

The Public and the Private in Aristotle's Political Philosophy



Introduction

Chapter

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INTRODUCTION

The central topic of this book is the meaning of privacy according to Aristotle. I propose that Aristotle's political works present a vivid and substantive conception of the private. It is widely believed, though, that political philosophy did not take an interest in privacy until the emergence of classical liberalism in the seventeenth century. Most interpretations of Aristotle's political philosophy in particular indicate that he regards the private only as a precondition to the public; commentators argue or assume that he equates the private with the household.¹ What accounts for these misreadings? Two possible sources are Aristotle's usage of the word *idios* and classical liberalism. The word *idios*, "private" or "one's own," usually means in Aristotle's corpus simply what is not common, public, or relative to the regime.² From this meaning one might infer that Aristotle treats the private only in contradistinction to the public.³ Modern expositors may infer that Aristotle equates the private with the household because they are familiar with the liberal tradition's formulation of the private as a "sphere." In any case, Aristotle's conception of the private includes both the household and the meaning of *idios*, but it goes beyond both; for the private is constituted of activities that cultivate virtue and discount common opinion.

It is not that Aristotle never characterizes places as private; rather, in his estimation what defines a site as private are the activities that ordinarily go on within it. If the activities promote virtue uncompromised by prevailing morality, then the place is private. Similarly, the number of persons involved in an activity does not in itself determine whether it is public or private. For example, a multitude of people can transact business with one another. Number of agents is a determining feature of private activity only if the quality of the activity suffers when more than a limited number participate.

Because Aristotle maintains that virtuous activity may require agents to make choices and that actualizing virtue may even mean right choice making, he understands the private to include the opportunity and the resources needed to make virtuous choices, or privacy. Insofar as privacy is opportunity to actualize virtue, it presents opportunity not to act virtuously or at least not to actualize one's potential. This sense of the private, the private conceived in terms of choice, comes closest to the modern notion. As I show in Chapter 4, this is the respect in which Aristotle understands economic activity to be private.

Whether actualized or not, every form of private activity has, Aristotle suggests, a *telos* of its own. Raising children, interacting with one's mate, overseeing servants, transacting business, keeping friends, and philosophizing all require virtue of some kind, and each activity can be perfected. By trying to perfect such activities, human beings realize their own potentials. Achieving virtue requires discounting or being insulated from common, diluted conceptions and misconceptions of virtue. To live only according to prevailing expectations precludes discovery of one's potential. For Aristotle, the *raison d'être* of privacy is to enable one to turn away in order to achieve excellence.

This point raises the second topic of this book: the relation between the public and the private. Traditional accounts of Aristotle's political philosophy, especially Hannah Arendt's, maintain that he exalts the public realm over the private—a view usually derived from the assumption that he equates the private with the household and the household with the realm of necessity. On this view, Aristotle believes that the private opposes the public as necessity opposes freedom.⁴

In this book I dispute that interpretation. Insofar as Aristotle indicates that private activity requires pulling away from the drag of common opinion, he presents the private in opposition to the public. But insofar as he suggests that private activity in the form of, say, friendship or philosophy can transform common opinion into right opinion, he believes that the private serves the public. His account suggests, moreover, that human beings carry virtue earned in private into the public, whereas the human propensity to cherish what is one's own and desirable (*Pol* 1262b22–23) protects the private from being corrupted by opinions learned in public.

The public should accommodate and if possible facilitate the private, according to Aristotle. By way of law, ruling, and education, the public should provide opportunities and resources to cultivate virtue. By facilitating the forming of families, for example, a regime encourages kinship, a kind of friendship and moral virtue; by allowing a free market, it invites citizens to cultivate judgment and self-restraint; and by furnishing a liberal arts education, it promotes moral and intellectual virtue.⁵ Private endeavor repays the public: families provide future citizens, the economy effects distribution, and the educated are able to rule and teach. A regime should aim to bring about such a dynamic equilibrium between the public and the private, for then it will be self-sufficient, “what is best” (*Pol* 1253a1).

Why should members of contemporary liberal societies take note of Aristotle’s recommendations regarding the public and the private? Perhaps because the liberal conception of the private and of its relation to the public is wanting. The distinctively modern liberal view of privacy arguably derives from Hobbes and Locke in particular.⁶ Hobbes contributes to the modern view of privacy in arguing that nature, by both imposing on human beings and arranging no escape from the desire for self-preservation, sanctions one’s resistance to threats:

If the sovereign command a man, though justly condemned, to kill, wound, or maim himself; or not to resist those that assault him; or to abstain from the use of food, air, medicine, or any other thing, without which he cannot live; yet hath that man the liberty to disobey.

If a man be interrogated by the sovereign, or his authority, concerning a crime done by himself, he is not bound, without assurance of pardon, to confess it.⁷

Nature figuratively shields each individual with the right to self-protection. Shielded by this right, each individual inhabits a “private world”—necessarily distinct from the worlds of others in that its *raison d’être* is that individual’s security.⁸

Because self-defense cannot reliably ward off threats to self-preservation, Locke observes that individuals need a legal “fence” to prohibit all threats, including any from the ruling power. Locke not only seals the sphere around each individual (by replacing natural right with the rule of law) but, through his theory of labor, enlarges it. Each person’s fence—the law as it applies to that person—encloses not simply his life but also whatever “he hath mixed his *labour* with.”⁹

From both Hobbes and Locke then emerges the conception of privacy as a sphere. “This view ... of a private sphere surrounding [man] that cannot be entered (first by other individuals and eventually by the state) without his consent, became the standard view of freedom in the liberal tradition.”¹⁰ Indeed, one finds even in J. S. Mill’s account of liberty the notion of “self-regarding”

spheres, dictated not by natural but by constituted rights derived from the greatest happiness principle.¹¹ And some contemporary theorists following in the liberal tradition conceive privacy as a sphere.¹²

Because a sphere takes up space, it must compete with whatever else takes up space—the state, or public sphere. In the liberal account, what is not private is that which intrudes. The effect of the imagery is to pit the private and the public against one another.¹³ Aristotle would point out that the imagery works against the aim of liberalism insofar as it suggests that the private cannot expand without cost to the public. He would also say that liberalism compounds this general and abstract difficulty by encouraging morally inadequate conduct in each sphere. Hobbes, for example, allows subjects to do anything not forbidden by the sovereign. This would not seem so radical were it not for Hobbes's belief that human beings are fundamentally irrational, keeping obligations only out of fear of human or divine retribution for breaking them.¹⁴ Furthermore, Hobbes allows the sovereign to forbid anything—including what Aristotle would consider virtuous—either expressly or by imprinting on the “clean paper” of “common people's minds” whatsoever he deems necessary or beneficial to the security of the state.¹⁵ The moral conduct of subjects, deriving from their own or the sovereign's will, must then be either arbitrary or in accordance with necessity.

Locke, in contrast, gives the responsibility of defining morality not to the sovereign or to the individual but to the majority. He appears to give this responsibility to the individual in indicating that moral conduct derives from a dialectic between the individual's reason and practical sense experience. The moral principles to which this dialectic gives rise are, however, those that most rational agents find acceptable. Locke differs from Kant, then, in allowing reason (in the service of morality) to accommodate natural preferences. But he differs from Aristotle in allowing reason to accommodate “normal” preferences.¹⁶

Locke says, in effect, that the standards of the private should derive from the public. He opens the private to corruption by the multitude. Aristotle argues, in contrast, that the standards of the private should emanate from wisdom, an attribute of few. Wisdom is not denaturalized Kantian reason but knowledge that distinguishes between natural preferences that are consistent with living nobly and those that are not. For Aristotle, then, privacy does not permit ordinary vices but requires extraordinary virtues. It does not sanction a right to do as one pleases or even mandate morally acceptable conduct (what is appropriate in public) but urges doing as one ought.¹⁷ In sum, in Aristotle's view human beings should conceive privacy not as a sphere that should (at best) accommodate common opinion but as activities that cultivate virtue and discount common opinion.

But what are the aspects of Aristotle's view of the private that make it worthy of consideration by contemporary liberal societies? First, the private is as important to Aristotle as it is to liberal thinkers. Aristotle agrees that the maintenance of the private is essential to the self-sufficiency

and happiness of the individual and of the body politic. Accordingly, he would endorse the merging of liberal theory and classical economics. Second, Aristotle's conception of the private as harboring excellence justifies the public sector's expansion of the private, fostering the aims of liberalism. Third, privacy on Aristotle's account includes the freedom not to participate in political life which many liberal theories protect. Indeed, arguing that the best regime is an aristocracy, Aristotle advocates the political participation of, where possible, only the virtuous, whose numbers are normally small.¹⁸ He would disagree, then, with communitarian critics who think that liberalism overemphasizes the private as such, encouraging preoccupation with the self and discouraging public-spiritedness.¹⁹ Fourth, Aristotle's conception of the private allows for "limited moral pluralism," as does classical liberalism:²⁰ "To each man the activity in accordance with his own disposition is most choiceworthy" (*NE* 1176b26–27). Again, only the nature of the limits differ. Finally, Aristotle indicates that incorporating privacy into political society depends less on political than on individual initiative, and so his political philosophy provides fewer political directives than insights into how to live. For all these reasons, liberal societies should find Aristotle's conception of the private eligible.

In sum, by way of its understanding of the public and the private, Aristotle's political philosophy indirectly illuminates the shortcomings of liberalism and provides insights into how liberal societies might mitigate or rectify their deficiencies. By assimilating Aristotle's teaching about the public and the private, in particular about the centrality of excellence to private activity, a liberal society can transform itself into a form of polity that promotes true freedom and approaches true aristocracy.

¹ For a famous example, see Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 37.

² H. Bonitz, *Index Aristotelicus*, 2d ed. (Graz: Akademische Druck- u. Verlagsanstalt, 1955), 339. Thus, *bios idios* is a way of life that is not "the common way of life of the city [*koinon tēs poleōs*]" or is not politically active (*ouk ekoinōnēsan praxeōn politikōn*) (*Pol* 1265a26, 1273b27–29).

³ It is also inaccurate to suggest, as Arendt does, that Aristotle ("the Greeks") thought privacy idiotic, presumably because one meaning of *idiōtēs* is "ignoramus" (*Human Condition*, 38). It should be noted now, since I make several references to *Human Condition*, that Arendt does not always make clear whether she means to include Aristotle among "the Greeks" and "the ancients" (by which she seems to mean the Greeks and the early Romans); and at times, especially in her second chapter, she conflates Homer's, Plato's, and Aristotle's views. She approaches justifying her presentation when she claims that Plato and Aristotle sometimes express public opinion. She asserts, for example, that "in his two most famous definitions [of man as a political and a speaking animal], Aristotle only formulated the current opinion of the *polis* about man and the political way of life." And later, "these aspects of the teachings of the Socratic school ... sprang not from actual

experience in political life.... But the background of actual political experience, at least in Plato and Aristotle, remained so strong that the distinction between the spheres of the household and political life was never doubted" (*Human Condition*, 27, 37). I generally refer only to Arendt's commentary that is explicitly on Aristotle; but because she embeds her commentary on Aristotle in her commentary on "the Greeks" and "the ancients" and sometimes treats Aristotle's thought as representative of "the Greeks," I occasionally regard her remarks on "the Greeks" as including Aristotle. For discussion of the general question of the relation between Aristotle's work and his culture, see the Appendix, "Premises of Interpretation."

⁴ Arendt, *Human Condition*, 27.

⁵ See also Richard Mulgan, "Aristotle and Political Participation," *Political Theory* 18, no. 2 (1990), 198. Although I agree with Mulgan that Aristotle thinks the private should be "a concern of the community and its laws," I maintain that Aristotle wants regimes to keep in view the difference between interfering in and facilitating the private.

⁶ Hobbes's political theory, though not itself liberal, was instrumental in the rise of liberalism; see Andrzej Rapaczynski, *Nature and Politics: Liberalism in the Philosophies of Hobbes, Locke, and Rousseau* (Ithaca: Cornell University Press, 1987), 11–12, 25–29, 63–65.

⁷ Thomas Hobbes, *Leviathan or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil*, ed. Michael Oakeshott (Oxford: Basil Blackwell, 1946), XXI.142; see also XIV.84, and Rapaczynski, *Nature and Politics*, 49, 75–76, 83.

⁸ Rapaczynski, *Nature and Politics*, 76–77.

⁹ John Locke, *Second Treatise of Government*, ed. C. B. Macpherson (Indianapolis: Hackett, 1980), secs. 17, 27, 93, 123–24, 137–38, 171; see also Rapaczynski, *Nature and Politics*, 189.

¹⁰ Ian Shapiro, *The Evolution of Rights in Liberal Theory* (Cambridge: Cambridge University Press, 1986), 277; see also 278.

¹¹ John Stuart Mill, *On Liberty*, ed. Gertrude Himmelfarb (New York: Penguin, 1982), 151, 141, and Mill, *Utilitarianism, with Critical Essays*, ed. Samuel Gorovitz (Indianapolis: Bobbs-Merrill, 1971), 18.

¹² For example, Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), and John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971). See also Shapiro, *Rights*, 278–79.

¹³ Thus, Arendt's account of Aristotle's political philosophy reflects the influence of the liberal tradition; see again, *Human Condition*, 27, for example.

¹⁴ *Leviathan*, XXVI.174. On insatiable desires, see Rapaczynski, *Nature and Politics*, 32, 34, 42, 64; on keeping obligations, see 23 n. 15, 72–75, 88–90, 99, 104–5. I find Rapaczynski’s positivist interpretation of Hobbes more persuasive than the prudentialist one.

¹⁵ *Leviathan*, XXX.221; see also XVIII.116–17, XXVI.174, XLVI.446.

¹⁶ Aristotle would commend Locke for naturalizing rationality but would find that he overcompensates for the inadequacy of Kant’s theory in leaving morality to the rational capacities and life experiences of the majority. This abbreviated account of Lockean morality and the comparison between Locke and Kant derive from Rapaczynski, *Nature and Politics*, 156–76, especially 166–67, 170.

¹⁷ John Gray, in *Liberalism* (Minneapolis: University of Minnesota Press, 1986), 4, correctly finds in Aristotle a duty-based conception of natural right insofar as Aristotle connects virtue with choice making. But Gray maintains that this connection intimates a “rudimentary ... conception of natural human rights,” which is problematic. For, as Gray notes, these allegedly intimated rights are “very unequal” (to call them *human* rights is then misleading). Accordingly, “they coexist uneasily with Aristotle’s ... defence of natural slavery.” In addition, they do not generate “a right to noninterference,” because (as Gray does not note) not all virtue results from choice making (*NE* 1103a17, 1106a11–12, 1139a33–34, 1157b6–7, 31). If we understand Aristotle’s advocacy of independent, virtuous choice making not as “some conception of natural human rights” but as a part of his conception of privacy, then these difficulties disappear; in Aristotle’s view, every human being has a right to privacy insofar as everyone—from children to the slavish to the philosophical—should be granted (by those who rule them) opportunities to cultivate the most virtue of which they are capable. But this right may sometimes require denying some persons (for example, children, law breakers) freedom to make choices, or it may circumscribe their choices; and it does not grant the eligible merely the freedom to choose, but also the resources and thus the encouragement or direction to choose virtuously.

¹⁸ At least one scholar argues that Aristotle endorses monarchy even over aristocracy; see P. A. Vander Waerdt, “Kingship and Philosophy in Aristotle’s Best Regime,” *Phronesis* 30, no. 3 (1985), 249–73.

¹⁹ Aristotle would thus be surprised to find some of these critics invoking him in their critiques of liberalism; see, for example, William A. Galston, *Justice and the Human Good* (Chicago: University of Chicago Press, 1980), and Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame Press, 1981).

²⁰ See Shapiro, *Rights*, 275–76.



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