

## Reviews

Fred D. Miller, Jr., *Nature, Justice, and Rights in Aristotle's Politics* (New York: Oxford University Press, 1995), xvii + 424 pp., Cloth \$49.95, Paper \$24.95.

Randall R. Curren

*University of Rochester*

Fred Miller's *Nature, Justice, and Rights in Aristotle's Politics* might well be the one book on Aristotle's *Politics* from the present era which will continue to be an important point of reference for teaching and scholarship well into the next century.<sup>1</sup> It is a very good and interesting book: not only thorough and convincing in its interpretation of many important aspects of the *Politics*, but also highly instructive and useful in the way it organizes Aristotle's theory into a coherent whole resting in well-defined principles. It gives us a handle on Aristotle's political theory which we simply did not have before. Moreover, it addresses itself not only to Aristotle specialists, but also quite accessibly and well to students and non-specialists with interests in political philosophy generally. In short, there is a great deal to admire and be grateful for in this book, and anyone with an interest in Aristotle's political thought or the history of political thought in general would profit from reading it.

The book begins with a stage-setting chapter which outlines "the central argument of the *Politics*" (vii; 335), and devoted the three chapters of Part I to a methodical elaboration of that argument. On Miller's largely compelling interpretation of this argument, its central claims are that:

human beings are by nature political, in that only they are naturally able and disposed to live together and co-operate in political communities; the polis exists by nature, in that it arises from natural potentials and serves natural ends; the polis is prior by nature to its individual members, in that they can realize their natural ends only if they belong to a polis...and co-operate in a specific way, viz., according to universal justice and for the common (i.e. mutual) advantage... [from this concept of universal justice there follow] principles of particular justice (i.e. distributive, corrective, and reciprocal) which may be used to guide the lawgiver in establishing, maintaining, assessing, and reforming particular constitutions... [most importantly a principle which] bases political rights on nature, i.e. merit... (335)

The five chapters of Part II elaborate the "constitutional applications" of the central features of the theory presented in Part I, beginning with an account of the various forms of constitutions and political rights, proceeding through accounts of the best, second-best, and deviant constitutions, and finishing with an attempt to piece together "the basic materials of a theory of property rights" (307). A concluding tenth chapter provides a contemporary appraisal of the foundations of Aristotle's political naturalism, and concludes that his "moderate individualism," grounded in the idea that humans are "political"

by nature, provides a more promising basis for a theory of rights than modern "extreme individualist" views, grounded in concepts of a state of nature.

This book accomplishes too much, and is too rich in carefully considered detail to do it justice in a few pages. What I will do in what follows is simply offer some minor corrective remarks regarding the chapters on justice and the forms of constitutions, which I find almost entirely persuasive, then consider in a somewhat more sustained manner the account of rights and the neo-Aristotelianism of the final chapter, which are more controversial. I will have nothing to say about Miller's exemplary chapter on human nature and the naturalness of the polis, because I cannot think of any way in which it might be improved except that it might have mentioned Jean Roberts's partially overlapping work in that topic.<sup>2</sup>

In Miller's chapter on the best constitution, the topic of political friendship is taken up in the context of arguing against a "moderate holistic" view of the common good or advantage and in favor of a "moderate individualist" account (208-9). Miller addresses this topic only as far as his defense of the "moderate individualist" reading requires, and one cannot fault him for that. He does not claim to be offering a comprehensive interpretation of every topic in the *Politics*, rather only an analysis of the work's central argument. Nonetheless, it is worth noting that this is one place where his treatment of a major topic in the *Politics*, namely civic unity and the place of friendship in achieving it, is broken off without any resolution of the apparent tensions in Aristotle's remarks and the real disagreements in the critical literature. His account of Aristotle's best constitution is excellent, but to this extent incomplete.

In this same chapter, there is an error and some unfinished business in Miller's handling of the "paradox of kingship." This "paradox" arises from Aristotle's apparently holding both that kingship is the best constitution and that the best polis is one in which every citizen exercises political virtue. Miller's solution to this paradox seems right on target, but he sets up the "paradox" as an argument with three premises which he says "entail" the conclusion that, "Kingship is not the best constitution" (235). Given his wording of the premises, they do not entail this conclusion, in fact, and he does not revisit the argument after the presentation of his solution to identify where it breaks down.

In the course of developing his solution to the "paradox of kingship," Miller takes up the topic of happiness and its relationship to virtue, a topic which is revisited at 351ff in the concluding chapter. Again, the topic is an important one, and not adequately addressed, though a full treatment of it would be well beyond the book's intended scope. The most significant oversight in this discussion is that it ignores Richard Kraut's interpretation, on which the happiest life, a life whose ultimate aim is contemplation alone, requires moral virtue because such virtue is essential to the possession and preservation of wisdom.<sup>3</sup> Miller accepts too easily the proposition that unless one accepts an "inclusive end" reading of Aristotle's account of the human good, on which the ultimate *aim* of the best life includes exercises of moral virtue, then moral virtue will not be a necessary part of the happiest life. Having assumed this, he defends an "inclusive end" interpretation in a way that relies on a spurious reading of *NE* 1177b27-8, 1178b5-8, and 1179a22- 32 (353).

Finally, I am sympathetic to Miller's handling of the topic of ostracism in this chapter (245-7), but will offer a modest refinement. Aristotle allows that ostracism "has a place in constitutions that aim at 'the common good'," but this seems "problematic from the standpoint of legal justice, because it does not require that a citizen be convicted of any offense" (246). Miller defends Aristotle's position on this as consistent with an ideal of justice as mutual advantage by holding that:

Ostracism may be justified in a suboptimal situation where some citizens possess so much wealth or so many friends that they threaten to make themselves tyrants... The other citizens justifiably regard this as a threat to their own political rights. (247)

One can agree with this and still be troubled by the lack of due process (i.e. by the absence of any determination that an offense has been committed), so it would be helpful if something more could be said on Aristotle's behalf. What might be said, I think, is that one could plausibly interpret ostracism as an exercise of "summary judgment" (citizen "jurors" are presumed generally familiar with the relevant facts, but there is no formal presentation of evidence) on the question of whether a prominent person possesses or exerts political influence that is excessive or out of proportion to his merit (the operative term in the relevant passage, *Pol.* 1284b7-20, is *hyperballonta*). Political influence that is disproportionate to merit is an *unjust* amount of political influence, if Miller is (as I believe) right about Aristotle's theory of justice. This would give ostracism the status of a procedure by which determinations of actual injustice are rendered, rather than simply a means to (preemptively) eliminate a threat to the rights of less powerful citizens.

Turning to his chapter on the second best constitution, which is also generally excellent, it seems to me that Miller does not provide us any account of the relationship between the mixed and middle constitutions. This is a significant omission, though one which he has the resources to easily remedy. Rather than endorsing Newman's view that "the essence of the mixed constitution" is that it is "a combination of social elements" (256), it would be more consistent with Miller's own analysis to say that the category "mixed" pertains to the institutional aspect of a constitution (*politeia* in the sense of institutions of government), while "middle" pertains to the social aspect of a constitution (*politeia* in the sense of the social order of the polis). Aristotle's point, then, in speaking of the second best constitution as both mixed and middle, is to discuss its institutional character and social character under separate headings. Or so I would argue.

A somewhat more consequential observation I would make about this chapter on the second best constitution is that its discussion of *consent* is not altogether satisfactory. Miller observes that it follows from Aristotle's principle of unanimity (roughly, the requirement that all citizens regard the constitution as an acceptable one) that "the constitution must have the consent of the governed" (273), but holds that:

Aristotle gives no indication of going even as far as Socrates [in the *Crito*] in treating the consent of the governed as a *justification* for political authority. Rather, his view is that the voluntary compliance of the subjects to political

rule is *evidence* that the political rule is justified. The justifiability of a constitution rests ultimately on whether it promotes the ends of its citizens.

The purposes of this chapter do not demand a review of the considerable evidence bearing on Plato's conception of the role of consent in just rule, but it is somewhat disconcerting to see the question of consent broached in this way and brushed aside. Miller suggests that consent is sufficient, but not necessary, for just rule in the *Crito*, but this seems rather doubtful. The contrast between slaves and free citizens, who obey willingly rather than in response to force, is already evident in that work, as well as in *Republic* VIII and IX, and in the *Statesman*. In these works Plato seems to believe that the proper and just way to rule is through persuasion and consent, rather than through force, though *entitlement* to rule does not rest on consent. In the *Laws* it is at least arguable that consent becomes part of the very title to rule; just rule *is* rule by the wise, over willing subjects, aiming at the common good, and regimes which fail to meet these requirements make pronouncements that are law in name only, and have no just claim to be obeyed.<sup>4</sup> The indications that Aristotle adopts such a view are admittedly sparse, but they are not as easily dismissed as Miller suggests.

To see one reason why this is so, let us grant Miller's claim that, "The justifiability of a constitution rests ultimately on whether it promotes the ends of its citizens." To promote those ends, a constitution must bring it about that its citizens exercise virtue, which requires that they aim voluntarily and as a matter of choice at the right ends. By Aristotle's lights, they cannot do this unless they have been raised and educated in such a way as to strengthen and develop their rationality. Being rational then, their pursuit of the right ends as a matter of choice will result in their adhering to the dictates of law, only if law accords with natural justice, or in other words embodies the right ends in a way made evident to (the rational judgment of) the citizens who are to follow it. Aristotle thus conceives of the function of law (and its enforcement too, though also quite independently of its enforcement) as fundamentally *instructive*. Legislation only succeeds in promoting "the ends of the citizens," as Miller says, if it gives them reasons and leaves them free to grasp and act on those reasons. To exercise virtue is not to be *made* to do the right thing. Thus, Miller is right in his basic point that Aristotle's view is only superficially similar to a modern conception of popular sovereignty, but it is not clear that he fully sees what the differences are, and it is clearly a mistake to say that according to Aristotle voluntary compliance with law is merely *evidence* that the law complied with is just. Voluntary compliance is *essential* to the law attaining its fundamental end of making citizens virtuous, or in other words of enabling them to fulfill their *telos* by helping them become rationally self-governing in their dealings with other people. If legislation does not take place in a way that encourages and permits voluntary compliance or consent, then it is inconsistent with the attainment of its citizens' ends, and is thus unjust.

Turning to the topic of rights, we may distinguish four components of Miller's view: (1) "Aristotle did ... have locutions for rights, including rights based on nature" (93), although "no single Greek word corresponds to the single modern term 'right'" (106); (2) Aristotle had "a theory of rights based on nature" (117); (3) "Aristotle's theory of distributive justice yields a theory of political rights which can be evaluated as natural or unnatural" (123); (4) his scattered discussions of property "provide the basic materials of

a theory of property rights" (307), which recognizes that private property is "necessary for happiness and the exercise of moral virtue" (328), but does not countenance "a general policy of redistribution of wealth" (331). These are highly controversial claims, and Miller does a far more effective and admirable job of defending them than most would have thought possible. His distinction between a natural right and a right based in nature, for instance, is not only very helpful to his cause, but one that rights theorists will do well to bear in mind in other contexts. I would like to think that he is right about all of (1) through (3), but I do not find the central arguments for (2) entirely convincing, and I think the claims about redistribution in (4) ignore important textual evidence.

Miller invests most of his efforts to establish (2), that Aristotle has a theory of rights based on nature, in a convincing defense of the claim that when Aristotle speaks of justice as the common good or advantage (*to koinêi sumpheron*) he means what is mutually advantageous. He says that this conception of justice:

*entails* a moral constraint upon legislation: the interests of some should *not* be compromised in order to promote those of other citizens. *Therefore*, his conception of justice implies a respect for the rights of each member of the political community, ... (137; the italics on "entails" and "therefore" are mine)

Or, again, that:

To the extent that it [the conception of justice as mutual advantage] regards the interests of individuals as a matter of basic concern, the individualistic view must support a strong theory of individual rights which prohibits the sacrifice of individual ends. (195)

Essentially the same argument is repeated at 210, and there are recapitulations of it with development of 213, 223, and 239, leaving no doubt that this is the heart of Miller's derivation of rights from Aristotle's conception of justice. There are two distinct inferences at work here, and neither would appear to be sound.

First, Miller has tried to infer what Aristotle would say about the choices that are appropriate in suboptimal circumstances from his characterization of an *ideal* of justice that is understood to be "unattainable in practice" (252). By this logic, one could infer from utilitarianism's ideal of a world in which everyone is as happy as each can possible be,<sup>5</sup> that in less than ideal circumstances utilitarianism would never countenance sacrificing any individual's happiness to the happiness of the greater number. This is, of course, exactly what one cannot infer. A "basic concern" with the "interests of individuals" might in unfavorable circumstances lead one to safeguard the interests of as many individuals as possible by sacrificing those of others. In order to sustain this step in the argument, one would therefore have to begin with the individualism of Aristotle's ideal, but rely primarily on evidence of what he thinks it will be just to do in suboptimal circumstances.

What is really called for is identifying some quite specific ways in which Aristotle thinks the interests of all citizens should be *protected*, or made immune to public interference, even in adverse circumstances, and then to examine whether these protections can be properly said to entail a protection of rights. Miller speaks of justice as mutual

advantage as reflecting "the concern of individualism that the happiness of *each* of the participants must be *protected* by political institutions" (210; emphasis added), but the priority this gives to *protection* (i.e. seeing that citizens are not made worse off) over *promotion* (i.e. making citizens better off) must be argued for, rather than assumed. On the whole Aristotle seems more concerned with the *promotion* of virtue and happiness than with the protection of interests, so the argument that is called for would have to work from a clearer picture of exactly what forms of protection Aristotle would give priority over the promotion of happiness, when circumstances do not allow everyone to be happy.

The second problem in this argument is that even if one grants that Aristotle's theory of justice entails that "the interests of some should not be compromised in order to promote those of other citizens" (137), it does not follow that his theory of justice implies respect for rights. It is one thing to regard those with political power as having duties to refrain from sacrificing the interests of any citizen even for the greater good of others, and something else again to regard citizens as having rights of security in those interests. What gives political life and substance to the idea of a right of *A* to *X*, as opposed merely to *B* having a duty to distribute *x* to *A* or respect or protect *A*'s possession of *x*, is *A*'s having, or being entitled as a matter of justice, to some means to authoritatively *assert* a claim to *x*. A reason for holding that the citizens of Magnesia in Plato's *Laws* have a right to fair trials (whether it is a sufficient reason, I will not try to judge), is that Plato envisions a system of appellate courts which will overturn bad decisions and penalize the judges of lower courts when legitimate complaints are brought. By contrast, although police in the USA have a duty to protect all persons within their jurisdiction from criminal harm, they enjoy a form of sovereign immunity which precludes liability for their failures to protect individuals from imminent harm. For instance, in order to improve the chances of conviction and thereby protect others in the future, an arrest may be delayed even in the face of imminent harm to a particular person. When such harm eventuates, the courts do not regard this as a breach of the person's rights, even though the police were obliged to protect that person as much as anyone else. Their view is evidently that it is just for police to have a duty to protect each individual, but not a requirement of justice that individuals have rights to that protection. It is similarly quite possible that Aristotle's accounts of justice would entail certain duties on the part of those who share in rule, without entailing any corresponding rights on the part of citizens insofar as they are ruled.

We have so little in the *Politics* of what Aristotle would presumably have wanted to say about legislation and the courts (note his remarks in the closing lines of the *NE* on what is to come in his work on legislation and constitutions), that we do not have much to go on judging what kinds of legal remedies he would want citizens in a best or second best city to have, and what he would take the point of those remedies to be. Apart from his remarks about corrective justice as it bears on property offenses, much of what he does say about law is not particularly helpful to Miller's cause. His remarks about the functions of law suggest that his dominant concerns are with the promotion of virtue, the resolution of conflict, and the promotion of unity, stability, and friendship.

Miller's chapter on property rights continues the development of this picture of Aristotle as giving the protection of interests priority over their promotion, and my main response to it is that its suggestion that "there is no indication that Aristotle advocates a

general policy of redistribution of wealth" (331) is mistaken. Miller devotes a great deal of attention in this chapter to the narrow question of whether the holding of property is to be communal or private, but little to the passages of *Pol.* II 6 and 7 where Aristotle reviews proposals for egalitarian private holding of property. The thrust of Aristotle's critique of these proposals is that while justice does not require *full* equalization of property holdings, it does require legislative action to ensure that everyone has property in moderation:

... where there is equality of property, the amount may be either too large or too small, and the possessor may be living either in luxury or penury. Clearly, then, the legislator ought not only to aim at the equalization of properties, but at moderation in their amount. Further, ... it is not the possessions but the desires of mankind which require to be equalized, and this is impossible unless a sufficient education is provided by the laws. (1266b24-32).<sup>6</sup>

He goes on to say that it is not even enough for this education to be equal, for "there is no use in having one and the same for all, if it is of a sort that predisposes men to avarice, or ambition, or both" (35-37). This is then followed by a discussion of the causes of crime which makes it clear that his concern with moderation in possessions applies with even greater force to excess than to deficiency, since "the greatest crimes are caused by excess and not by necessity" (1267a13-14). In describing the partitioning of property in the best city in Book VII, Aristotle says that the land is to be divided into public and private parts, "while of the private land, part should be near the border, and the other near the city, so that each citizen having two lots, they may all of them have land in two places; there is justice and fairness in such a division..." (1330a14-16; emphasis added). Miller cites this passage (at 326) in evidence of the claim that Aristotle has a conception of distributive justice applicable to distributions of property, and that seems right. So do not Aristotle's theoretical grounds for directly distributing property in accordance with a standard of moderation in the best city, also provide grounds for reforms of property law that would be redistributive in cities that are not as good? The point is to ensure that everyone has property holdings conducive to virtue, neither too much nor too little, and in some cities that will require redistribution.<sup>7</sup> The evidence thus suggests a more strongly egalitarian thrust in Aristotle's thinking about property than Miller acknowledges, though equality per se is neither required nor sufficient for attaining the polis's natural and just ends.

The final chapter, "Aristotle's *Politics* Reconsidered," examines the main presuppositions on which Aristotle's political theory rests, and closes with a favorable assessment of Aristotle's "contribution to the theory of rights" (373). The aim of this chapter is to preserve the outlines of a neo-Aristotelian theory of rights, while rejecting Aristotle's "principle of community," according to which "individuals ought to be subject to the authority of the community" (357), and his "principle of rulership," according to which "a community can have order only through the exercise of political rule" (366). The arguments here are less careful than in the preceding chapters, leaving one with the sense that whatever residue of challenge to liberalism that may remain after the work of chapters 1-9 is given short shrift in the final rush to conclude (quite plausibly) that Aristotle provides us with a better theory of liberal rights than liberalism's own state of nature theories do.

Miller recognizes that Aristotle regards the care and education of citizens as even more important to the polis's natural political agenda than correct laws regarding property, but he regards this central feature of Aristotle's political thought as untenable. His main argument relies on the idea that Aristotle's conception of the polis illicitly conflates the notions of state and society:

The end of the polis *qua* society is the virtuous and happy life, but it does not follow that the function of the polis *qua* state is to use coercive force against its citizens so as to make them virtuous and happy. Aristotle, in making such an inference, is confusing the two senses of 'polis' and is assigning to the polis *qua* state a function which properly belongs only to the polis *qua* society. (360)

He notes in connection with this that liberals "oppose the principle of community on the grounds that the state would violate the rights of individuals if it forced them to conform to an official code of morality" (361).

One very surprising feature of these remarks is the language of "coercive force" and "forced" conformity. Aristotle's concern, as Miller recognizes, is with promoting virtue, but (as I noted in connection with Miller's remarks about consent) he does not believe that anyone is made virtuous by force, except in the very marginal sense that a child's virtue is promoted by compulsory school attendance laws that are subject to enforcement when parents do not comply with them, or that an adult's virtue is safeguarded from ruin by laws that discourage ruinous acts. It would be more true and fair to Aristotle to say that he thinks that the polis *qua* state should take some responsibility for nurturing virtue and rationality in a way that provides a foundation for adult freedom, than to suggest he is unleashing all the coercive power of the state in the cause of forced compliance with morality.

Having said this, I would acknowledge Miller's observation that Aristotle's position requires some clear basis for the polis *qua* state to take on the burden of moral education, and argue that he has one. Aristotle does not believe that we become responsive to reason without proper care and instruction, and he believes it is in the nature of law to give us reasons to act justly, and to succeed in creating good order in society largely through our voluntary acceptance of its guidance. If this is so, then one has to ask whether it can be just on his view to leave to chance whether citizens turn out to be good and rational. Within the sphere of what would count for us as criminal justice, it does not seem that it could be. In its relationship with the criminal offender the polis *qua* state would often be in the position of putting force before any opportunity for persuasion, and there are good reasons for thinking Aristotle would regard this as unjust.

This brings out an important difference between Aristotle and liberals like John Locke, which Miller nowhere acknowledges, namely their very different views on the development of reason and human goodness. Locke's view is that the untutored reason of individuals in a state of nature would allow most of them to easily grasp the elements of natural moral law and adhere to that law. Most people are just naturally good and reasonable in a state of nature, that is to say. This leaves the state free to enforce a body of law in which natural morality is codified, without bearing any responsibility to lay the

foundations for voluntary compliance. God has seen to that already, as indeed he must if he is to be free of complicity in the crimes of man himself. Aristotle would regard all of this as not only false but dangerous, since it is only through law and the education that must precede it that we become rational and human. If Aristotle is more nearly right about this, as I think he is, then this represents a significant threat to liberal thought.

I also think that a satisfactory account of the important place of friendship and civic unity in Aristotle's political thought (a topic addressed only briefly in Miller's chapter on the best city) would identify *common* schooling, which brings children from different parts and strata of the city together in friendship, as an important aspect of his conception of public education. How strong an argument this yields for even state regulation of private education I will not presume to judge here, but it is worth noting that Miller dismisses Aristotle's case for public education without any mention of this aspect of his political and educational agenda.

In defense of his claim that moral education is "properly" the business of the private associations constituting the polis *qua* society, Miller cites the natural diversity of values, the repression involved in trying to eliminate that diversity (365), and the potential pitfalls of placing the power to control moral education in the hands of public officials (373). With regard to diversity, I would respond that it is essential to determine the intended scope of moral education: are we talking about inculcating a common morality of justice and self-restraint, or trying to make everyone a philosopher? The former is no threat to any forms of diversity we should value, though the latter might be. Miller's concerns about who holds the power to morally educate are too empirically complicated to try to sort through here, but there is a distinctly un-Aristotelian and anti-statist bias to them. He worries about "special-interest groups ... defin[ing] the agenda for coercive moral education" (373), but does not ask whether the vested interests of the local communities in control of public schools might be more favorable to the public interest than the motives that "private" organizations such as corporations would bring to education. He asks whether public providers may "underestimate the costs that are borne by the public," but does not ask whether the relative accessibility of information about the operations of public institutions in democratic societies vis-a-vis information about private organizations would allow the public to better judge those costs and how well the public interest is being served. The experience of seeing local school districts build public consensus around the frameworks for character education programs inclines me to be more sanguine about public control than Miller appears to be.

In sum, I am inclined to think that although it is true that Miller has only set out to reconstruct the central argument of the *Politics*, we are left in the end with a skewed picture of the thrust of Aristotle's political thought. We are left with an Aristotle who is more like a conservative classical liberal than I find credible. Be that as it may, *Nature, Justice, and Rights in Aristotle's Politics* is a very good and wonderfully instructive book, and no student of Aristotle's *Politics* can afford to ignore it. I commend it highly.

**Endnotes**

1. Other recent titles in English include Curtis Johnson *Aristotle's Theory of the State* (New York: St. Martin's Press, 1990); Carnes Lord, *Education and Culture in the Political Thought of Aristotle* (Ithaca: Cornell University Press, 1982); Robert Mayhew, *Aristotle's Criticism of Plato's Republic* (Savage, Md.: Rowman & Littlefield, 1997); Richard Mulgan, *Aristotle's Political Theory* (Oxford: Oxford University Press, 1977); Mary Nichols, *Citizens and Statesmen: A Study of Aristotle's Politics* (Savage, Md.: Rowman & Littlefield, 1992); Steven Salkever, *Finding the Mean: Theory and Practice in Aristotelian Political Philosophy* (Ithaca: Cornell University Press, 1992); Bernard Yack, *The Problems of a Political Animal: Community, Justice, and Conflict in Aristotelian Political Thought* (Berkeley: University of California Press, 1993); and my own *Aristotle on the Necessity of Public Education* (Savage, Md.: Rowman & Littlefield, forthcoming).
2. Jean Roberts, "Political Animals in the *Nicomachean Ethics*," *Phronesis* 34 (1989), 185-204.
3. Richard Kraut, *Aristotle on the Human Good* (Princeton: Princeton University Press, 1989).
4. Christopher Bobonich develops an important defense of the view that in the *Laws* just rule is characterized, in part, as rule through rational persuasion rather than force, in "Persuasion Compulsion and Freedom in Plato's *Laws*," *Classical Quarterly* 41 (1991), 365-388.
5. We are perhaps so accustomed to thinking about the most awkward implications of aiming at the "greatest happiness of the greatest number" in suboptimal circumstances, that we give little if any thought to the ideal which this formula embodies. The character of this ideal is not a mystery, however.
6. This passage and those that follow are from the revised Oxford translation of Jowett, as corrected by Barnes, in Jonathan Barnes (ed.), *The Complete Works of Aristotle* (Princeton: Princeton University Press, 1984).
7. Civic unity and friendship also require that inequality not be too great, since inequality is a barrier to friendship. Inequality in property will be salient in this regard to the extent that it is perceived as making its possessors unequal.