Justification of the State and Anarchist Alternatives

A Dissertation for a Masters Degree in Philosophy at the University of the Witwatersrand

Author: Tristen Taylor, Copyleft 2007

Student Number: 9510766A

Thesis Supervisor: Associate Professor Thaddeus Metz, Acting Head of the Department of Philosophy, University of the Witwatersrand

Number of Pages: 138

Word count: 42,995

DECLARATION

I declare that this thesis is my own work. It is being submitted for the degree of Masters in the discipline of Philosophy at the University of the Witwatersrand and I confirm that it has not been submitted before for any other degree or examination at any other University.

NAME: Tristen Robert Spencer Taylor

SIGNATURE:

DATE: 29th of August 2007

Acknowledgments

As Aristotle clearly points out, individuals belong to communities and have friends. Nothing they do is in isolation and this work has been no exception to that truth. In no particular order, I'd like to thank: Ben Gale for loaning me laptop after laptop, my comrades at Umzabalazo we Jubilee for allowing me to take some of the ideas expressed here and putting them into practice, Prof. Thad Metz for his patience and understanding during the long and silent intervals of between submissions, Doctors Myra and Rob Taylor for their moral support and urgings to get the beast finished, Dale Morris and Helga Halverson for their patient listening (and reading) to my ideas and their critical comments, Prof. Mark Leon for inspiring me to begin this project, Gila Carter for copyediting the final version, Dr. Penrose & the other (unknown) external examiner for their comments, Oliver and Keri Taylor for buying books in the US and sending them to me, Terry Turner for everything, and Katelin Taylor who has provided me with the ultimate necessary and sufficient reason to seek social justice and structural political change. If I've missed you in this list, my apologies and, please, take no offense for none was meant.

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Part One: Introduction

"Yet even the debased recent version of the New Economy had an important utopian component—a dream of meaningful work, flattened hierarchies, and the democratization of ownership."

--Doug Henwood, After the New Economy, pg. 262[1]

We are in trouble. The 20th Century was marked with genocide, war, famine, hatred and deeply disturbing economic trends. Current levels of inequality mirror that of the 1920s. Globalisation has resulted, through the mobility of capital and lack of labour mobility, in twenty-something financial traders sitting behind desks in New York and Tokyo and controlling economies of countries across the globe.

Africa has faced some of the worst of the 20th Century. Colonialism, imperialism, repeated famines, Apartheid, genocide, and continued naked exploitation by the West. Three point eight million dead in the DRC from 1998 to 2003, 800,000 killed in 100 days in Rwanda, and the current genocide in Darfur. HIV/Aids is decimating the continent's youth; what do South Africans do on Saturdays? They go to funerals.

Furthermore, the entire global economy is based on fossil fuels (coal and petroleum). To witness the depths to which we have a petroleum economy, take a look around you. Without petroleum, modern agriculture could not exist, there would be no cars or airplanes, no computers, no modern medicine, no electricity. There would be no plastic materials. There would be no modern

[1] Doug Henwood, After the New Economy (New York: The New Press, 2005), pg. 262.

economy, and we would all (those of us alive that is, as the 20th century growth in population has been made possible by petroleum) be riding horses to and from our subsistence farms. Quite simply, if the supply of petroleum dried up tomorrow, the world would enter a period of such utter economic collapse that terming it the "apocalypse" would be considered an understatement. Many of us would starve to death within weeks.

And, both petroleum and coal are running out. You might be unlucky enough to live to see the day when the Saudi taps run dry. We have reached the ecological limits of capitalist growth, with global warming being the most prominent of these limits.

So, what are we to do? Could political philosophy help? In the 19th Century, Marx thought he had the answer. Communism, mostly through the faults of his followers, failed in the 20th century. In 1873, the contemporary and great adversary of Marx, Mikhail Bakunin, warned of the dangers of Marx's political theory:

> They [Marx and the Communists] will concentrate all administrative power in their own strong hands, because the ignorant people are in need of a strong guardianship; and they will create a central state bank, which will also control all the commerce, industry, agriculture, and even science. The mass of the people will be divided into two armies, the agricultural and the industrial, under the direct command of the state engineers, who will constitute the new privileged political-scientific class.[2]

Quite so. But Bakunin's great enemy wasn't Marx or communism. It was the State itself.

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[2] Mikhail Bakunin, Statism and Anarchy (1873), http://www.marxists.org/reference/archive/bakunin/works/1873/statism-anarchy.htm.

There has been a recurrent stream of thinking running through political philosophy that our problems start with the State, and in order to have moral autonomy and freedom, we'd have to do away with the State. This is the basis of anarchism.

Radical elements within (mostly) Western societies have advocated the abandonment or destruction of the State at least since William Godwin's Enquiry Concerning Political Justice in 1793. Subsequent to Godwin, there has been a succession of revolutionaries and thinkers who have promoted the anarchist ethical ideal, from both the left and the right, up until the present: Max Stirner, Mikhail Bakunin, Leo Tolstoy, Peter Kropotkin, Emma Goldman, Murray Bookchin, Murray Rothbard, and Noam Chomsky, to highlight a few.

Further, these individuals have been highly influential in world affairs. For example, Ghandi's principles of non-violence were inspired by Leo Tolstoy (who based his opposition on the inherent violence of the State and the Christian belief in doing no evil); the results of Ghandi's application of non-violent resistance and village community economics, inspired by Kropotkin's economic writings, kicked the British Empire out of India.[3] When Peter Kropotkin died in 1921, a funeral procession five miles long and flying the black flag snaked its way through Moscow. Murray Rothbard, along with others, has been responsible for installing a radical, stateless version of capitalism into the economic consciousness of some of America's current elite. The dismantling of the welfare state in America and globalisation were, in no small measure, born from this idea. Noam Chomsky remains a thorn in the side of American administrations since the Vietnam War, with his books currently being punted in the UN's General Assembly.

The idea of a stateless society has not been confined to only Europe and America. During

[3] George Woodstock, Anarchism (Harmondsworth: Penguin Books, Ltd., 1962), pg. 218.

the early 20th century, anarcho-syndicalism (the mobilisation of the working class into unions that would then smash the State and install a new non-State order) was alive and well in South Africa. Moreover, the anarcho-syndicalist tradition in South Africa pioneered interracial working class solidarity and in 1917 formed the first African trade union—the Industrial Workers of Africa. This tradition also pre-dates the Marxist tradition in South Africa.[4]

However, all of the above anarchist thinkers & movements were born during or after the rise of the modern State, which is a relatively modern phenomenon. As pointed out in Part Two, the modern State arose some time after 1490AD. Is the idea that the State cannot be justified (especially in relation to an alternative form of societal organisation) as recent as the rise of the European nation-state?

Currently, the concept of philosophical anarchism (political philosophy's version of skepticism) lurks in journals and university halls like Nietzsche's blond beast, seeking to rip apart the foundation of most political philosophy and theory. Robert Paul Wolff coined the phrase 'philosophical anarchism' during his attack on the State, based upon an individual's right to moral autonomy. He concludes that:

> The defining mark of the state is authority, the right to rule. The primary obligation of man is autonomy, the refusal to be ruled. It would seem, then, that there can be no resolution of the conflict between the autonomy of the individual and the putative authority of the state.... Hence, the concept of *de jure* legitimate state would appear to be vacuous, and philosophical

[4] Lucien van der Walt, "Reflections on Race and Anarchism in South Africa, 1904-2004" (Institute for Anarchist Studies, 2004), https://anarchist-studies.org/article/articleprint/63/-1/8/. & Lucien van der Walt, Personal communication Jan. 2007.

anarchism would seem to be the only reasonable political belief for an enlightened man.[5]

The attack on the State has come from other quarters within the liberal philosophical tradition. A. John Simmons has contested that consent theories, the principles of gratitude and fair play are unable to provide the basis of political obligation; i.e. that individuals are under no obligation to obey the State. If true, this weakens the arguments of consent theorists like Locke and Rousseau and has great implications for political philosophy. As Simmons states:

> ...another consequence of my conclusion about political obligation is that, at least on traditional models, it involves denying that there are any governments which are legitimate....[6]

The doubts brought about by these philosophers and others regarding the State's justification are so grave that Christopher Morris, in the excellent An Essay on the Modern State, can defend the State against anarchist alternatives only on practical grounds; he virtually declares the consent-based justification of Locke, Rousseau, et al. dead, and arguments against the State based on choice-protecting natural rights justification to be exceedingly valid. Morris believes that non-State societies cannot exist in the modern world—they would be conquered by States, for example—and, thus, is willing to declare a State legitimate if it is reasonably just and minimally efficient.[7]

This thesis claims that the question of the State's justification has its roots much deeper than the Industrial Revolution or even the Enlightenment. The State's justification was fought out

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[5] Robert Paul Wolff, In Defense of Anarchism (London: Harper & Row, Publishers, 1970), pg. 18-19.
[6] A. John Simmons, Moral Principles and Political Obligations (Princeton: Princeton University Press, 1979), pg. 196.
[7] Christopher Morris, An Essay on the Modern State (Cambridge: Cambridge University Press, 1998), pg. 79, 139, 158.

between Aristotle and Plato. Right at the beginning of Western philosophy, 2,300 years ago, there was a choice between two fundamentally different and competing visions of how best we should organise ourselves. We had a choice between Plato's *Republic* and Aristotle's *polis*; the former became the preferred option and, in one form or another (if you'll excuse the pun), one that is still being replicated today. The central claims of this thesis are that Aristotle's *polis* is not a State, that Aristotle's ethics justify the *polis* relative to the State, and that a theoretical and revised version of the *polis* is justified relative to the State under Aristotelean ethics.

It is important to explore what was on offer from Aristotle's side. Not only has the entire body of Western philosophy been a response (in varying degrees) to the works of Ancient Greeks, Aristotle also had something that modern political philosophers don't have—a working, viable model of a non-State society. He had the Athenian *polis*, which provided him with a start. Aristotle's best *polis* was, by and large, a reformed version of Athens during its Golden Age. Aristotle believes that human perfection is only possible in such a society, and, if he is correct, then that has tremendous implications for how we should live. It could be that the last couple of millennia have been something of a mistake, and that the human race has lost its collective way.

Aristotle has become a much-misunderstood philosopher, primarily because of difficulties surrounding translations of his work. The fragmentary and seemingly contradictory nature of his works doesn't help either. As Carnes Lord (who has translated The Nicomachean Ethics) states:

> Probably the greatest weakness in virtually all current work on Aristotle's practical writings is a lack of attention to the fundamental issue of translation. That the very real problems relating to the composition and transmission of the Aristotelian corpus have long overshadowed other hermeneutic is certainly not surprising, but the effect has been an

> unjustifiable neglect of what is arguably a more basic neglect of what is a more basic matter.... In the case of Aristotle's practical or political writings, the question of purpose takes on acute importance for the reason just suggested.[8]

As this work hopes to explain in Part Three & Four, English does not have the equivalent terminology for many of Aristotle's key concepts; for example, *polis* does not equal city-state (or the State, as some translations have it), *eudemonia* is not mere happiness, and *philia* is more than we generally see as friendship today[9]. Further, modern values (such as universal human rights) are often superimposed upon Aristotle's work and Greek history, and this distorts the picture. Throughout this work and in particular in Part Three attempts will be made to clarify these concepts. This will require a fair amount of historical understanding.

However, one important concept so far has been assumed but nowhere near proved: the State. What is a State? Or, to be exact, what is the definition of the State? In order to effectively prove that the *polis* (or a variant thereof) is justified relative to the State according to Aristotelean ethic, we need to know what a State is.

At first glance, this seems to be a funny sort of query. States are all around us (in fact, they are the dominant form of social organisation), and we have no problems in talking intelligibly about them. Yet, pinning down what a State is and how it differs from empires, churches and other

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[8] Carnes Lord, Essays on the Foundations of Aristotelian Political Science, (Berkeley: University of California Press, 1991), pg. 4.

[9] As Edward Clayton has stated, "most people who read Aristotle are not reading him in the original Attic Greek but are instead reading translations. This leads to further disagreement, because different authors translate Aristotle differently, and the way in which a particular word is translated can be very significant for the text as a whole. There is no way to definitively settle the question of what Aristotle "really meant to say" in using a particular word or phrase…the Aristotelian texts we have are not the originals, but copies, and every time a text gets copied errors creep in (words, sentences, or paragraphs can get left out, words can be changed into new words, and so forth)." Edward Clayton, "Aristotle (384-322 BCE.): Politics" (The Internet Encyclopedia of Philosophy, 2006), http://www.iep.utm.edu/a/aris-pol.htm.

organisations is a devilish task. There are great grey expanses in declaring something a State; are Somalia and Afghanistan States? Is the European Union? Robert Nozick warns about the dangers of providing a solid definition of the State:

> Formulating sufficient conditions for the existence of the state thus turns out to be a difficult and messy task.[10]

Despite that dire warning, Part Two will attempt to do just that. Starting with Lawrence Krader's maxim, "If you would know what a state is, look around you."[11], a definition of the State will be arrived at via an analytical dissection of the few major definitions that do exist. The legal definition of a State (the Montevideo Convention of 1933) will be examined and found wanting, as will the substitution of government for the State. Max Weber's benchmark definition that, "The State is a human community that (successfully) claims the monopoly of the legitimate use of force within a given territory"[12] will be addressed in some detail. This work will take and defend the alternative view that the legitimacy Weber talks about is a legal legitimacy and not a moral one. Further, it will also be contended that Weber's State is an ideal one and that really doesn't help as the institutions analysed are all non-ideal.

During this process, the following definition of the State will be arrived at and defended: A State is a form of social organisation that essentially has A) a defined territory, B) a population, C) a government that is engaged in the organised use of force, D) a hierarchical structure.

A) to D) are essential conditions. In order for something to be a State, it must have all four

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[10] Robert Nozick, Anarchy, State and Utopia (New York: Basic Books, Inc., 1974), pg. 23.
[11] Lawrence Krader, Formation of the State (Englewood Cliffs: Prentice-Hall, Inc., 1968), pg. 6.
[12] http://www.faculty.rsu.edu/~felwell/Theorists/Weber/Whome.htm#words.

of these conditions. This definition of a State will be used to explain how other forms of social organisation (like empires) differ from States, and the concepts behind it will be elaborated in a pre-emptive defense.

If successful, Part Two will have have accomplished a great deal. It would have met Nozick's challenge and formed the basis from which the State can be philosophically analysed. Having a vague and elusive target is hardly conducive to clear rational thought.

Part Three's understanding of Aristotle's perfectionist ethics will set up the political discussion in Part Four (the role of the *polis*, modern polis and the State in promoting *eudemonia*). But what is perfectionism? Thomas Hurka, a neo-Aristotelian, in his aptly titled book, Perfectionism, provides an answer:

> This moral theory starts from an account of the good life, or the intrinsically desirable life. And it characterizes this life in a distinctive way. Certain properties, it says, constitute human nature or are definitive of humanity—they make humans, human. The good life, it then says, develops these properties to a high degree or realizes what is central to human nature. Different versions of the theory may disagree about what the relevant properties are and so disagree about the content of the good life. But they share the foundational idea that what is good, ultimately, is the development of human nature.[13]

There seems to be an intuitive appeal to this kind of moral theory. Shouldn't we promote all that is good about us? Shouldn't the goal, even the reason for the existence, of humankind be to realise its full potential? When human beings deteriorate into communal violence, when neighbours

[13] Thomas Hurka, Perfectionism (Oxford: Oxford University Press, 1993), pg. 3.

hack to death people they've know for thirty years as they did in Rwanda, when humans sink below beasts and smash the skulls of infants, we not only feel shock and horror, but also a lingering feeling of utter and terrible waste. Human beings, as the only conscious and intelligent creatures we know of, are capable of so much more; that there is staggering potential for greatness, for perfection.

To achieve a perfectionist justification for a form of social organisation (say the State or the *polis*) doesn't require an agreement[14] between the citizen and the State or *polis*. Neither does it necessarily require upholding certain inalienable rights. This kind of ethical theory requires the form of social organisation to promote the good life (for either all, many or a few of its citizens) in accordance with a particular view of human nature. The degree to which human perfection is obtained marks the value of the form of social organisation. Maybe the likes of Christopher Morris would find more hope in this kind of theory for a defense of the State, or it might be that the State has another black mark against it. Analysing the State in terms of perfectionism could be the next great philosophical battleground, and a potential refuge from the beast of philosophical anarchism. But, as this work will show, Aristotle's perfectionism is best suited to the *polis*, not the State.

Perfection, it is also worthwhile noting, means more than happiness or pleasure, and is very distinct from complex and simple forms of utilitarianism. A society geared along perfectionist principles may not produce happy citizens or the maximisation of pleasure for an entire society, far from it. As Alfred Naquet remarks in *L'Anarchie et le Collectivisme*:

> The true rôle of collective existence...is to learn, to discover, to know. Eating, drinking, sleeping, living, in a word, is a mere accessory. In this respect, we are not distinguished

[14] Or even an imaginary agreement.

> from the brute. Knowledge is the goal. If I were condemned to choose between a humanity materially happy, glutted after the manner of a flock of sheep in a field, and a humanity existing in misery, but from which emanated, here and there, some eternal truth, it is on the latter my choice would fall.[15]

If pleasure were to result from a perfectionist society, it would be a most welcome by-product, but not the end goal. Aristotle makes this point quite clearly in the Nichomachaen Ethics[16], and dramatically in the following quote from Book I, Ch. V:

> To judge from the lives that men lead, most men, and men of the most vulgar type, seem (not without some ground) to identify the good, or happiness, with pleasure; which is the reason why they love the life of enjoyment. For there are, we may say, three prominent types of life—that just mentioned, the political, and thirdly the contemplative life. Now the mass of mankind are evidently quite slavish in their tastes, preferring a life suitable to beasts, but they get some ground for their view from the fact that many of those in high places share the tastes of Sardanapallus[17].

In Part Three, this work will set out Aristotle's basic claim that the good life is attainable only by belonging to the correct kind of society (a *polis*) that educates its citizens in moral virtues. Moral virtues (such as courage and honour) and what this thesis will term "practical virtues" (friendship, health, long life) are integral components to the good life, which is a life lived in

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[15] Alfred Naquet, *L'Anarchie et le Collectivisme*, Paris 1904. Cited in Bertrand Russell, Proposed Roads to Freedom (New York: Henry Holt and Company, 1919), pg. 165.

[16] See Bk. X, Ch. 6.

[17] Sardanapallus (or Ashurbanipal) was the last great Assyrian king. Born 685 BCE, died 627 BCE, reigned from 669 - 627 BCE. Noted primarily for the formation of a great library of cuneiform texts at Nineveh. Said to have been the only Assyrian king to have learnt how to read and write. Source: http://en.wikipedia.org/wiki/Sardanapallus
It seems that Aristotle had a rather low opinion of him, for one reason or another.

accordance with two specific types of rational action.

To understand this claim requires a fair amount of history. Coming to grips with the ancient concepts underpinning Aristotle's philosophy helps in comprehending that philosophy, especially in regards to what a citizen and a man are.[18] Further, a detailed understanding of Ancient Greek attitudes to slavery also helps in understanding what Aristotle was up to. Part Three will spend a fair amount of time in establishing ancient values and concepts, and this provides assistance for figuring out how Aristotle has been misunderstood.

Finally, Part Three will decant the key components of Aristotle's ethical theory. The aim is to find those parts of Aristotle's ethics that are attractive and organise them in a manner that can be taken forward to Part Four's discussion. In particular, this work will find the societal aspects of Aristotle's work the most important.

But why should we focus on Aristotle alone? Surely philosophy has moved on; over two thousand years of thought must have produced something better and it can't all be footnotes. There are a couple of reasons: As mentioned before, Aristotle (along with Plato) stands at the beginnings of Western philosophy, and it is always nice to start at the beginning, especially when Aristotle and Plato defined two distinct possibilities for the "correct" kind of society (see below) based upon ethical systems. This is worth investigating. Also, Aristotle's ethical theories, as Ian Johnston has pointed out, also conform to commonly held ethical notions and are remarkably similar to how we teach our children to behave[19] (see Part Three for further elaboration). We tend to see that a moral person is a virtuous one and that certain types of lives are more worth living than others; for

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[18] It may be possible to figure out Aristotle without such historical reference but it sure does help.

[19] Ian Johnston, "Lecture on Aristotle's Nicomachaean Ethics" (http://www.mala.bc.ca/~johnstoi/introser/aristot.htm, 1997).

example, the life of a heroin addict is less worthwhile in moral terms than that of a committed social worker. In addition, Aristotle has been remarkably influential on other philosophers such as Marx and MacIntyre.[20] And, finally, Aristotle treats ethics as integral to political action. He not only tells us how to live in accordance with the good life, but also how we should get there as individuals and as a collective whole. He answers one of the big questions of modern times—How should we live?—through the combination of ethics and politics. As A. D. Linsey in the "Introduction" to The Politics states:

> For Aristotle did not separate, as we are inclined to do, the spheres of the statesman and the moralist. In the Ethics he has described the character necessary for the good life, but that life is for him essentially to be lived in society.... It is the legislator's task to frame a society which shall make the good life possible. Politics for Aristotle is not a struggle between individuals or classes for power, nor a device for getting done such elementary tasks as the maintenance of order and security without too great encroachments on individual liberty. The state is 'a community of well-being in families and aggregations of families for the sake of a perfect and self-sufficing life.' The legislator is a craftsman whose material is society and whose aim is the good life.[21]

In Part Four of this work, the argument will be that Aristotle's *polis* is not a State, but an entirely different kind of social organisation. The *polis* fails to meet some of the essential characteristics of a State. However, as will be pointed out in Part Four, the Ancient *polis* has its own problems (such as slavery) that make it an unacceptable form of social organisation, despite it being

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[20] Emile Perreau-Saussine, "Alasdair MacIntyre between Aristotle and Marx" (University of Chicago: http://ptw.uchicago.edu/saussine99.pdf, 1991), pg. 1

[21] Aristotle, A Treatise on Government (London: J M Dent & Sons Ltd, 1919), "Introduction". Edited by William Ellis. Republished at http://aristotle.thefreelibrary.com/A-Treatise-on-Government/0-1 Also known as The Politics.

best suited, at least for Aristotle, for human perfection. This does not mean that the idea behind the *polis* is dead, for there are key elements of the *polis* (mostly concerned with the citizen's political role in society) that can be incorporated into a theoretical modern polis[22].

This modern polis will then be defended against a series of practical objections regarding its viability. Could a modern polis produce electricity or enable its citizens to have time for political and philosophical pursuits? While the modern polis will be reasonably defended against such objections, a huge hole in the theory will be exposed, that of the modern polis's economic structure; to be exact, the lack of knowledge thereof. Much more work needs to be done on this point, for not only would any such economic structure have to meet the material requirements of a modern polis, it would also have to be in line with an Aristotelean-style perfectionism. Finally, the State's ability to provide the good life and install the correct kinds of virtues will be examined, with little solace for defenders of the State. In conclusion, Aristotle's ethics do not justify the State in relation to either the *polis* or the modern polis.

What won't be found in Parts Two, Three or Four is a basic overview of Plato's theory of the State. The *Republic* is not only vastly different from Aristotle's *polis*, but it was also different from the Athenian *polis* in which Plato lived. Further, as a student of Plato, Aristotle was fully aware of Plato's *Republic* and chose not to emulate it (this last point will surface in Part Four).

Plato's ideal society consists of three classes; the rulers (the Guardians), the military (soldiers), and the people (who's fate is to be ruled). This vision is of a highly stratified society, with a political elite comprised of philosophers making the decisions and with a military enforcing those

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[22] For reasons of clarity, the phrase “the modern polis” is without italics, thus differentiating it from both the Ancient and Aristotle's ideal *polis*.

decisions internally and protecting the *Republic* from external attack (Republic, 414b). The people obey like good children. The Guardians make collective decisions—although the best scenario would be if a philosopher of great virtue were a king (Republic 473c-e, 474b-c)—and are fit to rule for they have the best conception of justice (Republic, 411c-d). For Plato, the people do not have the intellectual ability to comprehend justice and make the correct decisions, only those select individuals who have been trained to do so have such ability (Republic, 374b-e). The *Republic* is an aristocracy where politics is a vocation for only the few.

Further, in the Crito, Plato provides a version of a contract theory as a reason to obey the State. To the best of this work's knowledge, this is the first written contract theory regarding political obligation. As Socrates is about to be put to death, he is given the chance to escape. He refuses because it was Athens that supported him and he, in a kind of debt, is bound to obey the laws of Athens. He has a contract with the Athens, and it must be fulfilled, even if it means his death:

> For, after having brought you into the world, and nurtured and educated you, and given you and every other citizen a share in every good that we had to give, we further proclaim and give the right to every Athenian, that if he does not like us when he has come of age and has seen the ways of the city, and made our acquaintance, he may go where he pleases and take his goods with him; and none of our laws will forbid him or interfere with him...But he who has experience of the manner in which we order justice and administer the State, and still remains, has entered into an implied contract that he will do as we command him.[23]

Is not Plato's *Republic* a State? It has a defined territory, a population (the people), a

[23] Plato, Crito, http://classics.mit.edu/Plato/crito.html.

government (the Guardians make the decisions, the soldiers enforce them), and a hierarchical structure. Plato also gives a philosophical reason as to why the State should be obeyed. While the definition of a State in Part Two is aimed primarily at modern States, Plato's *Republic* fits the bill.

And, is not the *Republic* a lot like what we have today? Every country is controlled by a thin, elite political class that operates on the mostly unsaid assumption that it knows what is best for the populace, not the people themselves. Economic and geopolitical decisions are noted to be too complex for the ordinary working class person. The decisions of this elite political class are executed, with the sanction of organised force, through governments. Dissent is often marginalised with arguments similar to that of Socrates's; if you don't like it here, then emigrate, leave.

Hyperbole it is not to say that the *Republic* triumphed. We certainly didn't choose the Aristotelean *polis*.

To sum up, this work aims to be an important undertaking, for it strikes at the heart of all that we are. From birth to death, the State shapes our lives. The State demands strict obedience to the law, even to the point of demanding, at the point of a bayonet, that we wear a uniform, pick up a rifle and kill our fellow man. There seems to be something awfully suspicious about the current situation, and the mainstream liberal approach has been to invoke the mantel of reform: representative democracy over monarchy, bill of rights vs. arbitrary whims of dictators, socialism vs. capitalism, forty-hour week vs. serfdom, and so forth. All well and good, but what if there is a problem in the actual basic structure, in our choice of social organisation, of the State? Isn't that worth evaluating? True human flourishing might be possible only for individuals free from the State, not bound to it in life and death like Socrates. The modern polis may be our hope. For as Emma Goldman once said:

Real wealth consists in things of utility and beauty, in things that help to create strong, beautiful bodies and surroundings inspiring to live in. But if man is doomed to wind cotton around a spool, or dig coal, or build roads for thirty years of his life, there can be no talk of wealth. What he gives to the world is only gray and hideous things, reflecting a dull and hideous existence—too weak to live, too cowardly to die. Strange to say, there are people who extol this deadening method of centralized production as the proudest achievement of our age. They fail utterly to realize that if we are to continue in machine subserviency, our slavery is more complete than was our bondage to the King.[24]

[24] Emma Goldman, "Anarchism: What it Really Stands For" in Anarchism and Other Essays (New York: Mother Earth Publishing Association, 1917 rev. 3rd edition), found at http://sunsite.berkeley.edu.

Part Two: The State

"The state itself has acquired a myth of power, endowed with a (mythical) will of its own, and is often an object of worship. Those who adore power for itself venerate the state, and create thereby a cult of the state."

--Lawrence Krader, Formation of the State, pg. 63

Why define the State? Surely, as citizens of States, we already know what a State is. Like obscenity, we'll know a State when we see one; intelligent individuals can and do have deep, engaging and insightful conversations about how a State should act, its history and its future without ever needing to define it. Perfect strangers can meet in the night and discuss statecraft, never once referring to a dictionary, let alone obscure philosophical texts.

Further, the reader of this ill-written and badly-argued tract, it could be pointed out, has made it this far *sans* definition, so where's the need? Why bother? Save some paper, save a forest, save the species. Couldn't the State be evaluated (according to whatever moral theory happens to be this month's flavour) with the commonly held but unarticulated concept of the State?

Well, no. The commonly held, unarticulated concept of the State is vague, open to interpretation, and quite unhelpful in justifying the State, if for no other reason that this unspoken, unwritten 'definition' is, by definition, impossible to either verify or disprove. This endeavour, as pointed out in Part One, is an important one, far too important to rely on a subjective definition of this sort: What Takamiya thinks a State is may not be exactly what Chang-Ho thinks it is, and vice

versa.

Without a clear, precise and objective definition of the State, this enquiry cannot move forward with any degree of certainty. The author would be like some nineteenth century European explorer arriving on the African Continent with an armful of mostly blank and highly inaccurate maps, a pith helmet, and bucket loads of hubris. No doubt travelling towards a sticky end.

Furthermore, the analogy between obscenity and the State breaks down like Detroit rolling iron circa 1979. The I'll-know-it-when-I-see-it definition[25] was used to make a legal ruling by a legal system that had not yet defined what constituted an article of pornography. This is not the case with the State. A legal definition—from a regional convention binding in the Americas—of the State was created over seventy years ago. There are actual words on paper to ponder.

However, before this legal definition is examined, it is useful to note that the commonly held but unarticulated definition has at least one important function. It can serve as a litmus test for more precise, written definitions. Any proper definition of the State should be rejected if it clashes too violently with the commonly held conception of the State; a definition of the State should articulate, to a degree, what we perceive a State to be, in the same manner that ethical theories tend to loosely match common conceptions of ethical acts. This is what will be termed the Krader Doctrine of, "If

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[25] US Supreme Court Justice Potter Steward, when concurring in Jacobellis v. Ohio, defined obscenity as: "It is possible to read the Court's opinion in Roth v. United States and Alberts v. California, 354 U.S. 476, in a variety of ways. In saying this, I imply no criticism of the Court, which in those cases was faced with the task of trying to define what may be indefinable. I have reached the conclusion, which I think is confirmed at least by negative implication in the Court's decisions since Roth and Alberts, that under the First and Fourteenth Amendments criminal laws in this area are constitutionally limited to hard-core pornography. I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description; and perhaps I could never succeed in intelligibly doing so. **But I know it when I see it,** and the motion picture involved in this case is not that." Found at http://www.law.umkc.edu/faculty/projects/ftrials/conlaw.

you would know what a state is, look around you."[26]

Article 1 of the Montevideo Convention on the Rights and Duties of States (1933) declares that:

> The state as a person of international law should possess the following qualification (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other states.[27]

Be warned. Just because a bunch of ministers of foreign affairs sat around a table and declared Article 1 to be the definition of the State doesn't necessarily make Article 1 the correct definition—the ministers could have got it wrong. Yet, Article 1 provides the beginning of a true definition, especially when converted into a more philosophical rendering:

> The State has the following essential characteristics (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other states.

The phrase "as a person of international law" has been rejected because it is an unnecessary (for our purposes) legal phrase designed to make international treaties and laws enforceable on a State. More to the point, the phrase does not signify an essential characteristic of the State. A State doesn't have to be a person of international law to be a State; a State (or even a collection of States) could exist in a world devoid of international law. Or, it is possible to imagine a world with only one State, and, hence, no international law.

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[26] Krader, Formation of the State, pg. 6.
[27] http://www.molossia.org/montevideo.html.

However, "should possess" can be safely converted into "essential characteristics"; Article 1 seems to indicate that if a State lacks (a), (b), (c), or (d), then it is not a State but something else. For example, if a State has no government[28] under this definition, it is no longer a State, as such has been the case in Somalia. Somalia has a defined territory (i.e. "Somalia" starts and ends at recognised borders), but no government to speak of, current and unsuccessful efforts notwithstanding.

At least two of these characteristics seem to hold true as essential characteristics; (a) a permanent population and (b) a defined territory. In regards to (a), it is exceedingly hard to imagine any form of human organisation of any description that is devoid of human beings or the minimum equivalent thereof[29]. Even if one could be imagined and even if such a vision were coherent, what would be the point? The reason for this enquiry into the State and anarchism is to examine the moral justification of the State and its alternatives; how should we live?[30] Examining a State without people—if such was possible—won't answer that question.

Yet, must a State have a permanent population? What does that mean? What about nomadic or transient populations? Requirements of permanency/transiency are dubious precisely because they are hard to define. How long must a population stay in one geographical area for it to be determined permanent? One year? Five hundred years? Two weeks? The same kind of questions

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[28] For a precise definition of "government", please see discussions beginning on page 29.

[29] It is conceivable to think of States with non-human but similarly intelligent beings (aliens or artificial intelligence, for example), and the arguments for and against the State would also apply equally to non-human but similarly intelligent beings. Analysing the State on perfectionist grounds may be a different story, perfecting alien natures may be different to perfecting human natures. Whilst interesting, that point can be kept to one side until the aliens arrive.

[30] The anarchist might frame this question in a slightly different manner: Should we live as subjects of some State or should we live as free men and women? The answer to this will also be provided (at least partially) in the results of this enquiry. If a State is more morally justified than an anarchist society, then the anarchist would have his answer; if, according to perfectionism, it is better to be a subject of some State, then so be it.

could be raised around the issue of a stable population. What counts as stable? Tricky and best avoided.

Anyway, States are not eternal institutions. Every State you see, will fall, will tumble and shatter and only be half-remembered in ancient books mouldering in dark, pre-nanotech libraries. Barbarians may cavort again amongst the architectural remains of once glorious capital cities.

Therefore, the concept of a permanent population can be safely abandoned for a simpler and clearer essential characteristic, a population. States must have populations, which must not be seen as applying to citizens (formal members of States) alone. What constitutes a citizen of a particular State is a matter of political science, and not relevant to this discussion. All that a State needs is a population; the privileges and the responsibilities of that population in regards to that State have nothing to do with the State having a population; those privileges and responsibilities could vary widely.

The concept of a defined territory—or absence thereof—has a greater depth than that of population, and will, as the argument progresses, have a vital role in distinguishing the State from other forms of human organisation, in particular empires. For the present, an examination of the concept of defined territory will suffice. States have starts and ends to their rule. Walk far enough in any direction and you'll either have to invest in a boat or you'll pass from the domain of one State and into another. You will reach a border, and the likelihood is that you will not pass unchallenged.

It is conceivable that the entire world could be ruled by a single State. If such an all-world State could be created, what would happen to the concept of borders and defined territory? Either the all-world State's borders would be the earth's atmosphere or other points beyond, or it would

have no borders and the self-declared right to rule the universe. If it is the latter case, as will be clear from later arguments, the all-world State is no longer a State but an empire.

Borders serve as geographical containments of a State's rule. Of course, the influence and power of a State can extend beyond its borders, but this is seen as an imposition (welcome or not) into another State's area. Within a particular area and according to theory, States maintain that they are the sovereign power and their rule does not exceed that particular area.

There is one area of possible confusion regarding the concept of a defined territory, and that is, who defines the territory? Is it other States? Is it a 'neutral' third-party such as the UN? Neither of these two can be the providers of a definition for it is conceivable to have a world with only one State (surrounded, for example, by hunter-gatherers or pastoralists) and no 'neutral' third-party. Who then?

States define their own borders. Other States may not agree with a particular State's declaration of its borders, and this often ends in a condition men term *warre*. A State makes a declaration that its rule ends at one spot or another, and then dares all others to disagree; i.e. this declaration is not derived from other States, non-state societies, or third-parties, but from the State itself. A defined territory is the result of a particular State's vision of its place in the world. The unitary vision of a State may not be correct in terms of international relations, but it is the State that defines its territory, even if in error. For example, China declares that Taiwan is a province of China. Some countries do not agree with China on this matter, including the Taiwanese. However, the Chinese are not in doubt about Taiwan's status. The dispute over the borders has lead to a sticky situation internationally, with the Chinese ready to invade Taiwan and the Taiwanese mobilised to defend with support for the USA. Another example is the long running border dispute between

Pakistan and India, with Pakistan declaring all of Kashmir belongs to it and India declaring only a part (and, at times, that part is fairly ungovernable). This description of a defined territory allows for this kind of doubt[31].

In regards to (c), Article 1 of the Montevideo Convention is also correct. It is impossible to conceive of a State without a government (see below for a definition of government), and even if it were, it would clash violently with our commonly held, unarticulated conception of a State. Further, there seems to be every reason to declare that possessing a government is an essential characteristic of the State. So much so that the definition of the State has often been conflated with that of government, especially amongst Americans, who often use the phrase "the Federal Government" to indicate the State.

This confusion is not limited to Americans. Some anarchists have also toyed with the notion that the State is equivalent to the government. For example, Errico Malatesta, in his pamphlet "Anarchy", puts forth that:

> Anarchists, including this writer have used the word State, and still do, to mean the sum total of the political, legislative, judiciary, military and financial institutions through which the management of their own affairs, the control over their personal behaviour, the responsibility for their personal safety, are taken away from the people and entrusted to others who, by usurpation or delegation, are vested with the powers to make the laws for everything and everybody, and oblige the people to observe them, if need be, by the use of collective force.

[31] See discussion on ideal vs. non-ideal definitions of the State later on for more details.

> In this sense the word State means government, or to put it another way, it is the impersonal abstract expression of that state of affairs personified by government....[32]

Malatesta, after a brief discussion on other meanings, definitions if you will, of the word "State", concludes with:

> For these reasons we believe it would be better to use expressions such as abolition of the State as little as possible, substituting for it the clearer and more concrete term abolition of government. Anyway, it is what we shall do in the course of the pamphlet.[33]

In addition to conflating notions of State and government, Malatesta gives us a definition of government, which can be reduced to:

> A government is a series of institutions (legislative, judicial, military, political, and financial) which impose, through collective force, a social order on the people.

While this does seem to be a workable description of current governments—you could run with it, and will be used as this work's definition of "government"—it does seem linked somehow to the reduction of the State to government. Insert "State" in the place of "government" in the definition above, and you'd have a workable definition of the State, similar to Max Weber's famous definition, which is soon to appear in this discourse. Does this work? Are "government" and "State" interchangeable? Or is this a shining path to failure?

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[32] Errico Malatesta, "Anarchy", 1891, section 1. Pamphlet reproduced at http://dwardmac.pitzer.edu/anarchist_Archives/malatesta/anarchy.html.

[33] Malatesta, "Anarchy", section 1.

As tempting as it may be to declare the State synonymous with the government for reasons of clarity or even simple laziness, it, like most temptations, would be bad idea in the long term.

The State is not equivalent to the government if the government of a State can change without the State changing, and/or if governments can exist without States; e.g. human beings clumped together in some sort of non-State social grouping can have government. To take the former qualifier first, recent South African history seems to prove the point. In 1994, citizens of South Africa stood in long queues to vote in the first democratic election. The National Party was promptly voted out and the African National Congress was voted in, there was a new Constitution, and several institutions disappeared while new ones were created. The NP and the ANC were two very different parties, resulting in two very different governments. Yet, it must be asked, did the South African State disappear with the Nats?

Again, the answer is no. The South African State remained the same, and the name didn't even change to Azania. The replacement of one particular government with another did not equate to the replacement of that State.

Even if this recent example of a State remaining while its government changed weren't so readily at hand and looking through history for others was too much of a bother (one wonders how many governments have ruled the Chinese State, for example), a closer examination of the concept of government helps to differentiate between it and a State. A government is, quite simply, a decision making and enforcing body. Schools can have governments (the School Board or what have you), churches can have governments, and, more germane to the topic, groups of human beings can be ruled by a government without being in a State. Such groupings have existed, as real as concrete.

For example, the Crow Indians of the western plains of North America had a government that policed the buffalo hunt to the extent of punishing serious offenders with death. Four Crow associations (delightfully called Foxes, Lumpwoods, Dogs and Bulls) alternated governing the buffalo hunt. While the police function ended with the hunt, the associations did not disband. In a sense, they acted like corporations existing in perpetuity. Outside of the hunt, the associations took on the responsibilities of defending all of Crow society, rehearsal of social and religious dances, and providing mutual aid to members of each association; e.g., the Dogs association would look after the welfare its own members.[34]

While the Crow Indians had a government, they hardly had a State. They had a society with a government but 'outside' of a State. Other, more 'primitive' societies have had governments without States. Eskimos dealt with disputes between parties via a 'song-duel' held in front of the entire community which would gather especially for the occasion and later pass judgment. Eskimo society had no formal methods of solving disputes; no policemen, officers of the court, chiefs or councils. In a sense, when a problem arose, all of society then became the government armed with the mandate to judge the dispute. Once the dispute was solved, the government dissolved, to form again at another song-duel.[35]

In his discussion on Eskimos and governance, Lawrence Krader concludes that:

> The Eskimos have a simple form of governmental regulation of social behaviour: their court is not a permanent institution; it is convened as the occasion warrants, and after the

[34] Krader, Formation of the State, pg. 34-35.
[35] Krader, Formation of the State, pg. 30-31.

judgement the court is disbanded without fixing a time for reassemblage.[36]

Common sense tells us that neither Eskimos nor Crow Indians (or any other example even the most casual student of anthropology or archaeology could drag forth) lived in States. Furthermore, the governments of the Eskimo and Crow were hardly the kinds of governments we think States possess, unless, as some anthropologists have done, we declare that States exist in all societies, no matter how simple or complex. Or, to put it differently, all societies have States. Eduard Meyer and Wilhelm Koppers, in particular, have proposed that all societies have States; essentially, the dominating group in any society that maintains the unity of that society is the State.[37] This definition of a State is so watered down that it has no use in political philosophy, and, in fact, Meyer and Koppers have confused government (as the decision making body of a society) and the State.

To return to Eskimos and the Crow, while they had governments, their societies seemed to lack something that States have, some other essential characteristic. Could that characteristic be the capacity to enter into relations with States, as declared in the Montevideo Convention?

Well, no. Of course States do have the capacity to enter into relations with other States (hard to think of a State that couldn't do this), but, then again, non-State societies can also enter into relations with States and have done so before; for example, Native Americans signing treaties. Further, what happens in our hypothetical world with one State surrounded by hunter-gatherers and pastoralists? It doesn't have the capacity to enter into relations with other States for there are none.

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[36] Krader, Formation of the State, pg. 31.

[37] Eduard Meyer, History of Antiquity, 1921 & 1925. Wilhelm Koppers, Origin of the State (Paris: VI International Congress of Anthropological and Ethnological Sciences, 1960, 1963). Cited in Krader, Formation of the State, pg. 15-16.

There is also the case of the first State, which, by virtue of being the first State in creation, also could not have the capacity to enter into relations with other States for, again, there are none. And, anyway, this still doesn't define the State.

For example, a tribal society can have a defined territory, a population, a government (big man chief, for example), and could have the capacity to enter into relations with States; the historical precedents for such a society are not unknown. Yet, despite having all of these characteristics, such a society is not a State. A State is something different, and to determine what makes that difference, the Montevideo Convention must be left to 1933. Still, the Montevideo Convention has given us the essential characteristics of population, government and defined territory, and for that we must be grateful. Onwards into the past.

Fifteen years before the Montevideo Convention, the German sociologist Max Weber stood up in a Munich lecture hall and said:

> The state is a human community that (successfully) claims the monopoly of the legitimate use of force within a given territory.[38]

This is one of the more celebrated definitions of the State, and has been adopted far and wide, copied and pasted into uncounted Internet tracts and obscure email debates. Not only is it a clear definition, it is also concise and simple. There is even an intuitive appeal; the State does seem to be a violent agent. Almost every State on the planet and throughout history has had an army. Each one has had a police force, and many have had a variety of other security services. All of these

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[38] Frank Elwell, "The Sociology of Max Weber" (1996), http://www.faculty.rsu.edu/~felwell/Theorists/Weber/Whome.htm.

various organs (to borrow Alexander Solzhenitsyn's description of the Cheka, KGB, etc.) of the State are engaged in the use of sanctioned force. If an individual transgresses the State's law, the State (or other forces sanctioned by the State) then uses force, via the organs, to punish that individual.

States regularly detain people against their will for decades, many States kill lawbreakers, some chop off body parts, and others have clumped lawbreakers together in penal battalions, cannon fodder in a State-sponsored exercise in the finer points of mass murder. And, in the use of force, States typically don't allow others outside of their sanction to use force. States seem to be the sole sources of allowable force.

If we, as Krader suggests, look around us, we'll find States engaged in the sole use of allowable force inside their defined territories. So much so that in the pursuit of maintaining their status as the sole source of allowable force, States have seriously contemplated nuclear winter, megadeath, and how to deliver extremely lethal and utterly artificial strains of influenza to opposing populations. They have condoned, to paraphrase Dostoevsky, Cossacks impaling babies on the points of lances.

One important difference between the Weber and Montevideo definitions is that Montevideo defines the State in terms of form while Weber defines it in terms of function; the functionality in the Weber definition is the successful claim of legitimate force. While form has its place, defining the State in terms of function is also very important since function is an essential characteristic of the State.

Of the other parts of Weber's definition, the concept of defined territory has already been

explained, and the term 'human community' seems to mean that the State is comprised of human beings (it could be comprised of nothing else) and that the State's functions are carried out by human beings. In a sense, for these purposes, the Weber definition could be said to build upon the usable parts of the Montevideo definition.[39]

The key phrase, the characteristic function of the State, is its successful claim to the monopoly on the legitimate use of force. This is the critical part of Weber's definition, on which the validity of the whole is dependent. Two questions need to be answered here: 1) What sense of 'legitimate' is at play? The legal or the nonnormative? and 2) What qualifies as a monopoly on the use of legitimate force?

For something to be legitimate, it has an ethical sanction (justified), or it is permissible in terms of the law. Weber is using the latter sense of the word, and this sense of legitimacy (on one interpretation) comes out in his less-quoted but more explanatory definition of the State, a definition worth reproducing in its entirety:

> The primary formal characteristics of the modern state are as follows: It possesses an administrative and legal order subject to change by legislation, to which the organized corporate activity of the administrative staff, which is also regulated by legislation, is orientated. This system of order claims binding authority, not only over members of the state, the citizens, most of whom have obtained membership by birth, but also to a very large extent, over all action taking place in the area of its jurisdiction. It is thus a compulsory association with a territorial basis. **Furthermore, to-day, the use of force is regarded as**

[39] Leaving out, of course, the theoretical possibility of a State being comprised of non-human but still minimally equivalent intelligent agents.

> **legitimate only so far as it is either permitted by the state or prescribed by it.** Thus the right of a father to discipline his children is recognized—a survival of the former independent authority of a head of a household, which in the right to use force has sometimes extended to a power of life and death over children and slaves. The claim of the modern state to monopolize the use of force is as essential to it as its character of compulsory jurisdiction and of continuous organisation.[40]

This longer definition brings out some key elements not readily apparent in the shorter definition. The legitimacy spoken of seems to be very much of the legal sort (there is another interpretation, see below). The use of force within society and the mechanics of force (judiciary, executive) are bound through legislation. Therefore, it is the State that declares via its laws what it can and cannot do in regards to force. This is even true in the case of an absolute and arbitrary monarchy as the monarch's decrees, acts, commands, etc. are laws in and of themselves; they may not be the written code typical of today's states, but law the same for law can be both written and oral.

Further, this declaration can be traced back to the State itself and nowhere else. According to this definition, force can only be sanctioned by the State; there are no 'natural' rights to force as in the case of a father over his children or a master over a slave. The degree of force that an individual may use, from the merest of subjects to the highest of the State's agents, should be entirely dependent upon what the State decrees; the State and the State alone should rightly decide what degree of force (if any) a individual can use in any given particular situation, and it by and large

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[40] Max Weber, The Theory of Social and Economic Organisation (New York: The Free Press, 1947), pg. 156. Bold added. The bold section seems to also apply to the State's own use of force. The State's use of force can only be legally proscribed (or have ethical sanction) if the State proscribes it, as all force is, on way or another, permitted or denied by the State's legal system.

does so. Look around; what State doesn't have a set of highly complex laws surrounding the issue of self-defence? How many States restrict access to weaponry?

But, could a State's claims to legitimate use of force be somehow involved in whether or not its population (presumably a majority, but this could prove to be extremely problematic) considers the State and its government to be justified? This has sometimes been described, in technical terms, as nonnormative or conventional legitimacy.[41] By the way, this is yet another interpretation of Weber's definition; a State is something that is seen, presumably by the populace, as having a successful claim to a monopoly on the legitimate use of force. This also shows, as it is the third interpretation of Weber's definition, that there is defect in Weber's definition, it is rather vague. The more exact a definition can be, the better.

South African history does provide a counterexample to this conception of legitimacy. During Apartheid, the State and the government were not considered legitimate by the majority of the population (or having a monopoly on the legitimate use of force, witness self-defence units), and yet South Africa remained a State. There is a good chance that groups of South Africans still think that the government is illegitimate; for example, individuals on the far, far right.

Even if this counterexample is valid, the question may be worth a bit more print, but from a slightly different angle. Robert Nozick, in Anarchy, State, and Utopia, takes a different tack, albeit in a footnote:

> Attempts to explain the notion of legitimacy of government in terms of attitudes and beliefs of its subjects have a difficult time avoiding the reintroduction of the notion of legitimacy

[41] Morris, An Essay on the Modern State, pg. 102.

> when it comes time to explain the precise content of the subject's attitudes and beliefs....[42]

Replace "government" with "a monopoly on the use of force" in the quote above, and the point remains. Leslie Green, in Authority of the State, drives home Nozick's point:

> It is absurd to say, as some political scientists do, that a state is legitimate if it is believed to be legitimate by its citizens; for what are we to suppose they believe in believing *that*?[43]

Even if these beliefs could be tracked and nailed down, the issue behind the issue here is that it is first necessary to define the State before it can be decided if a particular State is justified. Christopher Morris helps to clarify and simplify this potential minefield. He starts with contrasting procedural legitimacy with more substantive and normative notions of legitimacy:

> While lawfulness may be an important attribute of legitimate states or governments, it is hard to believe that it confers the normative and substantive status we seem to be thinking of when attributing legitimacy. A state or government may be legitimate in a procedural sense by being lawful or by functioning in accordance with its rules or procedures. This would be a type of consistency, an attribute presumably of the "rule of law"....But it is not the sort of legitimacy we wonder about when we raise the questions central to this inquiry. These require a substantive notion.[44]

And, according to Morris, a substantive notion of legitimacy is connected to the issue of

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[42] Nozick, Anarchy, State and Utopia, pg. 134n.
[43] Leslie Green, The Authority of the State (Oxford: Clarendon Press, 1988), pg. 5. Cited in: Morris, An Essay on the Modern State, pg. 102.
[44] Morris, An Essay on the Modern State, pg. 104.

justification. This is so much so that in order for a State to be legitimate in the substantive sense, it has to be justified. This in turn puts the spotlight on justification, which Morris cheerfully deals with:

> To show a state to be legitimate, then, would be to justify its existence and (some of its) powers. This may be helpful but only if we become clear about justification....Broadly, to justify something is to show it to be just or right, to be reasonable, or to be warranted; it is to validate or vindicate. In epistemic contexts, justification pertains to beliefs or statements. For practical matters, it is principally acts or powers that are called upon to be justified. To justify a state, then, might be to show its powers to be just (or right) or reasonable.[45]

What is emerging in this brief discussion on justification and legitimacy is that procedural (or legal) legitimacy does not require justification, which is about what is right and what is wrong and degrees thereof. An action is done in accordance with the law or it is not, and the morality of the action has no bearing on its legal status. Normative and substantive (i.e. moral) legitimacy, however, does require justification. An action has substantive legitimacy if that action is justified, i.e. if the action is morally permissible.

As a slight deviation and way of clarification, claiming legitimacy can be achieved through the act, but justification requires more. Hard proof.

The beauty of Weber's definition of the State, at least on the legalistic interpretation of legitimacy (i.e., what Morris terms the "procedural" notion of legitimacy, see above), is that it encompasses all possible States. It encompasses even those States that are despised by their

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[45] Morris, An Essay on the Modern State, pg. 106.

populations or parts thereof, and those that are engaged in morally repulsive acts of force—kidnapping, mass murder, genocide, ethnic cleansing—which are officially sanctioned. It hardly seems, without getting into much ethical theory, that the Group Areas Act of 1950 and the US "Jim Crow" laws were not morally permissible, and, still, the American and South African States stood. On the legalistic interpretation of legitimacy, Weber's definition encompasses justified and non-justified States, and, thus, avoids complications regarding substantial and normative legitimacy and justification.

Weber's second point is somewhat new to the discussion. The State's jurisdiction is binding on all, and it is primary over all other examples of jurisdiction. For example, in the case between a religious ruling that A should do X in Situation 1 and a law that orders A to do Y (where Y is the direct opposite of X) in Situation 1, it is the State's law that should be obeyed, from the State's point of view. There is no higher authority than the State; that's what compulsory jurisdiction entails.

The two questions raised—what qualifies as a monopoly on the use of legitimate force, and what constitutes a successful claim—raise some doubts about Weber's definition. Is the monopoly that Weber conceptualises a virtual or an absolute monopoly?

Well, it would seem that if the monopoly applies to legal force and the State is the agent that defines what is legal, then the monopoly would have to be absolute. If, within a bounded territory with a human community, there is more than one agent declaring what constitutes legal force, there are two or more separate law-making agents, then there is no State. So, for example, Somalia is not a State because, within a bounded territory, there are multiple sources of claims of legitimate force (varying warlords and clans).

The same could be said about Medieval Europe. Charles Tilly, in Coercion, Capital and European States, AD 990-1990, describes a situation where more than one party has claim to the use of legitimate (allowing for a broad interpretation of legality and legal systems) force:

> None of these half-familiar place names, however, should disguise the enormous fragmentation of sovereignty then prevailing throughout the territory that would become Europe. The emperors, kings, princes, dukes, caliphs, sultans, and other potentates of AD 990 prevailed as conquerors, tribute-takers, and rentiers, not as heads of state that durably and densely regulated life within their realms. Inside their jurisdictions, furthermore, rivals and ostensible subordinates commonly used armed force on behalf of their own interests while paying little attention to the interests of their nominal sovereigns. Private armies proliferated through much of the continent. Nothing like a centralized national state existed anywhere within Europe.[46]

In fact, even where an agent in Medieval Europe claimed to be a ruler of an area, his rule hardly extended beyond his nose. Free cities, guilds, medieval corporations, religious orders, cults, liege-lords all claimed the right to rule and co-existed. Around 1000AD, the Holy Roman emperor, the Byzantine emperor and the Pope all claimed to rule the Italian peninsula. There was only one small snag; cities throughout the peninsula ruled themselves as independent and legitimate (in their eyes) political entities.[47]

What does seem clear, apart from anything else, is that Weber was on the right track. States seem to be the sort of things that do not allow unauthorised use of force. So was Weber correct? Is

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[46] Charles Tilly, Coercion, Capital and European States, AD 990-1990 (Cambridge, Massachusetts: Basil Blackwell, 1990), pg. 39-40.

[47] Tilly, Coercion, Capital and European States, AD 990-1990, pg. 40.

the missing essential characteristic an absolute monopoly on the use of legitimate force?

No, and, once again, the look-around method can help us out, provided we look away from Western Europe and North America, where the State does seem to have an absolute monopoly on the use of legitimate force. Time to go South. The Democratic Republic of the Congo and Uganda are two examples of States that don't have an absolute monopoly on the use of legitimate force. Inside Uganda and the DRC, there are significant geographical areas where the State's rule breaks down. Areas devoid of the State's agents, areas where the rules of social conduct and societal ordering come not from presidents and parliaments, but from rebel groups or even traditional authorities (rural Indian villages in Bolivia) who lay down their own sets of laws. In other words, inside the bounds of the States of Uganda and the DRC, there are multiple sources of legitimate force, keeping in mind Weber's legalistic interpretation of legitimate or the nonnormative-Weber interpretation for that matter.

Uganda and the DRC aren't the only examples of States with more than one source of legitimate force; the Sudan (where the south of the country is completely divorced from the North) and Columbia (where the FARC controls areas and makes laws within those areas) are two other examples. The Weber definition appears to break down if it is moved outside of the stable 'mature' States of Europe.

Unless, of course, one accepts that countries like Uganda and the DRC are not States, proto-states or some such similar not-quite-a-State description. Then it might be possible to hold onto the Weber definition. Some philosophers, for their own reasons no doubt, have decided to throw such States out of the category of statehood. Christopher Morris is one:

> In our world there may be a number of alternatives [to the State]. Some may not be appealing. The "quasi states" of Africa are states only in name, recognized as such by the international order of states.[48]

And,

> For one thing, the killings in Rwanda, at best a "quasi state", as well as those of Pol Pot, were not carried out by states.[49]

Once again,

> As we have seen, common conceptions of a state have to be very diluted if Andorra, the Vatican, and the "quasi states" of Africa can all be regarded as states.[50]

While it would be helpful to know which African countries are "quasi states", Morris's concept still merits some discussion. For Morris, are quasi states what others call "failed States" (Somalia, Afghanistan)? We don't know, for he is silent on the topic. Or, are they merely weak States, unable to project the State's power on part of its territory (Uganda, for example)? Again, nothing.

If the former, then Morris's target seems to be the definition that State A is a State if other States (B, C, and D) recognise it as such. This has been dealt with previously in a slightly different context; what of the world with only one State, which is surrounded by non-State societies? Or the

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[48] Morris, An Essay on the Modern State, pg. 52.
[49] Morris, An Essay on the Modern State, pg. 99.
[50] Morris, An Essay on the Modern State, pg. 104n.

all-world State?

Or, imagine the following: There exists an international order of four State-like societies. Societies A, B and C get together and recognise each other as States. However, society D was not invited to the conference (A, B and C don't like D), despite being functionally equivalent to A, B, and C; i.e. a member of any of those societies who emigrated would find life and governance in D similar to life and governance in A/B/C. In fact, A, B, and C dislike D with such intensity they ignore D to the point where they refuse to admit D is a State and isolate D as much as they can; they close the borders to D, refuse ambassadors from D, and publicly call D a non-State, quasi-State, or proto-State).

In this case, D would not be a State (despite being functionally equivalent to A, B, and C) because A, B, and C had not recognised it as such. This seems inherently wrong.

In regards to the strength of States[51], it would be wise to remember that even traditionally strong States have had internal areas where, for significant time-periods, they have been unable to enforce their rule. The United Kingdom, hardly a weak State and a nuclear power, was unable to enforce its rule over parts of Northern Ireland, where, in parts, it was the IRA that was the 'legitimate' power. Native American rebellions in the USA, such as the Apache under Geronimo (rebellion of 1875-1886), were other cases where a strong State on the cusp of world domination couldn't enforce its rule over all its territory. Was the UK during the 1970s a proto-State? Of course not. Was the USA in 1876 a quasi-State? Absurd. What might be important in these examples is that while the State sought a monopoly of the use of legitimate force, it did not have it all the time

[51] For Morris, it could be that a State is only a State if it has strength of arms; if a State cannot enforce its rule to all corners at all times, it is not a State, e.g. the DRC.

over every square inch of its territory, and a definition of a State must be able to accommodate this sort of flexibility or else every rebellion would, in effect, mean the end of the State.

Wishing away, then, examples of States where the State does not have an absolute monopoly on the use of legitimate force by declaring such States non-States is not only semantically confusing but also doesn't work philosophically. Yet, even on a more generous, virtual definition of monopoly, which may be a kinder way to read Weber, Weber's concept comes unstuck when religious authority enters the fray.

An early draft of the recently approved constitution of Iraq was reported to have an article recognising religious authority (in effect, an alternative source of legitimate authority). An Iraqi blogger had this to say about that article:

> *Article (12): The religious Marja'ia is respected for its spiritual role and it is a prominent religious symbol on the national and Islamic fronts; and the state cannot tamper with its private affairs.*
>
> *Marja'ia* in Arabic means 'reference'. Basically, this article discusses the 'religious reference' which should mean, I suppose, any religious *Marja'ia* in Iraq. However, in Iraq, any time the word *Marja'ia* is used, it is in direct allusion to the Shia religious figures like Sistani and the other *Marja'ia* figures in Najaf and Karbala.
>
> Why is it that the state can have no influence on the *Marja'ia* but there is no clause saying that, in return, the *Marja'ia* cannot tamper in matters of state or constitution? The *Marja'ia* has influence over the lives of millions of Iraqis (and millions of Muslims worldwide, for

> that matter). The laws of the *Marja'ia* for some supersede the laws of state. For example, if the *Marja'ia* declares the religiously acceptable marrying age to be 10 and the state declares the legal age to be 18, won't that be unconstitutional? The state cannot pass laws that do not agree with the basic principles and rules of Islam and for millions, the *Marja'ia* sets those rules.[52]

While this draft of Article 12 wasn't instituted into law, it does show that the there can be competing sources of legitimate (in the legal sense) use of force. It is imaginable that a State could exist where, in an uneasy tacit agreement, the economic and diplomatic affairs and law enforcement of a country are the State's domain, while all cultural laws[53] (how to dress, marriage laws, divorce laws, etc.) are the sole domain of a religious authority and are enforced by the same religious authority with that particular brand of blind ruthlessness favoured by fundamentalists the world over.[54] Such a State could have a total control of the business world, complete command of the army and police, and would require complete obedience (jurisdiction) on these matters, but would be powerless, for example, to decide if a husband could beat his wife. Furthermore, any attempt to bring the State into the cultural sphere would incite a terrible revolution. In this case, the State wouldn't have even a virtual monopoly on the use of force.

While the previous counter-example could be problematic—wouldn't the religious authority be acting as an organ of the State, akin to a police force?—it may not matter. Perhaps this discussion on what constitutes a Weberian monopoly and what he means by legitimate is all beside

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[52] Baghdad Burning, http://riverbendblog.blogspot.com/2005_09_01_riverbendblog_archive.html#112691250348607469.

[53] A State is not required for the promulgation and enforcement of laws. Guild associations, churches, even the Boy Scouts have a series of laws (a legal code) which could be, and often have been, created and enforced in the absence of the State. States just happen to be very good at writing laws and then enforcing them, usually much better than other forms of social organisation.

[54] Israel is another such example of how religion (especially Zionism) plays a competing role with the State for authority.

the point. Robert Nozick has this to say on Weber and the monopoly on the use of force:

> As Marshall Cohen points out in a unpublished essay, a state may exist without *actually* monopolizing the use of force it has not authorised others to use; within the boundaries of a state there may exist groups such as the Mafia, the KKK, White Citizens Councils, striking unionists, and Weatherman that also use force. *Claiming* a monopoly is not sufficient (if *you* claimed it you would not become the state), nor is being its sole claimant a necessary condition....[55]

What does seem to be important, what seems to be the core of Weber's definition, is that States are heavily engaged in the organised use of force and that they require compulsory jurisdiction. With those two points, it is now possible to provide a definition of the State, and this definition will be used to determine the justification on perfectionist grounds for the State.[56]

What is a State? A State is a form of social organisation that essentially has:

a) a defined territory

b) a population

c) a government that is engaged in the organised use of force

d) a hierarchical structure

Please also note that characteristics a) to d) are essential characteristics. If a form of social organisation has all of them, then it is a State. If a form of social organisation is missing one or

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[55] Nozick, Anarchy, State and Utopia, pg. 23.

[56] And, by extension, the substantive legitimacy of the State.

more—say a) and d), for example—then it is not a State, but something else. States necessarily possess these four characteristics, and do so in all possible worlds where States could exist.[57]

There may also be other characteristics typical of States—they may have flags, they may have armies or secret police, they may have national holidays and creation myths—but none of those are essential characteristics. For example, States are often thought to have armies as integral to their existence. So much so that an army is thought to be one of the basic building blocks of a State and that premise is hardly ever debated in the public discourse. Yet, Costa Rica disbanded its army on the 1st of December 1948. Costa Rica is not alone, for 24 other countries do not maintain an army including Panama, Iceland, Grenada, Liechtenstein, Mauritius, and a good number of the Pacific Island nations. While maintaining a standing army may be a typical characteristic of States, it is not an essential characteristic.

It is important to recognise that the State is highly involved in the social sphere, in how we live. In fact, the State is a form of social organisation (which includes but is not limited to political organisation), and the State organises society (and, in turn, becomes an expression of society) in a particular way. Weber alludes to this in his longer definition of the State:

> This system of order claims binding authority, not only over members of the state, the citizens, most of whom have obtained membership by birth, but also to a very large extent, over **all action** taking place in the area of its jurisdiction.[58]

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[57] A slight note of caution: There is a vaguely fashionable strand of thinking within metaphysics that pinning down the essential characteristics of things is impossible; things may not even have essential characteristics. This is outside the scope of this enquiry and, like epistemological concerns, will be roundly ignored. It is assumed that things do have essential characteristics and that those characteristics are knowable; if the converse is proved to be true, philosophy will have more to worry about than the validity of this enquiry. Further, the search for essential conditions may reveal a lot about the State even if those essential conditions elude us.

[58] Weber, The Theory of Social and Economic Organisation, pg. 156. Bold added.

Other thinkers have also highlighted this critical point, sometimes with a bit more force than Weber. The State shapes, limits and regulates society, and, if left unchecked, will do so until society resembles the State and the State resembles society. As a mode of social organisation, the State cannot be divorced from society, whilst remaining theoretically distinct. In The Rise of Urbanization and the Decline of Citizenship, Murray Bookchin lays out this distinction and relationship:

> In recent years, however, serious attempts have been made to probe the distinction between 'society' and 'politics,' which has traditional roots in theoretical distinctions between society and the state. The anarchists have been saying for years what everyone either knows or feels; the state is the not the same kind of phenomenon as the family, workplace, fraternal and sororal groups, religious congregations, unions and professional societies, in short, the 'private' world that individuals create or inherit to meet their personal and spiritual needs. This personal world can be designated as 'social,' however much 'government' penetrates, regulates, or, in totalitarian states, absorbs its forms.[59]

As Bookchin alludes to, the degree to which the State organises a society varies from mere regulation to building anew in its own image. Sometimes, maybe even often, we tend to consider the State existing independently of society, that the State is only a few buildings located in a faraway capital city and filled with eager bureaucrats. This seems to be the view of a few philosophers, David Copp being one of them:

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[59] Murray Bookchin, The Rise of Urbanization and the Decline of Citizenship (San Francisco: Sierra Club Books, 1987), pg. 32.

> The state is the system of animated institutions that govern the territory and its residents, and that administer and enforce the legal system and carry out the programs of government. A state corresponds to the legal system that is in force in a territory. It governs the people in all of the territory in which its legal system is in force. It rules, or has jurisdiction, in this territory. It is the animated institutions of government.[60]

Actually, Copp's definition is the first sentence of the above quote—he gets kudos for being concise—the rest gives him all the room he needs to add what is missing, i.e. that the State is a form of social organisation. The importance of not overlooking this is quite high: Populations are not merely governed. The State structures societies in very particular ways, often at very deep levels of social interaction; for example, States often determine who can marry whom (try marrying your sister), the education of your children, what the available (i.e. legal) economic activities are and how one should go about them (fishing with dynamite), what clothes you can wear (attend your next public event in nothing but a see-through raincoat), how one can get from A to B, and so on in millions of different facets of our everyday life. This is what is referred to as the "need for law and order" by commentators when discussing instances where the State's power and presence has disappeared from an area for a meaningful period of time: Iraq during the great looting spree of post-April 2003, post-communist but pre-Taliban Afghanistan, Germany in 1918 when rifles, prostitutes, and cocaine dealers occupied street corners across Berlin, and other temporary and limited Hobbesian states of nature. It is not so much security that is lacking in such environments, but the particular kind of social ordering that States bring. That is what is craved and often with good reason.

Of course, people, populations, and societies don't need to have states in order to have social

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[60] David Copp, "The Idea of a Legitimate State", *Philosophy & Public Affairs* 28 (1999), pg. 7-8.

organisation, even fairly sophisticated societies. Several examples of such have already been given—Eskimo and Crow—and need not be repeated. Other kinds of historical examples could also be brought forth, including feudal societies and the great empires (Roman, Mongol, Macedonia) of antiquity, all of which were highly structured forms of social organisation whilst being non-State systems. However, there is no need to do so at present. The Ancient Greek *polis* represents something of a unique case and will be examined in Part Four.

Even further, technologically advanced, culturally diverse, educationally deep non-State societies have been conceived of, especially in the realm of science fiction. Writers such as Ursula Le Guin (Dispossessed; anarchocommunism), Ken MacLeod (The Star Faction, The Stone Canal, The Cassini Division; mostly anarchocapitalism with some primitivism and mutualist organisations), and Iain M. Banks (Consider Phlebas, Use of Weapons, Excession; utopian/individualist anarchism) have all brought forth fairly complete visions of non-State societies technologically superior to ours but organised along radically different lines.

This is not to say such societies (or dreams of societies) are actually feasible; quite tellingly, all three authors either embrace or flirt with fairly substantial genetic modification of human DNA. However, that's beyond the point. Technologically advanced but non-State societies are at least conceivable.

This point may even seem trivial, almost akin to Meyer and Koppers's assertion that the dominating group in any society that maintains the unity of that society is the State. The State may be a form of social organisation, but, then again, almost all groups of people (i.e. populations) will have some sort of form of social organization. What's so special about that?

Essentially, it is the particular form of social organisation that makes States special. The State, as a form of social organisation, has been tremendously successful over a fairly long period of time. Apart from the Antarctic, States have got all the landmass covered and there is no meaningful or competing alternative. Even non-States like Somalia and Afghanistan are heading towards statehood; throw in the “quasi states” of Africa into the same pot if you so desire. There are very few chances for human activity outside of the State's sphere of control. States are exceedingly powerful.

Also, the development of the modern State has, historically, coincided with great advances in science, technology and human welfare; while we've been living in States we've put people on the Moon, created antibiotics, and freed ourselves from the curse of toothache. Further, it was never guaranteed that, at least after the fall of the Roman Empire, we would indeed live in States. One of the great observations of Charles Tilly's Coercion, Capital and European States, AD 990-1990 is that in 990AD there was no reason to suppose that the State would become the overarching, dominating form of social organization. According to Tilly, it could have all been very different. Further, the modern State system was born out of coercion (force) and the accumulation and concentration of capital:

> It took a long time for national states—relatively centralised, differentiated, and autonomous organizations successfully claiming priority in the use of force within large, contiguous, and clearly bounded territories—to dominate the European map. In 990 nothing about the world of manors, local lords, military raiders, fortified villages, trading towns, city-states, and monasteries foretold a consolidation into national states. In 1490 the future remained open; despite the frequent use of the word 'kingdom', empires of one sort or another claimed most of the continent. Some time after 1490 Europeans foreclosed those alternative opportunities,

and set off decisively towards the creation of a system consisting almost entirely of relatively autonomous national states.[61]

Something is quite special about the State. What is so special is often a matter of controversy regarding its desirability and even its nature. While you may not agree with his conclusions, and at this stage there is no reason to do so, Proudhon's classic diatribe on being governed alludes to the totality of the State's organisation of society:

> To be GOVERNED is to be watched, inspected, spied upon, directed, law-driven, numbered, regulated, enrolled, indoctrinated, preached at, controlled, checked, estimated, valued, censured, commanded, by creatures who have neither the right nor the wisdom nor the virtue to do so. To be GOVERNED is to be at every operation, at every transaction noted, registered, counted, taxed, stamped, measured, numbered, assessed, licensed, authorized, admonished, prevented, forbidden, reformed, corrected, punished. It is, under the pretext of public utility, and in the name of general interest, to be placed under contribution, drilled, fleeced, exploited, monopolized, extorted from, squeezed, hoaxed, robbed; then, at the slightest resistance, the first word of complaint, to be repressed, fined, vilified, harassed, hunted down, abused, clubbed, disarmed, bound, choked, imprisoned, judged, condemned, shot, deported, sacrificed, sold, betrayed; and to crown all, mocked, ridiculed, derided, outraged, dishonoured. That is government; that is its justice, that is its morality.[62]

So then, what is the State's engagement in social organisation? And how? The “how” is covered by the third essential condition: c) a government that is engaged in the use of organised

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[61] Tilly, Coercion, Capital and European States, AD 990-1990, pg. 43-44.

[62] P. J. Proudhon, General Idea of the Revolution in the Nineteenth Century (London: Freedom Press, 1923), pg. 293-294.

force. The “what” is covered by the last essential characteristic: d) a hierarchical structure.

A quick caveat. The range of different ways that States organise societies is quite varied and covers a fair amount of ground. States can organise societies from everything from the enforced totalitarian pageantry hell of North Korea to the invisible-hand fantasies of proponents of ultra-minimalist States. States can have aristocracies, liberal democracies, conscription, book weeks and book burnings, female presidents, gay rights, impale-a-gay day, children's rights and child labour. States can promote cricket and horse riding, or serve horse at State galas and ban track & field for women. States can shoot prisoners and bill their families for the bullets, or they can worry obsessively about penal reform and have campaigns to save hedgehogs. All well and fine, but this enquiry is looking for what is common to all in the range of States, and that is a government engaged in the use of force and a hierarchical structure. The relative merits of starving because the government has given all the food to the army and has none left for you vs. starving because you have no access to capital and the government has finally managed to scrap the last vestiges of the welfare state are for other discussions.

In the discussions of Weber and legitimate monopolies, the issue that States are engaged in use of force was put forth, and this seems, as much as anything is in the piranha pen that is philosophy, fairly uncontroversial. States, via their governments, use force, and not just to protect the realm from barbarians at the gates. States use force to implement social organisation; it is as simple as *do this or else*. And, let us not deceive, this force is physical force. States may try a variety of different tactics to institute the social order—convincing, showing the truth, plain lying, taxation, etc.—but, at the base, there is always physical force.

This is a simpler formulation than Weber's, and also recognises the fact, often ignored by

mainstream theorists, that the State does use illegal force. There's probably no State that has graced the surface of this planet that didn't, at one time or another (and most likely in periods of State formation and death), use force that was outside its (self-imposed) legal sanction. Black death squads, extrajudicial killing, secret kidnapping, torture, vanishings. Nazi Germany was gangster incorporated, and the gangsters in charge had figured out that, with enough physical force, any act could be made legal; still, when problems developed such as Rommel, Nazism remain true to its street-bawling roots and just dealt with them. These things happen. While it is possible to have a State without the illegal use of force, it does seem, at the barest minimum, that a State cannot exist without the organised use of force.

The social order that the State imposes is hierarchical with the State at the apex of that hierarchy (or hierarchies). In particular, the State stands above the body politic. The body politic is subservient to the State, and, in this relationship, compulsory jurisdiction is not only possible but the logical endpoint of the State's structuring of society. This hierarchy is maintained primarily by the government's use of force.

To lift from the title of his main work, the emergence of hierarchy has been Murray Bookchin's lifelong intellectual pursuit. His basic thesis is that hierarchy in human societies is the result of a long historical process. The generalised pattern starts with a hierarchy that develops between the young and the old in hunter-gather and pastoralist societies. The old, through years of accumulation of wisdom—weather patterns, animal migration, plant knowledge—become an indispensable fount of information to the society at large. This then translates into power, and gerontocracy results. A similar hierarchy develops between men and women, each occupying separate realms. The men begin to take over the political realm while the women (often bound by childcare) take over the household realm. This translates into the political domination of men. The

gender hierarchy sparks off a process of elite domination, mostly warrior and religious classes.

The agriculture revolution of the Middle East changes the economies of societies enabling the specialisation of certain classes. The society wide domination of the few over the many begins with kings and emperors.

The emergence of the nation-state (post 1490AD) marks a watershed in human history. The domination of the few becomes the domination of a bureaucratic entity, the modern State. The State attempts to organise society regimented manner in which it, and it alone, is the final arbitrator over the lives of its citizens and demands obedience. The relationship that the State has over the individual is akin to that of father over his child (although the State also defines this relationship). Murray Bookchin states:

> 'Patriotism,' as the origin of the word indicates, is the nation-state's conception of the citizen as a child, the obedient creature of the nation conceived as a *paterfamilias* or stern father, who orchestrates belief and commands devotion. To the extent that we are the 'sons' and 'daughters' of a 'fatherland,' we place ourselves in a mindless, indeed infantile, relationship to the state.[63]

Neither is Bookchin alone on this point. Hegel also stresses the hierarchical nature of the state, which is at the apex of society, and he believes this hierarchical structure is no bad thing. While Bookchin and Hegel certainly disagree with each other on the justification of the State, both have highlighted the structure of the State. Hegel states:

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[63] Bookchin, The Rise of Urbanization and the Decline of Citizenship, pg. 250.

> The state, which is the realized substantive will, having its reality in the particular self-consciousness raised to the plane of the universal, is absolutely rational. This substantive unity is its own motive and absolute end. In this end freedom attains its highest right. This end has the highest right over the individual, whose highest duty in turn is to be a member of the state.[64]

The hierarchical nature of the State cannot be stressed enough. A State can exist only if it structures power in a hierarchical, top-down manner, which is inherent in the State's structure. Any attempt by individuals to alter this power relationship results in a charge of sedition, often punishable by death. To actively reject the rule of the State—for example, refusing to obey laws and not paying taxes—inevitably brings the individual into violent conflict with the State. The only ways that an individual or group of individuals can avoid jail, death or other sanction is to triumph in a conflict with the State in a force of arms or wills. There is a zero-sum equation in such a conflict.

One further point about hierarchy and social organisation. Different States will have different depths and scopes of hierarchical structuring. Some States structure their economic systems in centralised and rigorous manners, whilst others will see no role for the State in economic affairs. Modern States regulate so much of society—for example, every economic transaction is regulated, often taxed, and what qualifies as an education and who can provide it are defined by the State—this point is best seen in issues such a sexuality, public health, free speech. Some States have passed laws banning homosexuality or oral sex. Other States have legalised prostitution, and others have said that rape doesn't exist between a married couple. Some States have outlawed negative comments against the government, and a few States have tried to enforce quarantines on HIV-

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[64] G.W.F. Hegel, The Philosophy of Right (Kitchener; Batoche Books, 2001), §258.

positive indivduals.

The range of social organisation along hierarchical lines amongst States can be very wide indeed, and is dependent upon both the ability of a State to project itself (the strength of force it can bring to bear) and its will to do so. Some States won't regulate the internal dynamics of religious organisations because they don't have the will to do so, despite having the power to do so. Other States have the will, but don't have the power to do so.

In effect, then, the provided definition is not a definition of an ideal State. Another way, and maybe the best way, to read Weber is that he has provided a definition of an ideal State, the State all others aspire to be. If this holds, then many of the problems experienced in regards to the Weber definition fall away, including the issues regarding nonnormative vs. legal legitimacy.[65]

However, this is not an ideal world, and the provided definition recognises that. Some States organise their societies better, some are more obviously hierarchical (such as aristocratic States) than others (Scandinavian welfare States). Other States are fairly weak, unable to bring physical security to part of its territory. In the abovementioned Iraq case, it may seem, had Article 12 been passed, that the State is not at the apex of hierarchy with religious institutions having authority over people's lives. However, it is the constitution of the Iraqi State that would have granted this authority. The State of Iraq would have ceded its authority, mostly likely because of a genuine

[65] Further, it seems that current States seem to aspire to the ideal State. There seems to have been, and continues to be, an increasing encroachment of the State upon society. The nanny State is on the rise in Europe, East Asia, Australasia, and North America. Jurisdiction is becoming more and more complete, and the State is seen not only as the final arbitrator of all disputes but the only possible arbitrator. In countries where the State's rule seems weak (as in Uganda, DRC), the trend is towards increasing strength and regulation. Other States often help to strengthen weak States, and, when a State collapses, it is a matter of serious concern for other States and their associations & clubs (UN, EU, G8, SADC, etc.) and a lot of effort, money, and lives are spent on re-establishing the State (Iraq, Somalia, Afghanistan, Bulgaria) and then strengthening it. If the State, in some form, is justified, then this would seem to be a positive development.

weakness on its part and not because of a genuine desire. If Iraq is a State, it is certainly a very weak one.

Just like there seems to be a fair variety in the different forms and characters of governments, the same applies to States. And, a non-ideal definition encompasses that, and takes into account the Krader doctrine of looking around oneself.

There is a disadvantage to a non-ideal definition; around the edges, things go grey. This seems to happen with weak States. Those States in political turmoil and structural decay. Ivory Coast and Liberia, at the moment, may be such examples. The questions are: At what point has the State lost the ability to organise society with any kind of meaning? How much of its territory and to what degree must the State control? When is the exact moment the rule of a State-run society starts and that of warlordism ends? What about wars of secession? One State or two?

To these questions, there may not be exact, theoretical answers. Instead, actual States will need to be dealt with on a case-by-case basis, and that, thankfully, is part of the job of political science. Let those students of politics examine, research, and then pronounce. Fair enough, and, as an example of how such thinking could occur, the case between States and empires is quite handy. An empire and a State have a lot in common: populations, governments, and hierarchical structures. The difference seems to be that empires don't have defined borders. They have frontiers.[66] A State declares its rule to end at some point or another (i.e. a line on the four-colour map), whilst an empire declares no end to its possible rule; it merely hasn't got around to conquering what lies beyond. While this is a difference, it is not such a substantive difference as to preclude arguments

[66] This can even be seen on maps. The boundaries of State's territories are very precise and quite detailed. The frontiers of empires are fairly vague.

working for and against the justification of the State to be applicable to an empire.

The words of Genghis Khan, founder of the largest empire of all, the Mongol, are fairly illustrative in this regard:[67]

> With Heaven's aid I have conquered for you a huge empire. But my life was too short to achieve the conquest of the world. That task is left for you [his sons].[68]

And again:

> Heaven has appointed me to rule all the nations, for hitherto there has been no order upon the steppes.[69]

When describing the Roman Empire, Edward Gibbon, in The History of the Decline and Fall of the Roman Empire, explicitly mentions frontiers:

> In the second century of the Christian Æra, the empire of Rome comprehended the fairest part of the earth, and the most civilized portion of mankind. The frontiers of that extensive monarchy were guarded by ancient renown and disciplined valour.[70]

And, on the desire to conquer:

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[67] About the Khan, a Russian chronicler was reported to have said, "He left no eye open to weep for the dead." Source unknown.
[68] Genghis Khan, http://www.wikiquote.org.
[69] Khan, http://www.wikiquote.org.
[70] Edward Gibbon, The Decline and Fall of the Roman Empire (Volume I, 1776), Chapter 1, *Introduction.*

> The seven first centuries [of Rome's history] were filled with a rapid succession of triumphs; but it was reserved for Augustus, to relinquish the ambitious design of subduing the whole earth, and to introduce a spirit of moderation into the public councils.[71]

Christopher Morris is well aware of this distinction and points out that the Roman Empire saw itself as having charge of the world[72], whilst Friedrich Kratochwil puts the issue to rest:

> The Roman Empire conceived of the *limes* not as a boundary, but as a temporary stopping place where the potentially unlimited expansion of the *Pax Romana* had come to a halt. The political and administrative domain often extended beyond the wall or stayed inside it at a considerable distance...The *ager publicus*, or public domain, had no boundaries; it ended somewhere, but this end was not specified by the means of a legally relevant line.[73]

Incidentally, something similar could be said about a religion, which could enforce hierarchical structuring, have a government and a population (the faithful). The domain of a religion is not bound by a defined territory, instead it (on a minimal account) is over believers wherever they may be. In addition, religions often claim domination over unbelievers, again regardless of location. Hence, a religion is not a state. If there's a Catholic on a minor planet orbiting an obscure star a gazillion light-years away, the Vatican still holds sway and she had better not have an abortion.

So, there it is. The State is defined, for ill or worse. Time to see whether the State is amenable to the good life. To do that, we need to know what the good life is.

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[71] Gibbon, The Decline and Fall of the Roman Empire (Volume I), Chapter 1, *Moderation of Augustus.*

[72] Morris, An Essay on the Modern State, pg. 30.

[73] Friedrich Kratochwil, "Of Systems, Boundaries, and Territoriality: An Inquiry into the Formation of the State System", *World Politics* 39, 1 (October 1986), pg. 35-36.
Cited in: Morris, An Essay on the Modern State, pg. 31.

Part Three: A State of Perfection

"Progress is not an accident but a necessity. Surely must evil and immorality disappear; surely must men become perfect."

--Herbert Spencer, Social Statics, 1851, pg 31[74]

Aristotle's basic claim is that the good life is attainable, and that to obtain the good life is to belong to the correct kind of society (a *polis*) that educates its citizens in moral virtues. Both moral virtues (such as courage, friendship[75], and honour) and what I call "practical virtues" (such as health and long life) are integral to the good life or *eudemonia*; *eudemonia* is best thought of as a package of virtues and actions. A person with these moral and practical virtues would be well equipped—provided rational ability—to find the right action in any particular circumstance. However, *eudemonia* is more than having these virtues, as specific types of actions or lives are part of it. For Aristotle, there are two types of lives worth living. The first and best is the contemplative life, which is best because it is an end in itself. The second is the political life.

The primary aim of Part Three is to provide the groundwork for the argument in Part Four, which is that the *polis* is not a State, and that an adapted, modern version of the *polis* is more in line with key parts of Aristotle's ethics than the State is. Part Three will identify these key parts, which are mostly wrapped up in Aristotle's conception of a human being and humans' societal

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[74] Cited in: James Joll, Europe Since 1870 (Harmondsworth: Penguin Books Ltd, 1976), pg. 131.

[75] Friendship could quite well also belong in the category of practical virtues. Like good health, one needs friends. This seems to be the case, psychologically speaking. People often go crazy without human interaction, and being lonely is a terrible state of affairs. From this point of view, it seems a kind of practical virtue. However, there is also a strong moral component of friendship. One needs to be a good friend as well, and that seems to belong to the moral category.

relationships.

For Aristotle, politics and ethics are not separate subjects, but two sides of the same coin. Political action as a fundamental part of human nature is not merely a means to create the correct sort of society[76], but is constitutive of the ethical. Political action is part of living the good life. A fundamental part of human nature is political, and Aristotle seeks to perfect human nature.

One of the great values of an Aristotelean approach is that it provides not only the individual qualities needed to live a good life but also the collective qualities needed for society at large. According to Aristotle it is not even possible fully to be a man outside of the *polis*, and the good life is, to a large degree, dependent on a person's social conditions. Aristotle tells us not only how individuals should live but also how society should live, and great potential value can be gained from that.

Aristotle's moral theory belongs to the perfectionist canon, and that is where this section will start. After Aristotle has been broadly placed within the tradition of perfectionism (there are other theories on how to achieve perfection besides Aristotle's), the discussion will move towards reasons as to why Aristotle has been misunderstood with regard to his social theory. This will require looking into Ancient Greek socio-economic conditions and views of the world. The author has found a historical understanding of Aristotle, Greek values, political structures, and conception of human beings (especially with regard to slaves) extremely helpful in deciphering Aristotle's ethical and political thoughts. In particular, it will help in comprehending what Aristotle's conception of a man is and isn't. This historical discussion will also be useful in Part Four, when analyzing whether or not the State is a *polis* and the implications thereof.

[76] Which is a *polis* that promotes virtue.

Furthermore, and as a critical aside, Aristotle has a very limited conception of who is eligible for *eudemonia*. As will be shown below, Aristotle thinks only men who belong to a *polis* are capable of *eudemonia*, which requires the obtainment of moral virtues and rational ability. This is a serious claim that has great implications for both his ethical and political thought. In one fell swoop (1097b12-16)[77], Aristotle cuts women, children, slaves, and non-Greeks out of the perfectionist equation. For these groups, the good life is unobtainable for if they are not members of the *polis*; they are non-citizens. And, as non-citizens, they will not receive the education required to habituate moral virtue. Nor will they have the opportunity to engage in the political operations of the *polis,* or even participate in the friendship that Aristotle thinks is necessary for living well. For these people, the best they can do, according to Aristotle (1098a5-10, 1329a21-26)[78], is to fulfill their function as providers of material goods for citizens, thus giving citizens free time to get on with the political and contemplative life.

Why? Why were Aristotle's ethics exclusionary? One reason was economics, and this point will be addressed in Part Four. The other reason was that Aristotle, like many of his contemporaries, didn't think of these peoples as human beings. They were beasts, and, as such, weren't subjects worthy of or eligible for moral action. They were not subjects for an ethical theory seeking *eudemonia* for people. The historical discussion below will attempt to prove this contention. For it is only after this contention is proved that can we understand what Aristotle was up to. Aristotle's theories may not be as elitist as they first appear to be. If the division between Greek men and everyone else is grasped in both its depth and intensity, then we can get to grips with what Aristotle

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[77] Unless noted otherwise, the Penguin Classics paperback version of The Politics and the Oxford Univerity Press version of The Nicomachean Ethics are referenced. See Reference List for more details on these works.

[78] One further note on referencing Aristotle: The vast majority of references use Bekker numbers, thus allowing the reader to reference text on matter the edition of the works. NE starts at 1094a to ends at 1180b. The Politics starts at 1252a and ends at 1298b.

was saying. Aristotle thought that every human being (citizens of a *polis*) should have his potentialities perfected in a very specific manner.

This doesn't mean that this work accepts the conclusion that only some people are fit for the good life while others aren't because they are less than human or can only perform limited functions like digging ditches. Quite the contrary. That conclusion is highly regressive and goes very much against the assumption that each and every adult[79] has the capabilities to attempt perfection. This work will seek to rescue what it sees as the critical elements of Aristotle's ethical theory—in particular, that *eudemonia* requires societal relations of a particular type—and have them apply to all of us, to all the people who are alive right now.

Aristotle was up to something quite different from what we are doing in the political realm today, or what Plato wanted us to do. Instead of forming a society based on hierarchical domination of the few or many, Aristotle was saying that a society (which is an expression of his ethics, for ethics are the foundation for society and laws) should be constructed so that citizens exist in a politically equal relationship with each other, that they are not governed but govern, and act as a collective. This is the antithesis of today's atomised individuals, and becomes conceptually possible only if we understand to whom Aristotle applied his ethics and why.

The Athenian *polis* and Aristotle's ideal *polis* are expressions of humankind's logical triumph over its bestial origins. They prove, to a great extent, that we can urbanise and live without recourse to the State or hierarchical domination. Further, in order to live well, to realise perfection, we have to live in such a society. This work attempts to save the core of why Aristotle thinks that. And, if correct, this work's conclusions suggest strongly that Aristotle belongs, to a degree, in that

[79] Excluding those with mental retardation, which is an issue that will be bypassed in this work.

radical stream of political philosophy, anarchism.

After the historical discussion, the focus in this Part will be on Aristotle's conception of a human being and citizenship. This in turn, and working slightly backwards[80], will lead to an elaboration of Aristotle's ethics (including a conception of virtue and the good life), ending with a distillation and defense of, in this work's opinion, the most important parts. The critical parts of Aristotle that this work finds attractive and vital to carry into current political philosophy are the social element of his ethics and what is integral to the good life; the function argument (1098a11-17), while it will be explained, has a lesser importance in this work's analysis, as does the doctrine of the mean (1106a1-b9). The doctrine of the mean and splitting hairs over the exact composition of particular moral virtues pales in comparison to the claim that human perfection ought to focus on the political and societal aspects of humankind. Also, throughout this section, it will be pointed out that translations of Ancient Greek to English are often difficult and the problematic words will be explained. So then, let us begin.

Examining the State from a perfectionist stance may not be a common position today, but perfectionism has had a very long history and has marked some of the great and influential philosophers. Karl Marx, with his view that humans beings' capabilities are best realised under communism, is a perfectionist, and his theories have fundamentally changed the course of history. Even after the fall of the Berlin wall, the withering away of the communist ideal and the Fourth International, after the apparent triumph of American-style state capitalism, Marx's ideas still find

[80] A different way of structuring a discussion on Aristotle's position would be to start with virtue and move onto the nature of man and *eudemonia*. The current discussion goes the opposite way, primarily because Aristotle's ethics and politics start with the notion of citizenship, and from which come some of, in this work's view, Aristotle's important ethical features.

resonance amongst the oppressed and powerless. For Marx, at least on a superficial level[81], the State would be justified if the working class controlled it:

> We have seen...that the first step in the revolution by the working class, is to raise the proletariat to the position of ruling as to win the battle of democracy. The proletariat will use its political supremacy to wrest, by degrees, all capital from the bourgeoisie, to centralise all instruments of production in the hands of the State, i.e., of the proletariat organised as the ruling class; and to increase the total of productive forces as rapidly as possible.[82]

On the other end of the scale, Friedrich Nietzsche's ideas have also touched and continue to touch countless individuals and leaders: Adolf Hitler being a prime example, for as Primo Levi puts it, "It is certain that his [Hitler's] personal obsessions, his capacity for hatred, his preaching of violence, found unbridled echoes in the frustration of the German people, and for this reason came back to him multiplied, confirming his delirious conviction that he himself was the Hero prophesied by Nietzsche, the Superman redeemer of Germany."[83].

For Nietzsche, individual human beings reach perfection when they exercise their will to power maximally, and many try to do so with the aim of accumulating so much power that they would then become 'superhuman'. Mussolini, as another example, wrote in 1908 that, "To understand Nietzsche we must envisage a new race of 'free spirits', strengthened in war, in solitude,

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[81] Marx is often seen as wanting a withering away of the State, the idea being that after the workers have taken control of the State, they will install a Communist State that, owing to the control of the workers, will lead to a time when the State will no longer be needed. See, Karl Marx, Critique of the Gotha Programme (1875), Book I, http://www.marxists.org/archive/marx/works/1875/gotha/ch01.htm. Without getting into a long discussion on the matter, Marx's comments seem (in this work's opinion) to be a sop to the anarchists of the day, with whom Marx was engaged in bureaucratic struggle.

[82] Friedrich Engels & Karl Marx, "The Communist Manifesto" (1848), Chapter 2, http://www.marxists.org/archive/marx/works/1848/communist-manifesto/ch02.htm

[83] Primo Levi, If This is a Man & The Truce, (London: Abacus, 1987), pg. 395.

in great danger."[84]

The *übermensch* or Overman (also translated as "Superman") is the pinnacle of Nietzsche's perfectionist ideal as an expression of absolute will to power, and all is justified in creating the Overman. Nietzsche states that, "...the consumption of man and mankind...aims to bring to light a stronger species, a higher type that arises and preserves itself under different conditions from those of the average man. My concept, my metaphor for this type is, as one knows, the word 'overman.'"[85] For Nietzsche, the State would be justified if it were to facilitate the rise of the *übermensch*, regardless of the fate of lesser men. As Jacob Golomb states:

> Nietzsche did not reject the state where it was conducive to authentic life aspirations--a vital element in his philosophy. But once this legitimate (and "natural") creation changed its nature and became a manifestation of extreme nationalism that hindered free and spontaneous creativity, Nietzsche vehemently opposed it and wished to curb its destructive effects. Perhaps under the influence of Hobbes, Nietzsche would call this kind of state 'the coldest of all cold monsters.' However, where it encouraged individuals to shape and form their cultural identity in an authentic way, Nietzsche regarded the state as a 'blessed means.'[86]

Yet, the most influential of all has to be Aristotle with his conception of the good life (*eudemonia*)[87]. For Aristotle, a certain type of political structure (the *polis*) is needed to promote the

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[84] Cited in: Joll, Europe Since 1870, pg. 166.

[85] Friedrich Nietzsche, The Will to Power (New York: Vintage Books, 1967), pg. 463 (section 866).

[86] Jacob Golomb & Robert S. Wistrich (eds), Nietzsche, Godfather of Fascism? (Princeton: Princeton University Press, 2002), Introduction. Found at http://www.pupress.princeton.edu/chapters/i7403.html.

[87] *Eudemonia* has often been translated into happiness, as in the W.D. Ross translation of the Nicomachaen Ethics (available at http://classics.mit.edu//Aristotle/nicomachaen.html). The "good life" is perhaps a more correct translation, especially in the modern capitalist context where happiness is often equated, in a variety of media

good life amongst individuals. Because the *polis* can best promote the good life, it should be adopted over other forms of social organisation. In fact, Aristotle's claim is stronger than that. He thinks that it is part of the good life. Living and engaging in the *polis* is a crucial part of *eudemonia*. To view Aristotelian ethics outside of Aristotelian politics is a mistake, for they are two parts of one system of living with a clear goal: the production of *eudemonia*.

One point about Aristotelian ethical and political thinking is that it is teleological in structure (like perfectionism in general); the ethics of individuals and the politics of a society have an end goal[88], something to which they should both be working towards, the good life. This is an end-orientated way of thinking, and has the primary advantage of answering a very germane question: What is the point of society (or the State, if you wish) in the first place? The achievement of the good life. To the age-old question—why are we here?—the answer is to live the good life.

Of course, a teleological moral theory may have meta-issues regarding it (in metaphysics, for example) and its validity, again, is outside the scope of this project. Incidentally, both Aristotle and Plato were the first to systematically describe in writing how, based on ethics and metaphysics, a human society should be organised. In the case of Aristotle, the basis for the best kind of societal structure had already been achieved, as will be pointed out later, during Athens's Golden Age. The fact that such societal structure had been achieved is a powerful reason to subject his theory to the State.

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formats, to pleasure and/or the acquisition of wealth (goods), retail therapy. Aristotle's opinion on wealth as an end of the good life is rather dim. His criticism of material gain above all else is as valid today as it was in 350 BCE. He states in NE (1096a1-8): "The life of money-making is one undertaken under compulsion, and wealth is evidently not the good we are seeking; for it is merely useful and for the sake of something else. And so one might rather take the aforenamed objects to be ends; for they are loved for themselves. But it is evident that not even these are ends; yet many arguments have been thrown away in support of them. Let us leave this subject, then."

[88] As will be shown later, the good of the individual is the good of society. Aristotle's conception of a free man is a person who is part of a society (namely the *polis*), and whose fate is intimately tied up with that society. It is impossible for *eudemonia* to be achieved outside the *polis*.

Aristotle's perfectionism is not a lightweight moral philosophy; it has been mulled over for nearly two thousand and four hundred years, and, in this work's opinion, has become so misunderstood, twisted, deformed, and misrepresented that Aristotle has been used to justify the State. Open up a political philosophy primer and you'll find Aristotle's defense/justification of the State; modern politicians point out that Aristotle argued for democracy and, by implication, that they are carrying on the tradition of freedom and of Athens itself through modern representative, two-party democracy! Athenian democracy is neither equivalent to, nor even vaguely resembles, modern democratic systems. If anything, today, we have Plato's republic, not Aristotle's *polis*. There is confusion regarding Aristotle.[89]

And, in this process of confusion, the greatness of the *polis* and the Ancient Greek thought on how people should best organise themselves in accordance with the ethics of *eudemonia* and virtue has been cast aside, cast so far that we are in danger of losing sight of it forever. Why has this come to pass? How, after thousands of years of study, has the beauty of Aristotle's thought been lost? Has there been a secret society of Platonists, existing for millennia, working subtly at the margins, perverting our thoughts to the stage where Aristotle's politics becomes the *Republic*? Probably not. Instead, society and its values have changed. Language has changed considerably. For example, English does not have equivalent terms for the *polis, philia*, *eudemonia,* or *paideia*. We are left only with the vague translations in fragmentary texts of city-state[90], friendship, happiness,

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[89] Witness the following, "His [Aristotle's] political theories, requiring that the statesman balance opposing interests in the hope of peace, are seamless developments from Plato's later writings. His ethical theories, which identify the human good as one to be achieved within community, do little more than shift emphasis." Source: Anthony Kenny (ed.), The Oxford Illustrated History of Philosophy (Oxford: Oxford University Press, 1994), pg. 33.

[90] In the Penguin Classics paperback version of The Politics, which is the prime version used for referencing in this text, "*polis"* seems to be directly translated to "state", which threatens a false analytical split when the relationship between the state and the citizens are discussed. In modern English usage, we often say things like, "The State and its citizens," and "The rights of citizens granted by the State." This implies a sense of ownership—or, at least, a power relationship—between the State and the citizens, which implies that they are two distinct entities. As will be

and education. Aristotle was not saying that in order to be happy, individuals must hang out with friends and be citizens and college students of a city that happens also to be a State (say Singapore). No, he was saying something very different, and something that has no current political analogue, and will require some effort to uncover.

Before we can understand what Aristotle was saying, we need first to get a grip on the ancient mind and ancient politics.[91] Without such a comprehension, we cannot understand Aristotle properly, especially as our understanding will inevitably involve the imposition of our modern values onto Aristotle's political and ethical theory. In fact, it is precisely this imposition that causes some of the problems and leads to the erroneous position that Aristotelian ethics can justify the State (see Part Four).

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shown in due course, this distinction does not hold with the *polis*. Further, as Murray Bookchin has pointed out, there is no Attic Greek word for "state" and *paideia* means more than schooling (see Bookchin, The Rise of Urbanization and the Decline of Citizenship, pg. 13, 59).
And, on the subject of texts, translations vary widely. In addition to the Penguin Classics texts, the Cambridge University Press text and a few e-book texts have also been used, and often the texts do not match. For example, the Cambridge text seems to confuse "constitution" with "Government". The Ancient Greek meaning of constitution was far broader than modern constitutions; in a way, the Athenian constitution seems better at capturing the spirit of a society than the South African constitution, which is really a set of basic legal codes. The Athenian constitution did not rule, it did not decide, it did not implement as modern governments do. See Part Two for a definition of government, and good luck to the Aristotelean scholar.

[91] One of the many advantages of considering Aristotle is that he was writing just after the Golden Age of Athens, and during the consumption of the Greek cities by Philip of Macedon and Alexander the Great. Aristotle wrote The Politics and NE in Athens (of which he was not a citizen) in 335BC, after Philip of Macedon's invasion of Greece in 338BC. Interestingly enough, Athens rebelled in 323BC after Alexander died in Babylon, and Aristotle was forced to flee Athens due to his Macedonian links for Epirus, where he died in 323BC. Aristotle had been Alexander's tutor. (Ian Johnston, "A Note on the Life and Work of Aristotle", http://www.mala.bc.ca/~Johnstoi/introser/aristbio.htm).
This was a period of transition from one political system to another, and marks an important juncture in human civilisation. After the Macedonian conquest of Greece, the *polis* of Athens was never really reformulated, although its spirit and fond memory was used in the Roman Republic and Empire's propaganda and self-justification. By 150BC, Greece had become a province of Rome. Of course, neither the Roman Senate nor the city of Rome were a *polis*, but that didn't stop the Roman elite (many of whom had read and studied Plato and Aristotle, Marcus Aurelius being a prime example) from trying to "cash in" on the legend that Athens had become (in this work's opinion). Plato's Academy continued teaching for 900 years, until the Christian emperor Justinian suppressed it in A.D. 529 (Hellenic Ministry of Culture, http://www.culture.gr/2/21/211/21103a/e211ca03.html).
For us, today, when we read Aristotle we have the advantage of knowing that the system of governance provided by Aristotle had once existed, it had worked, and Aristotle had been able to observe this, as was his general approach to all philosophy. Of course, given the troubled times in which he lived, Aristotle may have been looking back in time, through the proverbial rose-tinted glasses, for a brighter past.

Our modern values are the products of thousands of years of history, thought, paradigm shifts, revolution, oppression, revision and counter-revolution, and, yet, some of our more important values are relatively modern. Slavery was not only legal just under 150 years ago, but was one of the economic foundations of transatlantic commerce. However, in that 150 years, slavery has been transformed into an institution that no one dares to defend, and the vast majority of people wouldn't even consider defending it. Slavery has become taboo, pushed far to the margins of criminal society, and, consequently, when we read Aristotle's defense of slavery (The Politics, Book I) it sounds hollow and easily dismissed with a wave of the hand; the man was obviously wrong about slavery, as everyone knows. Of course, some philosophers have deconstructed and torn apart his defense; Nicholas Smith, for example, has done just that, and it appears an easy task.[92] Aristotle does not prove, with anything approaching great vigour, his claim that slaves are beasts, whose only redeeming feature seems to be their masters' reason. Aristotle's metaphor is as soul is to body, master is to slave.

In fact, Aristotle's defense of slavery seems a bit lazy, a quick wave of the analytical hand. This, at first, seems puzzling, but for only as long as we see it through the lens of our modern values. Given the context, the institution of slavery was not controversial within Ancient Greek society. Just as today, where the wrongness of slavery is taken for granted, the ancient Greeks (and, by no means were they alone on this point[93]) took the rightness of slavery for granted.

Slaves were not deemed to be men in Ancient Greece; when Aristotle talks about men being born for citizenship (see below), he was excluding slaves for they were not part of the set of men.

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[92] See Nicholas Smith, "Aristotle's Theory of Natural Slavery" in David Keyt & Fred Miller, Jr. (eds.), A Companion to Aristotle's Politics (Oxford: Basil Blackwell, Inc., 1991), pg. 142-155.

[93] Egyptian rulers used men to build the pyramids because cattle were too valuable. The Old Testament is replete with references to slavery. For example, Deuteronomy 15:12, "When thy brother a Hebrew man, or Hebrew woman is sold to thee, and hath served thee six years, in the seventh year thou shalt let him go free."

For Ancient Greeks, the thought of including slaves in the brotherhood of men would have been heterodox in the extreme. Or, for the sake of clarity, slavery was not an occupation for men but rather a separate existence for a different and inferior creature, separate and not equal.

Aristotle had no intellectual reason to make a complete and detailed defense of slavery for precisely this reason; slavery was too natural to be in question, and Aristotle's main reason for defending slavery was not to defend the institution but to begin to limit membership of the *polis*; and to take a couple of more digs at Plato, something of an Aristotelian hobby[94]. In The Politics (1277b15-35), Aristotle discusses whether workers (i.e. non-slaves employed in crafts and services) should be considered citizens of a good *polis*. Even though they are free and not in bondage, Aristotle believes that they have neither the time nor the ability to participate in citizenship. A requirement of being a citizen in a good *polis* is the education and the time to engage actively in practical and theoretical wisdom (the political vs. the contemplative life, which will be discussed later), and those engaged in menial services, which are the realm of the household, were far too busy to engage properly in the running of the *polis*.

It would be wise to remember that Ancient Greece was a preindustrial society where the basic commodities of life (food, clothes, materials) primarily came from the household level. Households were more than today's nuclear or even extended families; they were hives of production in and of themselves with attached workers and slaves; barring the truly poor citizens who hardly had habitable dwellings, let alone slaves. When combined with agricultural (both estates and peasant farms) and small craft workshops and maritime trade, this economic arrangement was able to supply not only the basics of life but also the luxuries. The Roman Republic supplied its

[94] Although more conjecture than rational analysis, it does seem hard to argue for or against the equality of all human beings without a conception of universal human rights.

entire military, in which between 13% to 35% of its male citizens served at any give time (225BC to AD14)[95], with precisely this kind of economic setup. Aristotle also highlights the role of the household in providing the basics of life and need to manage it, but keeps it very much distinct from the political activities of the *polis*[96].

When answering the charge that everybody should be a citizen, and with an eye to excluding workers, Aristotle states (1278a1-2):

> After all, slaves do not belong to any of the above-mentioned categories, nor do freed slaves. And we do not for a moment accept the notion that we must give the name citizen to all persons whose presence is necessary for the existence of the state.

The others who are necessary for existence of the *polis*, yet who should be excluded from the citizenry, are women, children (male children being qualified citizens as they have the potential of becoming citizens with the appropriate education and birth[97]), free men not born to citizens (to be a citizen of Athens both mother and father had to be third-generation citizens[98]), foreigners (i.e. Greeks from outside the *polis*), barbarians (all non-Greeks), and, presumably, idiots (who have no capacity for practical or theoretical wisdom). While Aristotle points out throughout the first half of Bk. III of NE that the citizenry of one *polis* will differ from another depending on constitution—for example, a tyranny would have an extremely limited citizenry, an oligarchy slightly less, a democracy even more—he does have a clear idea of what a citizen should be and in what context. As he states (1275b4-6):

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95 M. I. Finley, Politics in the Ancient World (Cambridge: Cambridge University Press, 1983), pg. 17.
96 See The Politics, Book I, Chapters 3-13.
97 1275a4-5
98 1275b21-24

> The meaning of citizen is best applied in a democracy; in the other constitutions it may be applicable but it need not necessarily be so.

Owing to the "lost in translation" and "lost over 2,300 years" factors, it is hard to understand what Aristotle means by "worker" with a great deal of precision. Furthermore, Aristotle was something of a snob—the best life one could live was as a philosopher, which, incidentally, he was—and, on this score, his proposed exclusion of workers could have been a reflection of the literary arrogance that afflicted some Athenians of learning and leisure[99] more than anything else.

Tied to this prejudice against manual labour, at least in Athenian thought, is the notion of *autakry* (usually translated as "self-reliance"). Athenians considered it to be not only wise but the expression of a full life if they were self-reliant—that is, if they were able to feed, clothe, house, educate, etc. themselves—and this equated to actual freedom.[100] This meant that the self-sufficient farmer was almost idealised, and, to this end, many Athenians owned rural holdings in Attica that provided not only food but also a source of revenue that enabled them to support their city lifestyles. This concept of freedom is far wider than some of today's notions. Wage slavery, as Robert Flacelière (from whom most of the stated information on manual labour in Athens derives) seems to state, was the antithesis of freedom:

> To a Greek, obsessed as he was with the idea of freedom, to be dependent on some other person for one's daily bread seemed an intolerable condition of servitude. A truly free man should be altogether his own master; and how could he be that if he was drawing a salary

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[99] Robert Flacelière, Daily Life in Greece at the Time of Pericles (London: Phoenix Press, 1965), pg. 118
[100] Flacelière, Daily Life in Greece at the Time of Pericles, pg. 118

from someone else?[101]

Aristotle is also quite concerned about *autakry*. He seems to think that an individual cannot be a good citizen if, as will be elaborated on later, he does not have virtue. It is the role of the *polis* to help install virtue in its citizens. Also, one cannot be a good citizen if one is dependent on others for one's survival (i.e. wage slavery). Therefore, a good citizen for Aristotle is one that possesses virtue and is self-sufficient. Likewise, a good *polis* is a virtuous and self-sufficient one.

The difference, and it may not be a worthwhile distinction, between a virtuous *polis* and a virtuous citizen is between collective and individual virtue.[102] Collective virtue is the ability of the citizenry to pass laws and make the decisions of the *polis* in a collective manner. For example, if the citizens run the *polis's* budget in a state of neither excess nor deficiency (not running up a huge debt or saving money and not spending it on vital social goods such as public buildings or defence), the *polis* has the collective virtue of liberality (NE Bk. IV, Ch. 1).

However, while Aristotle's dislike of workers being citizens reflects a certain degree of prejudice, the most important lesson is that Aristotle believes that manual labour should be avoided as it consumes too much time, and thus prevents contemplative and political lives. The issue of manual labour will resurface in Part Four, as a possible objection to the viability of a revised *polis.*

Allied to the question of workers as citizens is the actual makeup of Athens during its Golden Age (fifth century BC) of democracy, which seems to be the reference point for Aristotle, who was writing after the disastrous Peloponnesian War with Sparta; this war destroyed the

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[101] Flacelière, Daily Life in Greece at the Time of Pericles, pg. 117. For a detailed discussion of labour and Greek attitudes to it, do see the entire chapter five of said work.

[102] Curtis Johnson, Aristotle's Theory of the State (London: MacMillan Press Ltd, 1990), pg. 48.

democracy and reforms of Pericles, and ended with occupation and oligarchy, eventually followed by revolution. In pegging his claim to democracy, Aristotle states (1289a39-1289b5), "And just as a royal rule, if not a mere name, must exist by virtue of some great personal superiority in the king, so tyranny, which is the worst of governments, is necessarily the farthest removed from a well-constituted form; oligarchy is little better, for it is a long way from aristocracy, and democracy is the most tolerable of the three."

The citizenry of Athens, during the Golden Age, was open to Athenian offspring; remember Aristotle was quite keen on having citizenship requiring both mother and father to be citizens[103]. Others could be granted citizenship, but this was rare and granted only by the Assembly. Citizenship via parentage may have been a holdover from the tribal epoch; modern people still make distinctions between first-generation citizens and those who can trace back citizenry for many generations. Further, it would be wrong to hold the opinion that the citizenry of Athens solely consisted of wealthy men of leisure who had households filled with slaves and floated on the riches of Athens's maritime trading dominance. Nothing could be farther from the truth. The undercurrent of all politics at the time was the struggle between rich and poor citizens. Some citizens were said to be financially worse off than slaves; in fact, until Solon instituted his famous reforms, poor citizens who defaulted on loans could be sold into bondage (slavery) by their creditors in order to recoup their loans.[104]

The poor were, according to M. I. Finely, "...all the free men who laboured for their livelihood, the peasants who owned their farms as well as the tenants, the landless labourers, the

[103] Note that at certain times, especially when the citizen population was severely depressed from war, famine or similar tragedy, the requirements on citizenship were loosened. These cases seem to have been the exception, but, at the very least, shows that the Greeks were flexible when the *polis* itself was threatened. However, there seems to have been an ideal, that of citizenship via parentage. This ideal was expressed in law in 451BC (at the time of Pericles) when citizenship had to come from both mother and father, instead of the father alone.

[104] Finley, Politics in the Ancient World (Cambridge: Cambridge University Press, 1983), pg. 17-18.

self-employed artisans, the shopkeepers." The rich were those who could live upon the labour of others. Ancient Greece (with Sparta excepted)[105] had two basic classes in the loose sense of the term, not in the strict Marxist sense. The politics of the time revolved around the conflict of these two classes and the resulting patronage.[106]

The reader may recall that Aristotle, in The Politics (1289b27-33), divides the citizenry into three classes; rich, poor and middle. This division of citizenry seems to have been based upon who could afford hoplite[107] armour. In addition to this classification, Solon also made economic divisions. He came up with four, based mostly on agricultural output. Despite these economic divisions, the evidence on the whole points to Ancient Greek society having only two classes of citizens.[108] Aristotle was most likely inserting the doctrine of the mean into economic structure, a case of the tail wagging the dog.

This division is so crucial to Athenian society that it flows throughout Aristotle's political thinking. The true difference between democracy and oligarchy is that democracy is for the free (which would include the poor but not exclusively) while oligarchy is for the rich. As Aristotle puts it (1290b1-4):

> Therefore we should rather say that democracy is the form of government in which the rulers are free, and oligarchy in which the rich rule; it is only an accident that the free are the

[105] Sparta was a notable exception in the Ancient Greek world. Unlike Athens (or many of the other Greek cities), Spartan society was a ruthless military aristocracy where the divisions were between the Spartans and the helots, which were violently ruled by the Spartans, thus giving Sparta a very different internal dynamic. Essentially, the source of conflict within Sparta was the repression of the helots. Helots were not given any political rights (even slaves in Athens had certain rights, such as the ability to buy one's freedom), and treated as chattel. Therefore, this discussion excludes Sparta, and, as a general rule, Sparta should be excluded from any of the future discussions on the Ancient Greeks. The situation in Sparta differed enough, on average, to warrant this exclusion.

[106] Finley, Politics in the Ancient World, pg. 17-18.

[107] Greek infantry, and the backbone of Greek military structure.

[108] For more details on the historical and archaeological evidence see Finley, Politics in the Ancient World, pg. 17-18.

many and the rich are the few.

From the above, we can see the importance of this division and how it refutes the idea that numbers (i.e. mob rule) is what constitutes Athenian democracy. Rather, the status of being free is inherent in democracy. And, once this is understood, the reforms of Solon, for example, become truly intelligible, as do other facets of the *polis*. The structure of the Athenian *polis* reflects the political strength of the free (vs. the rich). Poor Athenian citizens were paid to sit on juries, direct taxation only applied at times of extreme crisis, such as the Peloponnesian War, and the navy served as a source of employment as rowers for those citizens unable to afford hoplite armour. As time passed, the offices of the *polis* lost their property qualifications. Further, the rich were required to fund the community activities of the *polis* such as festivals and naval galleys. To use modern terminology, capital was subordinated to the greater good of society.[109]

The Ancient Greeks were not touchy-feely people. Sentimentality was not one of their graces, and neither did they have our relatively modern (post French Revolution) conception of human rights. They were, by today's standards and actions, hard people living in hard times. Famine, illness, armed conflict, plague and death haunted the average Greek at every turn. Newborn babies were routinely exposed, ethnic cleansing common, selling and trafficking of people the basis of an economy, and war (in which almost all Greek citizens participated) constant.[110] Wars, in particular, were fairly brutal experiences with the victors often massacring and/or enslaving the losing population. Grain insecurity dominated everyday thought, and death often came early. This kind of situation and without, it must be stressed, a conception of human beings invested with value and rights just for being human, must have produced a mindset very different to our own. The

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[109] A.R. Burn, The Pelican History of Greece (Harmondsworth: Penguin Books Ltd., 1965), 242-244
[110] Flacelière, Daily Life in Greece at the Time of Pericles, pg. 45-47, 77, 245

relevant results of that mindset are twofold.

One, Greek citizens had a very strong mental divide between themselves and non-citizens, much deeper than today's bourgeoisie has with the proletariat. The modern bourgeois class recognises the proletariat as human beings in the moral sense of the term, and has resorted to a variety of arguments to provide a moral basis for their domination under the capitalist system: Social Darwinism is at the root of most of them, coming out strongly in current libertarian political, moral and economic theory, and aped in World Bank and IMF policies. Even divine sanction is still a part of this moral underpinning of economic and political domination, both by the continuing aberration of monarchical dynasties and by the current use of evangelical Christian teachings in regards to the accumulation of wealth (the largely unspoken thinking being that the rich have been blessed by God in return for belief, and that the poor remain poor because their belief is not strong enough). Further, modern society has inherited some ancient prejudices, such as xenophobia, racism, sexism, and paternalism, which continue to play themselves out in the mostly unconscious domination of the few over the many.

Ancient Greeks had no need to go to such intellectual lengths, as Aristotle's defense of slavery shows. They were made of sterner stuff. Like we would never dream of including the tools of industrialisation (trains, steel, factories, etc.) in our political decision-making and the human family, neither would they include slaves and women. Not only were they considered incapable of making political decisions, they weren't considered to be fully human in the moral sense of the term. Therefore, to exclude them from political life and subjugate them to lives of mere economic and breeding activities required no great moral justification. Such was the way of the Ancient World.

The second result of the Greek mindset, or worldview if you prefer, was an intense notion of freedom that was, in many respects, greater than what is commonly held today. Not only did they seek, at great lengths, economic freedom (being the ability to provide for oneself, and not to be dependent on another for the basic means of civilised life), they also valued their political freedom. It was this cherishing of freedom that prevented the unification of Greece for centuries. No sooner than a particular city gained dominance over another Greek city, would there be a revolution by the citizenry of the subject city or a short-lived alliance struck with a rival power. Revolutions were common and the makeup of alliances between cities (leagues and confederacies) was ever-shifting; no sooner had the Greeks banded together to defeat Darius, they were at each other's throats, again. Perhaps it was this intense notion of freedom, more than the Homeric virtues of honour, glory, and vengeance, that was the cause of much of Greece's constant warfare.

Further, this sense of freedom was not only directed towards domination from without, but also from within. Athens's history is rife with examples of internal uprisings and banishments of potential tyrants. The notion that freedom equated with substantial political decision-making was something worth fighting for. Authority was to be resisted.

This somewhat long discussion on Greek history, psychology and socio-economic conditions has an important conclusion in relation to Aristotle's ethics. Aristotle is concerned with human perfection for all human beings but has a limited view of the set of human beings. This limited view is a result of ancient prejudice and ignorance, and thus should not be followed. If that set of human beings were expanded to include the entire human race, then Aristotle's theory should apply to that larger set. The set of who is eligible to achieve perfection should include us all, not just male citizens.

If we could build a time machine and go back to 330BC and abduct Aristotle, bring him to the present, give him a thorough induction into our conception of a human being, then he would surely agree that his moral theory should be widened to apply to us all. The point is that Aristotle's perfectionism cannot be dismissed because Aristotle thought that some people weren't human. Logic should prevail over prejudice and free his theory from the (in our eyes) paternalism, sexism, and xenophobia that plague his works.

Whilst on the general scope of Artistotle's theory, it is worth pointing out that this version of perfectionism is consequentialist, and thus should maximise perfection whenever possible. As Thomas Hurka states, "A consequentialist perfectionism tells us first to desire the state in which human nature is developed to the highest degree and then, assuming we are rational, to promote it."[111]

This certainly captures what Aristotle was up to: If we can, Aristotle urges us to live one of two desirable lives and to live them as best we can.

Now that the Greek mindset has been established to a reasonable degree, it is possible to turn towards Aristotle's political and ethical thought in greater detail. Without such an understanding, much may have been lost and the reader would be well-advised to continually keep the Greek mindset in his/her consciousness as he/she reads on.

Let us turn to Aristotle and start with his conception of what a man is, for that is the crucial part of his ethical theory. Knowing what human nature is provides the foundation of perfectionist theory, and Aristotle's ethics are no different. In The Politics, Aristotle informs us that man is a

[111] Hurka, Perfectionism, pg. 58.

political animal, due to his ability to determine right from wrong, just from unjust, and that man cannot live outside of the *polis* and fulfill his potential as man. Human nature is political. Further, Aristotle sees that men who are outside the *polis* are inclined towards senseless violence and fairly deficient in the good life; either that, or they are gods (1253a2-6).

Aristotle makes a similar point in Book I of Nicomachean Ethics. In fact, when reading the Nicomachean Ethics, Book I provides a series of clear signposts to the content and direction of the entire work and the theory itself. Aristotle states (1097b12-16, bold added):

> Now by self-sufficient [*autakry*] we do not mean that which is sufficient for a man by himself, for one who lives a solitary life, but also for parents, children, wife, and in general for his friends and fellow citizens, **since man is born for citizenship**.

This implies that men, having been born into citizenship, also are born into the duties of citizenship; Aristotle seems quite clear on the idea that no man is an island and that a man's ethical and political successes requires him to interact with others. Of course, citizenship does not necessarily mean living well; i.e. *eudemonia* requires more than mere citizenship. Part of what is integral to e*udemonia*, however, is that a citizen takes an active role in the *polis*, as Aristotle points out in The Politics (1278a35-1278b5):

> …that there are different kinds of citizens, but, second, that a citizen in the fullest sense is one who has a share in the privileges of rule…We have now answered the question whether it is the same of a different goodness that makes a good man and a good citizen, and have shown that in one state it will be the same and in another different, and that where it is the

> same, not every citizen will possess it, but only the 'statesman', either alone or in conjunction with others, of the conduct of a nation's affairs.

Furthermore, Aristotle believes, like Pericles before him, that those citizens who do not take part in the political life of the *polis* are useless.[112] Aristotle states (1275a23-24):

> But the citizen whom we are seeking to define is a citizen in the strictest sense, against whom no such exception can be taken, and his special characteristic is that he shares in the administration of justice, and in offices.

This signifies a conceptual difference between a legal classification of a citizen and the moral conception of a citizen. The former is born to an Athenian father. The latter is one who engages in the *polis* via attending the Assembly, sitting on a jury, fighting in the wars, proposing legislation, sitting on the Council of 500, working within his *deme* for the education of the youth, etc. While Aristotle does address the former (as has already been shown), he is most concerned with the latter and, hence, his discussion on what is virtuous for a citizen to do and what kind of *polis* should exist to perfect the virtue of the citizens. There is more to being a citizen and hence a human being than mere protection against injustice; it requires political duty (1280b11-13).

For Aristotle, the politics of a society are not only for the production of the good life for members of that society; politics are integral to the good life. Aristotle stakes the claim that the use

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[112] Thucydides records Pericles as saying in the Funeral Oration that, "In doing good, again, we [Athenians] are unlike others; we make our friends by conferring, not by receiving favors. Now he who confers a favor is the firmer friend, because he would rather by kindness keep alive the memory of an obligation; but the recipient is colder in his feelings, because he knows that in requiting another's generosity he will not be winning gratitude but only paying a debt. We alone do good to our neighbors not upon a calculation of interest, but in the confidence of freedom and in a frank and fearless spirit."
Source: Thucydides, "Pericles' Funeral Oration", http://en.wikisource.org/wiki/Pericles%27s_Funeral_Oration.

of virtue and rational thought in one's own life is indeed a good thing and should be done for its own sake, but it is better (more worthwhile) to use virtue and rational thought for the good of the whole (other members of the *polis*). He states (1094b3-11):

> For even if the end is the same for a single man and for a state, that of the state seems at all events something greater and more complete whether to attain or to preserve; though it is worthwhile to attain the end for merely one man, it is finer and more godlike to attain it for a nation or for city-states. These, then, are the ends at which our inquiry aims, since it is political science, in one sense of that term.

Whilst on this point, note that Aristotle's primary concerns regarding the *polis* were twofold: What should be the correct structure of the *polis*, i.e. the structure of society, the Assembly, who is a citizen and other such matters? And, secondly, what is the virtue of the *polis*? The latter question regards the virtue of the citizens, as they constitute the *polis,* and the *polis* is nothing but the collection of its citizens. Obviously, these two questions are related, and cannot be dealt with as if one has zero effect on the other.

A virtuous citizen is one who will act towards the maximisation of the *polis's* virtue, and, at the same time, a citizen can be virtuous in a *polis* only with the correct constitution. A citizen who finds himself in a *polis* with the incorrect form (say an oligarchy) should work towards the installation of the correct form, democracy, and should do this in accordance with others; he should do this for his own sake and those of others, for people cannot obtain the correct virtue under an incorrect constitution. Virtue is both collective and individual.

Put another way, a collection of citizens with a low level of perfection (call it Level 1) will

engage in both politics and contemplation. This rational activity will lead them to realise that there is a greater level of perfection, Level 2. In order to achieve Level 2 in their own lives, they then seek to promote Level 2 perfection throughout the *polis* via legislation. This will increase the political and contemplative ability (through the promotion of virtue) of the citizens who will then seek Level 3 perfection. Aristotle's claim is that this can only be done in a specific sort of society, the *polis*. A *polis* with low levels of perfection will have, by necessity, low levels of perfection amongst the citizenry. This seems to make sense: To use a favourite phrase, take a look around. Societies steeped in butchery, hatred, and bloodshed tend to produce angry and bloodthirsty people. The Third Reich was a case in point.

Ian Johnston sums up how Aristotle saw humans engaging in a collective manner with admirable simplicity:

> To introduce an analogy to which I shall return from time to time, one might say that Aristotle sees the individual as inevitably part of a team—a large and complex but clearly identifiable group of team members of all sorts of capabilities, an environment which shapes the purposes and value of that individual life in relation to other members of the team community and to the team as an overall unity. And just as a team player, in a sense, has no identity or purpose without a team in which he or she can participate as a fully integrated member, **so the human being has no complete identity or purpose without the polis to which he or she belongs.**[113]

Allied to Aristotle's conceptions of citizenship and politics is the notion of friendship. As people are fond of pointing out, Aristotle sees men as political animals bound together by the bonds

[113] Johnston, "Lecture on Aristotle's Nicomachaean Ethics", bold added

of community and friendship. The notion of an 'atomized' individual would have been abhorrent to Aristotle, perhaps enough for him to don Athenian battle-amour and impale Ayn Rand, and with good cause. Once again, our modern values hinder our understanding of Aristotle: Ayn Rand is one of the 20th Century high priestesses, the cult of the individual has become engraved in our psyche, and Nietzsche's Overman in the form of global financiers (what Tom Wolfe calls 'masters of the universe') makes more sense to us than Aristotle's citizen. The Athenian citizen is a different being in its entirety; citizenship cannot exist without community, and it is community that defines individuals, not the other way around.[114] For Aristotle, the good life is comprised, in part, of friendship (1169b14-23).

Friendship is best thought of as interdependence, and friends are more than the causal acquaintances of the modern era, something that goes astray in translation. Aristotelean friends, as Murray Bookchin states, are more akin to a tightly knitted community based not on bloodlines but on common cause and aims:

> Underlying these various 'means' is Aristotle's emphasis on human solidarity or *philia*, which includes friendship (the common English translation for the Greek term) but which is a word more far-reaching in its connotation of civic commonality. The intimacies of friendship may be reserved for a limited few, but *philia* implies an expansive degree of sociality that is a civic attribute of the *polis* and the political life involved in its administration. Man is "by his nature" a political animal or *zoon politiken*, which is to say that he is destined not only to live in a community but also to communize.[115]

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[114] This seems closer to the traditional African conception of an individual. While impossible to speak of all African cultures, it has been the author's experience that African communities have a greater collective outlook than Western societies.

[115] Bookchin, The Rise of Urbanization and the Decline of Citizenship, pg. 37-38.

Friendship is one of the virtues that make up *eudemonia*. And, before addressing the other virtues, it would be wise to get to grips with what *eudemonia* is exactly. *Eudemonia* (usually translated as "happiness", "living well", or "the good life") is living in accordance with a collection of moral, intellectual and practical virtues, and is the pinnacle of human perfection. For Aristotle, there are two types of lives that individuals need to live in order to achieve *eudemonia*, the contemplative life and the political life. The best good life that can be achieved is the contemplative life, while the political is the second-best good life. The contemplative life is the best as it is the most self-sufficient, while the political life ideally aims for both for the individual and the community at large and, thus, is not as complete (1177a31-1177b15). This distinction between political vs. contemplative lives and their relative worth will be returned to later in some detail.

To return to virtue in general, it seems, once again, that the English language does not carry through the complete meaning of the Greek word "*arête*". *Arête* is usually translated as virtue or excellence (sometimes also as valor), and, in pre-Sophist times, was thought to defy being taught; one can assume a more complete meaning than simple virtue. The concept of *arête* has a long history within Ancient Greek thought, back to Homer, it seems, and the idea of defining it seems to have taken a while to formulate. A.R. Burn states:

> He [the poet Phokylides, 6th Century BC] also said, 'All virtue is summed up in justice,' which was original in his time. Virtue in Homer, *arete*, was quite compatible with aggression. A horse or a sword could have *arete* as well as a man. What Phokylides was saying is that human virtue is moral virtue.[116]

[116] Burn, The Pelican History of Greece, pg. 128.

Luckily enough, the concept of *arête* went under more intellectual rigour since the days of Homer, or Phokylides for that matter. Aristotle explains what virtue is exactly; it is a state of character that is in neither excess or deficiency (1106a1-b9). Aristotelian ethics has often been described as virtue ethics, which is a fair enough assessment. In order to obtain perfection, or *eudemonia*, one must achieve the following moral virtues, each of which is the mean between excess and deficiency: Courage, temperance, liberality, munificence, high-mindedness, right ambition, good temper, friendly civility, sincerity, wittiness, modesty, and just resentment[117].

If in possession of these moral virtues, an individual will be able to choose the correct moral action to take in a particular situation. Aristotle's approach to determining how we should act when faced with a moral question (Do I steal because I'm hungry? Should I kill to defend strangers from attack?) is to equip an individual with the toolkit needed to solve that problem. An analogy to this approach is like providing a mechanic with a well-stocked workshop and basic mechanical theory, and then giving him any old motorcycle to fix. This approach avoids the problem of having an ethical rule set, and finding counterexamples that prove the rule wrong.

Further, this seems to fit our commonly held views on morality and moral action; we educate our children in a similar manner. Education in this context means something broader than schooling. Parents teach virtues to their children as they grow up. Parents berate their children when they lie and praise them when they are honest. Courage is stressed each time parents tell their children to “stand up for themselves.” Individuals are routinely rounded on by relatives and friends for being stingy and cadging drinks, and learning how to share is a big part of growing up.

How does this translate into moral action? Well, for example, suppose your child is at third

[117] List of moral virtues taken from http://www.iep.utm.edu/a/aristotl.htm.

man in a school cricket match and you've instilled in her the virtues of fair play and honesty. The batsman heaves at the ball and sends it skyward to your child. She dives forward to catch it but grasps it at the same time as it hits the ground. No one at the cricket ground besides your child can tell if the ball touched the ground or not. But because of the virtues instilled, your child will declare to the umpire that she didn't catch the ball. She doesn't need to refer to moral rules or theory to do this; she just does it.

How do these moral virtues relate to the intellectual virtues of contemplation and political activity? The intellectual virtues are an expression of man's rational element in activity (1103a1-10). Aristotle believes that men are fundamentally different from plants, animals, and material objects because of their rational ability. The function of a man is to use his rational ability (the famous function argument). Aristotle states (1098a11-17):

> ...and we state the function of a man to be a certain kind of life, and this to be an activity or actions of the soul implying a rational principle, and the function of a good man to be the good and noble performance of these, and if any action is well performed when it is performed in accordance with the appropriate excellence...

Eudemonia requires that a citizen choose the right kind of life according to Aristotle, which is the contemplative life or the political life. The usual way to read Aristotle is that he is claiming that the contemplative life is the best life with the political life coming in a close second.

It is certainly amusing to note that Aristotle found that the life he was leading (and that of his friends) was the highest or best form of good life. Why? Primarily because the contemplative life is an end in itself and requires the correct moral and intellectual virtues, but also because the

contemplative life, that of a philosopher, is divine; as stated in Bk. X, Ch. 8 of NE (1178b20-25), "Now if you take away from a living being action, and still more production, what is left but contemplation? Therefore the activity of God, which surpasses all others in blessedness, must be contemplative; and of human activities, therefore, that which is most akin to this must be most of the nature of happiness." Despite this, he has a great regard and respect for the political life.

Aristotle is somewhat difficult to read on the good life and virtue. While he says that the contemplative life is supreme on one hand because it is an end it itself in regards to rational thought, it is the most self-sufficient and is divine (it is what gods would do), he does state in NE that (1176b4-7), "Now those activities are desirable in themselves from which nothing is sought beyond the activity. And of this nature virtuous actions are thought to be; for to do noble and good deeds is a thing desirable for its own sake."

This seems to suggest that all virtuous acts including moral and practical virtues are ends in themselves. At times like this, one is tempted to throw up one's hands and remember Johnston's warning remarks, "The existing text (it is assumed) is the result of editors dealing with lecture notes, or, as one philosopher has put it, with notes pulled out of the waste paperbasket."[118]

To square this circle, it is worth noting the difference between *eudemonia* and virtue. *Eudemonia* is best thought of as living in accordance with a collection of moral, intellectual, and practical virtues. It is an entire package (1099a31-b6). What one does with the entire package is the difference between living the contemplative, political or some other life. Individual virtues (acts such as liberality) are worthwhile in their own right (an end), and one should act according to these regardless of the life that one lives. Even if one is not living the good life (maybe one doesn't have

[118] Johnston, "Lecture on Aristotle's Nicomachaean Ethics".

the opportunity to read philosophy), one should act according to individual virtues as they are inherently good.

The political life seems to mean that a citizen engages himself, as much as is possible and within the doctrine of the mean, in the political life of the *polis*, which would include the education of the *polis*. One gets the feeling from reading Aristotle that this is no bad thing, and it is, in fact, required for others to live the contemplative life. If one cannot live the contemplative life, then there is no shame or dishonour in living the political life, which is in accordance with virtue, use of rationality and *autakry*. Aristotle makes the point that the wishes of a citizen engaged in the political process is to make citizens good through the formation of good habits, and what separates a good *polis* from a bad one is whether or not this is achieved (1103b3-7).

If Murray Bookchin is correct about the translation of *philia* (usually translated as friendship), then it becomes obvious, especially in light of everything else already said, that the best life a citizen can lead requires an engagement in the *polis*. The contemplative life cannot be a life of seclusion. It must be the life of a citizen contributing to the good of the *polis* as a whole; educating one's children, interacting with friends, and having a degree of political influence. Socrates, who can be said, regardless of his philosophy, to have lived the contemplative life, was fully engaged in the *polis* as a citizen, to the extent of serving as a hoplite and having a wide circle of friends. As Aristotle states in an important passage in the Nicomachean Ethics (1099a31-b6):

> Yet evidently, as we said, it [the contemplative life] needs the external goods as well; for it is impossible, or not easy, to do noble acts without the proper equipment. In many actions we use friends and riches and political power as instruments; and there are some things the lack of which takes the lustre from happiness—good birth, goodly children, beauty; for the

> man who is very ugly in appearance or ill-born or solitary and childless is not very likely to be happy, and perhaps a man would be still less likely if he had thoroughly bad children or friends or had lost good children or friends by death.

In this quote, Aristotle is stressing the importance of practical values. A decent way of understanding these values is as material values. These are things that one must acquire during one's life, and, while good in and of themselves, they are also necessary for the good life. These practical values are *autakry*, friendship, luck (it must be a complete life according to Aristotle, and that doesn't happen in one summer (1098a20-23)), family, and the correct political structuring of society (i.e. the *polis*).

For Aristotle, there are only three ways citizens can obtain moral and intellectual virtue, through natural endowment, intellectual teaching, and habituation.[119] Natural endowment is beyond control, and intellectual teaching is wasted on the young, according to Aristotle. Both of these defy reason, and virtue requires reason. In the case of natural endowment, reason obviously does not apply, and natural endowment is capricious as it strikes some and not others. Aristotle doesn't believe that virtue should be only the domain of those gifted enough to figure it out by themselves, and that those who aren't talented philosophers can also obtain virtue (via habituation, see below). This seems to be in keeping with this idea that all citizens should be eligible for perfection. (1179b20-24)

Intellectual teaching is wasted on the young, as developing it requires hard work and reason, and these are not of the domain of the youth. Instead the youth should be brought up in a *polis* with

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[119] A. C. Bradley, "Aristotle's Conception of the State". In: David Keyt & Fred Miller, Jr. (eds.), A Companion to Aristotle's Politics, pg. 28.

the right kind of laws, and this will provide the platform for their later philosophical education. Therefore, the propagation of virtue amongst the citizens of a *polis* cannot rely on "divine cause" or intellectual teaching (for it does not work on the youth). (1179b25-30)

Aristotle then goes on to explain that the only way virtuous action amongst citizens can be achieved is through habituation, which requires not only education but laws (1179b31-1180a5). Socrates's remarks in Crito help to indicate the deep feelings toward the law that Athenians held; although, as with most of Plato, his words may have been doctored to suit Plato's political vision, which is the antithesis of Aristotle's (see Part One). Without preempting the discussion on the *polis*, it will suffice to say that the Athenians—and here Aristotle was no different—considered the law to be something not external to themselves but something to which they belonged. Aristotle believes that the law should be used, as it has a power greater than that of the family. The power of the collective whole provides the rules of behaviour that are in accordance with virtue, as he states in NE Bk. X, Ch. 9 (1180a14-28):

> However that may be, if (as we have said) the man who is to be good must be well trained and habituated, and go on to spend his time in worthy occupations and neither willingly nor unwillingly do bad actions, and if this can be brought about if men live in accordance with a sort of reason and right order, provided this has force, if this be so, the paternal command indeed has not the required force or compulsive power (nor in general has the command of one man, unless he be a king or something similar), but the law has compulsive power, while it is at the same time a rule proceeding from a sort of practical wisdom and reason. And while people hate men who oppose their impulses, even if they oppose them rightly, the law in its ordaining of what is good is not burdensome.

Viewed in isolation, this entire quote seems to suggest an almost totalitarian approach to politics and societal organisation. This is not hyperbole, for some historians have read Ancient Greece in this light. The esteemed classicist Robert Flacelière, for example, has done so:

> 'With sovereign power over the various individual citizens who compose it'-the ancient city was an end in itself, an absolute which left none of its members any great measure of liberty, and severely restricted all individual activities. In this sense, it was a basically totalitarian concept, which is obvious enough when we look at Sparta. In Athens, however, the more liberal aspects of the Athenian character may tend to mask this profound truth though they cannot ever eradicate it.[120]

This, as is slowly being argued, is an incorrect reading of the Aristotelean *polis*. This view, and similar views outlined earlier, can make sense only if the Aristotelean *polis* is a State as has previously been defined, which it is not (see Part Four).[121] Further, Aristotle's basic ethical position would not support the State (again, see Part Four). Before either of these claims can be proved, we need to analyse the contemplative and political lives and distill what this work considers to be the important elements of Aristotle's perfectionism.

In regards to the contemplative life vs. the political life, it seems that the contemplative life (even if it is the best life) is comprised partly of political action. Aristotle's conception of human nature, the duties of citizenship, and the practical virtue of friendship all point to the same thing; human beings must be able to participate in the politics of society in a deep and meaningful manner.

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[120] Flacelière, Daily Life in Greece at the Time of Pericles, pg. 30.

[121] Of course, a direct democracy could vote for totalitarianism. One would guess that such a vote would quickly destroy that direct democracy. The point is, however, that the Athenian *polis* seems to have been the opposite of a totalitarian regime.

This, then, should be stressed in any form of social organisation.

Further, the argument for the superiority of the contemplative life has some significant weaknesses. One of the reasons why Aristotle thinks it is best is because it is what the gods would live, and we should emulate them. Quite frankly, there seems to be no evidence for the existence of gods, especially for those residing on Olympus, and we are focused on human beings, so this argument can be abandoned. Even if we suppose that gods do exist (or imagine a world where they did), the nature of gods would be different from that of human nature. Perfectionism seeks to improve human nature and not that of other creatures. It is best to stick to human beings.

Nor is the contemplative life as complete as Aristotle likes to think it is. The knowledge produced by contemplation has to be used in human activity for it to have increased value and that use is the domain of political action.

Imagine the following, there is a philosopher (Bob) who has come up with the Grand Unified Theory (GUT), which is about as complete an act of contemplation that could exist, but who has done so in an isolated room in a deserted office tower. Bob tells no one of GUT, publishes nothing, and on his deathbed burns his only copy of the rock solid proof of GUT. What value then does Bob's GUT have? Some value, but not as much as if he had shared it with friends or the rest of the world. GUT would improve our lives in a variety of ways. The value of GUT resides not only in the theory itself, but also in its social application.

The point here is that while an act of contemplation for Bob is worthwhile for Bob, the good of others must also be considered. The Aristotelean conception of humankind—involving friendship and interconnectivity; see below for more on this—is unlike our modern, isolated

conception of human beings. The Aristotelean conception of the good is not located only in the individual but also amongst friends and society at large.[122] Aristotle would have been horrified at the suggestion that philosophers should not teach, debate, and attempt to persuade individuals and public opinion. After all, that is what he did during his life. One should not be focused only on the good of oneself but also of one's neighbour, and that involves political activity, even the encouragement of others to contemplate is a political activity. While contemplation has value in and of itself, political activity brings added value to contemplation.

Further, it would be fairly surprising if Aristotle declared that some other life than the one he was leading would be the best one. That, at the very least, should raise a suspicion or two.

From all of the above and according to this work, the following six key elements of Aristotle's position are clear. These six points are taken forward in the discussions of Part Four as a consequentialist Aristotelean perfectionist theory that can evaluate the *polis* and the State:

1) Political life is part of the good life. *Eudemonia* is comprised, in part, of certain political activity.

Since the good life is a package of virtues and from what has been stated before regarding the nature of man and citizenship, this key element seems to be true. There is no obvious reason as to why it is not the case. People are gregarious beings, and being a player in society is a natural state of affairs. We are constantly jockeying for position and influence within our domestic, work and recreational lives, and the bun fights that often consume academia are prime examples of this point. Heck, throw four people in a room, lock the door, and a political dynamic peculiar to that

[122] In the case of Bob & GUT, this aspect of the good is not being realised.

situation will evolve.

Aristotle takes this one step farther. He is saying that this social activity must also take place in the political sphere of greater society, and that this is the correct thing to do. He's quite right in this regard. It is hard to see how human nature can be perfected if one abandons action in one of the main characteristics of human existence. Slavery is wrong because it takes this vital aspect of a person's life away and places it in the hands of another, and slavery is hardly a good example of someone's essential property of human nature being perfected.

2) Even the contemplative life requires a person who is engaged in it to play an active and meaningful role in the political activities of the *polis*.

3) Even if the contemplative life is to be preferred to the political life, this does not absolve a scholar from playing an active and meaningful role in the political sphere. It is that person's function as a citizen.

Elements 2) and 3) are derived from the discussion around the political vs. contemplative life. Even if Aristotle is correct about the contemplative life being the best life, this still requires political activity, as it is integral to *eudemonia*, which is the defining condition of human nature. Let us further suppose that Aristotle is incorrect about the contemplative life being the best life and there is another best life (call it Life X). Even then, political action will be integral to Life X for human nature is political, and no perfection of human nature can avoid this.

Another important characteristic of human nature is associated with this notion. Part of human nature is that individuals are parts of the societies that they belong to; an Aristotelean-style

analogy would be that individuals are bricks in the wall that should be society. They are interconnected in a deep and meaningful manner that precludes real independent action. It is exceedingly rare (if not impossible) for individuals to act on their own without the assistance of others. One's actions (including success or failure in life) are dependent upon the goodwill of others. Examine one's own life and all its accomplishments or failures and one will find that other human beings played an important part in those accomplishments. This work could not have been written without the support and assistance of a huge number of people (some of whom have been complete strangers), and can rightly be said not to be the result of just one person's activity.

By way of another example, one of the more effective methods of industrial disruption (or sabotage) is “white mutiny”, which is the following of all instructions to the exact letter and with minimal activity by an employee. This subtly wrecks organisations and causes a distinct lack of success in the implementation of projects. The author has used this method before, and has found it to be highly effective. But why? Precisely because this strategy seeks to minimise the interconnectivity of human relations via the withholding of substantive assistance. This work's supervisor could have killed this work by employing such a strategy. A supervisor is not required to lend books, meet outside of working hours (the author has a full time job), etc. and without those and related activities this work would have never been completed. Human beings work better in systems of mutual aid than as isolated cogs in a machine.

What Aristotle seeks to do is both to identify this condition and to focus upon it in regards to human improvement, especially within the political realm. Again, this seems to be the correct approach. The conception of what a citizen is—an individual involved in the administration of justice (by sitting on juries) or holding offices—is both correct and greater than today's commonplace notions of citizenship. Mere voting in an election once every four years for a political

party doesn't capture this notion. What appears to be required for the political life is, in conjunction with others, to debate, decide, and implement the activities of one's society.

4) However, being involved in the political life is not enough for an individual; he must also act in a virtuous manner (which he gains through education and habituation) and his use of rational ability.

Aristotle's point is quite simple. Political activity without the correct kind of virtue is often what leads to tyranny, corruption, and self-centered ambition. However, with a strong understanding and internalization of virtue, particularly moral virtues such as friendship and justice, such political evils can be avoided.

In regards to those particular moral virtues, Aristotle's list seems to be a good one. If someone were to live according to those virtues, we would be hard pressed not to consider her a good human being and it seems unlikely she would engage in immoral activities. Perhaps additional virtues could be added in an effort to improve the list, and that would be a fine expression of contemplation, but the list seems to be, at the very least, workable. Nor would any alterations to the list affect the overall direction or structure of the theory.

"Education" is the usual translation for the Greek term "*paideia.*" *Paideia* encompasses more than mere schooling. It is a life long process of character development, growth, absorption of culture and training in skills and knowledge.[123] Aristotle seems to confirm this when he states in Bk. V, Ch. 11 of The Politics, "Now by education for a constitution I do not mean simply teaching the young to do the things that oligarchically-minded or democratically-minded people enjoy doing,

[123] Bookchin, The Rise of Urbanization and the Decline of Citizenship, pg. 59.

but that their teaching should enable them to live as an oligarch in an oligarchy, as a democrat in a democracy."

Aristotle has a point here. Education is tied intimately to the concept of citizenship. It would be asking a great deal of a person to assume the duties of citizenship without a thorough education in them. Aristotelean ethics seem to require that individuals receive this type of complete education. The skills training of modern education (basic mathematics, reading and writing) would not be sufficient, as it ignores the political aspect of our human nature. Education should be aimed at improving the individual overall, and not merely equipping her with the skills she would need to find a job. This is in line with the aims of perfectionism.

5) The citizen needs to live in accordance with a strong and deep sense of friendship, and have material goods such as health and leisure.

Friendship has been discussed at length above, and is connected to the discussion on the interconnectivity of human beings. In regards to material goods, Aristotle seems to be quite right, and this point will resurface in Part Four. It is hard to see how one can live a good life if one is starving, constantly sick, or too busy working 15 hour days. These material goods are the basic conditions for human existence and are required in order to attempt perfection.

6) Furthermore, a citizen must also have a fair degree of self-reliance; one cannot live the good life if he is under the domination of another for the basic needs of life.

This last point is often tied in with the notion of wealth, and the definition of wealth for the Ancient Greek is one whose household provided him the means to engage in the political and/or

contemplative life. Richard Kraut notes that half of Book I of The Politics is devoted to the subject of household management and makes the following point:

> We should also notice that although Aristotle expects his readers to leave most crafts to others—he does not take himself to be talking to cooks, cobblers, and horse trainers—there is nonetheless one craft, at least, that every one of his readers needs: household management (*oikonomia*). They must have or develop the virtues by which they can exercise proper management of their property (including their slaves) and family. If they cannot handle these material and personal goods, they will not have the leisure needed to engage in politics and philosophy.[124]

There is also a further point. Self-sufficiency is really an economic expression of equality. If one is dependent upon another for the basic goods of life, then one is in an unequal power relationship. Such is the case of working for a salary in the modern world. A salary (hopefully) enables one to have a place to sleep, food to eat, clothes to wear, money for philosophy books, and so on. Without that salary (unless one inherits wealth) one cannot do these things and ends up starving and sick. This gives whoever pays that salary, through the threat of withholding the salary, a powerful and dominant position in that relationship. Equality seems to be a good thing—it is hard to think of a compelling reason why it wouldn't be—and, thus, so is self-sufficiency.

This was recognised not only by Aristotle, but also by other Athenians. The Athenian *polis* had a version of a social welfare system that allowed political equality. Through the subordination of capital and payment to the poor (via jury duty and rowing on galleys), a system was developed where the poor would have the means to engage in the political system as equals. What seems to be

[124] Richard Kraut, Aristotle and the Human Good (Princeton: Princeton University Press, 1989), pg. 249.

prized is the notion that wealth should not be a barrier (through the economic subordination of individuals) to equality, and the best way this can be achieved is through material self-sufficiency. Essentially, this is a case of economics beings designed according to virtue, and this is a point that will be further explored in Part Four.

To sum up, even in the contemplative life a citizen must be engaged in the *polis's* political sphere, as has been shown. It is impossible for a man to be a citizen without such an engagement[125]; what one does with this engagement seems to rest on a variety of factors such as luck, opportunity, and natural inclination. Only after a man has become a citizen of a democratic *polis*, has achieved self-sufficiency, engages in the *polis* through friendship, takes on the duties of the *polis* such as educating his children and serving when necessary in the military, and lives the virtuous life can he choose to live the good life, either via the political life or the contemplative life (or even some other better life, Life X). Neither of these lives demands a withdrawal from the *polis*, in fact, much the opposite.

And now, finally, it is time to engage with the *polis* and the State in light of this version of Aristotle's ethics.

[125] There is also Aristotle's stronger claim, shown previously, that a man cannot be a man outside the *polis*.

Part Four: The Polis

> "That perfect liberty they sigh for—the liberty of making slaves of other people"
>
> -- Abraham Lincoln, *Speech on the Repeal of the Missouri Compromise*, 1854[126]

Part Four will seek to answer one major question: Is the State justified relative to the *polis* in light of an Aristotelean ethic? In order to achieve an answer, there will first have to be a historical understanding of the Athenian *polis* of Athens's Golden Age, which Aristotle based his best *polis* upon. In conjunction with the rather long discussion on Greek thought and socio-economic conditions in Part Three, this historical understanding will help to illustrate what kind of social organisation a *polis* is. After finishing that, the next step is to determine whether the *polis* is a State and the implications of an Aristotelean approach to perfection with respect to it. It will be argued that Aristotle's *polis* is not a State. However, this isn't the end of the road for the State, for declaring that the ancient Greek *polis* is not a State doesn't preclude the possibility of a State realising Aristotelean perfection. Alas, for the supporter of the State, a modern version of the *polis* could be better suited for human perfection (see below). Further, there are major issues with the historical *polis* regarding its exploitative economy.

It will be necessary to see whether the key elements of the *polis* (including an Aristotelean approach to the good life, as stated in Part Three) can be realised through the State. It may be that Aristotelean ethics & politics may be best actualised in a State, it may be that it is impossible to have the time required to engage in politics and contemplation in the modern world, a "modern polis" (of some kind) may be not possible, and it might occur that a radical revision of how we live, work, and interact will be required to achieve the good life. Only then will there be an answer to the

[126] http://www.ashbrook.org/library/19/lincoln/peoria.html

major question of justification of the State in line with Aristotelean ethics, which is one of the aims here.

One quick caveat: Do not expect a complete and total answer in regards to what kind of society we should live in or how it would work. Such issues will require further research, development of theory, and practical experimentation, and, at best, this work hopes to be suggestive rather than absolute.

The *polis*, of which much has already been said, was a community of citizens ideally working towards the realisation of *eudemonia*; on an Aristotelean approach, a good *polis* would be one that provided the practical virtues needed for *eudemonia*, and a bad *polis* would be one that failed to do so. This working towards *eudemonia*, in the case of Athenian democracy, worked primarily through the Assembly, which met at the *agora* (a wide open and common place). The Assembly was free to all citizens and met on a pretty much constant basis. Any citizen was free to propose and debate any decision of the Assembly, and it was the Assembly, by majority vote, that made the decisions of Athens. The Assembly was the highest decision-making authority and none had the right to overturn, circumvent or ignore its decisions, which encompassed all spheres of Athenian life (including economic, social, military, and foreign).[127]

In addition to the Assembly, there was a Council of 500, which prepared the agenda for the Assembly, but which the Assembly could reject or alter at will, and which helped in resolving technical issues. The Council of 500 was made up of citizens drawn by lot from Athens's *demes* (similar to neighbourhoods), and the term of service was a year. Given that Athenian citizenry

[127] Burn, The Pelican History of Greece, pg. 238-242.

seems to have peaked between 30,000 to 60,000[128] individuals, there was a strong chance that an individual citizen would serve on the Council of 500 during his lifetime. In addition, there were a variety of offices empowered to carry out specific tasks such as commanding the army. These offices were either by lot or by election, short in duration, and subjected completely to the Assembly. Any officer had to give a complete accounting to the Assembly at the end of his term. Finally, there were the juries, which consisted of up to a total of 6,000 citizens and determined disputes (trade, criminal, etc.). Once again, jury duty was determined by lot, and citizens on a jury were given a modest stipend, enabling the poorest of citizens to attend and complete their civic duties.[129] The average citizen, through no real effort greater than that of the majority of his peers, would be called upon to decide on and play a practical role in the vital actions of the *polis* at least once during his lifetime.[130]

Education has been mentioned in passing and the subject needs some clarification. The education of the Athenian youth does not seem to have been the responsibility of the state/government. Instead, Athenian fathers paid fees to individual teachers for their sons' education[131], physical and military training seems to have been the responsibility of the entire *polis* but devolved down to the level of tribes and *demes*, and intellectual training (what we would call tertiary training) the domain of philosophers, who entered into private relations with individual students. The point is that education was, when compared to how today's States educate their young, an overwhelmingly private affair but backed up with considerable social pressure. It seems

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[128] The population figures given from Athens vary widely, but it seems that the total population of citizens was somewhere between these numbers.

[129] For a discussion on the economic makeup of Athenian citizens, see the historical discussion in Part Three.

[130] Burn, The Pelican History of Greece, 238-240.

[131] Note: In extreme crisis, the Assembly seems to have taken over payment of fees. These times seem rare, and one notable example is when the Athenian populace was evacuated pending a Spartan attack, citizens successfully carried a motion through the Assembly that the *polis* pay for the education of the youth during the evacuation. Source: Plutarch, Life of Themistocles, 10, as quoted in Flacelière, Daily Life in Greece at the Time of Pericles, pg. 93.

highly unlikely that a young Athenian would refuse to attend his military service at the age of 18 or avoid the wrestling and boxing matches at the *gymnasia*.[132]

Physically, the *polis* encompassed a city and the surrounding countryside and had a fairly limited (by today's standards) citizen population. Size varied dramatically amongst Greek *poleis*. As Johnston states:

> The city-states (meaning the city and the adjacent land) were generally quite small in area and population (made up of citizens, slaves, resident aliens, women and children). The most populous city state, Athens, with an area of about 1000 square miles, had in 431 BC a population of about 310,000 (about 45,000 of whom were citizens). Sparta, by contrast, although occupying a larger and more fertile area of about 3000 square miles, had a population of about 12,000, the majority of whom were not citizens. Most of the city states were considerably smaller in area and population than Athens or Sparta.[133]

A proper *polis* was completely independent. Not only could it meet its material needs (which it did primarily through levies on the rich and on trade), it was ideally free of any foreign intervention. The Athenian *polis* of the Golden Age seems to have been free from external control (Sparta and Persia, for example) and powerful enough to play a role in the lives of other Greek societies.

Beyond the above, there was also a spirit of community amongst the citizens of the *polis*. While hard to describe in English, it seems to have had a common identity and ethos which all

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[132] Flacelière, Daily Life in Greece at the Time of Pericles, pg. 91-93, 103.
[133] Johnston, "Lecture on Aristotle's Nicomachaean Ethics".

citizens obeyed. The *polis* had an identity that could not be separated from that of any individual citizen. The success of the *polis* was that of the citizen; likewise for defeat. To turn against the *polis* was to turn against oneself. And precisely for this reason, the citizens of the *polis* were the military of the *polis*, and, in fact, there was no division between the two.

Further, the Athenian *polis* was no accident. Through a series of political reforms (more like revolutions), the *polis's* citizens gained a greater and greater share of political power until political power was spread equally across the entire citizenry; power became distributed horizontally and decisions made entirely through a face-to-face, fully participatory democracy. This distribution of power was achieved precisely through the kind of legislation that Aristotle advocates for. As Aristotle states in The Politics (1274a7-10):

> Ephialtes and Pericles reduced the power of the Council of the Areopagus, and Pericles introduced payment for service in the jury-courts; in this way each successive leader of the people made the constitution more and more democratic.

In addition to the horizontal distribution of power, no bureaucratic class or hierarchical power structure was allowed to develop within the citizenry. The previous discussion (see Part Three, pg. 79) on how capital was subordinated is a prime example of preventing any one sector from achieving political dominance, and the ostracism of problematic individuals was used as a method of getting rid of potential tyrants. Murray Bookchin sums up the *polis* and its genesis:

> Within a span of three centuries, the Athenian people and their renegade aristocratic surrogates such as Solon, Kleisthenes, and Perkiles were to dismember the traditional feudal system of Homeric times, wage a steady war against privilege within the citizen body, and

> turn the popular assembly from a lifeless, rarely convened mass meeting into a vital on-going forum for making major decisions, thereby opening public life to every Athenian adult male. Power ceased to be the prerogative of a small, well-born stratum of the population. It became a citizen activity. Athens's historic calendar is marked by seething upsurges of the people, startling fluctuations between aristocratic rule tyranny, limited popular government, until, by the latter half of the fifth century B.C., Athenian political life stabilized around a face-to-face democracy of the most radical kind.[134]

Of course, Aristotle wasn't content with the *polis* of Athens's Golden Age. He thought it could be reformed. Aristotle thought that if men of perfect and absolute virtue could be found (godlike even), then we should allow them to rule. However, he does realise that such men are difficult to find and that in their absence what has been called the middle constitution should be adopted.[135] This middle constitution essentially sets out to reform the quality of citizens; they should neither be too rich as to use wealth as a lever of domination, nor too poor to be unable to have the time (leisure) to engage in the *polis*. Aristotle saw it vitally necessary for the majority of the Athenian citizens to have enhanced access to some of the important practical virtues. This would enable the citizenry to engage in the *polis* and begin the road to *eudemonia*.[136]

Aristotle had other reforms in mind. He was unhappy that education was an essentially private affair, that it was conducted in the same realm as that of the activities of the household. He suggested that it be transferred to the realm of the *polis*, that the education of the youth become a common affair. This does not require that the *polis* becomes a State, for if the *polis* could manage wars, it could manage education and on occasions had done so. Again, Aristotle could have chosen

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[134] Bookchin, The Rise of Urbanization and the Decline of Citizenship, pg. 40.
[135] See Book IV, Chapter 2 of The Politics.
[136] See 1295a22-39.

the Spartan model of education, but declined to. He must have believed that the *polis* could have achieved the transition of education out of the private realm and to the public realm without losing its vital political structure. Still, this is only a reform.

What Aristotle seems to have been suggesting in The Politics was: There was a Golden Age of Athens. There was the right kind of *polis* during the Golden Age, but to be the best *polis* (in terms of producing the most virtuous citizens) there would have to be improvements. However, the basic interactions of citizens were to remain. Not only that, human perfection could not be obtained without it. It was a practical virtue.

And yet, Aristotle's ideal and the Athenian *polis* have been labeled States in the vast majority of the literature. Even on Lawerence Krader's "look around you" definition of the State, the *polis*, as described above, can't be called a State. The *polis* was very different from any of the societies all of us happen to live in; take a look around and you'll find nothing like Ancient Athens. On the definition arrived at in Part Two, the *polis* isn't a State: While there was a defined territory (somewhat fuzzier than today's borders to be sure, but defined nonetheless) and population, it can hardly be said to have the same hierarchical structure. The *polis* did not stand above its citizens; it was its citizens in a certain relationship with each other that was not mediated by another power such as the State. To illustrate this point, the State has dominion over its subjects; it and it alone claims final authority and decision-making power as the apex of hierarchy, and the individual citizen is subordinate to it, regardless of their relations with other citizens. That kind of hierarchical control did not exist within the *polis*. Instead, the *polis* had, by its very nature, a horizontal structure (what is called flat management in today's business parlance) with an equal distribution of power amongst all citizens. While the State structures society in a way that institutionalizes power relations between people through functions granted or regulated by the State, the *polis* did no such

thing, and **it could not have done so and remained a *polis***.

Neither did the *polis* have the kind of bureaucratic government that characterizes States. There was no permanent bureaucratic class with fixed military, judicial, and executive branches. The Assembly, with its shifting composition, served as the *polis's* decision-making apparatus in a way that is remarkably different from the governments of modern States. It is hard to say one is governed when you yourself make and enforce the laws under which you live; Proudhon's description of what it is to be governed could not have been uttered by an Athenian citizen.

What the *polis* did not have also immediately characterises it as different from modern State-controlled societies; there was a distinct absence of the cult of the individual. The individual Athenian was the *polis* but only in cooperation and unity with all the other members of the *polis*. This is a hard concept to grasp, for it is the antithesis of current Western values and traditions. We can say that a person can be a complete entity without her community being present (or even belonging to a community). This cannot be the case under Aristotelean ethics. The societal aspects are key to Aristotelean ethics; one cannot be a complete human being without being part of a community and being part of a community requires one to play an active and meaningful role. Those who are outside of a society of men are beasts or gods, and gods are in short supply.[137]

Yet, despite a lack of hierarchical control, the *polis* was remarkably resilient, destroying the myth that a State is required for defense and internal security. It withstood a multiplicity of wars with other Greek cities and even Persian invasion. The spirit of the *polis* was strong enough to be passed down the generations, and the citizens maintained an eternal vigilance against loss of power and against the internal and external dominance of the few that must have made Thomas Jefferson

[137] 1253a2-6.

bitter with envy.

The only way the *polis* could be described as a State—and this, perhaps, is what has led to so many translations of Aristotle labeling the *polis* a "city-state", and legions of intelligent philosophers calling the *polis* a State—is by viewing Athens with the inclusion of women, foreign Greeks, barbarians and slaves. If this viewpoint is taken, then Athens begins to look an awfully lot like a State. The citizens of Athens formed a government, and there was a hierarchical ordering of society with Athenian men forming an elite governing class and the rest of society in a sharply delineated hierarchical structure with slaves occupying the lowest societal rung. This domination was institutionalised, and from a woman or slave's perspective Athens had a very feudal, aristocratic feel to it.

While this is a valid criticism of the Greek world and is a very good reason not to turn back the clock and start living as if it were 450 BC, it misses the point in its entirety. Great lengths have been taken to explain the Greek mindset and the relationship between citizens and non-citizens. This definition takes modern values and thoughts and imposes them on the Ancient World, and that is foolish. As pointed out in Part Three, there was a total disconnect between Greek men and everyone else, and this disconnect is fundamental to their way of thinking in regards to political philosophy. It wasn't that Aristotle needed to prove that women and slaves had to be excluded; they were excluded because of their very nature. They were a part of the *polis* in the same way computers and antibiotics are part of today's society; they existed so that citizens could live well.

This is undoubtedly harsh (hard people in hard times, remember) and the incorrect view to take of humanity, but it is wrong to apply this stance in relation to Aristotle and the *polis*. If one can accept the Greek mindset for a few minutes, the beauty of the *polis* unfolds. In a way, the citizens

were the sole occupants of the set called humanity, and, therefore, the political structuring of Athens can apply only to them; in a very real sense, the *polis* (ideally) gave political power to all of humanity. If the reader cannot make this mental transition, then all that is said here is without hope or meaning.

However, if looked at from the Greek citizens' point of view, the Athenian *polis* was something quite remarkable and definitely not a State. The *polis* had diffused power so that individuals held equal share and treated each other with the equality and comradeship that Marxists and unions would ideally like for all workers. There was no call for the citizens to unite, for they were already united in quite possibly one of freest, egalitarian, open, complex and urbanised societies to have ever existed in the history of humankind.

Therefore, it is entirely incorrect to call the *polis* a State. Anyway, Aristotle doesn't. Aristotle's conception of a proper *polis* is miles different from what was going on in Sparta (which he often compares with in The Politics). Unlike today's philosophers, who only have the State, Aristotle had an amazing variety of different working models to choose from. While much of the actual text has been lost (perhaps in the burning of the library at Alexandra)[138], Aristotle had before him a range of Greek constitutions to choose from and plenty of non-Greek examples (including Persia and his homeland of Macedon) to point to. He looked to Athens; not to Sparta, Asia, or Europe. Heck, he could have sided with Plato and Socrates, demanding some sort of social contract

[138] The situation regarding the lost works of Aristotle is not without humor. The eminent Hungarian academic and sage Bela Lukas has stated, in rather quaint English, that, "Most of Aristotle's writings are now lost. That is a shame: Antiquity was not careful enough about its greatest thinker, while practically everything is extant from Plato, inventor of the idea of myriad-year-old winged souls fleeing to above Sky, or the 9,000 year old Atlantean superpower defeated by heroic Athenians in 9,400 BC. Well, Fiction is generally sold better than Science, so it was copied much more diligently."
When trying to build interest in the codex of Aristotle's lost works, Lukas has encountered difficulties; "I tried to discuss this topics [sic] with several colleagues of mine, but without success. Maybe all of them are Platonist."
Source: http://www.rmki.kfki.hu/%7Elukacs/ARISTO3.htm.

with a government/State. He could have picked a State-like structure—they existed at the time—but, instead, chose the *polis* as being the one form of societal organisation best suited to the promotion of human perfection.

For Aristotle, the State is the wrong kind of instrument to achieve perfection; an improved version of the Athenian *polis* is the correct kind of society in which to achieve perfection. What the State lacks is the participatory, non-hierarchical structure that allows for meaningful participation, and the spirit of community that marks the *polis*. Therefore, the State is not justified according to Aristotle. However, as has already been and will be shown, that doesn't mean Aristotle was right. The Ancient Greek *polis* has great problems with it.

Where Aristotle's theory comes unstuck is in the field of economics, which is, after all, a sub-discipline of ethics and politics. In order for citizens to have the time and financial well-being to engage in the political and contemplative lives, others would have to grow crops, make shoes, clean houses, build roads, etc. The economic solution Aristotle provides is entirely unacceptable if we are looking towards him on how best to achieve human perfection across the board. His solution is that women, slaves and barbarians should do all the physical work while citizens manage that work and get on with running the *polis* and studying philosophy. He states in The Politics (1329a21-26):

> ...for happiness cannot exist without excellence, and a city is not to be termed happy in regard to a portion of the citizens, but in regard to them all. And clearly property should be in their hands, since the farmers will of necessity be slaves or barbarian country people.

To condemn human beings to lives filled only with mindless labour without the chance of

perfection is a crime against humanity. This is now a fair criticism, and leaves any philosopher who subscribes to a version of Aristotelean ethics with a major problem: In order to achieve *eudemonia*, an individual must belong to a *polis*-like structure and have the economic freedom to fully engage in the political and contemplative life. This will require a fair degree of freedom from work, and this seems achievable only with a large underclass of workers. Yet, this runs straight against our hard-earned (both in intellectual and physical blood) conception that each and every human being should have the opportunity to perfect him or herself and that no one should be the slave of another.

Thus, if Aristotelean thinking is to survive in practical terms, the ethical/political philosopher has a tremendous challenge ahead of him. The open, direct, and horizontal democracy has to be preserved; people must have the time to engage in political and philosophical pursuits, and without the economic enslavement of others. There cannot be those who are deprived of the ability to gain perfection. Can one keep the democracy, openness, community and self-reliance of the *polis* without its supporting economic structure?

Before that question will be addressed, it would be wise to distill the key elements of the *polis*, for it is obvious that a return to 450BC is unacceptable. Not only is the economic structure of Aristotle rejected (and subsequently the notion that some human beings have only the function of slaves and domestic workers), but also we want to keep some of the technological benefits of the last 2,300 years. Any future society would, we'd hope, have antibiotics, electricity, communications, etc.

What seems key to the *polis* and the obtainment of the good life are:

1) Citizens have sufficient time to engage in contemplative pursuits and meaningful political

action.

2) That citizens and the *polis* have a fair degree of self-reliance and good health.

3) The *polis* is engaged in the education and habituation of moral virtue.

4) Citizens do not only have the opportunity and ability to play a part in the political life of the *polis*, but also can do so in a significant manner in line with a very strong kind of participatory democracy (similar to that of the Athenian democracy) and are expected to do so.

5) There is a spirit of community and *philia* within the *polis*.

In order to avoid confusion with the Athenian *polis* and its inherent faults, let us call this version of the *polis* "the modern polis"[139]. The modern polis also faces constraints not faced by the ancient *polis*, and, while they have been mentioned before, it is worth recapping them. The modern polis must include all people, not an only elite stratum, in its judicial, security and political decision making systems. It must also seek to increase the level of perfection across the populace and not only the perfection of an elite few. In addition, the modern polis must be able to provide some of the technological improvements that States are currently able to. The modern polis doesn't have to be able to reproduce all the technology (argued below) that a modern State does, but, at least, the technology best geared to achieving perfection.

The modern polis faces a variety of challenges from proponents of the State. These challenges fall into two broad categories. The first is that the modern polis is an unattainable ideal that will never be realised. It is a pipe dream, and because it will never be constituted the Aristotelean ethics behind it must be abandoned for an ethical theory that will bring about a real society. This does have a degree of relevance, if for no other reason than Aristotle was quite keen

[139] Likewise for the plural.

for people to act in the political manner he describes (1177b6-7). Further, a discussion on whether a modern polis would be significantly impractical is worthwhile in its own right.

The other category of potential challenges is that the State is able incorporate all the key elements of the modern polis. Essentially, this line of argumentation states that there is no need to look for a non-State solution; Aristotelean perfection is possible under the right kind of State. Not every State may be able to promote virtue and the good life but a special State would be able to, and the citizens should engage in reforming their current States, making them States that promote Aristotelean virtue.

Starting with the first category of objections, an objection that a proponent of the State may wish to raise is, "But would a modern polis be able to provide internal and external security? Other societies would invade and conquer. The hierarchical structure enables the State to be able to mass the resources of society to defend its territory. Athens fell to the hierarchical society of Philip of Macedon and again to the Roman Empire. A modern polis would be easy pickings in a world of States."

This objection has sparked serious debate in similar philosophical contexts, especially in the libertarian tradition with an almost unhealthy obsession with protection agencies. A protection agency is an organisation that an individual (in a non-State environment) pays to provide her with security. For example, Robert Nozick's Anarchy, State, and Utopia deals with protection agencies in great detail.

Protection agencies for internal security seem not to be an issue for the modern polis. Current communities with a strong internal ethos and a lack of outside interference are able to

provide internal security, and so have voluntary associations, primarily through the threat of ostracism. The payment of fees to a protection agency in the libertarian vision seems contrary to the vision of the modern polis for it would create a hierarchy in society and remove the collective responsibility of the modern polis. Further, if Nozick is correct, dominant protection agencies become minimal States, thus defeating the purpose. He states:

> Since the dominant protective association judges its own procedures to be reliable and fair, and believes this to be generally known, it will not allow anyone to defend against *them*; that is, it will punish anyone who does so. The dominant protective association will act freely on its own understanding of the situation, whereas no one else will be able to so with impunity....We therefore conclude that the protective association dominant in a territory, as described, *is* a state.[140]

The modern polis avoids this problem with its community-wide approach to achieving security, and internal security (crime control) doesn't seem to be unachievable with the modern polis, based upon limited historical evidence. While crime existed in the Athenian *polis*, justice seems to have been served through the Athenian jury system. The objection would be valid only if the modern polis had a significantly greater internal insecurity than a modern State does, and levels of insecurity can be quite high, as they are in South Africa, Russia and Brazil today.

Part of the problem in defending the modern polis in this and other regards is that it is hard to conceive of such a society. None of us have lived outside of a State, and there is an idea that it is a representative of the only practical form of social organisation. Further, so the notion goes, outside of a State there is no social organisation. The modern polis, as conceived, has a very

[140] Nozick, Anarchy, State and Utopia, pg. 108, 118.

definite form of social organisation, but one which is non-hierarchical. A modern polis would not be a hotbed of chaos and random destruction, and there seems to be no *a priori* reason why internal security couldn't be maintained.

External security provides a greater challenge, and this can be sub-divided into two different sub-challenges. The first is that a modern polis could not come into being, for the creation of such a society within a State's territory would be a direct affront to that State's hierarchical control and would be subsequently squashed. Historically this seems to be the case, the most famous example being the Paris Commune of 1871 and the most recent is the Otaxca uprising in Mexico of 2006. History is not on the side of the modern polis. As Karl Marx stated in The Civil War in France:

> The civilization and justice of the bourgeois order comes out in its lurid light whenever the slaves and drudges of that order rise against their masters. Then this civilization and justice stand forth as undisguised savagery and lawless revenge.[141]

The second part deals with aggression from other societies, particularly the State. One could hardly ever argue that a modern polis would be able to defeat a modern State bent on invasion (such as the USA) in a conventional war. Athens was able to defend herself from external aggression from the Persians and other Greek societies only by working in league with other *poleis*, and, even then, Athens was a highly militaristic society with each and every citizen under arms and fighting at some point in their lives. Conventional war has changed since then, transforming into a battle between industrial production and technological achievement.

Militarily-speaking, in the face of external aggression a modern polis (unless in a powerful

[141] Karl Marx, The Civil War in France (New York: International Publishers, 1941), pg. 74.

confederacy of modern poleis) would appear to have four options. The first is to develop and adopt a policy of mutually assured destruction through nuclear and/or biological weapons. The second option is to allow invasion and then engage in asymmetrical warfare, the Baghdad option. Both of these options tend to have rather negative consequences if engaged. Nuclear obliteration or wholesale slaughter hardly seem to be great results for perfection.

The third option would a high degree of militarisation in some kind of citizen militia system. The success of this strategy would depend on the strength of the opposition. A 5,000 strong militia won't defeat a 50,000 strong army, let alone a million man army. The fourth option would be diplomacy and the prevention of war itself; in Aristotelean terms this would be significant engagement in the political life. As he states (1177b7-11):

> Now the activity of the practical virtues is exhibited in political or military affairs, but the actions concerned with these seem to be unleisurely. Warlike actions are completely so (for no one chooses to be at war, or provokes war, for the sake of being at war; any one would seem absolutely murderous if he were to make enemies of his friends in order to bring about battle and slaughter)...

To survive in conflict situations, the modern polis would have to seek allies and engage in collaborative mutual defense arrangements, whilst employing considerable diplomatic charm. Although, such a collective approach could only work once several modern poleis came into existence in the same generalised locale. This would leave the first modern polis in something of a sticky situation, bait surrounded by hungry sharks. Unless, of course, a modern polis could make an alliance with a powerful State or league of States.

The assumptions behind this objection—that a modern polis would be overrun by States—have tremendous implications for how we view the State. If the State is the sort of creature that will inevitably engage in hostile actions against communities seeking political self-actualisation, either on the State's territory or outside of it, that says a great deal about the State and its failing to provide people with true political choice and moral autonomy. Put another way, do we really want a form of social organisation that prevents alternatives, engages in wars for power, and demands an Old Testament God style obedience? Is that not slavery?

The objection that the modern polis would be at the mercy of conquering States is actually an objection against the State itself. Might does not equal right, and the activities of contemplation and politics should be employed to determine how the modern polis could survive against violent entities.

The proponent of the State might then ask, “Even if dealing with economic affairs is part of living the good life, how would this be organised? Who would organise the economy? Surely that needs a body like the State.”

Well, no. The Athenian *polis* didn't require a State-like body to conduct its economic affairs, despite having a wide trade network. Free cities and guilds didn't require States to conduct economic affairs, and Barcelona in 1936 successfully (if briefly) ran along anarchist principles and flew the red & black flag of anarcho-syndicalism. George Orwell gives us a glimpse of what it was like to live in Barcelona during the summer and autumn of 1936:

> Every shop and café had an inscription saying that it had been collectivized; even the bootblacks had been collectivized and their boxes were painted red and black. Waiters and

> shop-walkers looked you in the face and treated you as an equal. Servile and even ceremonial forms of speech had temporarily disappeared...There were no private cars, they had all been commandeered, and all the trams and taxis and much of the other transport were painted red and black...In outward appearances it was a town in which the wealthy classes had practically ceased to exist. Except for a small number of women and foreigners there were no 'well-dressed' people at all. Practically everyone wore rough working-class clothes, or blue overalls, or some variant of the militia uniform. All this was queer and moving.[142]

Moreover, a deep strand of capitalist thinking seems to suggest that the market (via Adam Smith's invisible hand) can run a complex economy without State interference. There seems to be no reason as to why economies require States. While this does prove that economies don't require States, this find of free market fundamentalism seems at odds with Aristotle's perfectionism, as explained in the next paragraph.

Where a modern polis would differ from modern States is that there would be significantly less power accorded to merchant classes. Current corporations could not survive in the modern polis; they require a large degree of State support, and they have hierarchical structures and patterns of dominance that are contrary to the spirit and structure of the modern polis. The inequalities that arise out of current capitalist economic models create barriers to human friendship (by dividing society on strict Marxian classes) and create conditions such as wage slavery that violate the principle of self-sufficiency.[143] As has been pointed out before, Athenians dealt with this problem through a social welfare system that allowed the poor to participate. Further, the generation of wealth in the modern polis is only a means to an end, and how much wealth is really required to

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[142] George Orwell, Homage to Catalonia (1938). Cited in Woodstock, Anarchism, pg. 366.
[143] Hurka, Perfectionism, pg. 177-178.

engage in contemplation and politics seems to be a lot less than today's rich people seem to require. Per capita it would be far less resource intensive than today's developed economies (but more than, say, Somalia).

The proponent of the State could then say, "It seems that the modern polis would be a small society of a limited geographical area, no bigger than a small city and the surrounding countryside, and so how is this compatible with today's large urban environments? Would Johannesburg have to cease to exist?"

It is true that the key elements of the modern polis seem to require societies of limited size. How big is impossible to determine, and would differ in size from each other dependent on local circumstances. A strong spirit of community and a strong version of participatory, face-to-face democracy would necessarily mean independent societies much smaller than today's States. Further, self-sufficiency will mean small population sizes; Kirkpatrick Sale has analysed self-sufficient communities over history and has concluded that self-sufficient communities have between 5,000 to 10,000 members, and even Medieval cities were broken up into units of 5,000 to 10,000.[144]

The Ancient Greek *poleis* and other historical variants (such a New England town meetings) existed in largely agrarian economies. The world has changed significantly since then, especially since 1950, which was the watershed moment of modern capitalist economics and rising urbanisation. One answer to the objection would be to abandon the notion of large cities, and, subsequently, shift population distribution; Pol Pot attempted to reorganise Cambodian society in a similar manner. This seems a poor solution, primarily because of the extreme social hardship that it

[144] Kirkpatrick Sale, "Economics of Scale vs. the Scale of Economics: Towards Basic Principles of a Bioregional Economy" (Vermont Commons, 2006), http://vtcommons.org/node/358.

would entail, and also because it may be a fantasy. Human population has grown dramatically, and maybe too far for such a solution to be possible.

However, the question must be asked, why can't cities be broken up into smaller units? In a way, they already are with wards, municipalities, districts, neighbourhoods. This may mean that the production of goods and services across the entire urban environment may be more inefficient than today's cities (but not necessarily so). However, that doesn't seem to be an impediment to perfection, as they are only means to an end.

The second category of objection deals with the idea that the State is better suited to increasing Aristotelean perfection than a viable modern polis would be. Issues raised in support of this would be along the lines of social welfare, use of resources, economic planning, and so on. For example, the proponent of the State might argue, “Achieving the political and contemplative life requires, as has been pointed out, a hefty chunk of free time. This was possible during Aristotle's time only through the use of slave and bonded labour, which has been rightly rejected. How would the modern polis be able to provide both the free time of politics and contemplation and, at the same time, produce all the basic goods of a modern society? If everyone is engaged in politics, contemplation, and on increasing their levels of virtue, who will grow the food, build houses, clean streets, man clinics, educate children and so on? A starving, illiterate, sick populace can hardly be said to be perfecting their virtues whilst shivering in the rain.”

Good point, if somewhat misleading. Aristotle didn't say that individuals should be engaged in the political and contemplative life twenty-four seven. He holds the reasonable position that the political and contemplative life requires external goods (1099a31-b6) and that a citizen should look after his household (1256b26-40), which is his economic resource. Obviously, this will require time

away from contemplation and politics. How much time? While Aristotle doesn't tell us how many hours a day we should spend on economic activity and how many on developing virtue, he seems to suggest that we should do just enough to meet our needs. Economic activity is only a means to an end, and should be treated as such (1096a1-8).

While this doesn't answer the question entirely, it sets up the basis of the rest of the answer. In the modern world, people often work long hours and spend several hours in transit, working far from home. Often people work far more than is necessary to either accomplish the work or to achieve the basic goods. Often work is fairly useless and pointless. Living in the modern polis will require individuals to look after their economic well-being, but that might not take as long as it does today. So, to answer the question, the citizens will have to do some work but less than what is done today. However, this doesn't have to get in the way of developing virtue. Even in the case of manual labour—which Aristotle abhorred—it seems entirely conceivable that someone does some hours (say four) a day of manual work and then spends another couple of hours on improving virtue, engaging in politics, contemplating ethics, etc. Working on achieving the imperfect virtues does not seem to preclude achieving perfect virtues within the same time frame. What can't be stated is some sort of time allocation for politics/contemplation vs. work. It is impossible to say that if someone works three hours and contemplates Kant for seven then she is living the good life. The balance between work and perfect virtues seems to have to be a reasonable one dependent on circumstances.

To which, the proponent may reply, “Yes, but what about technology? Growing crops and making clothes may be achievable, but what about CAT scans, space flights, computers, jets, high technology, electricity? How could the modern polis make, maintain, and use life support systems, for example?”

There are some who say that technology has reached a point (or will reach it sooner or later) that will enable the modern polis to come into being. Instead of human beings doing all the labour, we would have machines. Then again, people have been saying this since the 1950—remember the Eisenhower era "atoms for peace", cheap electricity for all—and what may be at fault is not technology itself but its use. Several philosophers have grappled with this problem, Robert Paul Wolff being one of them. He states:

> Only extreme economic decentralisation could permit the sort of voluntary economic coordination consistent with the ideals of anarchism and affluence...we might be able to break the American economy down into regional and subregional units. The exchanges between the units would be inefficient and costly.... But in return for this price, men would have increasing freedom to act autonomously.[145]

According to Robert Wolff, what is required for this to occur is a local, cheap source of power and small-scale manufacturing capabilities. These are not impossible to achieve with current technologies. Take the issue of electricity in South Africa, for example.

Access to electricity is a determining factor in one's position within society under the South African State, and the withholding of access to electricity, either through refusing to provide access or through tariffs, is an act of controlling individual access. In the power relationship between the citizenry and Eskom/State, those who control the generation and distribution of electricity hold all the cards. There is very little citizens can do if the price of electricity is increased (for the poor with access, a rise in price means that their access becomes further restricted) or if supply is diverted to industry.

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[145] Wolff, In Defense of Anarchism, pg. 82.

Put another way, the individual citizen is dependent entirely upon the State to provide him/her with a basic condition of modern life. This gives the State undue power over the circumstances of the fortunes of citizens, communities, organisations, and business, resulting in an insidious form of patronage. Further, the total centralisation of energy conversion has enabled the government to use electricity as part of its macroeconomic policy; witness the pre-paid meter wars in Soweto, the staggering amounts of disconnections and evictions for non-payment, preferential pricing for domestic and foreign corporations, an attempt at privatising Eskom, and a continued reliance on coal. Using only coal to generate electricity provides an effective market-subsidy to the coal mining and export companies (such as Anglo Coal and TOTAL).

Fortunately, there do exist alternative technologies for a modern polis—such as solar, wind, biogas—and methods of using energy with greater efficiency that have the potential to localise electricty conversion. Technologically speaking, we are close to the point of having a carbon-based paint that can be applied to a wall and will generate electricity using solar radiation.[146]

It is possible to devolve electricty generation to the point that each household would be able to generate not only enough electricity for its own use but also excess electricity that can be fed back into the national grid. This is not impossible to achieve; the laws of physics do not prevent it, and it is not beyond current engineering capacity. This can be achieved today, and it is not science fiction. The technology will have to be renewable and use materials available at a local level; wind and solar provide two potential sources for such a system, and, because they are free to all, cannot be controlled by the few. To use a slightly different terminology, the means of production regarding

[146] Canadian Broadcasting Corporation. "Solar Revolution" (2007), http://www.cbc.ca/toronto/features/solar/sargent.html.

electricity would be in the hands of the users themselves.[147]

Another point regarding technology is the assumption that the production of complex technology necessarily requires the State. This doesn't seem to be true, with software providing a counterexample to the claim. This work has been typed on a computer running open source software. The open source revolution and the Internet provide working examples of how complex technological goods can be produced in a decentralised, non-hierarchical manner. Essentially, hackers in garages have been responsible for writing computer code that is, arguably, safer and better than systems such as Microsoft Windows, and have done so in a gift economy (good open source code brings kudos not dollars).[148]

The final point behind technology deals with another assumption posed, that a modern polis would exist in isolation. Just like the Athenian *polis* (which, to simplify things, basically traded wine for grain), a modern polis would trade for items that it could not or didn't want to produce. Nor would a modern polis be required to trade with other modern poleis; it could also trade with States and other non-State societies. A modern polis wouldn't have to produce everything for its existence, just as long as it produced enough desirables to trade with (less would violate the principle of self-sufficiency). Further, there also would be no barrier against the sharing of information with other societies.

However, there is a big question left unanswered, by both the response to this objection and the previous objections, namely, what sort of economy would a modern polis have? Given the scale

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[147] For a deeper analysis of the centralised generation of electricity, State control and liberation energy technology, see: Tristen Taylor, "The Political Economy of Power" (Johannesburg: Earthlife Africa, 2007), pg. 1-13.

[148] For more on the ethics and economy of open source software, see: Eric Raymond, The Cathedral and the Bazaar, www.catb.org/~esr/writings/cathedral-bazaar/.

of the modern polis and requirements of obtaining *eudemonia*, what sort of economy is both possible and best suited? Would free market fundamentalism be the best system as Murray Rothbard[149] has advocated for? Given the brief discussion here, that's unlikely, but greater analysis is required to properly substantiate that claim. On the other end of the scale, what about Michael Albert's[150] participatory economics?

These economic systems need to be addressed in terms of their viability and their ability to promote *eudemonia*. This would be an interesting topic of research and thought, but one that would require a couple of years of contemplation. However, until this topic is adequately addressed, a complete answer regarding a modern polis and its economy (that is the provision of the material of imperfect virtues) is unattainable.

A more telling objection to this line of thought deals with multiculturalism. The Ancient Greek *poleis* were fairly uniform societies with a single broad culture. Could different cultures exist without a State to provide a mediating influence? Maybe, but only if negative aspects of cultural difference—racism, sexism, religious & ethnic intolerance, xenophobia, sexual discrimination, paternalism—are accepted. A modern polis would seek, as the Ancient *polis* sought to curb the power of the rich, to prevent these ideologies becoming cancers on the community, not only because they have no logical basis, but also because they are destabilising and destructive. The success of a modern polis would be in education and habituation of virtues contrary to these ideas, which is something that no State has managed to achieve.

Another (and more important) answer to all of these different facets of the second category

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[149] Murray Rothbard, "Society without a State", 1974, http://www.mises.org/story/2429.
[150] Michael Albert, "Life After Capitalism—And Now Too", 2004, http://www.zmag.org/content/showarticle.cfm?ItemID=6417.

of objection can be boiled down to an ethical objection against the State, based upon the Aristotelean ethics described in Part Three and the discussion at the beginning of this section regarding Aristotle's *polis* and the State.

Because the State necessarily has a hierarchical relationship with the citizens, in which economic, political, legal, military and social decisions are made by the government (which is separate and above the citizenry), the individual citizen is unable to engage in any of these spheres as an equal partner. The social context that is vital to achieving *eudemonia* is missing. For example, the face-to-face democracy, in which each and every decision of the modern polis (or Athenian *polis*) is subjected to any citizen's political review, is completely absent in the State. Without such a mechanism, it is hard to see how the political life can be engaged in. The political life demands that citizens have the power to alter, implement (share in the duties of the modern polis), propose and reject any function and law of the society in which they live. The best that a citizen can do in a State is to vote once every couple of years for a political party or individual politician, and, in the process of voting, the citizen effectively gives away her political control; at best it is abdicated involuntarily, at worst she never had it to begin with.

The previous objections have dealt with the issue that, in certain areas, the State can provide compensating types of virtue (technology, for example) that help to perfect us in areas other than the political. As the political aspect is key to the Aristotelean ethic, these compensatory virtues would have to be very high in comparison. The responses to the previous objection have shown that this is not the case.

The effect that the State's hierarchical structure has on the power of the citizenry is explained through Marx's description of what has become of workers when the means of production

are divorced from them:

> ...mutilate the worker into a fragment of a human being, degrade him to become a mere appurtenance of the machine, make his work such a torment that its essential meaning is destroyed; estrange from him the intellectual potentialities of the labour process in very proportion to the extent to which science is incorporated into it as an independent power...[151]

The State could never reform its political system to approximate that of the modern polis for two reasons: One, it would cease to be a State for hierarchical decision-making and political control are essential features of the State. Two, the scale of the State appears to be wrong for such a system. How could 40 million people engage in this kind of participatory democracy? How could a billion people?

While there could be some sort of technological approximation (a virtual debating room) of face-to-face interaction, getting a couple of million people involved in a debate doesn't seem possible. Also, the political life involves fulfilling some of duties of society (such as sitting on juries, joining a militia, educating children), which isn't included in discussing legislation only.

Further, the spirit of community that plays such a vital role in the realisation of *eudemonia* is absent in the State. Nationalism has replaced it, and that is a mockery of conception. Nationalism is pride (and often love) in one's State or country. The Aristotelean spirit of community is an acceptance of interdependence and common aims of people, not an entity.

Therefore, Aristotelean ethics and politics cannot be used to justify the State for the State is

[151] Karl Marx, Capital, cited in Noam Chomsky, "Notes on Anarchism" (Spunk Library, 1970), pg. 8.

the wrong kind of political structure for *eudemonia* to flourish. And, this new kind of society must be beyond the State for its inherent structure is contrary to the self-reliance and political freedom required for *eudemonia*. However, this conclusion is weakened significantly due to outstanding problems and/or deficiencies in economic and defensive theory in regards to the modern polis. Both of these issues need further work and exploration before the case can be sealed. The good is in the complete and this is incomplete.

If so and by way of conclusion, what is the value of the notion of a modern polis? The modern polis represents an idea of an alternative society, the aim of which is *eudemonia* for each and every citizen. It would be a society of incredible openness, and the citizenry would have direct control over all political decisions. They would be the masters of their own destiny, working in a collective manner to improve themselves. This is currently an ideal, but an ideal in which, in however a limited manner, individuals can and should strive towards.

Aristotle has given us a great gift: a vision of another society, somewhere on the horizon, but with great reward, that of the good life. Given a choice, which would you choose? Domination in the hierarchical society of the State, or freedom in the modern polis? Wage slavery or self-sufficiency? Can it ever be that a thin bureaucratic class engaged in the machinery of statecraft could possibly know your interests better than you do and are more competent than you to decide upon them?

Even if such a society is unobtainable, a pipe dream for romantics, the struggle towards it would bring great benefits. If the struggle brings about a greater degree of political control to the individual, if it reduces the cancers of racism, sexism, etc. within our societies, if it helps to abolish wage slavery and brings technology (as a mode of production) into our hands, and if it reduces the

current domination of the few over the many through the devolution of power, then we should bow our heads in thanks to Aristotle. As George Woodcock states:

> Obviously it [anarchism] is not immediately realizable, it will probably never be realized. But the very presence of such a concept of pure liberty can help us to judge our conditions and see our aims; it can help to safeguard what liberties we still retain against further encroachments of the centralizing state; it can help in the urgent task of mere survival, of living out the critical decades ahead until the movement of world centralization loses its impetus like all historical movements, and the moral forces that depend on individual choice and judgement can reassert themselves in the midst of its corruption.[152]

Two thousand and three hundred years ago humanity was faced with a choice between Plato's Republic and Aristotle's *polis*. We chose Plato. Time to choose Aristotle.

[152] George Woodstock, Anarchism, pg. 450.

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