virtue in favor of individual development of a broad set of capacities, so that Aristotle might still fit within the liberal paradigm. In doing so, she must abandon both Aristotle's structure of administering justice – giving to each what is due – and his distinction between the ideal and already-existing political communities.

Yack and Frank attempt to bring the perfect and the imperfect constitutions Aristotle outlines together, to synthesize individual excellence with imperfect regimes.
For Yack (1992) this means looking back at both perfect and imperfect constitutions to find them all rife with conflict rather than unity and harmony. Frank (2005), by contrast, looks for alternative sites for virtuous action, finding the possibility of human flourishing in obedience to the law, determination of communal standards of justice, and the ownership of property. Where Yack finds conflict everywhere, Frank finds virtue. Frank and Yack seek to solve a dilemma that Aristotle does not acknowledge. Reconciling the ideal polis, with all its benefits to the human soul, with the imperfect constitutions who need only perpetuate themselves, is not something that Aristotle attempts.

But the importance of this point goes beyond imagining what Aristotle would or would not have agreed to. In attempting to unify the divergent strands of Aristotle's political writings, either around conflict or virtue, both Yack and Frank can only offer a thin interpretation of a complex thinker. Yack points to all the ways in which communal life comes with conflict, but can do nothing with this conclusion since Aristotle, both in the perfect and imperfect constitutions seeks continuously to minimize conflict through pursuit of the mean. Frank concludes that obedience to laws as well as a reciprocal sense of justice between citizens demands some amount of virtuous activity, providing such vague criteria for virtue so as to make the concept almost meaningless.

It is my contention that in order for flourishing to be a meaningful concept in contemporary democracy, the full breadth and depth of Aristotle's commitment to both individual excellence and political stability must be examined and acknowledged. Both the radical democratic potential of a concept of flourishing as well as the conservative limitations of the mean must be explored. I conclude that Aristotle needs help from
Machiavelli, the most unlikely of allies. For without a theory of dynamic, ongoing conflict between the few and the many, there is no way for Aristotelian democratic politics to deliver human flourishing. Similarly, Machiavelli needs help from Aristotle. For without a conception of human excellence, the republican political actor is left only with the characteristics associated with ambition—and even the cutthroat figures in *The Prince* deserve a more careful reading than that.
Broadly conceived, the distinctions between the two primary models of republican political thought hinge around competing ideas about the purpose of political life. Aristotle, in articulating the Greek strand of republican thought, claims that acting publicly is the very thing that will bring about human well-being. The activity of politics, of forming and carrying out a constitution, is the activity that allows a person to flourish. Thus, a life devoted to politics has intrinsic worth. It is its own reward, its own end, because it is the final cause, the highest activity to which one can devote oneself.

For Machiavelli and his philosophical descendents in the Roman tradition, citizens must involve themselves in politics as guards against corruption, as protectors of their liberty. They must do this to ward off the continual advances of the few, whose unending unchecked quest for power would eventually destroy the city. Political participation is instrumental to the protection of a free life.

In other words, where Machiavelli advocates political participation for the purpose of securing freedom from corrupt governments and the advances of other states – republics or principalities – Aristotle sees the activity of politics as worthwhile and vital in itself. This is because human flourishing is not some status to be reached, but a way of life, a continuing activity. It is the most human activity a human can pursue.

Contemporary advocates of the Machiavellian model for active participation claim that it is more realistic than the Aristotelian justification, that the Aristotelian justification is too demanding, asks too much of individuals and assumes, perhaps dangerously, a
unity of purpose and motivation which does not exist. (For the clearest articulations of this perspective, see Skinner 1998 and Pettit 1997.) The pursuit of 'the good life' is not something achievable or worthwhile for everyone. It is far more likely, they claim, that citizens will be motivated to protect their own interests, their own liberty, rather than devote themselves to political life out of a need for human fulfillment. Participation of this sort will both protect the liberty of the subjects and preserve the constitution. In this way, negative liberty (the freedom from obstruction or domination) becomes positive liberty in constantly changing ways, as necessity dictates. In an effort to avoid the dominion of the few, the citizens develop means of checking them. In contrast, the purely positive liberty which Aristotle advocates is exercised through the practice of moral and intellectual virtue in pursuit of the mean, a middle course between excess and deficiency. For Aristotle, the liberty that the citizen exercises by participating in political life must still conform to virtue and to the good life that comes out of the exercise of the virtues. It is for this reason that critics of the Aristotelian model claim that life in this kind of community would be too prescriptive.

In this chapter, my argument is twofold. First, I will show through a close analysis of the *Nicomachean Ethics* and the *Politics*, that Aristotle's conceptions of positive liberty and the activity of flourishing are both broad and dynamic, rather than prescriptive and limiting. They are broad because, as I will show through Aristotle's accounts of education, property use and distribution, and household management, the activities in which citizens may engage both moral and intellectual virtue are considerably more varied than only political participation. And they are dynamic because the needs and
requirements of a population are in constant flux, thus requiring a flexible and adaptable conception of what it means to lead a full human life. I will show that holding the flourishing of its members as the organizing principle of the polis in fact makes for a robust theory of democratic politics, rather than a restrictive aristocratic model.

Since Aristotle is not a democrat and openly criticizes democratic regimes as based on equality rather than merit, arbitrary will rather than cultivated reason, any theory of democratic politics derived from Aristotle is necessarily an extraction. Even though I will show that the foundational concepts of a robust theory of democratic politics are present, Aristotle himself cannot be seen as arguing in favor of a democratic polis—that is, one which recognizes the full rationality of all its residents. In fact, this represents the central problem in using Aristotle as one of the architects of democratic theory. It is my contention that the ideal of human flourishing is inherently democratic, that the equal opportunity and capability for all to participate, contributes both to the individual's well-being and to the success of the political order. However, an accurate and honest account of Aristotle must acknowledge his insistence upon the differential capacities of individuals to participate in the good life. In this section I will show that there are grounds within the text for working around the restrictions Aristotle places on citizenship.

However, even a successful argument here does not negate the fact that holding the differential capacities of citizens as grounds for a hierarchy of political power remains central to Aristotle's republican political theory. Thus, his theory remains fundamentally undemocratic in this way. Therefore, the second aim of this chapter is to show that,
despite the radical critique I argue a concept of flourishing offers to modern theories of democratic politics, Aristotle limits the potential effects of holding flourishing as the goal for the political order. He does this most obviously by undermining his own ideal polis through his insistence upon the differential rationality of the city's population, but also by maintaining an equal, if not greater, commitment to the stability which a pursuit of the mean brings.

By seeking a middle course between oligarchic and democratic aspects of a constitution, emphasizing the importance of a strong middle class, and seeking to avoid conflict between the wealthy and poor, nobility and general populace, Aristotle effectively arrests the dynamic potential of a concept like flourishing. Paradoxically, it is pursuit of the mean which both makes Aristotelian democratic politics dynamic and restrictive. The pursuit of the mean is entirely bound by contingency and therefore constantly changing, and yet the goal is itself one that aims at stability rather than change, a middle course rather than the extreme.

In short, while he provides the theoretical groundwork for a robust theory of democracy by emphasizing the importance of achieving the good life in a successful political association, he continually re-emphasizes the citizens' differential capacities in his account of citizenship in the ideal polis, undermining both the possibility of individual flourishing as well as a flourishing public. However, contrary to much of the contemporary Aristotle scholarship, which focuses primarily on the political association, I will show that Aristotle undermines his own commitment to equality between citizens by neglecting to explore domestic and economic associations as associations which can
encourage virtuous activity. I argue that his neglect is somewhat ironic because *The Politics* is itself a study of what is common and, in laying out the associations which contribute to our development, he essentially declares what is of common concern to the political association. I argue that the declaration of what is common is a political declaration and part of an inherently democratic process. Thus, there is a democratic, egalitarian core to citizenship no matter what Aristotle might conclude regarding capacity. As I will show, this core can be found in the associations examined by Aristotle and neglected by his interpreters.

To make this case, I will first develop a robust interpretation of human flourishing, drawing on Aristotle himself and a few contemporary Aristotelian scholars, beginning with the *Ethics* and connecting Aristotle's understanding of individual flourishing with the political community in the *Politics*. From there, I will show the ways that citizens may exercise the virtues that bring them close, if not to full, flourishing in an account of the associations which aid in the practice of virtue. Aristotle clearly argues that not everyone can flourish, but that it is possible to come close in a sort of group flourishing through participation in public life. I argue that this is as close to democratic politics as Aristotle can come, even though I interpret the text as providing space for the exercise of virtue outside the traditionally defined political association. Finally, I will show the ways in which the Aristotelian strand of republicanism is limited by its emphasis on stability and the mean.
I. The purpose of a human life—good deliberation in a public life.

To begin, Aristotle asserts that every action and choice aim at some good, and that this good is either the activity itself or some product which results from the activity. For example, the good which results from medicine is health, and the good which results from the management of a household is wealth, indicating that occupation, work, and perhaps even reproduction and family life are means to other ends. The pursuit of the highest good, that which is done for its own sake, Aristotle claims must surely belong to "the most sovereign and most comprehensive master science" (NE 1094a 25). This is the science of politics—the science of political life, not just the state.

In an interesting twist of Plato's assertion that justice within the soul can only be understood by examining justice in a city, Aristotle begins the Ethics by claiming that flourishing on a large scale— for an entire city or republic— while the highest aim of all, must first be understood on the individual level. Where Plato expands his study of the human soul to the scale of a political order, Aristotle shrinks his to the individual's own motivation.

Thus, he begins the Ethics with politics, but the purpose of the political sphere cannot be understood without first grasping what it means for an individual to flourish within it. He claims that politics is the master science because:

"it determines which sciences ought to exist in states, what kind of sciences each group of citizens must learn, and what degree of proficiency each must attain. We observe further that the most honored capacities, such as strategy, household management, and oratory, are contained in politics. Since this science uses the rest of the sciences and since, moreover, it legislates what people are to do and what they are not to do, its end seems to embrace the ends of the other sciences. Thus it follows that the end of politics is the good for man. For even if the good is the same for the individual and the state, the good of the state clearly is the greater
and more perfect thing to attain and to safeguard. The attainment of the good for one man alone is, to be sure, a source of satisfaction; yet to secure it for a nation and for states is nobler and more divine. In short, these are the aims of our investigation, which is in a sense an investigation of social and political matters" (NE 1094b).

We see from this passage that, "the end of politics is the best of ends; and the main concern of politics is to engender a certain character in the citizens and to make them good and disposed to perform noble action" (NE 1099b 30). Thus, politics has a dual role. First, it is itself the process of determining right action. Second, it appears to be the means by which citizens are turned into virtuous people. It is the task of politics to make citizens virtuous actors. The student of politics, then, "must obviously have some knowledge of the workings of the soul, just as the man who is to heal eyes must know something about the whole body" (NE 1102a 15).

The highest good, then, is the pursuit of the good for the entire state, and the Ethics is a study of this end, even though it is also a study of the human soul. Beginning with contingency, with the specific, Aristotle asserts "Each man can judge competently the things he knows" (NE 1095a). However, more accurately, Aristotle means, each man is a competent judge of the things he does, as it is only the doing and the doing well which brings real expertise. Thus, Aristotle is interested in the action of pursuing the best course or 'the highest good' for the individual and for the state, but before he can get there, he must first develop his definition of what that is – of human flourishing.

Happiness or flourishing is an end in itself, the final thing that we pursue when we pursue other things instrumentally. What constitutes the distinctly human pursuit of flourishing? What is it that separates human action from that of non-humans? Only
rational activity, action governed by reason – our distinctly human capacity, not our lesser nutritive and appetitive functions – can bring about human flourishing. Only activities that engage our reason, and further, activities that we do well, can do this (NE 1098a). Thus, flourishing requires virtue.

Moral and Intellectual virtue—reflexes, muscles, and tools

The virtues are attributes or skills which must be learned and exercised; they are not distributed by chance (or nature) to some and not others. Everyone is born with the capacity to develop these virtues; it is a function of their early education, their social standing, and the nature of the work they do later in life whether or not they will fully develop these capacities. At this point in the text, Aristotle has not limited the capacity for moral excellence to any group.

Moral virtue is the character of an individual, the moral reflexes instilled in them from a young age through habit – practice at making good choices (prohairesis) where "the reasoning must be true and the desire correct" (NE 1139a 25). "[W]e become just by the practice of just action, self-controlled by exercising self-control, and courageous by performing acts of courage. This is corroborated by what happens in states. Lawgivers make the citizens good by inculcating [good] habits in them, and this is the aim of every lawgiver" (1103b). Since it is action which leads to habit, the right activities must be encouraged so that the right habits are instilled. And this happens at all levels of interaction, though, as with any skill, the younger the individual, the more readily she will habituate her skills. It is a person's character, not their intellect, which determines
whether or not they will pursue a virtuous life, one aimed at the final end, at eudeimonia (Moss 2011).

These activities must be done in the right amount – without excess or deficiency – so it is the task of the actor to discover this mean between the two extremes. It is the task of education to bring up the child to "feel pleasure and pain at the proper things" so that the body and mind are immune to both the base pleasures and fear of pain (1104b). However, even though education may provide the opportunity for repeated practice at hitting the mean, the middle path is itself different for everyone, specific to their lives and circumstances. Thus, while moral virtue allows a person to aim at the mean when they act, and the virtues all have recognizable names like courage, moderation, magnanimity, etc, the right action may vary from person to person, as their experience of the mean varies. The determination of this middle course is made using the intellectual virtue of phronesis, practical wisdom.

What, then, does this activity look like? What is the process of 'aiming at and hitting' the right target, and why would this process be considered (at least an important component of) human flourishing? As an example, let us consider the question of whether or not to pursue an advanced degree over entering the job market immediately following high school graduation. If Aristotle is right, then the process of making this decision – one which is central to individual self-direction – is action taken in pursuit of flourishing. If it is virtuous action – that is, made by someone of the right disposition making the choice because it is worthwhile in itself – then the decision-making process is human flourishing. In this example, the decision of how to direct one's future is one requiring
good moral character and a commitment to making a choice which is worthwhile in itself. For what other good can come out of self-direction in the end but the improvement of the human soul?

First, because of my upbringing and education, I know that I want to make the right decision, that I want to do the right thing and act virtuously. Second, I know that, in order to act virtuously, I need to be both courageous and temperate. Third, I need to know what these virtues mean. I need to have the right amount of confidence, and I need to have the correct understanding of pleasure and pain. I need to know the difference between what is easy and what is right. Fourth, I need to understand the consequences of my actions—that pursuing an advanced degree could end in failure and a considerable financial debt. It could mean an inability to care for family or loved ones because I will not have sufficient income while I am a student (and may still be unable to find employment after). Fifth, I need to understand myself. Will pursuit of an advanced degree stimulate me intellectually and socially? Will it contribute to my well-being? Will continuing my education be the courageous and temperate thing to do, or will entering the workplace?

While a decision of this kind may seem too instrumental to be virtuous in Aristotelian terms, I submit that in claiming, "Each man can judge competently the things he knows" Aristotle indicates the importance of exercising reason and making good choices in more everyday circumstances. Indeed, beginning with the concrete circumstances of one's own life is the only way to accumulate the experience necessary for eventual larger-stakes decisions. High-level political decisions or life-and-death
moments on the battlefield have a greater effect on the well-being of the city or state, but
decisions which determine the well-being of the soul are also significant. As the
individual grows up and takes on more responsibility, they practice at making good
decisions in the associations of which they are a part—the running of their household and
the governance of economic firms.

Phronesis is a deliberative process, a process of reasoning out the best solution to
a question or problem. Doing this amounts to taking charge of one's own life, of getting
one's priorities in order and making decisions based on those rightly ordered priorities.
These decisions have intrinsic value because they aim at right action. As Cooper puts it,
"it is a person's conception of what it is to flourish that he is, if he is fully in control of his
life, putting into effect in all his actions: he acts always with a view to living a certain
kind of life, which kind of life he regards as a flourishing one" (Cooper 1986, 96). Here,
Cooper (and I) argue for an "inclusive" understanding of flourishing, an activity which
must encompass a number of activities, all contributing to individual excellence, rather
than a single, final activity, namely, the exercise of theoretical wisdom, as Aristotle
claims in Book VI (Cooper 1986, 101; 111-112). Activities which constitute flourishing
are, nevertheless, limited in that they must exercise virtue.

Both the exercise of theoria, theoretical wisdom, and phronesis, practical wisdom,
constitute the exercise of intellectual virtue, the two activities most-suited to human
rationality and therefore human flourishing. While Aristotle considers the contemplative
life, the pursuit of knowledge of the things which do not change, to be the highest form of
existence, he devotes considerably more time to what politics can achieve—namely, what
it achieves through good deliberation. Practical action (praxis) – moral action or conduct – is the ongoing process of determining the right course of action. A person who does this has "the capacity of seeing what is good for themselves and for mankind, and these are, we believe, the qualities of men capable of managing households and states" (NE 1140b 10).

Perhaps it is for this reason that Aristotle devotes so much energy to political life. It is this path, rather than a contemplative one, which allows individuals to be the most human: dealing as they must with imperfect institutions and making the best decisions they can given continually changing and evolving circumstances. The contemplative life is more perfect, but the political life is more human (Yack 1993, 277).

Those who deliberate well, Aristotle believes are the best at applying ethical principles to concrete circumstances, at reaching the most moral decisions, and it is their word we should take if we are unable to deliberate well ourselves. "Aristotle may be best interpreted as maintaining a theory of moral reasoning, and so of practical intelligence, which make the phronimos operate without an independent criterion of virtue, while at the same time being prepared, in his capacity as philosopher, to put forward some such criterion" (Cooper 1986, 115). Their final goal, the ideal activity, is a combination of all three lifestyles Aristotle outlines at the beginning of the Ethics: the philosophical life, the political life, and the life of pleasure. "It is the life of a philosopher fully engaged in social, political, and family activities" (Cooper 1986, 145).

In this way, Aristotle hints that certain activities outside the traditionally defined public sphere, within the household and the workplace, as well as in the operation of
states contribute to human flourishing while others do not. Below, I will attempt to characterize the sorts of activities which contribute to human flourishing and where these activities take place. First, though, it is important to distinguish between phronesis and cleverness. Phronesis is an excellence in practical decision-making. "Excellence in deliberation will be correctness in assessing what is conducive to the end, concerning which practical wisdom gives a true conviction" (NE 1142b 35). Moral virtue "makes us aim at the right target, and practical wisdom makes us use the right means" (NE 1144a 7). Interestingly, for Aristotle, the non-rational part of the soul identifies the target, while the rational part determines the best way of acquiring it—the best course being the mean. If it is moral virtue which determines what we want based on repetition and desire, phronesis is an excellence in getting there by the right means. Since it is intelligence (nous) which allows an individual to understand fundamental truths or principles, and phronesis deals entirely with contingency, the phronimos must be able to reason through his perceptions and experiences in order to reach a good decision about something which has not yet been determined through repetition.

Techne, in contrast to phronesis, is concerned solely with determining the precise steps necessary to meet a goal or end. If the goal is a good one, and if the person seeking it is good, then the cleverness needed to achieve the goal is also good. But cleverness cannot be good on its own.

While the habituation of good character and the development of phronesis must be cultivated, Aristotle argues that parts of the individual's character, namely, excellence in understanding, intelligence, and good sense are innate (NE 1143b 5). Still, these
capacities must be developed over time with moral virtue and practical wisdom because "it is impossible to be good in the full sense of the word without practical wisdom or to be a man of practical wisdom without moral excellence or virtue... For virtue determines the end, and practical wisdom makes us do what is conducive to the end" (NE 1144b 30-1145a 5). It is for this reason, that the mean is different for everyone, though just as necessary, and that the good life may take different forms. As Jessica Moss puts it in her essay defending the separation of non-rational moral virtue and practical reason,

"It is good habituation and character that make one take excellent, fine activity as the goal, and phronesis, in its familiar deliberative role, that shows a few of the people who possess it that the very best specification of this goal, given their superior resources and circumstances, is contemplation rather than ethical activity. Virtue makes us aim at the fine; phronesis determines what is finest" (Moss 2011, 259).

One potential criticism of Aristotle's assertion that the best human life is one of either good deliberation consonant with moral virtue, or contemplation is that this limits the scope of action too strictly. Wouldn't there be room also in work, or in family life, or artistic creation for exercise of our rational capacities, for exercising moral virtue? While Aristotle might not agree to the above categories, a commitment to other values and the meeting of (rightly ordered) desires (e.g. working diligently, raising virtuous children, composing a piece of music) does contribute to individual flourishing. It is the deliberate and careful enjoyment of all these things in the right amount, in the right order, that constitutes individual flourishing. (Cooper 1986, 119-121, 132). In this way, the exercise of moral and intellectual virtue involves the well-reasoned ordering of one's life, determining what is truly in one's interest and seeking it out. This is a dynamic, ongoing process, not a limited one.
I argue that, even more importantly, this Aristotelian model of flourishing through good deliberation offers much to a theory of state action, and democratic action more broadly, despite Aristotle's well-known insistence that not everyone is capable of flourishing. I argue that flourishing consists in taking control of one's own life as well as the associations in which one participates, and that if the purpose of the political association is to ensure the mutual flourishing of all citizens, then the full capability of each member must be considered a top priority. This means more than mere possession of a set of primary goods, but possession of a set of skills needed to make good decisions and carry them out. In his account of *phronesis*, Aristotle differentiates between the kind of deliberation which results in laws and that which results in more everyday decisions. While it is not necessary for everyone to possess the former kind – a kind which only a few are likely to possess given the experience required – the latter kind is vital for anyone who wants to lead a fully human life, that is, make deliberate choices aimed at the right end.

Aristotle himself approaches the differences in individual capacity as a given and it is to the organization of these capacities that I now turn. As Aristotle emphasizes, humans are political animals, meaning that we exist socially. We would not be able to flourish without the household or the political structure; therefore, while individual flourishing is the goal, it cannot come about without other people, and without a community. Therefore, a discussion of friendship is necessary to our understanding of what it means to flourish.
The promotion of human flourishing—friendship.

Since Aristotle holds the community prior to the individual, he devotes a great deal of attention to the relationships that exist within that community. He says,

"[I]n poverty and all other kinds of misfortune men believe that their only refuge consists in their friends. Friends help young men avoid error; to older people they give the care and help needed to supplement the failing powers of action which infirmity bring in its train; and to those in their prime they give the opportunity to perform noble actions."

and,

"Friendship also seems to hold states together, and lawgivers apparently devote more attention to it than to justice. For concord seems to be something similar to friendship, and concord is what they most strive to attain, while they do their best to expel faction, the enemy of concord. When people are friends, they have no need of justice, but when they are just, they need friendship in addition. In fact, the just in the fullest sense is regarded as constituting an element of friendship" (NE 1155a 10-30).

With these two passages, Aristotle indicates that friendship is vital to both individuals and entire political communities, that it has significance beyond the private relationships between two people. It is some notion of friendship that holds a polis together, that makes it just, and, finally, that allows its members to flourish. However, he begins the study of these multi-party relationships, with the smallest unit – the relationship between two people. He claims, "friends enhance our ability to think and to act" (1155a 15). And since Aristotle values the intellectual virtues most highly, and these virtues cannot be exercised alone, he is most interested in what sort of friendship will foster their exercise.

Of the three kinds of friendship – utility, pleasure and perfect or character – only one can lead to the mutual flourishing of its participants, and it is unsurprisingly the most
perfect form of friendship, the one based on the character of the individuals. This highest, most perfect form of friendship is that "between good men who are alike in excellence or virtue" (NE 1156b 5). Friends of this sort act to benefit each other for no other reason than mutual admiration of character. This kind of relationship is necessarily rare because it isn't often that we encounter individuals who can appreciate and interact with us based solely on our character, encompassing all three kinds of friendship: the relationship is useful, pleasant, and good in an unqualified sense. And beyond that, the friendship must be lasting. Thus, it doesn't seem likely that citizens in the polis would develop such a relationship. Indeed, "to be friends with many people, in the sense of perfect friendship, is impossible, just as it is impossible to be in love with many people at the same time" (NE 1158a 10).

However, as we will see, it is only amongst his fellow citizens that a man (for Aristotle does not believe a woman's capacity for excellence is as fully developed as a man's; therefore the phronimos is always male) can relate to others as true equals. It is possible to form relationships where a kind of equivalence emerges (between parents and children, husbands and wives, older and younger, teacher and student, ruler and subject) but this comes about through exchange, rather than equal virtue (NE 1158b). Thus, relationships between people who are not equal are of a fundamentally different sort from relationships between equals. Lasting relationships form when "each receives what he gives to the other," and when each appreciates the other for exactly what they are, rather than for what they can get out of the relationship. For this reason, Aristotle claims that character friendships cannot exist in either the domestic or economic spheres. In the
home, no one is the head of household's equal, not even his wife, and certainly not his children or servants. When involved in production, the relationships formed meet the terms of the contract and then are dissolved. The only place a man can find his equal is in the polis, the political community.

Thus, we are faced with a dilemma. The purpose of a human life is the full exercise of rational capacities, and the purpose of the political community is the flourishing of its members. The only place a person can flourish is in the polis because he has no equal anywhere else, yet the polis is too large to foster close friendships between citizens. How can the exercise of practical reason in the polis lead to human flourishing, if the polis itself is not capable of fostering character friendships?

Aristotle closes the *Ethics* with the question of how virtuous individuals are to be fostered and encouraged, and by extension, how communities of these individuals will come about. He says, "the best thing would be to make the correct care of these matters a common concern" (*NE* 1180a 30). Indeed, he claims, "a father's command does not have the power to enforce or to compel... But law does have the power or capacity to compel, being the rule of reason derived from some sort of practical wisdom and intelligence" (*NE* 1180b 15-25). The encouragement of virtue amongst a community's citizens is a matter of common concern, the rules for which should be dictated by laws.

In the next section, I will examine those factors of common concern which contribute to or detract from human flourishing: specifically, the purpose of the household, the education system, the distribution of property, and finally, the role of the citizen in the political community. Of primary interest are the factors which exist outside
the polis but which either contribute directly to political life or are in some way regulated or determined by the political community.

**II. The Politics and human flourishing—the role of non-political communities**

Aristotle defines community as any collection of individuals who share some sort of characteristic or in some form of activity. And since it is through community, through friendships with diverse groups, that humans become virtuous, Aristotle must pay particular attention to the communities that contribute most to the habituation and encouragement of virtue. These communities involve deliberation about right action, and it is this facet which contributes directly to an individual's ability (or lack thereof) to flourish—whether or not this involves political participation.

In this section, I will explore the contrast between Aristotle's ideal polis and the constitutions he finds already in existence. I will draw out the ways in which the importance of flourishing is eclipsed by the need for stability and the long life of the constitution. In making this contrast, I will outline the particular non-political institutions through which a concept of flourishing would contribute to a robust theory of democratic politics. In this way, I will show that, while Aristotle defends a distinct sphere of political action wherein citizens may flourish, he also indicates the specific areas in which political decision-making is required to ensure human flourishing, (e.g. public regulation of education and the distribution of property and other resources). More than political mechanisms, a successful polity requires public concern over traditionally non-political matters. A successful polity requires citizens to be savvy members of communities which
exist outside the political sphere—members of the education community, land-owners, managers of households, and perhaps even workers.

In the *Politics*, Aristotle sets out to describe the different communities we are a part of in an effort to discover the best association to fulfill a human life. He gives us the answer at the very beginning – the political association. This association is "the most sovereign of all, and includes all the rest, will pursue [some form of good] most, and will thus be directed to the most sovereign of all goods" (*Pol* 1252a 1-7). From the very beginning, he separates out the sorts of governance and governors which function in the different associations.

Aristotle’s primary interest here is the distinction between associations composed of individuals with differing rational capacities, and those composed of equals. For it is this distinction which prevents both the household and the workplace from encouraging human flourishing. If a person could exercise the intellectual virtues in either the household or the workplace, he would not have to enter the political sphere at all. In the following brief sections, I will evaluate the various communities to which the residents of a city (citizen and non-citizen alike) belong in terms of their contribution to the exercise of moral and intellectual virtue.

*The Household*

In order to understand how Aristotle conceives of human flourishing, it is important to understand what he explicitly believes cannot contribute to that activity – that is, what does not contribute in any way to the exercise of human virtues, intellectual and moral. Manual labor, particularly the labor of the barbarian slaves, is simply what
comes out of "animate article[s] of property," the living complements of inanimate tools (Pol 1253b 30). This labor is necessary for the existence of the household and nothing more. The individuals who perform it necessarily belong to their masters because they have no independent capacity of their own; they are incapable of exercising their rational capacity. Interestingly, those who are capable are therefore not justly slaves. Indeed, if all humans are capable of exercising moral and intellectual virtue, than slavery is never justified (Pol 1255a 1259b).

Likewise, the rule of the master over the slave can't lead to the same outcome as the statesman over the citizen. The master does not rule over someone who is free, someone who is or could be his equal. He simply knows how to direct his property (Pol 1255b 20). Indeed, this is the master's sole purpose. "The manager of the household must either have available or ensure the availability of a supply of objects which are capable of being stored and are either necessary for life or useful to the association of the city or the household. These are the objects which may be regarded as constituting true wealth, for the amount of household property which suffices for a good life is not unlimited... There is a bound fixed" (Pol 1256b 26).

The other two relations in the home – between husband and wife, parent and child – he explicitly compares to political relations, the former to a statesman and his citizens, the latter to a king and his subjects. The marriage relation comes closest to that between citizens, because equality between parties is desired; however, the husband is permanently in the position of ruler, whereas, in the polis, statesman and citizen both rule
and are ruled. The relation between parent and child, on the other hand, is between an older, wiser ruler and the subject for whom he has affection.

The purpose of the household is the moral enrichment of human life, in whatever form it takes (be it the manager of the household, a slave, child, or wife). Household management is thus a "moral art." However, according to Aristotle, not every member of the household is enriched in the same way, as each member performs its own function, but the head of household is responsible for all of them. Virtue is required to run a household, not to do the physical work of maintaining it (Pol 1259b 18).

The significance of Aristotle's analysis of the roles within the household is the space he unintentionally opens up for the possibility of human flourishing. While relying upon the assumptions that all relations within the household are based on inequality and uniqueness of purpose, there would be very little opportunity for the exercise of moral and intellectual virtue. However, rejecting Aristotle's claim of natural difference between men and women allows for the possibility that the marriage relation could foster virtue. The equal partnership between spouses requires the exercise of good deliberation in the governance of the household. Likewise, acknowledgment of equality between Greek and non-Greek brings moral parity between manager and employee.

While my purpose here is not to argue that the relations within the home are like those in the polis because they involve deliberation between equals (although Aristotle explicitly says they are "like" political relationships in NE 1160a 10-30), I do want to emphasize that Aristotle's explanation of flourishing allows for these kinds of relationships to exist outside the political community. Management of a household can be
a common undertaking by the members of that community if the parties engage in shared
deliberation. And it can be a virtuous one if that deliberation applies ethical principles to
questions of right action.

Landownership

Questions of both property distribution and education take up considerable space
in a book ostensibly about political arrangements. Recognizing that both a person's
wealth and their education are resources required for their involvement in the polis,
Aristotle devotes much attention to their nature and distribution. Contrary to the liberal
paradigm, where property allotment is seen almost entirely as a mark of individual or
family merit, in the design of a polity, property distribution is of the utmost public
concern. Property distribution determines the happiness of the population, the relative
wealth and poverty of the population. The citizens must be educated to know the proper
use of property. (Pol 1266b 8). The ability to acquire property is vital for the head of
household; however, this skill must not be confused with the "art of acquisition," which
involves the pursuit of wealth for its own sake, rather than what directly leads to the well-
being of the family. It is the "unnecessary form" of acquisition which contributes only to
"living" rather than "living well" (Pol 1257b). Here, the landowner must pursue the mean
between wealth-for-wealth's-sake and neglect of material necessities—a clear opportunity
for the practice of good character and phronesis if ever there was one.

It was Plato's contention that by making the political community more like a
family, the city would perform more like one body, rather than many. He claimed that if
there were no divisions between families, if each member (and each social class) knew
their place in the city, as a child knows his or her place, then the members would be united in purpose. There would be fewer petty squabbles over land, people, or things if they were all shared. While Aristotle objected to the idea that a polis could or should be like a family on a functional level, he didn't think the idea was practically realizable, either. Instead, he thought families should have both public and a private characteristics, but that in the end, they should only belong to one head of household, rather than the entire city. His justification for this claim is that a man will be better motivated to care for something that is just his own (1263a 8). Regarding property,

"For, although there is a sense in which property ought to be common, it should in general be private. When everyone has his own separate sphere of interest, there will not be the same ground for quarrels and they will make more effort, because each man will feel that he is applying himself to what is his own. On such a scheme, too, moral goodness will ensure that the property of each is made to serve the use of all, in the spirit of the proverb which says 'Friends' goods are goods in common.'...[E]ach citizen has his own property; part of which he makes available to his friends, and part of which he uses as though it was common property." (1263a 21-40).

In short, Aristotle claims that, while property should be owned privately, it should be put to common use. This means that use value is the primary reason to accumulate wealth, rather than exchange. The land and the resources only have real value if they can be used by friends and, in some cases, the rest of the community. He even advocates food production for the purpose of common meals (Pol 1330a). So, while ownership is private, property owners must hold their land for public use. The property-owning class must have the right character to understand that their property, while theirs and for their use primarily, exists for the benefit of the community. Aristotle himself does not specify exactly how to determine the division between land for public and for private use but
offers, "the function proper to the legislator is to make men so disposed that they will
treat property in this way," that is, as a privately owned public good (Pol 1263a 38). It is
for this reason I argue that the good management of property constitutes the exercise of
intellectual virtue. The balance of public and private use of property is an ongoing
negotiation, changing with the needs of the family and the community. Decisions made
about its uses have considerable public significance. In a polity committed to democratic
ideals, all citizens would benefit from this exercise in balance between public and private
uses of land and property, even if they have less of it to offer.

In an ideal polity, Aristotle argues that those who labor on the land should have no
part in its management. A strict division of labor between owners and non-owners should
be observed. It is this division of labor which marks the difference between action which
leads to flourishing and that which is the antithesis of flourishing. Every city is composed
of people who fulfill different roles, but they can largely be divided into two categories:
those who are 'necessary for the existence of the whole' and those who are 'integral parts
of the city' (Pol 1328a 21). Every city needs agriculture, tools and crafts, property,
defense, spiritual leaders, and those who determine "what is demanded by the public
interest and what is just in men's private dealings" (1328b 2). However, Aristotle says,
not everyone who performs these tasks should be considered part of the city. The
members of the producing class should neither own land nor be counted as citizens
because the work they do, while necessary for the existence of the city, is not sufficient
for its flourishing. They are 'present' in the city, but they are not 'part' of it, because the
work they do does not contribute to their own flourishing. Manufacturing and agriculture
are by nature slavish kinds of work. Those who own the property shouldn't labor on it because they need leisure time to manage the household properly, as well as be active in the polis (1328b 24). Property should only be distributed to/owned by the members of the community who are full citizens. And only full citizens will possess the character needed to manage their property well.

Thus, it is possible to see the mutually reinforcing nature of the division of labor and Aristotle's conception of citizenship. Members of the laboring class are not permitted to own the property they labor upon because they do not possess the right character. Yet, they are not permitted to do the kind of work which would improve their character, effectively justifying their exclusion from full citizenship. An argument can be made that laborers did not receive the right upbringing, did not develop the character suited for owning and managing property, but it is by doing the work of managing a household that one becomes good at it.

Aristotle relies on the goodness of the owner to make sure that his property is put to common use. A person will be more inclined to look out for his property if he knows that it is his, but he must also be trusted to have an understanding of how his property can be of use to the community, namely, in times of war, or even for more mundane tasks such as sharing slaves and horses or supplying food for common meals (Pol 1263a and 1329b). How is the head of household to balance the desire to have his own property with his duty to use it for the public good? Again, this points to the difference between the laboring and non-laboring classes. Members of the former will know how to control their desires; in this case, the desire for more wealth.
It is this division of labor between owner and non-owner which points to Aristotle's most stubborn inequality—that of economic class. It is not difficult or groundbreaking to argue that women and non-Greeks can be just as rational and capable of moral and intellectual virtue as Greek men. It is significantly more difficult to get around Aristotle's observation that the working class simply do not have the time to devote themselves to good deliberation. The nature of their work is routinized, often mind-numbing. At what point in the worker's day does she practice making good decisions? Most have been made for her by her employer. While Aristotle describes constitutions in which everyone shares in citizenship, they are not the ideal type because the severe limitations placed upon the working class' deliberative capacities remain. In a political community devoted to the flourishing of all its members, is it possible for the working class to share in the activity of flourishing?

In my view, there are two ways that this might come about. Either the work day must be shortened so that laborers have adequate leisure time to deliberate about political decisions, or the character or nature of the work would need to change to make it so that workers could take part in the management of their workplace. It is for this reason that I think workplace democracy fits well with the exercise of Aristotelian intellectual virtues. A serious argument can be made for the necessity of workplace democracy – or if nothing else, more self-determination for workers – in the development of the character of the working class.

The importance of good character in the holding and use of property indicates that Aristotle may have multiple understandings of what property really is. There is, of
course, the land and goods to be used to meet specific needs. But, additionally, Aristotle seems to include the holding of public office as a form of possession. The office is the individual's own, but it should be executed in the interest of the public (Pol 1279a 29-33; Frank 2002, 266). Property, then, could be anything we hold for our own use, which also has a public function. These include the habits we possess which make us properly who we are, the ones used to make public decisions (Frank 2002, 268). They are our own, for our own flourishing, but in order to function properly, they must be used with others, although it should be noted that Aristotle is critical of office-holders who cling to their position as if, without it, they would be deprived something vital to their own well-being. Perhaps this only means that private property, like a public office, should be viewed as contributing to the common good, rather than the satisfaction of individual desire. This is why Aristotle lumps the management of households in with the governance of states in Book 1 of the Ethics. And I think he would do the same with the administration of education, and more modern economic firms. Household management and work provide a significant supplement to citizenship in opportunities for virtuous action, and for those barred from citizenship in Aristotle's ideal polity, the only possible opportunity for such action.

Education

Distribution of property cannot be the only foundational necessity which contributes to the character of the citizen. It is true that those with more possess more leisure time, but what do those 'better' individuals do with that time? Aristotle's account
of education is instructive, both in what he regards as matters of public concern, and in how deeply rooted the differences in the capacities of individuals appear to him.

"It is the nature of desire to be infinite, and most people live for the satisfaction of desire. The source from which a remedy for such evils may be expected is not the equalization of property, but rather a method of training which ensures that the better sort of people have no desire to make themselves richer while the poorer sort have no opportunity to do so. The latter object will be attained if those concerned are put in an inferior position without being subjected to injustice (Pol 1267b)."

Even more important than the organization and management of resources, is the moral training of the individuals who will do the managing. Education, is in fact the legislator's "chief and foremost concern" (1337a 11). Practically speaking, the kind of education children receive varies depending on the constitution of the city. Democratic constitutions require a curriculum that will educate citizens to be democrats. Oligarchic constitutions require citizens to be educated as oligarchs. However, in his outline of the best system and the best education, Aristotle does not describe an oligarchical structure.

Aristotle considers education to be a public concern, which should be handled publicly by 'superintendents of education,' rather than privately in the home through individual arrangements. The conditions or 'equipment' for the best regime largely come about through luck – geographic location, terrain, resources, even distribution of natural abilities – however, the character of the population, their ability to make use of those conditions, is a matter of deliberate choice (Lord 1982, 36). It cannot be left up to individual family's ability or inclination to provide for their child's development. Indeed, it is of such importance that, taking a page from Plato's strict requirements, marriage laws should be instituted in order that men and women are matched to reach sexual maturity at
the same time. Giving birth to children would be a public service, the length of which
would also be determined by law (Pol Book 8 Ch. 16).

In effect, the system of public education Aristotle proposes must care for all parts
of a person—the body, the mind, and the soul. Only the health of all three can produce a
virtuous citizen. The training of the body through gymnastics encourages moderation and
spirit, both of which improve the soul. And the training of the mind leads to true
flourishing through exercise of the intellectual virtues. The individual learns what it
means to be ruled as a student and, later, as a member of the military, then to rule when
he/she exercises reason in good deliberation.

The superintendents of education structure the young child's life, determining
which games and stories are the most useful for physical and mental stimulation. Young
people must be taught how to do useful and necessary things, but of greater importance is
learning the kinds of activities which have value in themselves (Pol 1333a 30). Excessive
emphasis on skills which are only likely to bring about material gain gives the child a
servile nature not fit for citizenship (1337b 4). This necessarily excludes skills for a life
devoted to agriculture and manufacturing, as well as the professionalization of music and
gymnastics. For example, music should be taught, not because it is useful, but because it
is valuable for a life of leisure and may also convey a sense of morality through story-
telling (1338a 9). Utility alone will not benefit the character of the child and, according to
Aristotle, is "unbecoming to the high-minded" free individual (1338b).

According to Lord, even though Aristotle's writings on education refer most
explicitly to young peoples' education (from birth to age twenty-one), he posits that
Aristotle considers this education a continuing process, one which encourages individuals to continually pursue action which is noble and beautiful—most likely theoretical wisdom, or philosophy, an activity which can never be finished. Indeed, only a mature individual, whose desires are well-ordered and controlled, can benefit from intellectual pursuits. In other words, the system set up by these educational superintendents should equip individuals both practically and intellectually to continue to be able to pursue a virtuous life.

It is clear from the above passage that Aristotle is only interested in educating to virtue those deemed fit for later ruling and that the rest of the population should only be instructed for the role that they will fill for the community. Yet again, Aristotle penalizes individuals for not possessing the right capacities by barring them from the activities that would encourage them.

Aristotle's concern over the organization of the household, the distribution of property, and the quality of education indicates that it is the management of these areas which is most important, not the everyday goings on between husband and wife, the fact of ownership, or the specific curriculum of the school. It is true that the kinds of activities wives and workers engage in are the ones to do with the everyday labor of reproducing society—the specifically interest-bound goods of food, health, income, etc. These do not, in Aristotle's terms, contribute to the exercise of intellectual virtue because they do not have the kind of grand scope, the vision, of the what is best for the community at their core. Thus, Aristotle would object that practice at these activities would not grant
significant expertise in deliberating well about what is good for the polis and thus would not warrant admittance to full citizenship.

In response, I argue that, based upon Aristotle's emphasis on habit—that is, the importance of repeated action to instill the reflex to want to do right—the practice of running a household and of managing the workplace constitute the kind of activities which cultivates good decision-making. I do not claim that all household work and all forms of labor contribute to intellectual virtue or constitute virtuous action; rather, that the kind required to govern both associations well, with an eye to the good of their members, specifically constitutes exercise of both moral and intellectual virtue.

As to whether or not this activity would allow these individuals to deliberate well about what is good for the polis – an association which, by definition, has much more diverse needs and interests, and which requires the application of good character and right reason to the problems of how best to accommodate those differences – I see two possible answers. On the one hand, the exercise of intellectual virtue demands a kind of perspective from nowhere—the ability to apply general ethical principles to specific situations in order to arrive at what must literally be the best solution, the right solution. This kind of deliberation cannot be motivated by anything other than the desire to make the best decision. Thus, it would seem that wives and workers would be ill-suited to achieving this perspective, given that the work they do requires that they care about the members of their family or their firm more than anyone else. It seems unlikely that this would translate well to political deliberation when no one faction should be given preference and no deliberator should wish to give it.
On the other hand, this strict Arendtian interpretation of political action and human motivation does not adequately account for the evidence that Aristotle is quite invested in both domestic and economic associations, to the point that he considers their governance to be a matter of political concern. While much of the everyday repetitious work of maintaining these associations does not contribute to human excellence, the governance of the associations does. And, if we assume that women and workers are capable of participating in this governance, I see no reason why this should not give them the requisite skills to participate in political governance. If the character of these associations is politically salient, then the perspectives of those who deliberate within them are politically relevant and legitimate.

It remains to be seen whether this reading of Aristotle's domestic, economic, and educational communities can stand up to his requirements for membership in the political community—the subject of the last section of this chapter. The fact remains that, if Aristotle judges the capacities of an individual or a group of individuals to be inferior to others, that fact, separate from the fact of their participation in the association, determines their citizenship.

III. The Politics and human flourishing—the polis

In this section, it will be important to keep separate the ideal constitutions Aristotle describes in books III and VII of The Politics (monarchies, aristocracies, and constitutional governments/polities) and the imperfect ones that are more readily observable (tyrannies, oligarchies, and democracies). While he clearly favors the ideal forms, he offers much advice on the imperfect ones, as well.
The polis is, according to Aristotle, a form of association with an entirely different purpose from familial or economic relations. It does not exist merely to satisfy needs, but to make a good life for its members. When Aristotle claims that "man is by nature a political animal," he means that humans exercise their rational capacities to improve their own existence, and they do this as members of political communities. They cannot do it alone, because they need other people in order to make use of language, to perceive good and evil, justice and injustice. The concept of justice has no meaning outside human life. Thus, people naturally relate to each other politically, even if, chronologically, the household is prior to the polis (Pol. 1253a).

The household consists of its component parts, which all work toward its maintenance. The workplace operates in a similar manner, an organic whole existing to produce some good, provide a service, or make a profit, depending on the economic arrangement. The political association, by contrast, is the one place people meet as equals to deliberate—not to achieve unanimity but to deliberate. The community is a fact of life, rather than "an ideal of solidarity and harmonious living. Sentiments of love, sympathy, and solidarity will often develop in Aristotelian communities. But they will grow out of the same sources as much of the conflict and competition in communal life; the sharing of goods, activities, and identities by different kinds of individuals" (Yack 2002).

The polis is populated by citizens, and these individuals also serve a markedly different purpose from the producers. The citizen must be trained to have the right view of property, and to manage a household, but even more importantly, he must be a person who can rule and be ruled. He must not desire to rule out of ambition, nor must he be
made to seek election, but should have the job because he is suited for it (Pol 1271a).

This is the heart of Aristotle's contribution theory of justice.

Aristotle's lengthy discussion of the different kinds of constitutions can be reduced to the question of what a proper citizen looks like in each. The character of the constitution depends upon the kind of person categorized as a citizen. The one criterion which unites them all is that the citizen "shares in the administration of justice and in the holding of office" (Pol 1275a 20). The citizen will look different depending upon the constitution. Not only will the number of citizens change between a monarchy, an aristocracy and a democracy, but the character/excellence of the citizen also changes. Thus, a good citizen and a good person are not necessarily the same thing. A good person exercises both moral and intellectual virtues. A good citizen, depending on the constitution, may not be required to do this. For example, a citizen in an oligarchy must be wealthy, and to be a good citizen, he must be good at keeping his wealth and the wealth of his friends. A good citizen in a democracy (as Aristotle defines it (Pol. 1279b)) will be good at gaining powers and privileges, as well as wealth, for the members of his economic class. The primary distinction then between an oligarchy and democracy is the amount of property the ruling class possesses. The aim of the citizen is the same.

Those who are both good citizens and good people will exercise moral and intellectual virtue in the deliberative and judicial functions they serve within the city, and they will do so for the good of the city, not just themselves (which is what it means to exercise the virtues) (Pol. 1277a). In a city composed of equals, in the best form of a city,
all citizens have the capacity to be good people, though Aristotle thinks this is highly unlikely. The only requirement is that the leaders be good.

The difference between ruler and subject is the sort of nature each possesses regarding the work that they do. The work of the laborer is always servile because he is never his own master, whereas the ruler/master excels in this category, in ruling. The citizen both rules and is ruled at different times. When a citizen is ruled it is by a ruler who is "similar in birth" to the ruled (Pol. 1277b 7). And this is called political rule. Aristotle seems to be alluding to a constitution, wherein a community of equals governs each other, whether it takes the form of democratic rule amongst the wealthy, the poor, or the best. Excluding only monarchies, he advocates democratic equality amongst those who rule. The most promising jumping off point for a democratic account is here—political rule is by definition rule amongst equals. If everyone possesses the capacity to flourish, then all are in a position to share in ruling. But Aristotle does not take this approach.

He expressly states, "Practical wisdom is the only form of excellence which is peculiar to the ruler" (Pol 1277b 25). His job as legislator is to "ensure that his citizens become good men. He must therefore know what institutions will produce this result, and what is the end or aim to which a good life is directed" (Pol. 1333a 11). It is also his task: "first, to prevent us from ever becoming enslaved...second, to put us in a position to exercise leadership—but leadership directed to the interest of those who are ruled...and thirdly, to enable us to make ourselves masters of those who naturally deserve to be slaves" (1337b 37). However, it would seem that citizens would also possess these skills
because they share in the offices of the city, even if they don't occupy one all the time, or even often. Thus, while Aristotle claims that the good citizen and the good person are not the same except in the case of the *politikos* because he has the capacity to direct and guide others, it only makes sense that, in a democratic constitution or polity, everyone would at least have the opportunity to practice this because everyone would be serving their judicial and deliberative functions throughout the course of their adult lives.

This figure of the leader is mysterious, because on the one hand, he is superior to the rest (the only one who must possess practical wisdom), but his job is to encourage the citizens to be like him. For this reason, I argue *only* a constitution with extensive democratic institutions would be just. Anything less would amount to the *politikos* failing to encourage virtue in the citizens. And still, Aristotle does not choose a democratic constitution as ideal.

According to Aristotle, subjects do not exercise the virtues of the *politikos* because they do not need to deliberate about right action—only the ruler(s) have this responsibility. This is the kind of rule that Aristotle sees in the household between master and slave and between husband and wife where the good master rules in the interest of the household and the bad one rules in his own (*Pol.* 1278b 30). It is reasonable to expect that this is the kind of ruling he sees in economic relationships, as well. The ruler or manager would rule the workers for his own interest, or he would do it for theirs (or maybe the company's). These are the distinctions Aristotle draws between correct and perverse political regimes.
Likewise, the constitution changes according to the conduct of the leaders. When the leaders rule for the common interest, they rule justly. It is when their view turns away from the common, and from the public, when their interest becomes personal, that the constitution is perverted. I wonder if this means that the perverse regimes (tyranny, oligarchy, democracy) cannot be classified as political rule in Aristotle's terms—that since the rulers are ruling for their own interest, they are not exercising practical wisdom and good deliberation, and are therefore not participating in the public, political governance of the city. The regime must look to the good of the city and the good of the citizens or it is nothing more than an alliance.

The collective pursuit of the good life is the purpose of the political association. And more than this, the collective pursuit of a self-sufficient life, a life free from the domination of one particular group, free from dependence on another group, is the purpose of the association (Pol. 1280b). The purpose of the political association is democratic decision-making. I do not see how Aristotle could claim otherwise when he states that the proper end of a human life is the exercise of intellectual virtue. Thus, even those he claims are ill-suited for political life would benefit from it because they would interact with those who are. "When they all meet together, the people display a good enough gift of perception, and combined with the better class they are of service to the city; but each of them is imperfect in the judgments he forms by himself (Pol. 1281b 30). Add to that the prior notion that intellectual virtue can only be exercised with others, and collective decision-making becomes even more central to the political experience.
Aristotle makes his case for democratic government even stronger here with this empirical observation.

Through the concept of human flourishing and the virtue of phronesis, Aristotle sets up and then seems to undermine the ideal polis he outlines in Book VII. Holding flourishing as an ideal for all members of the political community would radically transform that community as well as others to which citizens belong. The idea of flourishing through the exercise of practical wisdom offers remarkable possibilities for a greater commitment to a democratic way of life, not limited to political decision-making, but including economic arrangements, and attention to roles within the household. Given the recognition of equal rational capacity, and proper attention to the fostering of those capacities, essentially all members of the community would be entitled to citizenship and to hold public office. In Aristotelian terms, this regime would be the most just because citizens and statesmen alike would exercise virtue in encouraging the virtue of everyone.

It is my view that this attitude would actually bar the exclusion of those not suited for political life—the ones who, even when given the training and the opportunity to do well, still fail and should thus reasonably be excluded from political life using Aristotle's own principles of justice. Because it is the function of the political association to encourage virtue in all those capable of exercising it, and because empirically, the political association does this better when a larger number of individuals deliberate, only those who completely lack the capacity to reason or those who prove themselves incapable of functioning and negotiating with others would be excluded—they cannot do
the things that a human should be able to do. This would be a very small group, much smaller than the number of those excluded in contemporary democratic states.

However, Aristotle does not see the ideal of flourishing as something everyone can share in. This is most evident in his more empirical comparisons of different political constitutions, wherein the stability of that constitution is the primary goal. How is the population of a city meant to flourish under an oligarchy, or a 'dictatorship of the proletariat'? Specifically, how will they flourish when the only way of dealing with oligarchs and democrats is to get them to behave themselves, rather than become good people? While it can be persuasively argued that the work of politics, and the conflicts inherent within it can bring about justice and maybe eventually flourishing (see Frank 2005; Yack 1993 in chapter 5), Aristotle himself seems more interested in encouraging good citizenship as defined by the specific constitution, rather than moral virtue. A strong middle class to keep the wealthy and the poor from acting on their desires is the best possible constitution given the desirous nature of most individuals.

In Book IV he says, "The attainment of the best constitution is likely to be impossible for many cities; and the good lawgiver and the true statesmen must therefore have their eyes open not only to what is the absolute best, but also to what is the best in relation to actual conditions" (Pol 1288b 21). But there exists a third scenario for the lawgiver: he must know what to do with the city which simply has to make do with what it already has. He must act in a way which will cause it to last as long as possible. In this case, "The sort of constitutional system which ought to be proposed is one such that people will have little difficulty in accepting it or taking part in it, given the system they
already have" (Pol 1288b 39).

In the latter two cases, statesmen who wish for the preservation and stability of the city must understand two essential guidelines: the rule of law rather than decree, and the importance of a middle and a mixed position. In the middle books of The Politics, human flourishing does not appear to be a real concern, let alone an organizing principle. This is largely because Aristotle focuses on the maintenance of imperfect regimes—democracies and oligarchies.

The best form of democracy can be found in agriculturally based societies because the population is mostly concerned with the everyday details of cultivation, rather than the pursuit of power. If the citizens can provide for themselves, they often have very little interest in politics; they are more content with prosperity. In terms of political rights, they can either elect all the officials, or be members of the sovereign deliberating body—but not both (Pol 1318b 6). Aristotle advises against democracies which include as many citizens as possible (illegitimate children, children of non-citizens, foreigners, women, etc.) because the character of the city will decline (Pol 1319b). Democratic constitutions with a large population of farmers, according to Aristotle, will be more likely to respect and maintain the laws which structure the government, rather than ruling by decree. Limiting the discretion of the public through procedures binds their will to the law.

In oligarchic constitutions, the property requirements are higher, but the better of these will not be so high that only a select few possess any power. The best oligarchic constitutions will have property qualification ranks—a lower one for the routine positions, a higher one for the more important positions. The lower qualification
encourages the general public to acquire more property so they can hold office (the 'indispensable' offices of public finance, care of public lands, etc.). The higher qualification should encourage the best to participate in the highest offices (military, deliberative), ideally through a public service requirement that is quite costly to the individual (Bk VI, Ch 7). The oligarchic form, too, declines when the law ceases to be sovereign, and it is only the arbitrary will of the few wealthy landowners that issues decrees (*Pol 1293a 10*).

Aside from the importance of abiding by established rules and procedures, Aristotle emphasizes the necessity of aiming at the mean in the organization of any constitution. Both the oligarchic emphasis on wealth, as well as the democratic on equality and the will of the majority, can lead to injustice as the owner with all the land will be a tyrant and the poor majority will rob the wealthy of their property (*Pol 1318a 11*). The terms democracy and oligarchy are themselves extremes, by definition. In order for the constitution to succeed, they need to be moderate versions. The legislator must know how to balance the characteristics of each. No constitution will succeed by excluding the rich or the poor entirely (*Pol 1309b 18*).

The extremes of wealth and poverty respectively bring arrogance and criminal behavior. Too much power and wealth, too many friends, too many easy ways out causes a population to not know how to follow a rule. Those who have none of the above only know how to obey and are made contemptuous by their servitude (*Pol 1295b 13*). So the best government in this situation will be one in which power is vested in the middle class, and this is most likely to occur in larger cities where the middle class is also larger. This
is the primary reason that Aristotle might favor democracies over oligarchies—democracies are more likely to have a larger number of moderate property owners than oligarchies, and thus a better shot at hitting the mean (Pol 1295b 34). With a smaller middle class, the rich and the poor have a better chance of gaining power over the other, and the disputes which result produce laws that only have as their goal a greater share in the constitution, rather than anything like a common good or concern for fairness and equity (Pol 1296a 22).

In terms of institutions which will prevent either the wealthy or the poor from gaining so much power as to destabilize the constitution, both democratic and oligarchic forms should be used in democracies and oligarchies, as well as the mixed polity that explicitly combines the two. For example, in democracies, the electoral system is oligarchic, in that only a few officials can be chosen, and democratic because anyone can vote. In assemblies where everyone's participation is desired, the wealthy should be fined for not attending, whereas the general public should receive a monetary incentive to attend. To leave one or the other out would ensure either an entirely oligarchic assembly or one composed only of the poor (Pol 1297a 34).

Even in oligarchies, it is prudent to give the people some deliberative power, though it should be limited. The people may reject proposals, but not be allowed to make them, for instance (Pol 1298b 26). In order to preserve the constitution, everyone should be treated in a "democratic spirit," even those who do not have full membership in the constitution. But particularly for those who do have a part, democratic equality demands that all 'peers' should serve their turn—though not for too long so as to avoid the rise of
demagogues (Pol 1308a). In this way, even amongst oligarchs, a kind of parity is achieved.

Indeed, it is differing views of political equality which cause factional conflict. Democratic equality requires numerical equality. Free birth warrants equal political rights, and sometimes equal claim to resources. Oligarchic equality is based on proportionality. Equals are treated equally; unequals treated unequally. For those who are genuinely superior – either on the basis of merit, noble birth, or wealth – their distinction from the rest is entirely warranted, and this is Aristotle's reasoning behind the ideal polis he outlines in Book VII. Those who are most obviously superior deserve the power.

But there are times when such narrow emphasis on wealth inequality causes destructive factions. "Factional conflict is always the result of inequality except, that is, where unequals are treated in proportion to the inequality existing between them" (Pol 1301b 26). "Thus inferiors form factions in order to be equal, and equals in order to be superiors" (Pol 1302a 22).

In order to stabilize this situation, institutions as well as the population itself should be aimed at a middle course. But is this population aimed at human flourishing? On the one hand, any group of people who share in the constitution by meeting to deliberate about running it would surely be exercising their rational capacity. They might even be doing it using right reason—for the good of everyone, not just for their own gain. On the other, by definition, democracies and oligarchies aim at the wrong thing. They aim at the advancement of the poor and the wealthy respectively, and dedication to the acquisition and preservation of wealth can never be as good as deliberation using right
reason. The only way for the citizens of either a democracy or oligarchy to flourish is if they can transform their constitution into a polity, wherein a large middle class, as well as those closer to the top and bottom, meet to deliberate about what is in the interest of the entire city.

But Aristotle does not necessarily recommend that the citizens of democracies or oligarchies make that kind of change. While it would be best if every city were organized as close to aristocracies and polities as possible, he's perfectly willing to accept that in the majority of cases, that is probably impossible. The best that can be done in these situations is to ensure that the city at least be stable. And it is stable when it abides by a set of laws and aims at a moderate middle course. It is here that Aristotle loses/loosens his commitment to a polis which supports human flourishing. In Book V he says:

"The greatest, however, of all the means we have mentioned for ensuring the stability of constitutions—but one which is nowadays generally neglected—is the education of the citizens in the spirit of their constitution. There is no advantage to the best of laws, even when they are sanctioned by the general civic consent, if the citizens themselves have not been attuned, by the force of habit and the influence of teaching, to the right constitutional temper—which will be the temper of democracy where the laws are democratic, and where they are oligarchical will be that of oligarchy (1310a 12)."

In this passage, Aristotle clearly indicates his desire for stability over flourishing. In the Ethics, he shows how important human development is from an early age so that an individual may possess a full set of moral and intellectual virtues to be exercised in pursuit of flourishing, yet here he claims that the best thing a statesman can do is teach his citizens to be good democrats or good oligarchs—not good people. While I have shown that the ideal of human flourishing as an organizing principle for democratic politics can be both expansive and dynamic, shifting and growing as the needs of the
population change, Aristotle does not equip his citizens with the means to pursue that goal—even after he demonstrates so persuasively the benefits of a society organized around such a principle. It is not possible for the citizens of democracies and oligarchies to flourish when stability is such a priority in the governance of the city. And while his advice on the governing of these constitutions is indeed expert, he cannot demonstrate a true commitment to flourishing with the kinds of institutions he advocates, with his deep commitment to institutions which bring about stability rather than the real exercise of rational capacities.

It is entirely possible for the farmers in his most preferred form of democracy to exercise their deliberative capacities if they are members of a democratic assembly, but if they are not, Aristotle is just as happy to have them choosing officials who will act in their stead. He is just as happy for essentially any aristocratic/oligarchic institution to operate free of the influence of the populace. As rigorous a standard as human flourishing is for a conception of democratic politics, Aristotle does not support the potentially unstable force of a public acting in pursuit of it.

**Conclusion**

In both the *Ethics* and the *Politics*, Aristotle builds a case for a democratic conception of human flourishing, one that would apply to all members of a polity who have the capacity for it. Recognizing this equal capacity is not something he does, but I argue that, even without that recognition, the case for democratic equality can be made through Aristotle's assertions first, that it is the job of the political association to encourage virtue in all its members and, second, that a group of citizens together can
often prove more virtuous than one or a few truly virtuous people. Neither of these principles require differential capacities to be reflected in the political sphere.

In the household and in economic associations, individuals may practice virtuous action by continually pursuing the mean, by exercising their deliberating and decision-making capacities through *phronesis*. Indeed, it is *only* through a commitment to instilling virtue in others that a polity aims at its most perfect/final form—a mean between despotism and anarchy which empowers its citizens and at the same time educates them to the common good.

Nevertheless, Aristotle undermines the purpose of his own polis with his insistence on the differential rationality of its members. It is here that a democratic concept of flourishing reaches its limits—by running into the aristocratic assumptions which form the basis of Aristotle's conception of political justice and which determine who governs the political association. It is here that the Aristotelian strand of republican thought needs a theory of democratic politics as conflict, rather than harmony.

It is perhaps ironic that the prototypic theorist of political action requires critical intervention from the thinker widely considered to have theorized the demise of virtuous action in the political sphere. Nonetheless, the argument for human flourishing can only go so far when one of the primary aims of the political association is the stability of that association. In the next chapter I will show how Machiavelli serves not as an answer to Aristotle but as a conversant. He cannot solve the problem of differential capacities in democratic leadership, but he can productively engage with the assumptions that underpin Aristotle account of democratic equality and inequality.
Chapter 3

Virtù and Institutionalized Conflict in the Machiavellian Model

Rather than immediately setting up a dichotomy between Greek and Roman traditions in order to contrast Machiavellian institutions and forms of participation with Aristotelian ones, in this section I will first argue for the radically democratic turn in Machiavelli's *Discourses* over and against the neo-Roman or Cambridge school interpretation which emphasizes the importance of stability through mixed government. This chapter will have three component parts: first, a brief framing of the debate between those articulating the neo-Roman perspective (see Quentin Skinner 1990; 1998, and Maurizio Viroli 1990; 1999) and the more radically democratic perspective (See McCormick 2003; 2011), second, an analysis of the centrality of conflict in the *Discourses* and the ways in which this move shifts the focus of the debate away from mixed government and toward virtù, and third, an interpretation of Machiavellian virtù which points to an almost entirely overlooked conception of human excellence within the text.

Through this analysis of democratic institutions in his republican theory and the concept of virtù, I will show the ways in which Machiavelli and Aristotle are engaged in a dialog—one that neither can definitively answer or win. Rather than 'teleology vs. pure desire,' I will show that the *Discourses* offers virtù as another way of thinking about a concept of excellence, specifically within Machiavellian politics. The *Discourses* also offer an alternative form of political organization. Replacing the mean or middle course
with controlled/institutionalized class conflict joins Aristotle and Machiavelli politically—forcing the Aristotelian conception of *phronesis* to contend with and adapt to Machiavellian political conditions. The two remain in tension with one another, Aristotle demanding moral excellence, Machiavelli non-moral flexibility. Likewise, they both grapple with the question of who is best-suited for political life, carrying out the republican tradition of tension between elitism and populism.

I. Machiavelli—republican or democrat?

The civic humanist tradition in recent years has been most vocally represented by members of the so-called Cambridge school, a collection of theorists who attempt to bring republican principles to bear on liberalism, particularly in the areas of liberty, patriotism, and participation. The general critique is leveled against liberal principles of stark individualism and isolation from public life as well as claims that government exists solely to protect the private lives and liberties of the citizens. Republicanism in this neo-Roman tradition demands a bit more of its citizens, and in their effort to articulate the role of the citizen, the Cambridge school makes considerable use of Machiavelli—a thinker known most famously for his characterization of morally bankrupt princes, but also for his passionate defense of republican institutions.

In his essay on the ways that Machiavelli redefined the idea of politics, Viroli begins by placing Machiavelli in the classical republican tradition, claiming that Machiavelli makes use of classical language in discussing political life in republics. Equality for him means equal protection before the law and the equal right of those who are virtuous to participate in politics. He thought virtue should transcend economic status.
and birth, and that the best citizens should hold the highest offices regardless of social background. He thought that these virtuous individuals should themselves follow the rule of law and put the good of the community ahead of their own (Viroli 1990, 254-256).

What made Machiavelli unique, however, was the way that he used the vocabulary of classical republicanism. In his characterization of the political actor in vivere civile, Machiavelli famously declared that the he can possess all the virtues traditionally associated with great Greek and Roman leaders, but that he must also learn how 'not to be good.' He must learn the arte dello stato which requires the occasional compromise of character. Not just princes, but political leaders in republics have to know when not to be good, when to act decisively and violently, when to break promises, and when to be deceitful. For Machiavelli, the virtuous political actor is not so much unfailingly good, but unfailingly adaptable and prepared. According to Viroli, "Machiavelli did not reject the republican concept of politics and the political man. Rather he reworked the vocabulary of civil philosophy to make it useful in a new political context" (Viroli 1990, 171). Thus, Viroli situates Machiavelli within the republican tradition – committed to the rule of law, to civic excellence, and to the greatness of the republic – but he is careful to articulate the ways in which Machiavelli departs from that tradition.

Skinner wants to make it clear that Machiavelli does not in fact stray too far from traditional republican ideals. In his essay "Machiavelli's Discorsi and the Pre-Humanist Origins of Republican Ideas," he attempts to show that even in making his most novel claims and radical departures from classical republican writers, Machiavelli "remains in
close intellectual contact" with them. He "fit[s] his ideas into a traditional framework, a framework based on linking together the concepts of liberty, the common good, and civic greatness" (Skinner 1990, 135 and 137). However, this traditional framework should not be identified with Aristotelian civic republicanism. Skinner advocates a distinct view of negative liberty which can also be exercised as positive liberty through participation in government to prevent domination by the nobility and to achieve equilibrium in government.

While Machiavelli may use the language and concepts of classical republicanism, his purpose in using them is anything but traditional. He deliberately subverts the meanings of the political association and of virtue, and in doing so, shifts the function of the ideal republic as well as its component parts away from their conventional definitions. So, in fact, he is not really engaged in the same conversation at all. He has changed the conversation. To say, as Skinner does, that "Machiavelli not only presents a wholehearted defense of traditional republican values; he also presents that defense in a wholeheartedly traditional way" (1990, 141), is to miss the ways that Machiavelli completely reinvents the purpose of political institutions and the political actors who participate in them.

John McCormick does not hesitate in taking the Cambridge school to task in their appropriation of Machiavelli as a contemporary comment on liberalism and Aristotelian republicanism. He argues that, while they rightly point out the ways in which Machiavelli should be read as a republican and not just a defender of princes, they largely neglect the elitism inherent in classical republicanism and the radical populism in the institutional arrangements of the Discourses (McCormick 2003; 2011). He criticizes Skinner for over-
emphasizing the importance of equilibrium between *i grandi* and *il popolo* and identifying the conflict between them as based on self-interest rather than class. In doing the former, Skinner mis-characterizes the nature of the conflict between the few and the many, seeing it as something to be overcome in favor of compromise, rather than an ongoing political struggle between forces that will always oppose one another. In doing the latter, Skinner underspecifices the institutional arrangements which made Rome unique and which allowed it to perpetuate itself in the face of such unending conflict. "Thus, even though Skinner acknowledges that the dynamic among the different parts of Rome's constitutional arrangement entailed conflict in *The Discoures*, because Skinner focuses on the aspects that are faithful to classical sources [like Polybius] and not those that are less faithful, he misses just how innovative and energetic Machiavelli's socio-political contentiousness really is" (McCormick 2003, 627). Likewise, Skinner's (and later Pettit's) development of neo-Roman liberty as non-domination (see Ch. 5 for a detailed discussion of this concept) focuses almost entirely on political liberty and domination and pays very little attention to social domination.

McCormick also criticizes Viroli for over-identifying Machiavelli with classical republicanism's emphasis on 'mixed' governments and the rule of law, claiming that this focus tends to overlook the ways that Machiavelli wanted to undermine the political arrangements which most often gave the advantages to the nobles. McCormick claims that, in casting Machiavelli with the likes of Cicero, Viroli too readily aligns him with political traditions and institutions which require the subordinate position of the populace. In a manner similar to Skinner, then, Viroli "equates the purported excesses of the people
with those that Machiavelli quite definitively attributes to the nobility" and "evens the playing field of political culpability in a very un-Machiavellian way and seriously disrupts the balance of factional blame in Machiavelli's political sociology" (McCormick 2003, 631 and 633).

Overall, McCormick's central criticism of the Cambridge school's appropriation of Machiavelli is that they largely neglect the domestic and social forms of domination that the nobility inflict upon the populace. He claims that in advocating a minimalist and "elite-privileging" theory of democracy, they overlook the institutions which operate outside election time and which offer the most scathing critique of liberalism and contemporary democratic politics (McCormick 2003; 2011).

In this chapter, I support McCormick's more radically democratic reading of Machiavelli—both his commitment to popular institutions which allow *il popolo* to check the power of *i grandi*, and his emphasis on the centrality of conflict between the social classes for the improvement of *lo stato*. However, I think that McCormick fails to put these two pieces together in a constructive way. In his eagerness to detail the institutions which pit the few and the many against one another in a never-ending quest to dominate and to be free of domination, McCormick doesn't make the connection between those institutions and the success of the republic.

In short, he neglects the political psychology of citizenship. He neglects the importance of *virtù*. In his criticism of the Cambridge school, he condemns their ready acceptance of institutions which allow for the easy domination of the many at the hands of the few, but he neglects something that Machiavelli emphasizes over and over—that
the people themselves have to be suited for self-governance, that they must possess virtù in order to rule themselves well. Machiavelli states that it is laws and institutions which make the citizens virtuous, that the desirous nature of humans makes them poor political actors without the guidance and sometimes the force of good laws. McCormick does address the fact that the law must coerce a population past its more base desires. In his commitment to empowering the masses to fight off the oligarchic influence, McCormick does not question whether or not those masses are 'worthy' of political power in the way that both Machiavelli and Aristotle do. I think that his theory of Machiavellian democracy remains incomplete without some acknowledgment of Machiavelli's aristocratic political psychology. Indeed, Machiavelli's own assertions about the character of republican leadership make him little more of a democrat than Aristotle. McCormick fails to acknowledge these commonalities with Aristotle in his enthusiasm to distance Machiavelli from the Cambridge School.

II. Institutionalized class conflict through political participation

While it is customary to first examine the thinker's conception of human nature before reaching the conclusion of what form of government, which institutions, are best suited to that population, Machiavelli doesn't really take that tack. Instead, he opens The Discourses with a discussion of the necessity of good laws to combat the chaotic circumstances of founding. Machiavelli opens Book I of The Discourses with the general impression that limiting the choices of individuals is better for their overall character because, given the opportunity, they will make lousy decisions. Necessity
brings out the best in people, forcing them to be good, but a city founded purely upon
necessity (difficult, cruel geography) will not result in much security, prosperity, or
expansion. Therefore, if the conditions at the founding of the city are to be more fertile
and forgiving, a substitute for necessity should be found—specifically good laws. The
right laws can prevent corruption, no matter how fortuitous the location and strength of
the city (Discourses I.1). He contrasts this with cities not lucky enough to have good
founders, and who therefore must revise their laws (a risky thing to do), and cities which
have never been on the right foot from the beginning. The presence or absence of good
laws involves a kind of path dependence regarding the possibility of future greatness, just
short of the possibility of a virtuous individual who might alter that path.

Machiavelli makes use of the Greek typology of political regimes: the three
associated with right leadership – principality, aristocracy, and democracy – and the three
perversions of those regimes – tyranny, oligarchy, and anarchy. It is noteworthy, however,
that he considers democracy a form of government which aims at the common good,
unlike Aristotle who thought democracy a perverted regime which only served the
interest of the poor. He claims that while the latter three are repugnant by definition, the
first three are insufficient as well. Even though they may start out with good laws and
people willing to obey them, within a few generations, a commitment to the common
good gives way to what is convenient to the rulers, and this leads to tyranny. The result is
a cycling through the regimes as the virtuous few overthrow the tyrant and eventually
become oligarchs whom the people finally depose, before falling into anarchy after a
short period of democracy. This progression shows that the personalities of the ruling
individuals cannot be trusted to remain good. The character of a good king, of wise aristocrats, even of the entire people, cannot be trusted to uphold the interests of the city —everyone can and will be corrupted eventually, given enough time. Most often, however, another regime, observing the weakness of the one in turmoil, conquers it, proving that time and the cycles of regimes do not actually play out so neatly as the typology suggests. *Fortuna* is just as often the cause of ruin.

The best thing is therefore to combine these forms, retaining elements of each in a mixed form of governance, in the process fortifying *lo stato* against poor statesmen and the weaknesses of each kind of regime. In the case of Sparta, this balance was achieved over the long term through the brilliance of Lycurgus and the tranquil relations between nobility and populace. In the case of Rome, this strategy was stumbled upon when the fighting between the plebs and the senate served a function not provided in the monarchical constitution. Thus, "chance affected what had not been provided by a lawgiver." The consuls replaced the king, and when the nobility had grown so overbearing as to be intolerable, the people rose up and were able to establish their own offices in the tribunes (*Discourses* I.2).

Far from harming the republic, this conflict improved it. Indeed, on the subject of fighting between the few and the many, Machiavelli is quite clear: "To me those who condemn the quarrels between the nobles and the plebs, seem to be caviling at the very things that were the primary cause of Rome's retaining her freedom, and that they pay more attention to the noise and clamor resulting from such commotions than to what resulted from them, i.e. to the good effects which they produced. Nor do they realize that in every republic there are two different dispositions, that of the populace and that of the upper class and that all legislation favorable to liberty is brought about by the clash between them" (*Discourses* I.4).
However, not just any kind of conflict is productive. Left to their own devices the nobility will oppress the people, and a republic need not necessarily give effective or rigorous ways for the many to check the few. If it does not, the conflict between few and many could result in the complete destruction and dissolution of the city. Gisela Bock takes note of this in her comparison of how Machiavelli views conflict between *The Discourses* and *The History of Florence*. Where the Roman system tolerated vast economic and social inequality because it was offset by political/legal equality, the Florentine plebs desired the complete exclusion of the noble class from politics—which Machiavelli considered unreasonable and 'abusive.' The result of class conflict in Rome were laws which favored the common good, whereas laws favoring the victor were all that came out of Florentine class conflict. In Rome, class conflict forced the nobility to do what they otherwise would not have, that is, act in the interest of the populace – to act with virtue – whereas in Florence, nobles were forced to humble themselves in order to be readmitted to political life, causing the republic to become base in the process (Bock 1990, 190).

It is noteworthy, that Machiavelli collapses both the social class based on blood (the patricians) and the wealthy into one group: *i grandi*. McCormick quite rightly claims that their primary desire is to oppress the people, or the many, rather than any supposed desire for glory or reputation (McCormick 2011, 5 and 31). In short, *i grandi* don't attempt to dominate the many out of a need for an improved image of themselves; they do it out of naked desire for power. This is in direct contrast with Aristotle's aristocracy, a
class defined almost entirely by its virtuous character rather than its wealth. According to Machiavelli, there is nothing virtuous about the nobility. Virtue comes from somewhere else.

Thus, according to Machiavelli, there must be ways to control the fighting between the few and the many, but primarily the laws need to "curb the arrogance of the nobility" (Discourses I.3). The will of i grandi seems to be a constant in any city—they will always desire power. The task of the laws is to ensure that the public has a mechanism for expressing itself, for airing its frustration effectively. Machiavelli suggests, "every city should provide ways and means whereby the ambitions of the populace may find an outlet, especially a city which proposes to avail itself of the populace in important undertakings." He comes down on the side of the populace again when claiming that their desires, unlike those of i grandi, are not usually dangerous, primarily consisting of the desire to be free of oppression and to prevent oppression (Discourses I.4, I.58). Generally, the wealthy are more eager to keep what they have at the expense of others, and it is this desire which encourages the masses to be grasping and greedy, themselves. Aristocrats and oligarchs alike inspire poor behavior amongst the masses.

In his Machiavellian Moment, Pocock explains that the logic of the time, prior to Machiavelli, was that the virtue of the city, and of the citizens, was in the maintenance of the republic, specifically it's stability. "The ability of the republic to sustain itself against internal and external shocks—fortuna as the symbol of contingency—became identical with virtus as the Roman antithesis to fortuna" (Pocock 1975, 157). A virtuous citizen
contributed to the stability of the city by exhibiting Roman virtues like courage, wisdom, moderation, etc. For Machiavelli, however, virtù is innovation, a necessarily destabilizing principle. For the hereditary king, he needs very little, as he has been inured against fortuna by the length of his rule. The new prince has great need of virtù to emancipate himself from both the circumstances and the support of the individuals who helped him to achieve his position (Pocock 1975, 162).

In his article, "Machiavelli's 'New Prince' and the Primordial Moment of Acquisition," Breiner points out that in The Prince, there is no advice which focuses primarily on the day to day workings of the commonwealth. Every action the prince takes applies to the continuing struggle of determining allies, gaining and keeping power. The prince does better or worse at this based on the virtù he possesses. He must continually negotiate between the nobles who wish to live by the old rules and dominate the people (and who know exactly what they'll be losing), and the people who are not yet sure of what the prince can do for them (Breiner 2008).

Further evidence that Machiavelli advocates tension between stability and conflict is his discussion of the ways that the republics of Venice and Sparta differ from Rome. If stability were the primary purpose of a political association, Machiavelli would have advocated governments similar to the Venetian or Spartan constitutions. If the purpose of the republic is to maintain a set of political and economic conditions, then the nobility are fit for that, as they enjoy above all things keeping their power. In Venice, the people were pacified by the existence of an organic aristocracy. Those who had lived there longest
could participate in government; newcomers could not. The number of 'gentlefolk' vs the newcomers was nearly equal, and thus stable.

In the case of Sparta, a roughly equal distribution of property kept the people from rising against the few political leaders, as political inequality was not so important as economic equality. In both cases, the republics were large enough to be self-sufficient, but not so large as to draw the greedy attention of surrounding cities. Neither was it wise for Venice or Sparta to have designs on expansion or empire, so the civilian population was not armed. Attempting expansion eventually destabilized and led to the destruction of both republics. "I am firmly convinced, therefore, that to set up a republic which is to last for a long time, the way to set about it is to constitute it as Sparta and Venice were constituted; to place it in a strong position, and so to fortify it that no one will dream of taking it by a sudden assault" (Discourses I.6, 122).

And yet Machiavelli is not satisfied with either Venice or Sparta because, when they did attempt to extend beyond their borders, both lost everything due to their inability to adapt. Stability is not in fact a reasonable goal on its own because human beings are not built for it. "Hence if a commonwealth be constituted with a view to its maintaining the status quo, but not with a view to expansion, and by necessity it be led to expand, its basic principles will be subverted and it will soon be faced with ruin" (Discourses I.6, 123). The city will either fall when it is forced to go to war or become idle and 'effeminate' if it never has to defend itself.

For this reason, Machiavelli favors organizing a republic as the Romans had done. If the republic is to be large and growing, it must continue to expand and must therefore
incorporate the people in this effort. In a marked criticism of the theoretical tradition which places such emphasis on balance and longevity, Machiavelli says, "Wherefore, since it is impossible, so I hold, to adjust the balance so nicely as to keep things exactly to this middle course [between war and indolence], one ought, in constituting a republic, to consider the possibility of its playing a more honorable role, and so to constitute it that, should necessity actually force it to expand, it may be able to retain possession of what it has acquired" (Discourses I.6, 123). This passage effectively shifts the focus of the debate surrounding the proper balance within lo stato. Where stability through mixed government and balance between the will of i grandi and il popolo was the established goal, Machiavelli now claims that it must be a more 'honorable' course—that of expansion, of virtù. The political actor who possesses virtù is able to innovate, to re-imagine, rather than maintain a balance in the life of the republic. In Rome's case, stability could no longer be the functional goal of the empire because the nature of the population was such that it could never remain static. The republic would have fallen were it not equipped to expand, so by arming the plebs, by granting them political power through the tribunes, Rome was certainly more tumultuous, but it was also in the position to change and improve. Machiavelli effectively gives the republic a purpose which he calls more honorable, but which, practically speaking, demands more of its citizens, demands that they possess virtù—a range of characteristics which encompass far more than only the desire for honor or glory, and which markedly lack the restraint and moderation associated with Aristotle.
The institutions which mobilize the citizens serve as a stabilizing force in the republic, an outlet for citizens so that they do not form factions, but stability cannot be the only goal, because of the way Machiavelli has shifted the frame of the discussion. Sparta and Venice are now the outliers – incapable of maintaining a republic when a republic now exists to expand and evolve – and Rome the exemplar.

What are the institutions which promote healthy conflict between the few and the many, as well as virtù amongst the people? And how do they manage to bring stability while at the same time never bringing an end to conflict? Given the number of aristocratic and/or oligarchic constitutions proliferating at the time Machiavelli was writing, they are a set of the most radically democratic institutions seen in Western political thought, breaking significantly with most republican thinkers of the period. These institutions are as follows—opportunities for the general public to hold offices which explicitly bar elites from membership, and the ability of the public to sanction elites through public trials.

Specifically, Machiavelli argues in favor of Rome's Tribunes—public positions which bar elite participation entirely. These tribunes often reacted to policy, a theme common amongst contemporary republican writers like Pettit and Bellamy who thought the public's power should come from its ability to check office holders. So long as the public has a means to contest a policy, then aristocratic power can be checked. This often took the form of veto power and the power to demand the release of pleb prisoners held by noble magistrates. (McCormick 2011, 93-4) This more reactive power became aggressive when the people suffered abuse at the hands of the wealthy. The tribunes were
empowered to indict and prosecute magistrates and citizens if suspected of criminal
activity, as well as to propose and pass laws. Thus, the people could be an active force in
politics, not only reactive. The citizens react to the rule of the elite as well as participating
in ruling. And according to Machiavelli, it is only their participation, their influence
which kept the Roman republic going for as long as it did—by checking the greed of the
elite (McCormick 2011, 96; Discourses I.37).

The public should also be able to express their judgment in criminal cases, where
elites are on trial for political crimes. The function of public accusation of officials and
political trials are not only to keep them honest, but to allow the public to vent its
frustrations with the elite. Public accusations serve as a release valve. The ugly
sentiments that inevitably arise between the classes must have an institutional outlet in
order to not be destructive. Since the elite are generally able to dominate other
institutions, poorer citizens need alternative ways of making themselves heard.
Furthermore, when provided with the appropriate channels to make their case, and the
substantive facts of the case, the public is more likely to make a reasoned judgment than
they would making blind accusations amongst themselves (calumnies). Indeed, the
decision will most likely be fairer than that of a magistrate, who is easily intimidated by
the elite and knows he needs to be reappointed some day (Discourses I.7, I.58).

The best solution to both the problem of elite domination, as well as the need for
the republic to be long lasting, is separate political institutions which allow the people to
deliberate away from the influence of the elite, and select officials from their own ranks.
McCormick rightly points out that the republican tradition has almost universally
permitted (and encouraged) the ascendance of an aristocratic elite over the public, whether it be by institutions reserved for elites (like the senate) or through electoral processes which allow the public to select leaders who most often come from the elite class. The overwhelming sentiment is that the general public is unsuited for political decision making, but that it must nevertheless be included in some capacity, mainly to provide stability in mixed government.

Machiavelli stands out in this regard, both because he shifts the argument away from that brand of stability and in his willingness to put serious constraints on the elite through institutional restrictions. Machiavelli claims, contra classical and contemporary republicans, that the public is more likely to make more reasoned judgments and better decisions than the elite, thus offering both normative and empirical grounds for increased public participation in governance. Public offices held open for plebs and public accusations/trials afford opportunities for members of the lower classes to check the power of elite institutions and the members of the upper classes which populate them. The conflict between elite and popular forces does not abate. A middle course between their interests is not directly sought; rather, the ongoing tension produces laws which keep the destructive power of both at bay, lead to the city's growth and improvement, and encourage the development of virtù amongst the citizens.

In order to preserve the freedom of the republic and its citizens, the citizens must gain and possess virtù. There are many ways to define this concept, from excellence in military operations to the ability to innovate, but I will mostly make use of Skinner's definition. He defines virtù within a republic as a set of capacities which the citizens must
exercise for the preservation of their freedom—namely, the courage to defend the community against the threat of external enemies, and the prudence to play a part in public life, to participate in political decision-making (Skinner 1990, 303). But the citizens must also know when to resist, when not to obey, and this is not something Skinner emphasizes in his definition. In the final section of this chapter I will examine more deeply what it means to possess virtù as a republican citizen, and whether or not the possession of virtù means the fulfillment or exercise of some concept of human excellence. First, however, I will briefly outline Machiavelli's use and assessment of human nature as a way of approaching this question of human excellence and the characteristics associated with virtù. How important is the character of the citizens in determining the institutions that will govern them? Is the character of the leader more or less important than that of his subjects? How has Machiavelli altered the meaning of 'character' in his usage? Are the characteristics associated with virtù natural, or entirely dependent upon the existence of good laws? Finally, based on this assessment, does Machiavelli fall into the same aristocratic contribution of justice as Aristotle, despite the radically democratic nature of his political institutions?

III. The character of the public: practical considerations of human nature

Machiavelli does not mince words when it comes to his assessment of the nature of the human race:

"All writers on politics have pointed out, and throughout history there are plenty of examples which indicate, that in constituting and legislating for a commonwealth it must needs be taken for granted that all men are wicked and that they will always give vent to the malignity that is in their minds when opportunity
offers...[I]n time – which is said to be the father of all truth – it reveals itself"
(Discourses I.3).

"And because men are by nature both ambitious and suspicious, and know not how to use moderation where their fortunes are concerned, it is impossible that the suspicion aroused in a prince after the victory of one of his generals should not be increased by any arrogance in manner or speech displayed by the man himself. This being so, the prince cannot but look to his own security..." (Discourses I.29).

"Whenever there is no need for men to fight, they fight for ambition's sake...The reason is that nature has so constituted men that, though all things are objects of desire, not all things are attainable; so that desire always exceeds the power of attainment, with the result that men are ill content with what they possess" (Discourses I.37).

By all appearances, Machiavelli shares an understanding of human motivation with Hobbes. People are "wicked," "ambitious and suspicious," and infinitely desirous. Given this view, how is it possible that he could reach anything but Hobbesian conclusions in the form government should take? Yet, Machiavelli does not call for an absolute monarch to rule in perpetuity in order to control these violent aspects of human behavior. Unlike Hobbes, Machiavelli does not concern himself with individual motivation, only the external results—the political outcome.

On the one hand, Machiavelli describes what kinds of rule are best suited for the population which already exists. Based upon the existing character of i grandi and il popolo, either a principality or a republic should be instituted. On the other, Machiavelli describes the importance of law in shaping the character of the public. He expresses the desire for a virtuous population through the intervention and maintenance of customs, religion, and law. It is important to note here that, unlike Aristotle, who explicitly stated that the laws of a city can make the people good in an intrinsic sense, Machiavelli wants
only to curb and train the desires of the people. While below I will argue that this constitutes a certain concern for a conception of the human good, Machiavelli generally expresses very little interest in the inherent character of a political order's citizens. He is more concerned with the political results of the characteristics they possess.

The natures of the few and the many appear to be static, focused almost entirely on the exercise and the avoidance of domination. Yet, if Machiavelli believed that there was nothing to be done other than keep those groups from destroying one another, if he believed they could never rise above their nature, why have such a commitment to the rule of law and institutions which produce good laws and eventually citizens who possess civic *virtù*? Why devote so much energy to historical descriptions of leaders who possess this *virtù* and great vs weak republics?

In the previous section, I outlined the institutions which encouraged a popular check on elite power. Machiavelli demonstrates quite a commitment to these institutions. Indeed, McCormick claims that Machiavelli makes a normative commitment to democratic participation by the citizen body. But as persuasive as McCormick may be in arguing for Machiavelli's commitment to democracy, I think he neglects Machiavelli's realism regarding human nature. Machiavelli emphasizes that democratic institutions and democratic governance do not fit every population, nor can they be a structure imposed upon a population in hopes for future growth and improvement.

In the *Discourses*, Machiavelli details the institutions which shape successful and unsuccessful republics, but he also explains which populations make for good republicans and which good subjects of princes. Briefly, they are as follows.
In terms of state building and organization, one person should do the actual founding because too many people determining the founding principles will result in squabbling. "Wherefore the prudent organizer of a state whose intention it is to govern not in his own interests but for the common good, and not in the interest of his successors but for the sake of that fatherland which is common to all, should contrive to be alone in his authority" (Discourses I.9). But when the state has been established, power should be devolved to more people, for "though but one person suffices for the purpose of organization, what he has organized will not last long if it continues to rest on the shoulders of one man, but may well last if many remain in charge and many look to its maintenance" (Discourses I.9). According to Machiavelli, a general population is not suited for the activity of building a political community and determining its character, due to the incredible diversity of interests between them, but they can be trusted to know its value and not throw it out on a whim.

However, where the people are unruly and disorganized, no tool is so powerful as religion for the control and manipulation of subjects. Religion is the most lasting of institutions which can best preserve the virtue of the republic. When a population does not respect the laws imposed by a prince or a constitution, they will often follow religious tenets for fear of divine retribution should they be broken (Discourses I. 11). Superstition about the likelihood of the success or failure of a military campaign can make all the difference in the confidence of the soldiers. And the presence or absence of a unified church can mean the successful unification of a country or its continued disorganization. Religion is yet another weapon in a founder's arsenal to preserve the principality or
republic, to control the ambition and cowardice of its citizens. While religion may serve
to instill a moral code in its follower, the substance and content of that code is not so
important as its existence. Machiavelli does not attribute any moral value to religion,
seeing it only as a mechanism for maintaining a republic or principality.

In the middle sections of *The Discourses* (16-18, 25-27), Machiavelli gives the
reader a series of if-then statements about the character of the public and the sort of
government best suited for that public. If the people have only known the rule of a heavy-
handed prince, or some foreign power, then they will be ill suited to maintain their liberty
if circumstances or fortune should make them suddenly free. They will most likely
surrender to the first power that seeks to fill the vacuum—often the former elite who
benefited from the previous regime. When a population desires security, it is all too easy
for the people to allow a worse tyrant to take the place of the old one (I.16). If the
institutions already in place in protection of that security are sound, the populations
should pull through.

A corrupt public, however, cannot maintain its institutions. Even with new laws,
the people will be unable to bring itself around. Without a strong tradition of virtue, no
good law can change a population. It is interesting that Machiavelli places the blame for
this corrupt regime on the prince; it is the prince who rules for his own interest, rather
than a public doing the same, which ruins a population. Likewise, it is only a virtuous
figure, ready to make use of force and coercion, who can hope to change both institutions
and people (I.17).
If the people are virtuous, and the leader wishes to change the form of the
government, he should make sure to leave the people with some feeling that their
customs remain, that if changing from a monarchy to a more democratic form, at least the
titles of the offices are the same. Significant change causes the people to become restless
and change their minds about the rulers, so the appearance of constancy must be
maintained, even if the government has radically changed (I.25). If the republic is seized
by an entirely new force, that force must change everything about the population and its
institutions; there must be a clean, cruel break. While Machiavelli offers advice on how
to maintain this sort of regime, he does not think it a wise course of action, because he
claims it is more difficult than most people realize to be entirely cruel—even though
absolute cruelty is necessary (I.26, 27). Here, Machiavelli asserts the persistence and
strength of the character of the population, how strongly they attach themselves to
religion, custom, institutions, and laws. Given the opportunity, a population will latch
onto a system which allows them to maintain liberty and security, adapting their behavior
to that system.

Given the ambiguities of Machiavelli's assertions about human nature in these
sections, I find two possible conclusions: first, that adopting the laws and customs of a
republic or principality does in fact serve the desirous and wicked nature of man or,
second, Machiavelli considers humans to generally be malleable creatures, subject to the
circumstances and institutions of their time, rather than some innate nature. As desires
change, the institutions change, and the behaviors of the citizens change with them
through institutional feedback.
Despite his claim that people are ambitious and suspicious at their very core, he finds, through his analysis of the ancient Roman and Greek republics, that the people can more often be trusted to avoid these vices than can the nobility. A population living together and relating as equals tends to produce more virtuous members, members who are not ungrateful, and who are only suspicious of the nobility who would try to dominate them. Indeed, when all serve equally, particularly in military service, valor, victory, and virtuous deeds are shared by many, so that no one wants to appear too ambitious and bring the wrath of any other member (Discourses I.29, 30).

However, Machiavelli's insistence that the people are more trustworthy than the nobles does not mean he is entirely optimistic about their ability to govern themselves. While united, they are passionate and bold, but apart, cowardly and easier to manage. "Because, though in one sense there is nothing more formidable than the masses disorganized and without a head, in another sense there is nothing more weak... When their ardor cools off a little, and each sees the other turning back to go home, they begin to lose confidence and to look to their own safety" (Discourses I.57)—a wise piece of political prudence for il popolo to keep in mind when attempting to resist the will of i grandi, or for i grandi themselves if trying to put an end to a political disturbance. The public is also easily deceived by bold proposals and tempted by the appearance of sure victory, when in fact, the proposal may not be in their interest at all (Discourses I.53). Because the public is so easily swayed, the virtuous character of a few of its citizens is particularly important; someone must be able to talk sense. Despite their fickle and passionate nature, Machiavelli asserts that the public will listen to reason, once this
person/group emerges and is able to articulate the specific consequences of misguided action (*Discourses* I.54).

Yet, unlike many thinkers writing at the time, Machiavelli does not dismiss the public for their changeable emotional opinions. Rather, he accuses princes of possessing similar attributes, and generally being much worse at maintaining their principalities than the people are at maintaining their republic. "For a licentious and turbulent populace, when a good man can obtain a hearing, can easily be brought to behave itself; but there is none to talk to a bad prince, nor is there any remedy except the sword" (*Discourses* I.58).

Essentially, the public requires a set of concrete circumstances in order to make the best decision. When forced to recognize the reality of the situation and the consequences of their choice, the public performs better. "[I]t is possible to make the populace open its eyes as soon as a way can be found of making it see that it is a mistake to generalize, and that it ought to get down to particulars" (*Discourses* I.47). This is not unlike the Aristotelian conception of politics, why it is so different from philosophy, and why more people are suited for it than philosophy. A great many more are better qualified to make judgments about particular circumstances than about general principles.

However, unlike Aristotle, these citizens are not tasked with applying ethical principles to particular circumstances as in the exercise of *phronesis*, but rather the political specifics of how to most effectively, advantageously, or efficiently implement a law or policy. It is the contingent nature of politics which brings out people's capacity to reason, rather than react.
I argue that this complex understanding of human behavior and action—wickedness and suspicion, ambition and desire, coupled with a willingness to listen to reason, and skill in negotiating particulars—points to something intrinsic within people—that is, the desire to preserve one's liberty, and with that liberty, to govern one's own life. It follows, I suggest, that Machiavelli makes use of, and cannot in fact escape, a concept of human form—though not a teleological form as with Aristotle, but a more Roman or renaissance ideal of human excellence. This thing that remains constant is the desire to exercise individual liberty, and the best form this liberty can take is in the exercise of virtù in the preservation of a political system, be it a principality or a republic—though more likely a republic as they tend to last longer. In the final section of this chapter, I will detail this concept—not so much one of form or essence, but a human ideal.

IV. The art or the activity of politics: virtù as a form of human excellence

*The Discourses* and *The Prince* are populated by a wide cast of characters who fall into essentially three categories: *il popolo*, *i grandi*, and the leaders who found and shape the political association. Machiavelli is very taken with these nearly superhuman founders. The thing that he admires most about them is their ability to form something that will last. Therefore, those who found religions should receive the most praise because religions last the longest. After that come founders of republics and principalities, then military officers "who have added to the extent of their own dominions or to that of their country's." "Men of letters" come next, those considered experts in their field, and finally, those who excel in the practice of their "art" also
deserve praise. Of this last group, "the number is legion" (Discourses I.10). All of these individuals may be said to possess virtù in some capacity.

In this section I will briefly enumerate how a few prominent Machiavelli scholars define the term virtù in order to better understand just what the concept means for a theory of democratic politics. I will then conclude by showing how the concept provides a critique of Aristotle's theory of political action as decisions directed toward the mean. In pursuing this course, I will also illustrate how it is that Machiavelli makes use of a human ideal in his argument.

In his short essay, "The Perspective of Art," Charles Singleton neatly and cleverly articulates how Machiavelli shifts the focus of politics from activity to art by altering the very grammar of the way politics is written about. Making use of Aristotelian language, Singleton describes art as concerned with making, where action is concerned with doing. Thus, the craftsman must be concerned with the quality of his product, where the political actor must be concerned with the activity of prudence, the making of good decisions. For Aristotle, the character of the political actor is intimately tied, is indeed vital, to the decisions he will make. If the actor is not virtuous, the decisions will not be virtuous. At best, he will be clever. The character of the artist is not important—it is the quality of his work that matters. According to Singleton, Machiavelli sees the new prince as an artist, shaping something that is coming into being, external from himself. This shift is in the very grammar of Machiavelli's writing. By using the pronoun chi, whoever, in reference to the individual doing the action, Machiavelli removes moral judgment from the equation and pushes the political operation into the realm of art, something valued for its
product, rather than the activity itself. "[V]irtù is consequently the power essentially to make, to impress a form upon matter, durably—or as durably as possible. Virtù is the power of the sculptor, of the forger" (Singleton 1953, 178). In this way, the political association exists in the realm of constantly coming into being, rather than as the natural end of human association, as it is for Aristotle. There can be no moral scale in production of the political process. Indeed, even the supposedly Machiavellian phrase, 'the end justifies the means' is incorrect, as the word 'justify' implies some sense of justice, "which is quite excluded from the perspective of art. Better say, the means are judged from and by the end" (Singleton 1953, 179). Singleton offers the perspective of art rather than action when defining the work of politics, indicating that Machiavelli means something functionally different from the Greeks when he writes of activities associated with virtù.

J.H. Hexter draws attention to a similar shift in language, particularly in how Machiavelli uses the idea of lo stato. According to Hexter, "Lo Stato is no body politic; it is not the people politically organized, the political expression of their nature and character and aspirations, their virtues and their defects. Rather it is an inert lump, and whatever vicarious vitality it displays is infused into it not by the people, but by the prince who gets it, holds it, keeps it, and aims not to lose it or have it taken away" (Hexter 1973, 188). This change in the use of lo stato necessitates a change in the use of virtù. Viewing the state as a thing to be acquired and kept changes the skills needed for its governance. Accordingly, Machiavelli alters his use of virtù, warning against the moral virtues traditionally associated with princes, and advocating instead the strict skill set needed to keep the thing running (Hexter 1973, 191).
Russell Price makes a useful distinction between two perspectives in Machiavelli scholarship—that which does not hold virtù as an ethical concept, and that which does. In the first camp, none of the concepts associated with virtù—drive, determination, courage, capacity, industry, skill and ability in military and political affairs—have ethical significance. The ability to act decisively is not a moral quality. It is "psychological excellence, not ethical excellence" (Price 1973, 323). In the second camp, writers claim that Machiavelli's understanding of virtù does describe a certain kind of ethic or character—that of the pagan or Roman. In contrast to a Christian ethic, which emphasizes humility and a focus on the afterlife, the Roman ethic embraces the immediate success and glory of the republic (Price 1973, 324; Pocock 1975, 84).

Neal Wood offers a fairly limited definition of the term in his analysis of who exactly in Machiavelli's writings was said to possess virtù. Among those in the Prince and Discourses who possess virtù, most come from antiquity; only a few are contemporaries. Many are Romans who lived prior to the first Punic War. They are all "men of action" rather than philosophers or scholars. They are generals, administrators and citizen-soldiers. Machiavelli is of course most fond of the founders of principalities and republics, some of whom are terrible and cruel (Hannibal) while others are humane (Scipio). As for those who do not possess virtù, Machiavelli cites tyrants and despots who do not wield their power skillfully or decisively, citizens who attempt and fail to overthrow the Roman republic, citizens who do poorly in battle, and most modern monarchs. Also without virtù are the law-abiding citizens who nonetheless do not possess the strength to combat the corruption of the city.
Men of virtù are "predominantly warriors who triumph in circumstances of extreme danger, hardship, and chance. Success is not always proof of virtù, but if one fails, he must do so in a glorious fashion... Virtù is most typically exhibited by an individual who 1) founds a commonwealth and secures it, or inherits a commonwealth and secures it; 2) conspires to seize power and, having seized it, secures it; 3) preserves or extends a commonwealth by organizing an army and commanding it, or by commanding an army already organized" (Wood 1967, 165).

Wood emphasizes the ways that necessity inspires virtù. It is primarily through hardship that the greatness of human character emerges, and once that hardship has passed, indolence seeps in as the population relaxes into peace. But indolence leads to corruption, which invariably starts the cycle over again. According to Wood, "Survival under conditions of perpetual tension and warfare requires virtù, which is recognized and honored. Each state, living in continual fear of the other, is obliged to keep up its military discipline and organization. Virtù, therefore, is the consequence of the necessity of war and defense, which, in turn, results from the great number of republics" (Wood 1967, 168).

Identifying virtù with the figure of the warrior with an excess of nerve, Wood applies this model to civil life and civic virtue. Success in the political realm depends upon a similar set of characteristics. "Civil society is essentially a battleground for individuals and parties struggling for power... The model of civic life is always military life" (Wood 1967, 170). The difference in virtù between citizen and leader is one of degree rather than kind; ideally, the leader just possesses more. Each has their way of showing these qualities. The virtuous citizen does not obey blindly, but uses his discretionary power as need dictates.
Pocock, in his sections on the *Prince* and *Discourses*, in *The Machiavellian Moment*, also largely identifies *virtù* with military excellence, asserting that the armed citizen embodies *virtù*, and that the *virtù* of the prince is military—he trains his army to evolve into "a people" (Pocock 1975, 181). The citizens possess the will rather than the knowledge to act swiftly in defense of the republic. This represents, for Pocock, the militarization of citizenship, the assertion that the citizen body must be both "lion and fox" (Pocock 1975, 213). But Pocock also emphasizes the importance of innovation for the political leader, particularly for the new prince. To innovate is "to set loose sequences of contingency beyond our prediction or control so that we become prey to *fortuna*" (Pocock 1975, 167). This is essentially a self-destructive activity and is necessarily in tension with any kind of moral order—certainly the Greek polis.

For the citizens of Rome, *virtù* "must appear in the behavior of individuals and groups of citizens toward each other, rather than in the solitary mastery of a prince over his environment, and its social and ethical content must of necessity be greater. *Virtù* must be constitutive of virtue." In other words, the ability individuals have to be able to act together well, and in pursuit of the good of the city, is what constitutes virtuous citizenship. "The plebeian as Roman citizens is less a man performing a certain role in a decision-making system than a man trained by civic religion and military discipline to devote himself to the *patria* and carry this spirit over into civic affairs, so that he conforms to the dual model of the Machiavellian innovator displaying *virtù* and the Aristotelian citizen attentive to the common good (Pocock 1975, 203)."
In an article written several years after Wood's, Hannaford expressly disagrees with Wood's identification of *virtù* with that of the warrior, both on and off the battlefield. According to Hannaford, it is of the utmost importance that virtuous individuals possess more than excellence in the arts of war. They must be devoted to *political* excellence, and the public good through state service. They must possess the skill to establish legitimate political authority over "private tyranny, despotism, and oligarchy."

This skill set is separate from military excellence. Political actors who possess *virtù* "establish laws which favor all parts of the community and which conform to the special requirements of a political community," "provide for the transmission of legitimate authority from one generation to another" through the establishment of reciprocal rule between the one, the few, and the many, "resist the degenerate viciousness of tyranny, oligarchy, and democracy, which can only lead to the atrocity of war," and are "glorious" because they establish civil and military institutions "within the constitutional limitations placed upon them by the civilian community" (Hannaford 1972, 187). In this model, military and civic responsibility go hand in hand, but are separate.

Hannaford also rejects the notion that necessity is the sole source of *virtù*. In times of peace, "political action is most appropriate." The law is not an artificial source of necessity; it is evidence of the productive capabilities of virtuous citizens. In the absence of war, they can make something lasting and independent from war-like necessity. Reducing politics to a friend-enemy distinction is what undermines republics, allowing for the rise of military despots. Thus, military life should not be mirrored in civic life
(Hannaford 1972, 188). This, I think, is a very important intervention in the conversation about the nature of virtù.

In a more recent approach to the subject, Breiner defines virtù as the ability to recognize one's own position in a political situation, and know how to act in that situation. No one piece of political prudence, and no historical example of a past prince can provide a system of leadership. The advice is only useful if the prince knows what to do with it in his own particular set of circumstances. "It would seem that each shift in the struggle to find and keep the people from deserting you or to conquer a new territory demands a different combination of advice and the virtù to translate it into the given situation" (Breiner 2008, 74).

The question which remains is whether or not the character of this virtuous individual is indeed important in a manner similar to or different from the Aristotelian sense. Pocock raises this question when he writes of the difficulty a prince will have in conquering a republic. "Custom at most could affect men's second or acquired natures, but if it was the end of man to be a citizen or political animal, it was his original nature or prima forma that was developed, and developed irreversibly, by the experience of a vivere civile" (Pocock 1975, 184; see also 165). Even though Machiavelli changed the grammar of politics, referring to the new prince as 'whoever' would take the reins and make skilled use of them, he cannot entirely escape the idea of an ideal human actor. His critique of Aristotelian morality is profound, his effect on the language of politics even more so, but he does not leave behind the idea of politics as a human activity of great worth, and the political actor as worthwhile and admirable. Even though the moral virtues
are explicitly made subservient to virtù, Machiavelli still relies upon the idea of a virtuous figure. This figure remains vital to his theory of political action. Without him, a republic can never grow past the need for balance and stability between il popolo and i grandi.

The greatest challenge to a democratic interpretation of Machiavelli is that, ironically, in his lengthy discussions of the virtues of il popolo over i grandi, he alludes to a kind of aristocratic leadership in much the same way Aristotle does, only without moral virtue as the bedrock. Both rely on a kind of excellence usually only exhibited by a few remarkable individuals, rather than the general populace. And neither explicitly make it their project to encourage individual excellence amongst the masses. Rather, it is citizens' job to live out lives guided by these excellent few. I have made a case for how the average citizens might practice intellectual virtue in the Aristotelian sense, but can a similar case be made for the virtue of Machiavelli's republican citizen? Does the incorporation of conflict increase the potential for democratic exercise of virtù? If not, does Machiavelli add anything beyond conflict?

I think that the answer lies in the institutions so central to both the greatness and the longevity of a republic. It is the institutions which both maintain productive conflict between the few and the many, and which allow the citizens to renew and/or alter the ideals laid down at the moment of founding. It is true that Machiavelli most admires the prince or the republican who possesses the qualities of great leadership. He is most invested in these individuals. But I would argue that, the long-term success these institutional arrangements requires more of the citizens than just reasoned following of
virtuous leaders and vigilance against corruption. By situating the conflict between i
grandi and il popolo at the center of republican politics, Machiavelli places change at the
center of republican politics—and institutional changes need not exclude excellence on
the part of the public. Indeed, change may require excellence on the part of the public as
those entrenched in the political elite inevitably begin to lose sight of the good of the
republic and seek only personal gain. Even if Machiavelli himself does not explicitly rely
upon the people for more than vigilance, the fact of his insistence upon the centrality of
innovation means that the form democratic politics may take is not set.

Conclusion

In both the Prince and Discourses, Machiavelli expresses admiration for the
innovative and courageous leaders of new principalities and republics. In terms of
military excellence, he praises the leader who, finding a proper piece of land, is able to
claim it and found a new city. Political virtue then encompasses the wisdom, creativity,
and foresight to make the right allies, and in the case of a republic, establish institutions
that will outlive the founder and encourage excellence amongst the citizens. But he
praises more than only founders, because the work of politics does not end with the
founding. In fact, the political leader, and ideally the republican citizen, will find
themselves in a continuing political struggle with the forces of the old regime—most
often the deposed grandi. The citizen or leader who embodies the qualities Machiavelli
admires does not innately possess the right kind of soul equipped with the right virtues, as
for Aristotle or Plato. Rather, he lives in the right conditions and is driven by a kind of
inner energy or spirit. He is not Aristotle's *phronimos* but he leads a kind of fully human life in protecting his liberty, that of his fellow citizens, and the freedom and greatness of *lo stato*. It is the institutions and the practice of navigating them that develop *virtù* and make this life possible.

Machiavelli offers a dynamic view of political action, an essentially new take on republicanism which rotates around the concept of *virtù*. Both Machiavelli's radically democratic institutions and his political psychology of citizenship and leadership rely upon *virtù*. In a republic, not only the leaders, but the citizens must find ways of articulating their needs in public and to each other. In their effort to gain resources and/or power, new strategies and new ways of articulating those needs broaden and enrich the work of democratic politics—in ways that Aristotle's polis cannot.

In the previous chapter I argued that it was possible to overcome Aristotle's differential theory of citizenship, but that it was the concept of the mean which stood as the true challenge to a democratic polis. While the activity of flourishing is itself fluid, necessarily adapting to the needs of a changing and evolving population and republic, using the mean as an aim for democratic politics won't necessarily hit the goal of flourishing for all its members. Even when all aristocratic barriers to citizenship are removed and full inclusion is achieved, aiming at a middle course between the aristocratic elite and the working poor limits the scope of democratic politics, aims at avoiding conflict, rather than using it to improve institutions.

*Virtù* challenges the idea of flourishing-as-pursuit-of-the-mean. A virtuous decision is still required, made in light of contingent circumstances—what necessity
dictates – but the middle course isn't necessarily the thing that will end or prevent conflict, as it is for Aristotle. Instead, the decision made with virtù is one made in the interest of improving and possibly reinventing lo stato. Both seek the good of the political association and both involve good judgment, the avoidance of senseless action, but in Aristotle's case, the decision must come from the instinctive desire to make a morally sound decision, whereas Machiavelli is concerned only with a result that benefits lo stato. Machiavelli demands that his political actor be ready to act in the interest of lo stato, but to do so in potentially destabilizing ways, by creating new laws, by disobeying. Much of Machiavelli's political theory revolves around fortuna and necessità, all the ways that chance and circumstance can rob a political actor of choices, but through all of this, the man of virtù must act deliberately and decisively—in much the same way as the phronimos.

For this reason, virtù works as an alternative to eudeimonia—another way of looking at virtuous decision-making, even though the Aristotelian model is just as well-equipped to handle contingency. Pushing Aristotle into the world of Machiavellian politics, by removing the mean as a political standard, would put these two ideals in constant tension with one another. However, it is no small thing to make that push—to jettison the concept of the mean as an organizing principle of governance. For Aristotle, it is central to his ethical theory—the individual cannot flourish without the ability to determine the best course of action between two undesirable extremes. But for Aristotle's political theory, I argue it is not so vital. I think that the determination of the best course given a complicated political problem need not result in a middle path between two
extremes but, in some cases, an extreme action, a disruptive action. And I think this may still fit within Aristotle's political theory, if not his ethical theory. Positing conflict as central to the political process rather than the stabilizing force of the mean drastically alters political outcomes, but I do not think it drastically alters the function of political actors so much that Machiavelli and Aristotle cannot be in dialog over how best to approach a political problem—with unflinching moral resolve, or greater attention to political necessity.

The idea that the kind of class conflict Machiavelli advocates is central to the greatness of the political association may be dissatisfying to some. If conflict rather than stability, expansion of territory rather than static stable boundaries, are the goal, what does this mean for contemporary respect for wishes of individuals and populations who do not want to take part in this kind of politics? The prospect of a new Roman Empire is not something most democrats will accept. The civilian soldier bravely expanding the boundaries of the republic, engaged in a never-ending struggle to avoid domination, sounds at best exhausting and at worst, unethical.

Yes. Exactly. Machiavelli is an answer to Aristotle; he is not the answer. He offers an alternative way of organizing political action and a new way of conceiving of human excellence which may allow a population to function in more rigorously democratic ways than Aristotle, but he does not have the vocabulary to criticize those ways outside of whether or not they serve lo stato. Aristotle does have that vocabulary. Thus, I argue that Machiavelli and Aristotle allow for a productive dialog about the nature of democratic politics—one that they cannot solve.
Chapter 4

The Contemporary Debate – the Neo-Roman School

The primary focus of contemporary republican scholarship, in both the Greek and Roman strands, is in four areas: republican liberty, constitutional arrangements which check the power of the elite, civic virtue, and political participation. These trends within contemporary republican scholarship tend to restate and underline the tensions between the two strands of classical republican thought, but they do not do so in particularly productive ways. In fact, I will show that the contemporary debate fails to grasp the radical critique of democratic states inherent in republican concepts like 'eudeimonia' on the Aristotelian side and 'virtù' on the Machiavellian and, in doing so, fails to grasp the critical force these concepts can bring to bear upon liberal democracy. In doing so, these thinkers themselves can only offer weak/thin criticisms of liberal democracy.

In this chapter, I will examine the neo-Roman school and their efforts to update Machiavellian political thought to a 21st century context. My criticisms of their interpretation are as follows. I will argue that, while these thinkers demonstrate how their proposed political orders uphold the republican principles mentioned above, the institutions themselves are not up to the task. This is because they have not adequately worked out the importance of institutionalized conflict between i grandi and il popolo; nor have they adequately addressed the political, economic, and social ways that the elite can dominate the masses. Second, while they expressly seek to eliminate overt concern for the character of the citizens, in doing so, they neglect the most important characteristic of Machiavelli's political actors which makes them so effective, and which
make the institutions so effective—Machiavellian virtue or virtù. As I argued in the previous chapter, Machiavelli himself cannot escape the need for attention to the characteristics associated with virtù, even though he attempts to do so by making moral virtue entirely subservient to the object of political action and participation—the success of lo stato.

In short, in this chapter, I will show that the neo-Roman thinkers of the Cambridge school make a similar case for the excision of moral virtue from the work of politics as Machiavelli, but they do so without the benefit of the explicitly populist democratic institutions Machiavelli advocates. In their critique of the Greek tradition, they claim that the standard of moral excellence is too high and too prescriptive, yet they fail to replace the importance of character with a persuasive account of a modern republican citizen's motivation to participate. I will argue that this is because the political institutions advocated by neo-Roman thinkers like Pettit, Skinner, and Bellamy fail to provide effective means of checking or opposing the efforts of political and social elites. Therefore, the argument fails on two fronts: as an ostensibly superior republican account of citizen motivation and participation, and as a critique of liberal political institutions.

I. Republican liberty

Republican liberty in the "neo-Roman" tradition, as espoused by Pettit and Skinner, requires freedom from domination – freedom from the arbitrary threat of interference in self-governance (Pettit 1997; Skinner 1998). This form of liberty is distinguishable from the liberal concept insofar as 'freedom from domination' is more
rigorous and exacting than 'freedom from interference.' Where freedom from interference holds 'free choice' as the central organizing value, it does not preclude the possibility of unfair choices, of contracts made under conditions of domination. In short, in the liberal conception, so long as the individual is free to make a choice, they are free from interference – whether or not that choice results in unfree conditions.

Likewise, the neo-Roman conception of liberty as non-domination can be seen in contrast to both the Aristotelian and Machiavellian understandings of the liberty. Both Pettit and Skinner explicitly criticize Aristotelian flourishing as too demanding and too prescriptive, claiming that it requires citizens maintain a certain identity and participate in specific activities which do not necessarily map onto what individuals want for themselves and their lives. In this way, the neo-Roman idea of non-domination serves as a critique both of the liberal understanding of liberty and the Aristotelian version of positive self-actualization.

More important, however, are the ways in which the contemporary articulation of non-domination mark a departure from Machiavelli himself. I will show that, while upholding non-domination as the ideal should offer plenty of opportunities for vigilant citizens to preserve their liberty, the mechanisms and institutions advocated by contemporary scholars are woefully inadequate, due, at least in part, to their abandonment of both *eudaimonia* and *virtù* as central to a theory of democratic politics. Because of this, the negative liberty of the private individual is rarely translated into positive liberty through public participation, as it is for Machiavelli. Most forms of participation are orderly and reactive, rather than noisy and proactive.
But first, a brief assessment of the notion of non-domination and its potential as a significant force in democratic states. Freedom from domination, unlike the liberal freedom from interference, rejects the possibility, the threat, of arbitrary interference. To provide a few examples: even though a citizen authorizes a representative to make laws on his behalf, the resulting laws may negatively affect his ability to live a free life. Likewise, while an employee may contract freely with her employer, she may still be subject to arbitrary exercises of power. In all likelihood, she will be. Ageism or heterosexism can put minorities in similarly vulnerable positions. Similarly, though two partners give their consent to marry, one may still be subject to the arbitrary will of the spouse. Thus, domination may take many forms – political, economic, social, and domestic. Republican liberty requires that individuals be free to govern themselves, without fear of arbitrary interference (Viroli 2002, 36; Pettit 1997).

Even though the protection of liberty seems as though it should extend to every sphere of life, traditionally, republican liberty is considered 'political liberty,' the kind which comes about by virtue of an artificial (rather than natural) state. Thus, neo-Roman liberty is not natural, as it is for liberals. It does not arrive with us when we are born. It is not pre-political in the sense that the state may not interfere with it. Nor is it teleological, existing as the final cause of all human action. Rather, it is afforded to the individual through the city's constitution and then guarded by the citizens. Citizens only have it if they live in a republic which fosters it and protects it. Thus, since it does not exist naturally and must be created, it is up to the citizens to make it appear in whatever sphere it is needed.
Since liberty as non-domination is artificial, something fostered through law and public vigilance, it should not be barred from associations existing outside the political sphere. Pettit's language of non-domination should provide a robust criticism of domination everywhere. For this reason, I would argue that, while republican liberty largely refers to political freedom, rather than non-political, this should not necessarily place a restriction on the deployment of the concept. Indeed, if domination occurs in multiple spheres, and it is the exercise of liberty which undoes domination, then it is political liberty which will undo domination within these other spheres, whether or not they are traditionally considered political. This becomes even more the case if domination in these spheres contributes to an individual's ability to exercise political liberty, which it most often does.

Because liberty flows from the city/constitution, there is an analogic relationship between the citizen and the constitution. If the city is free (from arbitrary domination), then the individual citizens are free. They are not free in the Hobbesian sense – meaning, they are not free from all interference – because the constitution necessarily imposes law. The citizens are obligated to live by the law, but since the authority is not arbitrary, the citizens are not dominated. But while this relationship could be translated into frequent dynamic participation on the part of the citizens in preservation of the constitution, contemporary thinkers choose instead to emphasize the ways in which non-domination and the institutions which preserve it provide stability for the regime and a rich private life for the individual.
The way that Pettit and other neo-Roman republicans justify the authority of the state distinguishes them from both liberal contract theorists and Aristotelian republicans. Rather than authorizing the state through consent – a concept which, Pettit thinks, lacks meaning for most people – he argues that it is the right and opportunity to contest political decisions made at the legislative, administrative, and judicial levels of government which secures freedom for the citizens and legitimacy for the state. For Richard Bellamy (2008; 2007), it is the existence of competitive parties and elections, a political and institutional distinction I will expand upon below.

I will show that in both Pettit and Bellamy's case, the citizens have authorized a constitution of which they are not necessarily a significant part. The state makes the laws and interprets them with limited input from its citizens. For Pettit, they are only involved after the fact, if they wish to contest a policy or judicial ruling. In this way, Pettit argues, they remain free, neither wishing to rule or be ruled, but to go about their business without fear of arbitrary domination (Pettit 1997). For Bellamy, they elect and authorize representatives to act on their behalf, achieving the same end.

II. Republican constitutions

Under a republican government, the constitution is sovereign, rather than its prince. The artificial state remains sovereign, meaning that its governors must obey its laws. But while the republic is composed of citizens who authorize and recognize it, neo-Roman republicans are not nearly as concerned with democratic participation as they are with the design of the constitution itself. The number of citizens participating in the
governance of the republic (be it the few or the many or a combination) is second to the necessity of a constitution which will protect those citizens' liberty – their right to live free of arbitrary domination. Citizens only need to participate insofar as they must select virtuous representatives who will maintain their constituents' freedom (Skinner 1998, 32).

This conclusion is reached in one of two ways within republican political thought – through competitive politics which stabilize the republic (see Bellamy 2008; 2007), and through deliberation and contestation in search of consensus (see Pettit 1997).

For Pettit, we know that the most important thing is maximizing the freedom of the constitution and its citizens. The institutions needed to accomplish this must ensure that citizens are able to contest the laws and the decisions of their leaders by appealing to a system which is able to judge what "tracks" with the interest of the party making the appeal and the common good on the whole (Pettit 1997, 55+67). But standing behind representatives and mechanisms to contest their decisions is the constitution itself, the document which Pettit says must establish an "empire of laws and not men." Indeed, the rule of law should extend as far as possible, leaving little to the potential arbitrariness of representatives' and majorities' decisions and whims (Pettit 1997, 173).

Thus, the constitution does a lot of work for Pettit. It establishes and legitimizes the rule of law. It is the source of freedom for its citizens. It specifies what every citizen is owed in order to be free of domination in all spheres of life – political, economic, social and domestic (although he does not specify much outside the political sphere). It protects its citizens from the arbitrary domination of representatives through mechanisms which allow them to contest political decisions – mechanisms which sometimes
depoliticize the conflict by removing the citizen from the process (1997, 196). And it protects its citizens from the arbitrary domination of majorities by depoliticizing the most important laws, making them very difficult to change. It is participatory and deliberative in one sense and an unassailable monolith in another.

Richard Bellamy takes a more Machiavellian approach, claiming that the conflict, the competition itself, is more republican than the 'constitutionalized judiciary' Pettit advocates. Bellamy asserts the "fact of disagreement," that there will always be disagreements about what policies best address a certain problem, as well as the values underpinning those policies and problems (Bellamy 2007, 3). It is not that he claims truth doesn't exist within different theories of justice; rather that the mechanisms for contestation would be just as political as any other institution, and not nearly so democratic, since they only involve the particular party who makes their case, and not necessarily all who may be affected, let alone the general public. And while the laws must be enforced consistently, Bellamy argues the judges themselves cannot ensure that the law itself isn't arbitrary (2007, 7). In other words, Bellamy claims, the fact of contestation does not guarantee a non-arbitrary decision. The decisions made by the judiciary are just as political, but they are not made where they can be politically debated and decided upon. This is a crucial problem for Bellamy.

Thus, rather than enhancing the liberty of the appealing party, the judiciary would most likely rule in favor of the status quo – whatever the hegemonic group of that time favors (Bellamy 2008, 178). Instead, Bellamy advocates the Schumpeterian model – competitive elections in which citizens vote for their chosen representatives (Bellamy
He claims that free elections foster respect for opposing viewpoints, encourage alliances, coalitions and reciprocity, and ensure leadership accountability – all fundamental tenets of republicanism (Bellamy 2008, 181; 2007). Likewise, the constitution serves as the structure for democratic politics, rather than merely the laws that govern a state.

Bellamy appears to offer the "realist" argument, claiming that "actually existing democracy" is sufficiently republican and significantly more democratic than legal constitutionalism, but more than merely describing a system which is in evidence (at least to some degree), Bellamy makes the normative claim that it is only through a competitive democratic process that republican principles can be realized. He argues that Pettit's legal constitutionalism effectively depoliticizes the formation of a just, democratic republic, removing important political questions from the public agenda, and politicizing instead the legal process (2007, 5).

Taking these two thinkers together, in opposition to each other, each thinker seems to have chosen one aspect of Machiavellian democratic politics, one judicial, the other electoral. Pettit advocates the legal power to check the laws imposed by the elites (modeled perhaps after the Roman Tribunes), while Bellamy emphasizes the importance of the citizen's power to check elite power by recalling them from office. At the heart of this is a question about the role of the citizen. For Pettit, the citizen must be savvy enough to recognize when a policy does not track with her interest, form a coherent opinion on the policy, and navigate the mechanism through which she can contest it. She does not need to have participated in any sort of democratic politics concerning the policy or
policy maker before implementation. Indeed, it is better if she does not, as it is her political representatives' jobs to act on her behalf, and to keep her potentially fickle opinions from adversely affecting the process.

Contestation of the laws, then, appears to be where the citizen primarily acts publicly. Interestingly, though, the forum for this contestation need not even be political in Pettit's terms. In cases where public outrage may lead to an unjust outcome, he argues that "democracy requires recourse to the relative quiet of the parliamentary, cross-party committee, or the formal bureaucratic inquiry, or the standing appeals board, or the quasi-judicial tribunal, or the autonomous, professionalized body. It is only in that sort of quiet – it is only when political voices have been gagged – that the contestations in question can receive a decent hearing" (1997, 196). With this understanding of democratic politics, who, then, is doing the contesting? If political action, for Pettit, consists in contesting political decisions, when, if ever, can the public be trusted to do this? If they are not trusted to form and act upon coherent opinions on important matters as part of the political decision-making process, how can they be trusted to know when a law 'tracks' with their interest or not. Further, how can they be trusted to navigate the judicial process in a timely manner, before irreversible damage is done by a bad law or policy?

In contrast, Bellamy argues that the citizen's job is to participate in competitive elections, namely to vote in order to choose leaders. For Bellamy, it is the competition which stabilizes the republic and affords citizens the opportunity to interact with one another, to engage in political activity together. Unlike Pettit, Bellamy values the participation of the citizens insofar as it maintains democratic politics. But similar to
Pettit, the number of participants, and the level of their involvement is not as important as the fact that it exists on some level and does the work of maintaining the republic. Bellamy argues that Pettit's conception of democratic politics essentially depoliticizes the political process. And Pettit insists that competitive party politics, or interest group politics, allow for arbitrary domination in the form of majority tyranny and representative who are only concerned with reelection.

According to Bellamy,

"A procedure that allows all views to be expressed, seeks to a degree to integrate them and show equal concern as well as respect to the various issues different perspectives raise, and allows decisions to be challenged and amended to take into account new information and changing values and circumstances, should have a greater chance of securing the assent and collaboration of the political community than one that devolves this decision to a group that is neither representative of, nor directly accountable to, popular opinion" (Bellamy 2007, 51).

I find Bellamy's proposed role of the citizen to be just as problematic and contradictory as Pettit's. He insists that participation in competitive elections requires the citizens to exercise "public reason." Reasoning is public when it is: 1- open/transparent 2- public-minded 3- governed by public rules or conventions necessary to engage in the activity, implicitly agreed upon by all 4- focused on public, rather than private good 5- accessible to everyone 6- undertaken by the public and, 7- makes decisions that everyone could agree with/to (Bellamy 2007, 179). Yet, Bellamy does not believe that public deliberation is a good way to reach decisions. Not only is the deliberative body open to manipulation, he claims, but will be, even more likely, unable to reach a final decision once all sides of the issue are laid out, illustrating just how complicated the issue
is and how deeply the divisions between sides run. Rather than encouraging cool, rational debate, deliberation may bring out 'groupthink' (2007, 188-190).

Instead, Bellamy proposes 'compromise' as the more realistic and preferable outcome of the reasoning process. This lends the decision legitimacy, rather than an attempted epistemological claim about its truth or rightness. No one will disagree with the process, though they may disagree with the outcome. This form of reasoning must be accessible to and conducted by everyone. Since everyone reasons in basically the same way and no one has grounds upon which to claim that their reasoning offers a better way to guide people's own thought processes, then "all should be involved in collective deliberation on matters of public concern." Bellamy insists, that, unlike 'democratic deliberation,' this procedure would allow individuals to bring their own moral and political commitments to the process. Reasonable disagreement is expected to occur, but he sees compromise as a means of recognizing the reasonableness of each sides' views and still coming to a decision. Never mind the fact that compromises are not inherently better solutions, or that it's quite a lot to assume that everyone does in fact reason in the same way. So long as the method is legitimate, and the decision is made so by extension.

This is where Bellamy's affinity with Schumpeter's model really emerges. For Bellamy, "equal votes, majority rule and party competition, however interpreted" are the only ways he believes equal recognition and non-domination between all citizens can occur (Bellamy 2007, 220). Any issue – be it concerning the justice of an institution, or the details of a particular policy – which is removed from the realm of everyday politics
(depoliticized in his terms) can lead to domination, the establishment of one view over another without it having been legitimated by the democratic process.

Bellamy proclaims that no deliberative process can come to a consensus on even the larger questions of a "collective good." So, citizens will not agree, and their disagreements will be reasonable because of the diversity of the population. They will have different, legitimate conceptions of the good. But rather than the fact of disagreement requiring the establishment of constitutional moral principles to govern the community, Bellamy urges that even these principles be up for democratic contestation. It is the contest itself which lends the result legitimacy. Justice is, then, determined by the contest and is as fleeting as the majority. Thus, the process appears both democratic and republican because it relies upon some notion of public reason, while at the same time being legitimate on its own terms, as the only process which can bring about a decision, regardless of democratic values or principles.

Bellamy trusts the process. He trusts equal votes, and the majority. He trusts political parties. He trusts a system designed to win elections. He writes of the domination that results from 'substantive' views of democracy, while singing the praises of the presently existing electoral system – a system saturated in its own values – primarily competition. And Bellamy provides no justification for the principles of contestation and competition; he assumes it. What Bellamy fails to mention about Schumpeter's conception of competitive party politics are the tremendous inequalities that result. Like the the oligopoly it emulates, Schumpeter's competitive party elites seek to eliminate competition, not foster it. The inequalities that result do not mean that the
process itself is to blame, so long as free elections still allow a portion of the population to choose leaders (Schumpeter 1962).

By placing political action squarely within the realm of competitive elections, Bellamy demands equal consideration but advocates a procedure designed to produce a clear winner, designed to weed out competition and therefore neglect equal consideration (Schumpeter 271, 1962). If citizens all reasonably disagree, but must reach a decision regardless, why should they necessarily be committed to the equal consideration of all views (a core republican value which Bellamy believes competitive elections uphold)? Why should they not simply be committed to their own interest? Why should they not use whatever means they have available to make certain their view wins out? Why would this system necessarily encourage equality between citizens? Just because Bellamy insists that democratic politics requires 'public reason' doesn't mean the theory he advocates actually requires it. Competitive elections and 'actually existing politics' do not require public reason, no matter how many times Bellamy says they do.

Both Bellamy and Pettit situate their arguments squarely in the political sphere—in the realm of elections and judiciaries. And both severely limit the scope of democratic politics within their republican models: Bellamy to voting in competitive elections, Pettit to appealing already-made political decisions. Bellamy writes against Pettit, against legal constitutionalism—the enshrining of substantive values through an apolitical process. He advocates participation in political parties and elections as the means by which citizens can collectively determine the moral principles and policies they live by, but several questions remain. Are either Pettit or Bellamy's conceptions of the political sufficient to
maintain a meaningful standard of non-domination when they offer so few avenues for participation? If, as Pettit asserts, domination takes place in spheres other than the political, by what means should they be addressed? Are these limited political mechanisms in fact adequate to address domination wherever it occurs? It is my contention that, adopting only watered-down versions of the institutions Machiavelli advocates as means of checking the powerful elite effectively hobbles both Bellamy and Pettit's proposals. If the constitution, arranging and organizing the democratic procedures of a republic, is so vital in creating an empire of laws rather than men, then neither Bellamy nor Pettit equip their republican governments with the democratic elements for maintaining a democracy.

III. Civic virtue

Republican patriotism requires commitment to civic virtue, to the activity of being a good citizen, in public, with one's fellow citizens – a condition which the constitution makes possible. Civic virtue is created by the citizens and the constitution. Unlike a national identity, it is not natural. A republic, thus, does not require racial or ethnic homogeneity, unlike Aristotle's (strictly interpreted), and arguably, Rousseau's. Civic virtue grows more out of the shared experience of citizenship, than from anything pre-political – or from anything strictly legal. Viroli draws a distinction between a Habermasian commitment to a constitution and the sort of particularistic patriotism which ties a citizen to their own community's institutions and people.
This sense of patriotism focuses around the thing most in need of protection – liberty. "A person who loves the common liberty of his or her own people also loves and respects the liberty of other peoples and commits himself or herself to defending it" (Viroli 2002, 17). Common liberty is the best way to protect individual liberty. Thus, the citizens have a commitment to each other: they must protect each other from domination. And they maintain their first desire which is to remain undominated, themselves.

It's an interesting balance, one which claims the simultaneous importance of the individual and the community. Can they be of equal importance? Machiavelli’s citizens have the desire to be free from domination, and likewise, avoid dominating anyone else. This initially seems like a radically individualistic, hands-off community, one which would require very little interaction between citizens, since their main desire is to live free of arbitrary interference. However, in order to remain free, the citizens must preserve their free republic. They must be good citizens in order to do this. Civic virtue is exemplified in acts done for the republic, in public spaces, which then allow people to live serene private lives. However, this does not mean that consideration cannot be paid to the non-political spheres classical republican theorists were uninterested in. It is the collective determination of what is of public concern that is political and that fosters civic virtue.

I argue that the two republican perspectives I have examined in this chapter pay only the narrowest lip service to this idea of civic virtue, where for Machiavelli it plays a much more significant role in his republican theory. And while it may have been Pettit and Bellamy's intention to reduce the importance of character in their theory, I think that
it was a mistake to have civic virtue largely be an afterthought to their institutions.
Nowhere in their republican theory of democratic politics is civic virtue functionally
necessary, despite what they claim about citizen vigilance and public reason. The activity
of citizenship is far more important than Petit or Bellamy claim because the institutions
themselves do not just bring about non-domination from design alone; rather the
institutions help constitute the non-domination citizens must make for themselves.

IV. Republican citizenship in contemporary scholarship

At this point, it is unclear what exactly the activity of citizenship entails for the
neo-Roman school – which is odd, considering that republicanism traditionally claims a
robust conception of citizen participation. Given the contemporary scholarship presented
above, however, the role of the citizen in public decision-making is considerably smaller
than one might expect – even though both Pettit and Bellamy claim their political
mechanisms allow for participation in politics can go so far as to address and prevent of
domination in other spheres. They both claim that political participation involves open
debate and contestation of policies. For Bellamy, this even includes what has been
depoliticized through constitutional amendments. But I have argued that their accounts
cannot even provide the means for overcoming domination in the political sphere, let
alone economic and domestic. I submit this is because neither Bellamy nor Pettit have
provided an adequate account of what is 'common' – what is of public and political
significance in their theories of political action.
In Pettit's case, though he argues a theory of republican liberty can eliminate domination in all spheres of an individual's life, fostering greater commitment to a democratic way of life, he limits the scope of the political space to an appeals process. As a mechanism for maintaining the stability of the republic, the appeals process would prove most effective in maintaining a status quo, or at best allowing for very gradual change, but would not be adequate in providing a common space for the airing of grievances and the articulation of the constantly changing needs of an evolving public—the true job of a democratic process, and of a democracy.

In Bellamy's case, 'common' becomes synonymous with 'competition,' a principle which, by definition, cannot be common. Competitive parties and elections cannot bear the sole responsibility of maintaining the res publica any more than contestation of already existing laws. By its very nature, competition for limited office and emphasis on the competitive aspects of the process encourages the kind of behavior most often criticized by republican theorists—single-minded focus on winning rather than thoughtful consideration of what is in the public's interest. While Machiavelli advocated strongly for competition between i grandi and il popolo, and for offices open to members of the general public, not just the elite, he recognized the tremendous ability of i grandi to dominate an institution like the electoral process (see also McCormick 2011; 2003). Therefore, he advocated vertical rather than horizontal competition, institutionalized competition between the few and the many, rather than among party elites.

In short, neither Bellamy nor Pettit provide institutions that offer the opportunity for the exercise of political liberty and pursuit of the common good, both of which come
out of the contentious politics Machiavelli advocates. The contestation that results from Bellamy and Pettit's proposed institutions lead only to the public forming factions—the best way for a public to be divided and conquered. This horizontal conflict (rather than a vertical direct confrontation with the elite) makes the public more susceptible to the advances of dominating forces. If non-domination is the goal, then contemporary scholars have failed on two counts. First, they fail to offer a republican theory of politics that can satisfy the requirement of non-domination in its own terms, demonstrating a more serious commitment to the stability of the regime than its liberty, in particular political liberty. Second, they fail to make any real critique of liberal democracy—one of the central reasons for a resurgence of interest in Greek and Roman republican theory in the first place. I argue that this failure comes as a result of the neglect of a concept of flourishing or virtue. In both Aristotle and Machiavelli's theory of republican politics, a form of human excellence plays a central role in the success of the institutions. For Aristotle, this stems from the citizens' exercise of moral virtue and the application of ethical principles to political problems. The neo-Roman perspective explicitly rejects this understanding of citizenship, but they do not replace it with anything more than a vague idea of civic vigilance.

However, I believe that not even a conventional reading of Machiavellian virtù could save their accounts of democratic politics, because the Machiavellian political actor would have no place in Pettit's appeals process or Bellamy's competitive elections. Where is the republican citizen, empowered through military service and a voice in the Tribunes, ready and willing to mobilize in defense of his own liberty, going to fit in Pettit's model
of democratic politics—particularly when Pettit asks that the intense emotional side of politics be removed from the actual contestation of a law? How could this citizen trust that casting his vote in an election and relying on the electoral process would protect him from the very elites he's voting for?

I argue that my reading of Machiavelli in the previous chapter is particularly damning for these contemporary accounts of republican politics. In my reading, Machiavelli's *virtù* is not just a set of skills which include courage, cleverness, foresight, and the ability to seize an opportunity. *Virtù* is all those things, but I argue that it also represents a kind of human excellence revolving around self-determination – a distinctly Roman conception – the exercise of which allows a person to do something like flourishing in their pursuit of the good of the republic, even if this 'flourishing' looks like a creative ambition to protect one's own liberty against the advances of others. Held to this standard, Pettit and Bellamy clearly fall short.
Chapter 5

The Contemporary Debate – Neo-Aristotelian Perspectives

In their efforts to bring Aristotelian ideas of democracy and the good life to bear on contemporary politics, the Aristotelian scholars I will examine in this chapter attempt two major projects: that of reconciling Aristotle's republican theory with the liberal context within which they operate, on the one hand, and attempting to synthesize Aristotle, the advocate of transformative participation, and Aristotle the theorist of actually existing constitutions, on the other.

The project of the Aristotelian liberals is generally an attempt to fit virtue into a conception of liberal society, claiming that a liberal society cannot function unless it is guided by some idea of virtue which makes it more than a collection of radically isolated and self-interested individuals. Martha Nussbaum does something slightly different. Nussbaum seeks to unite an Aristotelian conception of human capability the (exercise of rational capacities) with a liberal state, jettisoning the idea that it is the task of politics to make the citizens good in a moral sense. In this way a kind of overlapping consensus can be reached between groups of people who have very different conceptions of the good and about what citizens should be and become. Below a certain "capability threshold," the citizen cannot be considered a full member, or even fully human (Nussbaum 2000, 124). In short, she advocates a thick conception of the good which is robust enough to ensure a broad set of individual rights, but vague enough to fit any community's needs.

In this effort to blend an Aristotelian conception of the good life with liberalism, Nussbaum must necessarily take a somewhat thin version of Aristotle as her foundation,
drawing entirely from his account of the polis and purposefully leaving behind the substantive view of the good that informs it, since the activities he claims lead to the good life are not necessarily compatible with liberalism's primacy of individual choice. Additionally, in making use of his concept of flourishing to build a list of human capabilities which a state must encourage in its citizens, Nussbaum must leave out Aristotle's contribution theory of justice which underpins the entire structure of the polis. In my analysis of Nussbaum's "thick vague" conception of the good (2002), I will show that her use of Aristotle must remain thin because she wants to draw on the design of his polis without acknowledging the aristocratic theory of human capabilities upon which it is based. But neither can she draw upon his potentially more democratic constitutional theory because, there, his focus is on approximating the polis through institutions rather than specific attention to the development of the citizen. There, civic virtue can emerge because of the institutions but it is not the organizing principle of the constitution.

Nussbaum wrestles most explicitly with navigating a liberal theory of human flourishing, but other writers, while still struggling with how to bring Aristotle into a liberal context of individual liberty and social difference, instead address the potential contradiction between Aristotle's commitment to the flourishing of the individual and his commitment to the preservation and long-term stability of the community through pursuit of the mean. The former involves individual excellence and virtue; the latter requires adherence to the common good of the city—whatever its constitution may be. Both Jill Frank and Bernard Yack tackle this seeming contradiction and attempt to solve it to varying degrees of success.
Yack, (2002; 1993) asserts that communitarian writers largely overlook the amount of conflict that occurs within communities of all types, but particularly political communities. He argues the romanticized community glosses over the fact that no existing political constitution is perfect, and that, if flourishing is to take place, it must occur within an imperfect regime. The perfect regime will encourage flourishing the best, but without a democratic interpretation of Aristotle as I have offered in chapter two, only the wealthy few who have moral virtue and the leisure to exercise intellectual virtue can ever achieve this goal. Yack inquires whether the imperfect regimes can instead lead to the good life since political justice in these regimes may allow for more democratic participation. He investigates whether taking conflict as central to the political community gets citizens closer to the good life and concludes that it cannot, arguing instead that the only way to approach the good life given an imperfect constitution is to incorporate elements of the contemplative life as this form of intellectual virtue is more valued than political life and is not subject to the day-to-day ugliness of the political sphere.

While Yack's investigation into the nature of conflict is valuable insofar as it calls into question the rose-tinted communitarian view of political life, one often dismissed by liberals as utopian, I will show how this account is too narrow and ultimately not so rewarding as Yack might hope. In taking conflict as central to political life, Yack embarks upon a project which is fundamentally antithetical to both the polis and the less perfect constitutions Aristotle examines. Aristotle recognizes the inevitability of conflict in both portions of this theory and explicitly seeks to reduce conflict in both scenarios. So, even
though Yack ultimately decides that the conflict-ridden political sphere cannot lead to the good life, he's answering a question that Aristotle explicitly rejects from the beginning.

Jill Frank also attempts to synthesize the polis with the rest of Aristotle's constitutional theory, but she does so by taking a near-opposite approach—by finding virtue in all the places Yack finds conflict. She examines Aristotelian conceptions of law, justice, and property to draw out relations of reciprocity which contribute to the development of the individual as a citizen and as a person committed to virtuous action (Frank 2005; 2002). But in doing so, she, like Yack, ends up with a very narrow account of Aristotle's political theory. In the last section of the chapter, I will show that her attempts to uncover sites for reciprocity and virtue result in a shallow understanding of intellectual virtue and an aristocratic reading of Aristotle that lacks much, if not all, of the potential for democratic politics that I lay out in chapter two.

I will show how these attempts to bring Aristotelian conceptions of community, rights, and democracy into the present fall short of the mark, engaging Aristotle in projects which borrow from limited portions of his republican political theory and collapse the tensions within his writings on the polis and his constitutional theory into a thin, though unified, account of republican politics. I argue that these collapsed versions not only fail to take into account the parts of Aristotle which remain in tension with one another, thus offering a thin reading of a complex thinker, but also that because their reading is so narrow, they fail to make a particularly engaging critique contemporary democratic politics (or liberalism)—a critique that a robust reading of Aristotle offers much more clearly.
I. Martha Nussbaum and a liberal theory of flourishing

Offering an explicitly liberal interpretation, Martha Nussbaum approaches Aristotle from a different angle than Frank or thinkers who emphasize Aristotle's communitarian elements. (See MacIntyre 2007.) Rather than seeking to bring moral virtue to contemporary philosophy and society, Nussbaum jettisons virtue in favor of human development in terms of a set of human capabilities. In short, Nussbaum extracts a liberal theory of human rights from Aristotle's account of the polis, arguing that Aristotle provides the basis for a strong conception of democratic equality:

"The Aristotelian conception [of the good] argues that the task of a political arrangement is both broad and deep. Broad, in that it is concerned with the good living not of an elite few, but of each and every member of the polity. It aims to bring every member across a threshold into conditions and circumstances in which a good life may be chosen and lived. It is deep in that it is concerned not simply with money, land, opportunities, and offices, the traditional political distributables, but with the totality of the functionings that constitute the good human life" (Nussbaum 2002, 53)

The question of the good life cannot be answered by how much people own or possess, but "What are they able to do and to be?" The function of the state is to make sure that every person functions well (2002, 60). According to Nussbaum, this manifests itself in a rigorous social democracy, which provides for both basic human functioning (food, shelter, a living) and full human functioning (the exercise of rational capacities and decision-making abilities). While she later changes "functioning" to "capabilities," the idea is that a social democratic government can provide the opportunity for the development of a range of capacities which the individual then chooses to nurture or not (2002, 91). This is essentially a declaration of what is common—the distribution of both
resources and individual training is of public concern. There must be a public means of assessing the individual needs of specific communities and individuals within those communities with an eye to what they need, not just to acquire resources, but to lead a fully human life.

Nussbaum bases this interpretation of the purpose of the polis on Aristotle's recommendations for the distribution of public property and common meals. Since, she says, Aristotle believes the most basic needs of a human are common to everyone, they should be determined at least partly through politics (Nussbaum 2002, 48; Pol 1330b 11). Even though property should generally be owned privately, it exists for the good of the community, and it is therefore reasonable to dictate what a portion of that property should go to—in this case, public provision of food. Even those who cannot afford to contribute to this public provision should receive the benefits of it, as it increases their likelihood of future contribution. (Nussbaum 2002, 48; Pol 1329b 39).

Nussbaum ties together the public nature of public provision with a quote from Aristotle: "Political government is government of free and equal citizens" (2002, 48; Pol 1255b 20). From the above pieces she concludes that Aristotle provides "a conception of good human functioning," "a conception of political rule, which involves support for these functionings and insists that this support is to be done in such a way as to treat citizens as free and equal," and "a sketch of institutional arrangements that both preserve some private ownership and circumscribe it, both by a scheme of common ownership and by a new understanding of private ownership as provisional, subject to claims of need" (Nussbaum 2002, 49-50).
This is an odd way to use Aristotle's own words to bring together her assertions that human development is a public matter and that all are included in this development, even those who are unable to contribute. The outline of the polis from which she draws explicitly excludes the working poor, women, and slaves from citizenship. Only in the worst kinds of democracies are these groups considered citizens, and under mixed constitutions their rights and responsibilities remain quite limited. Aristotelian justice revolves around giving to each what they are due relative to their contribution to the city, and in her account, Nussbaum addresses this not at all, assuming instead a democratic view of citizenship even though she draws from an explicitly undemocratic constitution. Those of unequal character receive unequal treatment, an unequal allotment of resources, and they are certainly not counted among the equals who take turns holding public office, even though they may receive the necessities of food and housing through public provision. Thus, in her account of democratic justice, she must abandon Aristotelian justice.

In Nussbaum's account of human functioning, she must also jettison Aristotle's substantive view of the human good, specifically his understanding of what it means to be a morally and intellectually virtuous person. She says, "It would be misleading to think that I see my own theory as a theory of good human functioning closely analogous to a theory of moral virtue. Such a reading would ignore the fact that, in my view, the appropriate political goal is not functioning, but simply capability" (Nussbaum 2000, 124). As a liberal, Nussbaum cannot offer such prescriptive ideas of the good life. All she can take from Aristotle is his wish that all members should receive the resources and
training they need to become who they want to be. But if she wishes to include those who are not as 'capable' as Aristotle's ideal citizen under the conditions of the polis, she has to accept that Aristotle would wish for them only to receive what is 'due' to them since it is the development of those who will be citizens that he prioritizes. And if she wishes to include them under a less perfect constitutions, she must accept that the development of the individual is not the starting point.

In Chapter 2 I showed that participation in economic and domestic associations provided opportunities and means for the exercise of virtue—the prerequisite for participation in political life. I pointed out the ways that reciprocity within the associations Aristotle describes can lead to the exercise of the virtues, and that it was this which qualified those individuals for membership in the political association, in Aristotle's terms. Treating equals equally is what Aristotle considers just, and my democratic interpretation of Aristotle works within that framework. I also argued that the marginalization of any one group based on capability did not in fact allow the political association to serve its purpose—which is to encourage the good life for all its members. This, coupled with Aristotle's assertion that the voices of the many were often more virtuous than the few, provides justification for democratic citizenship—founded in Aristotle's contribution theory. Everyone who demonstrated the ability to reason would be a citizen; all would receive the fullest training needed to reach their potential. To argue that something like a concept of human flourishing is applicable to modern democracy requires this step.
Nussbaum, by contrast, operates under the liberal assumption of inherent human worth and dignity. Pairing that with equal consideration for every individual's personal potential utilizes a democratic notion of equality (one based upon free birth rather than merit) and is emphatically not what he envisioned for his polis. Neither is it what he recommended for the imperfect (potentially more democratic) forms of constitutions, as they are organized more around the democratic and oligarchic mechanisms which aim at the mean than the development of citizens. Nussbaum must, therefore, essentially strip out Aristotle's concept of justice – both in his polis and in the imperfect constitutions – to make room for her theory of human capabilities. In the end, all Nussbaum can take from Aristotle is the idea that it is the job of politics to make the development of human life a public matter. She cannot use Aristotle to say what that life should look like and she cannot use Aristotle to say whether what she proposes is just. This strikes me as ironic because, on the face of it, a theory of human capabilities seems a robust critique of liberal democracy; however, given the multifaceted, complex republican critique Aristotle offers, Nussbaum actually brings very little of him.

II. Virtue and Conflict—in search of the good life under imperfect constitutions

In an attempt to bring together Aristotle's accounts of both ideal and imperfect constitutions, Bernard Yack poses the question, can citizens achieve the good life when the only existing political communities are flawed ones? It is a good question to ask. Aristotle goes to great lengths describing the constitution which will foster citizens and rulers who possess both moral and intellectual virtue, a constitution which makes and
allows for truly excellent citizens. But this constitution has never existed. Plato would say that this fact doesn't make the theory of the perfect city any less perfect, just as a sculpture is no less beautiful because it can't refer to anything so perfect in actual existence. But does the perfect city existing in theory mean that the flourishing citizen only exists in theory?

Yack attempts to answer this question by drawing particular attention to the role of conflict in Aristotelian political theory, integrating this element into all constitutions, claiming that it is a constitutive part of a regime, and that it is inevitably present in any form of political life. Thus, dealing with it is the only way to approach the good life, if the good life can be reached at all. Yack examines the role of conflict in political friendships, in law and conceptions of justice, and through analysis of the activities Aristotle associates with the good life.

He builds his case by calling into question the standard definition of community and then broadening it in accordance with the ways Aristotle uses it. One of his primary aims is to debunk the contemporary communitarian logic that 'community' implies harmony or collective identity. Aristotle's use of the word community (koinōnia) in the Ethics is very general, referring to fleeting relationships such as business transactions and lasting organizations like religions. Communities require heterogeneity, something shared (an activity, feature of identity, etc.), interaction related to that shared thing, and some sense of friendship (Yack 1993, 26-29).

In Aristotle's account, it is both justice and friendship which hold a community together: friendship inspires us to seek the good of others as well our own, while justice
provides a sense of mutual obligation. These are evident even in exchange relationships, where we enter into the contract for our own gain. We are still hurt by a breach of the contract, by the other not honoring the agreement. "Our natural sympathy for others grows out of and is shaped by the kinds of ends and activities we share with them" (Yack 1993, 39). We want our friends to do well, and we want people to feel bound by the agreed upon rules of the community. We naturally come up with ways to hold each other accountable depending upon which communities we're a part of. Political friendship, according to Yack, is one of mutual advantage rather than affection. "Members of political communities come together because they have different skills and goods, not because they share virtues or affection." (Yack 1993, 55). Political justice binds people together as much out of conflict as cooperation, in that the members are all accountable to one another for determining, interpreting, and implementing the laws which will govern them.

Thus, Yack holds conflict to be at the center of political life. The shared identity of the citizen, the shared project of governance, does not imply a shared will. This conclusion by itself is not particularly staggering. It is largely a revision of an overly romanticized idea of communal living. The modern communitarian should not mourn the loss of a harmonious, tightly-knit political sphere, but should instead recognize that conflict is part of sharing in political life.

Since, according to Aristotle, the political community is the source of the laws and institutions that allow humans to live well, and since all existing constitutions are flawed, the more interesting question is how the good life might be achieved in those
communities which are rife with disagreement between and within social classes. The political community allows people to develop their highest natural capacities, but this natural community is also fundamentally imperfect. "In the political community human beings share something of the greatest importance...If we need the political community to develop and perfect our nature, then nature has thrust us into a most problematic and precarious position...[W]e are, it seems, the only social species that depends for its development on a form of community so internally unstable and unreliable" (Yack 1993, 7).

Unlike Arendt, who thought that the exercise of rational virtues meant divorcing the political will from necessity in order to be free, Yack claims that it is the contingent nature of politics which develops the rational faculties, and I agree with this reading of Aristotle. "Aristotelian political community is not an ideal that we approach the more we eliminate the influence of selfish individual interests. Self-serving actions, just as much as self-sacrificing actions, can express the shared expectations and identity introduced by this form of communal life" (Yack 1993, 10). To put a finer point on it, political actors generally approach political problems with the desire for some end—to provide for their community, to defeat some bad piece of legislation or policy, etc. These actions can be in the actor's interest, and also in pursuit of the good of the political community.

Even though citizens possess conflicting beliefs, they share in the process of determining the most just course of action. And this, according to Yack, is considered friendship because citizens are willing to make sacrifices for each other, as evidenced in individuals risking their lives in defense of their community and in other less extreme
The friendship between citizens is one based on the legal articulation of mutual advantage—reciprocity founded in law, rather than moral character. The citizens improve their moral character by following the law and honoring their agreements, not by trusting their fellow citizens to do what's best for them (Yack 1993, 117).

Yack argues that it is not just the interaction between citizens which constitutes political life and potentially the good life; it is adhering to the laws of that community. Even the imperfect regimes encourage the development of moral virtue through law because all laws have some justice in them. Every regime (barring a tyranny) wants its citizens to be just in some ways—moderate, courageous, prudent, etc (Yack 1993, 106). "In recommending the rule of law, Aristotle is merely suggesting that ordinary political communities will fare best when citizens are influenced by a disposition to follow and govern by means of general rules" (1994, 196). The rule of law constrains political action and limits political choices, but it is nonetheless desirable because it accustoms citizens to a certain standard of justice (even if it is imperfect), contributes to moral education through the repetition of legal acts, and promotes adherence to regular rotation of public offices (Yack 1993, 203-204). The law is considered general justice, and according to Yack, is political justice because it doesn't rely upon external standards. It is the activity of doing what's possible given the circumstances in pursuit of the common advantage.

Yack argues the human good, that is, the pursuit of the good life in Aristotelian terms, does not necessarily provide the standard for assessing the justice of law and policy. The standards of a good human life place ethical limits on what choices are made,
what a person is willing to do or to sacrifice, but those limits are not always the means of determining what is just politically (Yack 1993, 168-170). What is just politically is what's best for the constitution, and pursuing that course may very well take away from an individual's ability to flourish. Just as pursuit of the good life limits what a person is willing to do for their community, commitment to the common good limits what a person is able to do for themselves in regards to individual virtue because of the tension between political justice and individual virtue.

The basis for Yack's claim stems from the fact that, in Aristotle's best regime, only the wealthy few are citizens because they have the resources and the leisure time to lead a life of virtue. He bars the laboring class from citizenship, not because they lack the natural capacity for citizenship, but because they have to do the work. Therefore, Yack argues, Aristotle does not look for the common advantage found in political justice in the perfect regime. Thus, the best regime can't really offer a standard for assessing everyday political regimes because it does not look to the advantage of its own members, specifically the laboring class (Yack 1993, 169-170).

I disagree with Yack's assessment of justice and the best regime for two reasons. First, I think Yack mischaracterizes Aristotle's understanding of desert and contribution. Aristotle does indeed say that there is no natural difference between the laboring class and the wealthy, but he also specifically characterizes the work that the laboring class performs as slavish, which severely limits that group's ability to act with virtue. So, in fact, the distribution of political power is just in Aristotle's terms in his best regime because it reflects what the citizens are capable of contributing.
This leads to my second objection. As I demonstrated in chapter two, a convincing argument can also be made for the democratization of citizenship in Aristotle's best regime. Paying specific attention to the associations which can foster reciprocity and virtue lays the groundwork for wider, if not universal inclusion. Additionally, recognizing, as Aristotle does, the ways in which these associations produce assets which are common to the community undermines the necessity of a political hierarchy based on desert, as everyone contributes to the production of these assets. With this strongly democratic reading, the best regime can even more clearly be held as a standard by which to assess the imperfect regimes.

However, Yack's characterization of Aristotle's middle chapters on imperfect constitutions does not revolve around the comparison of institutions to reach the closest approximation of a good constitution. Instead, he looks at these regimes through the lens of class conflict and how Aristotle attempts to minimize it. This is, of course, not a bad or incorrect way to interpret these books, as conflict is the focus of Yack's interpretation. However, because it is the organizing principle of his interpretation, the conclusion he reaches about the centrality of conflict in the imperfect regimes is perhaps not the one he would wish for. He characterizes that conflict in this way:

"Class conflict is driven by the kind of indignation that injustice inspires rather than by unvarnished lust for power and material advantage. Without the expectations that citizens should live up to the shared standards of justice and acknowledge each other's right to participate in the formulation of those standards, the competing interests of rich and poor would not inspire the kind of conflict found in most political communities" (1994, 222).
According to Yack, it is because both wealthy and poor share the expectation of mutual participation and respect that conflict between the classes is so fierce. Competing views of justice account for the majority of disagreements in a political community, and this is why Aristotle prefers the mixed regime to any pure form of democracy or oligarchy. Here, Yack indicates before he even makes it what conclusion he will come to regarding the roll of conflict in the good life. The Aristotelian mixed regime is not the pitting of the wealthy against the poor in an effort to keep one from gaining too much power over the other. Rather, the institutions of the mixed regime make use of already established traditions and institutions to find the right balance of egalitarian and inegalitarian principles to guide it. It does not arm one side against the other. The mixed regime draws from both the wealthy and the poor, not because the two elements will necessarily stabilize each other but because the regime will take the best characteristics of each to develop the best policies. The mixed regime can pluralize the one-sided views of either side.

As for the middle class, itself, it serves as a further stabilizing factor. As Yack puts it,

"Middle class citizens have what we might best describe as 'simulated virtue.' Without in fact developing the virtues of character that would dispose them toward justice and willingness to promote the common good of the whole community, the social position of 'middling' citizens disposes them, more than most other citizens, in the direction that virtues of character would dispose them" (1994, 238).

The middle class is less envious of the rich and less fearful of the poor, more reasonable, and willing to share public offices—all attributes which contribute to the
stability of the constitution, as well as to the mean. The question remains, however, whether these attributes can lead to the good life, or if the middle class will never achieve more than 'simulated virtue.'

Yack does not seem overly optimistic. "Apparently, the 'difficulty' of attaining a good character under bad laws is, for Aristotle, a constitutive element of moral education and action for almost all human beings" (Yack 1993, 243). Yack quotes Martha Nussbaum as saying, "much that I did not make goes toward making me whatever I shall be praised or blamed for being" (*Fragility of Goodness*, 5,2). I take this to mean that living and making good choices within an imperfect regime is part and parcel of becoming a morally virtuous person; however, the institutions of these regimes play such a significant role in the citizens' development, it's difficult to see how morally virtuous individuals would emerge given how much of an impact the constitution has on the individual's disposition.

Yack's characterization of Aristotle's system of public education also points to his conclusion about whether the good life is possible in an imperfect regime, or whether it remains a "limited good." He claims that the task of instilling moral virtue and practicing moral action is coercive by nature and determined by the regime of which it is a part. Its purpose is to instill good decision-making skills, but to do so in a way that will point these actors in the direction of what is in the interest of the constitution. Yack asserts that it is not a limitless exploration of different conceptions of justice (Yack 1993, 232). Good decision-making occurs within a certain set of choices. Upon entering the political community as a full member, the good citizen makes the best choices, given the context
and constraints they encounter, in pursuit of the common advantage and in pursuit of the mean.

Even if the political community is rife with conflict, if the bonds of political friendship and justice inevitably result in disagreement over conceptions of just desert, the *entire logic* behind Aristotle's assessment of the imperfect regimes is to test for the ones which minimize conflict most effectively. Even if Yack wants to say that certain individuals can achieve the good life given imperfect circumstances, he has to acknowledge the fact that Aristotle wants to tamp down as much of that conflict as possible through civic education and the political institutions which determine the balance of power between the few and the many. Even if Yack declares conflict to be at the heart of Aristotelian politics, he's not solving a dilemma that Aristotle has any interest in. Conflict cannot be a constitutive part of human flourishing in Aristotelian terms because Aristotle wants to minimize conflict in these imperfect regimes.

And in the end, Yack recognizes this fact, making the synthesis between the good life and imperfect regimes incomplete. While conflict may provide the circumstances for the exercise of virtue, political life as Aristotle envisions it takes every opportunity to prevent, or at the very least overcome, these circumstances. Here, Yack reminds us of the superiority of the contemplative life over the political one and recommends it be incorporated as a way of escaping the trials of public life and at the same time supplementing what is gained there. However, adding in the contemplative life doesn't seem any more feasible than hoping for a just constitution to foster moral excellence. How, in a constitution not even good enough for the true exercise of *phronesis* can
individuals hope to practice *theoreia*, particularly when contemplation comes later with experience, after the citizen has lived a life of public excellence?

"Most acts of justice and prudence involve establishing and maintaining standards of behavior that support a relatively decent but imperfect political order within a community. Without the sources of civic disorder, there would be relatively little occasion to exercise these virtues...But Aristotle is unwilling to endorse war and civic disorder, even if they do provide the opportunities for the display of moral virtue and its fragile, aching beauty" (1994, 274).

Yack, it seems, gives up on the notion of conflict as a constitutive element of human flourishing. And he has to because there is no coherent argument to be made supporting the synthesis of the polis, which enables human excellence, with the imperfect regimes, which are flawed but must nonetheless continue to exist. Conflict may very well contribute to the exercise of intellectual virtue, but Aristotle cannot be the support for that argument. Because Yack focuses so narrowly on the role of conflict in political life, he does not argue for the approximation or pursuit of virtue through good institutions; he can only attempt and fail to find it in conflict. While I make the argument that conflict plays an important part in the pursuit of the good life (and look elsewhere for this theory of institutionalized conflict), it is also worth recognizing how Aristotle's analysis of imperfect constitutions remains informed in some way by the model of the polis. While Aristotle recognizes that flourishing is unlikely in these regimes, he shows the ways in which it can be approximated. The two accounts co-exist and remain in tension with one another because of Aristotle's hesitance to allow for destabilizing forces within his constitutional theory. The latter may emulate the former but not pursue a course which would undermine its constitution.
Everywhere that Yack finds conflict in public life, Jill Frank finds room for virtuous activity, claiming that in law, in a concept of justice, in the ownership of property, and in political friendship, virtue is needed. In every regime, individuals shape their constitution and are shaped by it. This, she claims, is the work of living in a republic, and it is a constant practice—making and being made by the constitution. Practicing virtuous activity in property ownership, in choosing just courses of action, in obeying just laws, and in maintaining political friendships exercises the human capacities and involves moderation and good judgment, both part and parcel of virtuous activity, and the political life.

Frank uses these categories of property, justice, law, and friendship to bring together the disparate ends of Aristotle's writings: his pragmatic evaluation of constitutions and his advocacy of the transformative power of political activity. By finding room for virtuous action in the ownership of property and the obedience to law, Frank, in contrast to Yack, locates rational human activity and, by extension, the potential for the good life, in imperfect regimes as well as right ones. Below, I will briefly explore how and why Frank argues that virtuous activity can take place in these areas. I conclude that, while a thorough attempt at expanding the Aristotelian understanding of virtue, Frank does not present a particularly inspiring account of democratic politics because she takes Aristotle at his word—that aristocratic institutions which bar those without wealth from participating can still offer opportunities for virtue for all. Frank argues for the "work" of democratic politics, but doesn't present a particularly democratic interpretation of Aristotle. Neither, as I will show, does she present a particularly meaningful
conception of virtuous action. Put together, Frank presents an overly optimistic picture of where virtuous action can occur by giving the reader a definition of virtue that would locate it almost anywhere, essentially rigging the game in favor of the status quo.

Specifically, Frank looks for sites of prohairetic activity: "characteristically human activity insofar as it discloses the character, the soul, and thereby the nature of the one who acts, specifically by revealing the degree to which, by the actions he undertakes, the actor is using the capacity for logos he possesses by virtue of being human" (Frank 2005, 34). This is the combination of intellectual and moral virtue which determines what choices we make, and whether they're good ones. What sorts of action fit this description?

According to Aristotle, only the leaders of a city need to exercise phronesis. Frank claims that, in fact, Aristotle leaves room for the people to develop a sense of justice themselves, specifically regarding what one citizen owes to another in an exchange relationship. This exchange takes the form of reciprocal justice. Exchange requires that an agreement be reached about what is commensurable – and what things can be treated as commensurable – for instance, corn for tools, or shoes for a horse. The use value of a commodity allows them to be compared so a judgment can be made about what is owed. Reciprocal justice recognizes 'unity and difference'—those involved in the exchange treat each other as equals, recognizing commonality, and also distinctiveness, considering their own needs and the needs of others. Reciprocal justice requires good judgment, ie, thinking analogically. (Frank 2005, Ch. 3).
It is this analogic thinking which allows citizens, not just rulers, to exercise *phronesis*. Through reciprocal justice, the division of labor between maker and user which Aristotle generally insists upon, becomes more flexible. Those who make one commodity also make use of others, giving them knowledge of their own needs as well as others'. Frank claims that reciprocity is what binds a polity together "by generating and regenerating relations among its practitioners, citizens and non-citizens alike" (Frank 2005, 100).

Viewing the relation between citizens in this way emphasizes the importance of partiality over impartiality. Impartial judgment is seen as an inherent characteristic of the office of judge, but in fact, Frank claims, Aristotle is not interested in impartial judgment; he's interested in *good* judgment. "This partiality depends not on a denial of self-interest on the part of the practitioners of justice but on the good judgment of these practitioners about their self-interest and also about the interests of those who are subject to their justice" (2005; 106).

While I think Frank makes a good case for the reciprocity to be found in the exchange relations she describes, I do not think this reciprocity has much of anything to do with *phronesis*. Political leaders must have *phronesis* because they have to continually confront new problems that require the application of moral and intellectual virtue in the drafting a solution. The exchange relationship outlined above at most requires moral virtue—the habituation of fairness, moderation, consideration, etc. Those involved in an exchange relationship may want to do right by the other, but this will not often require more than the technical skill to deliver what is owed.
Frank makes a similar argument for reciprocity regarding the Aristotelian rule of law, claiming that it is through the lived experience of obeying and questioning the law that citizens learn virtue. It seems unlikely that obeying a law would constitute virtuous action, as obeying does not require rational thought, only good habits (at best) or submission. Indeed, obedience would seem to be the antithesis of deliberate rational action. But Frank argues that for Aristotle, the law is not just an external force limiting the actions of its followers, but a living, changing code through which citizens direct their lives.

In enacting the laws, citizens and leaders exercise good judgment. In living under the laws of their constitution, citizens and leaders learn and practice moderation. And in disobeying laws which are harmful to the constitution, citizens and leaders uphold a standard of justice—that of their own constitution. As Frank puts it:

"If virtue 'preserves' practical wisdom and so produces good judgment and thereby lawfulness, the polity's proper constitution, by introducing predictability, pattern, and order into individual practices, safeguards and preserves lawfulness to produce the common judgment of the community, its common sense or consensus. In a sense, then, the rule of law is simply the product of practically wise habits and action. But these, in series, amount to something more than a simple aggregation. They amount to nothing less than a polity's constitution" (Frank 2005, 136).

Whether or not the constitution is viewed as a living document, or if its origins are obscured, living under – or in extreme cases rebelling against – its rules is made meaningful through everyday practice, according to Frank. Under the better constitutions, this practice would more readily contribute to the exercise of virtuous action, but even under an oligarchic or democratic constitution, Frank claims that the "work" of politics
requires something of its citizens, something that contributes to the development of their human capacities.

I am perhaps even more skeptical of this claim than Frank's previous one regarding exchange relations and reciprocity. As I argued earlier in chapter two, *phronesis* literally is the practice of self-direction. Obeying the laws and being habituated to those laws can at most be considered moral virtue—and that's only if the laws are good ones. The idea that an individual or a population acts virtuously in "everyday" political life and that this "makes" the constitution overly romanticizes or maybe exaggerates the role of the citizen in the imperfect regimes Aristotle and Frank describe. Under a rigorously democratic constitution when the citizens are also lawmakers (or at least rotate through office), it is of course true that political life leads to the exercise of *phronesis*, (although, I would argue, not always in the "everyday work" of politics which, again, only requires good habits), but to claim that just living under a constitution requires some kind of virtue makes the concept almost meaningless. If it is everywhere, is it anywhere?

Frank's most powerful contribution is her assertion that the ownership and use of property also requires virtue. She says, "Property in all venues and in all its myriad forms is held as one's own for use. With the transition from household to polity, individual and immediate use becomes a using with others, which is to say, common use. Property, this suggests, is both private and inherently political or public" (Frank 2002, 266).

Frank poses an expansive definition of property, separating it into two categories—the tangible stuff that we own like houses and land and crops, and what we "hold for
our own use." This includes the habits we possess which make us properly who we are. The possession of wealth is not just about ownership of property; it is also the activity of using that property. Therefore, the use of property is more than an external good; it is good in itself, as an activity. "[P]roperty is as much a practice or an activity as it is a tool or instrument and, more specifically, that properly practiced, property calls for virtuous activity of the soul." (Frank 2002, 269). In short, property has both a private and a public nature and knowing how to employ one's property for private as well as public use, be it (in Aristotle's time) through provisions for public meals or resources dedicated to public works, requires the kind of virtue that Aristotle thinks leads to a good life. In chapter two, using Frank as a jumping-off point, I argued something similar – that using property well is a kind of self-direction – though I would take Frank one step further. I think that self-direction in work itself, in labor, also contributes to the development of virtue and is the basis of an argument for workplace democracy.

Frank packages these elements together in a concept of political friendship, a kind of relationship which draws on both advantage and virtue, and which binds citizens together in public life. Advantage friendships are generally fleeting and prone to dissolution if one party feels that they are being slighted. For example, an alliance between the few and the many in the interest of preserving a constitution is likely to break down when either the many feels they are being dominated by the few, or the few feel threatened by the many.

But Frank argues that the friendship may continue if the means of dealing with the conflict is law, an agreement made between the parties. The "mutually advantageous
agreement between use friends" is an indication of their sense of justice and thus, something larger than their own self-interest (Frank 2005, 152). This means an orientation toward the common good as well since, if both parties are to benefit, the agreement can't be reduced to individual interest. In the case of a polity, mutual preservation may be the purpose of the alliance, and that may be based on self interest, but the alliance cannot be reduced to its individual members because those members must be willing to put the alliance ahead of themselves at times. Use friendships thus require their own kind of virtue—some sense of the good of the other.

A virtue friend, by contrast, is a kind of "second self," someone who is equally committed to virtue. Virtue friends are the most alike in all the different kinds of friendships, but they must still aim at and hit the mean in their own way, as no two people can practice virtuous action in the same way. Virtue friends are alike in their commitment to virtue, but different in how they reach it.

The political friendship, according to Frank, borrows from both these categories. It is entered into for the purpose of an end which is something other than the friendship—in this case, of forming and maintaining laws and a constitution. Political friendship requires virtue in the form of good judgment and moderation because pure self-interest is not enough to hold the polity together. Frank illustrates this form of friendship in the Aristotelian constitution, the so-called aristocracy or the democratic aristocracy (2005; 169-171), which combines aristocratic rule and democratic participation limited by a property requirement. She argues that a friendship between aristocrats and democrats is much more likely to last because both classes are more likely to be satisfied by the
distribution of honor and profit, whereas oligarchs are only satisfied with both honor and profit. She cites Aristotle's discussion of Carthage that, by giving the few the honor of political power, the people in return reap the benefits of their generosity, and have more time to devote to the improvement of their own financial situation. Increased profit for the citizens allows them to accumulate the amount of wealth to meet the property requirement and approach equal standing with the aristocracy both in terms of wealth and political power. The virtue of both classes improves, as the many learn to be moderate and the few learn to be liberal. (Frank 2005, 174-5).

When conflict inevitably arises, it is easier to manage. Conflict between aristocrats and democrats is different from oligarchs and democrats. The interests of the wealthy and the poor are not often compatible, whereas the excellence of the few and the freedom of the many complement each other. This is the combination which produces the middle course and a middle class which is most equal in terms of virtue and material wealth. This produces "a unity of the different" because even though there is gradual equalization along class lines, the individuals exercising virtue cannot help but be different from one another (Frank 2005, 177).

Frank thus ties together multiple elements of public life, as well as Aristotle's polis and the imperfect regimes, with virtue. In locating these alternate sites for virtuous action, she claims it is possible for citizens living under imperfect constitutions to exercise moral and intellectual virtue, to develop their rational capacities, and approach the good life. Of all the myriad sites for "prohairetic activity," I think Frank's discussion of property is the most useful, if for no other reason than working/laboring/disposing of
property are activities that many more individuals encounter day-to-day than the work of politics. Engaging in the practice of managing economic life I have shown in Chapter 2 provides significant opportunity for the cultivation of moral and intellectual virtue.

However, beyond this, I think Frank's assessment of virtue in Aristotle is limited by her acceptance of the aristocratic assumptions in the *Politics*. Even her discussion of property goes no further than the wealthy landowners who must decide how to make use of their wealth. In her final chapter, she examines one of Aristotle's better constitutions, the one closest to the polis, and places her faith (and it is belief in something without proof) in the willingness of aristocrats to learn from democrats. And that's in the best of all readily available constitutions. In short, I think Frank's account of virtue would have been a lot more satisfying if she had dug a little deeper, both into the actual meaning of intellectual virtue and its exercise, as well as into the democratic potential within Aristotle's own institutions and associations. She is right to argue for the potential of virtue in imperfect regimes, but she doesn't approach the question of where that virtue will come from with any kind of critical eye, claiming that it is just part of "the work of politics." But without some specificity regarding what that "work" is, relative to the constitutions Aristotle gives us, her account comes across as vague and, I think, overly optimistic.

**Conclusion**

Each of these three thinkers have quite a bit to offer to the contemporary commentary on Aristotle. Nussbaum's theory of human capabilities, Yack's insistence
upon the centrality of conflict in Aristotle's political theory, and Frank's claim that reciprocity and virtue can be found in the imperfect as well as ideal constitutions are useful politically and provide important insight into the working of democratic politics. However, I do not believe that these thinkers have engaged with Aristotle in very rigorous ways—instead appropriating what is useful and neglecting much of what makes him such a rich source for a theory of contemporary democratic politics.

Nussbaum turns Aristotelian flourishing into a liberal theory of human capabilities and, in doing so, strips out Aristotle's concept of justice, both in his theory of the polis and his constitutional theory—the former because she doesn't address his aristocratic justification for the unequal consideration of human development, and the latter because justice in his constitutional theory reflects the design of institutions, not human development. I am not arguing that the two are completely separate, only that Nussbaum treats them as if they were one, a unified source for a democratic theory of human capabilities which draws neither on Aristotelian virtue or justice.

Yack more directly addresses the tension between the polis and the imperfect constitutions by claiming that political conflict is present in both, and that, in order to approach the good life, conflict must be recognized as part of that process. But while conflict is certainly an inevitability in political life, Aristotle organizes constitutions in order to mitigate tension between groups. Even though Yack eventually concludes that politics can at best offer a "limited good," to investigate how dealing with conflict may approach the good life utterly contradicts the organizing principles of both the ideal and imperfect regimes. If, as Aristotle claims, conflict is what destroys a constitution and its
institutions are designed to minimize conflict, then conflict can't be what brings about the
good life in Aristotelian terms. So the whole project serves as little more than a gesture to
point out something that Aristotle clearly has an answer for.

But approaching the problem from Frank's perspective doesn't work much better.
In locating reciprocity and virtue in exchange relations, in shared ideas of justice and law,
in the use of property, and in political friendship, Frank uses such a shallow and vague
conception of virtue that the term becomes almost meaningless, applicable in even the
worst constitutions. She loses all critical purchase because she doesn't make any
criticisms of her own against the aristocratic institutions which actually do bar the *demos*
from sharing in the good life.

In sum, I argue that, had these thinkers offered richer, more subtle readings of
Aristotle, the application of their work to the overall critique of contemporary democratic
politics, and the liberal paradigm as a whole, would have been much more effective. As it
stands, their contributions to democratic theory as well as their readings of Aristotle reach
conclusions which are uninspired and uninspiring.
Chapter 6

Conclusion

Where does human flourishing stand, after this evaluation of both classical and contemporary literatures? How, if at all, can the concept of flourishing be made meaningful in contemporary democratic politics? In setting out to write a defense of flourishing as a republican critique of liberal institutions and attitudes about citizenship, I anticipated only needing to update Aristotle to modern standards of inclusion. I anticipated bringing his understanding of individual and public excellence to bear on our contemporary assumptions about citizenship, political participation, and economic life. This project has necessarily taken a different tack, exploring the limitations of Aristotle's vision of the virtuous population, and finding in Machiavelli a more dynamic theory of political action than adherence to the mean.

The contemporary interpreters, using the language and concepts articulated by Aristotle and Machiavelli, put together their own republican theories of citizenship and government to varying degrees of success. In evaluating these accounts for the strength of their interpretations of the original text, I have three proposals of my own—three means of constructing a meaningful account of human flourishing for our contemporary politics.

The first two involve the management of two kinds of conflict—1) political conflict between members of the socio-economic and political elite and the many, and 2) the tension between the virtue of the individual and the common good of the community. Because Aristotle would rather maintain an imperfect regime than risk its destruction by altering it, he can only hope that citizens approach a kind of flourishing together through
their participation in the institutions which preserve the constitution. In valuing stability over instability, the constitution takes the place of virtuous relationships in hopes of containing the tensions and ongoing conflict between the few and the many.

This move forces Aristotle to reject the possibility that the conflict within these regimes might itself improve them, not only leading to better institutions, but allowing citizens to do the very thing which exercises their rational capacities—determining what is good for their community. It is not enough to simply illustrate the ways that Aristotle accounts for conflict in his political writings (as Yack does). Aristotle was very aware of the centrality of conflict in political life, but he wrote at great length on how to reduce and manage that conflict, rather than how it might improve the constitution. Pointing out that the political association is rife with conflict has very little theoretical significance. Of more importance is the fact that Aristotle actively wishes to mitigate the effects of that conflict through his institutional setup and reliance on a middle course and middle class. Even though this middle course changes and evolves over time, the concept as an organizing principle for a political association remains functionally conservative.

It is here that Machiavelli becomes necessary and useful. In The Discourses, he outlines the institutions which allow the competing interests of the few and the many to clash without the kind of volatile conflict that destroys regimes. This institutionalized conflict does not lead to stability through political gridlock, as with the writers of the American founding, but instead encourages constant and renewed efforts to avoid domination by i grandi. The result is innovation and originality – as well as longevity – in state building and citizenship rather than stability and eventual stagnation.
The republican citizen in this case walks a unique path between self-interested individual and communitarian. Wishing to improve their means of articulating their political will and judgment and thus their political position, they must look to the advantage of the republic. In this way, the tension between the few and the many can be vital to the development of the individual. Institutional conflict can provide the conditions for rational decision-making—not only civil discord, as Aristotle seems to believe. Without an understanding of the democratic potential of political change, human flourishing must take a backseat to political stability.

On the surface, it appears odd that Machiavelli’s theory of political action might also contribute to the development of the individual, and not just the community's institutions. After all, Machiavelli takes great pains to excise concern for inner character from his concept of virtù. However, I argue that there is much to be explored in how virtù equips the citizen with the skill to navigate the balance between the individual and the common good. Susan Collins articulates the dilemma between these two goods in this way:

"The intersection between virtue as devotion to the community and as human flourishing proves to involve a crucial dilemma. The obvious difficulty, of course, is that justice is different in different political orders or regimes and the requirements of justice can vary depending on the circumstances, whereas, as Aristotle himself would insist, human flourishing is a single thing" (Collins 2002, 106).

Even under the best of conditions, a virtuous person can find themselves in the position of having to make a choice that "moral virtue can neither refuse nor accept" (Collins 2002, 107). Because, for Aristotle, obedience to the law is as much a part of moral virtue as dedication to an individual standard of excellence, the citizen of even the
best constitution will at some point disagree with a law and be bound by virtue both to obey and to object. Thus, in the determination of the the most just course of action, the individual must weigh the good of the community, that is, what the law dictates, against what constitutes the virtuous action for that individual and what they believe will truly benefit the community. For Collins, this marks the limits of what the political association can do for the development of the individual. This dilemma underlines the importance of the private space an individual must have for her own preferences and relationships that cannot be satisfied in a public life. Here, philosophical contemplation and virtue friendships can do what politics cannot (Collins 2002, Yack 1993).

However, while both Collins and Yack make a good case for private, non-political means of flourishing, I argue that the very dilemma between individual commitments and commitment to the common good is, in fact, constitutive of democratic governance. Machiavellian virtù, along with Aristotelian virtue, is necessary because the political actor must be able to navigate between individual good and the good of the whole. The citizen possessed of civic virtù is not bound only by the Aristotelian conviction that 'commitment to the constitution' and 'the common good' are synonymous. The very act of determining the best course of action when faced with domination by the few demands both moral and intellectual excellence. The political actor must know when to be virtuous and when to exercise virtù—when the community should pursue right action and when the needs of the community demand a sacrifice on the part of the individual (e.g. secrecy rather than honesty, violence rather than peace). These dilemmas occur regularly in politics, illustrating that, while Aristotle and Machiavelli may be at odds philosophically,
politically their theories are much more closely intertwined. Decisions whether or not to go to war, what projects to fund, how and who to reward—all require a determination between what moral virtue demands and what the community can achieve if the opportunity is seized. In recent history, marriage equality has gained momentum as a political issue and the time seems right for a federal stance on the issue, one which could shift politics forward toward ending discrimination against the LGBT community. But for many, marriage as an institution bears all the hallmarks of oppression rather than equality, and should therefore not be held up as the standard for equality. Deciding how to act in this case puts the question of what is morally right against what the community can achieve in a political debate.

Aristotle, on his own, cannot include this in his account of moral and intellectual virtue. According to Collins, "in light of justice's connection with law and the common good, its requirements are not the same as those of moral virtue as an end and a good in its own right. Understood as human flourishing, moral virtue is not defined by the requirements of the common good, whereas for the political community as such, justice has to be the highest virtue" (2002, 122). In other words, where moral virtue and political justice are at odds, there appears to be an obstacle to human flourishing for Aristotle—a person cannot sacrifice moral virtue for the good of the community and still practice individual virtue. The good citizen is not necessarily a good person. I submit that this is where virtù comes in: knowing when action is required to keep the desirous nature of i grandi at bay, even when that requires breaking the law, recognizing and seizing opportunities as well as possessing the strength to do so—both contribute to the
development of rational capacities, though of a different sort from Aristotle. This potentially unstable theory of political action is more dynamic and radically democratic, but only with the help of virtù which requires a willingness to make decisions that are for the good of the republic, even when they bypass moral virtue. It is my view that allowing for the tension between the few and the many contributes directly to the navigation between individual and common good which is constitutive of a concept of human excellence, even if it is not exactly like the one Aristotle constructs.

This is not to say that sacrifice on the part of the individual for the good of the community is wholly constitutive of eudaimonia. To make this argument would be to sentence all citizens to a frustrating existence, putting service to the republic ahead of individual cultivation. I am, however, claiming that this activity of navigating between virtue and virtù, between Aristotle and Machiavelli, is how a population approaches collective flourishing, and that it is at least partially constitutive of individual flourishing. And that this is my republican critique of liberal democracy.

Democratic interpretations of virtù and eudaimonia are not an easy sell. The dilemmas in democratic governance are most-often faced by leaders rather than everyday citizens. I have devoted much of chapters 2 and 3 to the ways in which these ideals can be practiced by the average citizen – from management of households and economic firms to participation political institutions designed specifically for non-elites. In the end, however, large-scale exercise of virtue and virtù may not be a reasonable expectation—and is certainly not one either Machiavelli or Aristotle had. However, the dynamic
creative ideal of both concepts is vital to a republican democratic theory, an ideal that can be mapped onto spheres outside political participation—which leads to my final proposal.

I argue that republican political theory has, at its core, an interest in the political significance of property distribution. However, beyond just this interest in resource distribution and use, I argue that attention should be paid to the actual character of work if any meaningful concept of flourishing is to be reached. Aristotle's reason for excluding the working class from citizenship is that they do not possess the leisure time to devote to exercising good judgment through *phronesis*. But part and parcel of this is the assumption that the nature of labor itself does not generally allow for the exercise of practical reason. What about this seeming inevitability can be altered? As there will always be a need for physical labor for the reproduction of the community, and reduction in the amount of time this takes is only likely to produce greater alienation for those who must do the work, the variable is the worker's relationship to his or her work. In what ways might its character be altered so that working might also contribute to the exercise of rational capacities? The same goes for the domestic sphere.

Applying Aristotle's own standard of democratic equality here is productive. If humans require intellectual virtue to flourish, then a republican form of government should provide as many opportunities for the development of virtue as possible—and this logically extends to economic life, not only political. In terms of institutional and attitudinal changes, the scope can be sweepingly broad or relatively minor, ranging from complete democratization of the workplace and social ownership of the means of production, to offering employees greater responsibility in their workday. The practice of
making decisions, eventually making good ones, is what contributes to the development of virtue and this can take place on as grand or small a scale as the firm requires. Broadly speaking, the economic life of the citizen takes up considerably more time than their political life, yet the workplace remains almost as paradigmatically non-political as the family. If, as Frank and Aristotle claim, ownership of property has both a public and a private nature, political and non-political characteristics, then surely the work done on that property does as well.

I think a similar case could be came for adapting the creative expansive force of the many away from colonialist dreams of glory and empire to innovation in economic life—ways for *il popolo* to contribute, compete, and be rewarded, while at the same time remaining engaged in the effort to avoid socio-economic domination by *i grandi*.

It is the task of a republican government to see to the development of its citizens, and increased opportunities for improving the reasoning capabilities of its citizens seems one of its first and most obvious responsibilities. The above three suggestions all seek to accomplish this—in political life, economic life, and on an individual scale. Both Aristotle and Machiavelli provide complex and conflicting critiques of liberal democracy, and even together they do not have all the answers. But the creative power of *phronesis* and *virtù*, as well as the ideal of *eudaimonia*, offer a compelling dialog with significant promise.
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