

## ***Politeia: The cultural and philosophical underpinnings of the Ancient Greek idea of the State***

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*ABSTRACT From the perspective of contemporary Western societies an awareness of democratic practices almost seems self-evident. Yet contemplating the nature of human society and of the state not only took shape in a different era of Western civilization since the initial conceptions found in ancient Greece did not really succeed in transcending a totalitarian idea of the Politeia. The cultural-historical setting of ancient Greece provides the indispensable elements for an understanding of the ideal of the ‘good life’ as it took shape in the political theories of the Greeks. In order to analyze the complexities present in their views the genesis of the first philosophical views are related to societal developments and subsequently brought to bear upon the accompanying theoretical views. It will turn out that from the nominalistic assumptions present in the stance taken by Callicles up to the realistic position represented by Plato and Aristotle, Greek thought did not arrive at an acknowledgement of any societal sphere transcending the boundaries of the state. The city-state (polis) evinced the guiding role of the basic motive of form and harmony – supposedly providing state citizens the opportunity to come to ethical fulfillment and perfection (anticipating the medieval idea of the *societas perfecta*). Although Plato did speak about the two crucial structural features of a genuine state he did not escape from an underlying totalitarian conception. In a formal sense both Plato and Aristotle advanced a particular understanding of the just state, but in a material sense their views collapsed into a totalitarian understanding, which elevated the state to the level of the all-encompassing societal collectivity.*

### **Introductory remarks**

The increasing integration of the modern world – particularly enhanced by the incredible advances in communications technology during the last decades – created the impression that the state as societal institution entails a self-evident universality, in the sense that each and every society on the globe ought to give shape to a democratic state.

The misleading outcome of this assumption is that it is not sensitive to the *historical* dimension of the present situation. The state as we know it today did not fall ready-made out of the air – it went through a long process of development that proceeds from a societal condition where the state was not yet realized in its modern form. In fact, the picture presented to us by the earliest undifferentiated human societies is one where all the different spheres of life were still inextricably intertwined. The extended family, the clan and the tribe are all undifferentiated societies in which the state did not as yet materialize as a distinct societal sphere alongside other societal institutions.

Eventually early Greek and Roman culture slowly managed to develop an idea of the state as the dwelling place for citizens living in an all-encompassing societal whole destined to furnish its members participation in the ‘good life’. The rise of the

Greek city-state (the polis) played a decisive role in this initial development. The aim of this article is to portray the background and articulation of the idea of the state in ancient Greece and to highlight its inherent limitations in respect of a genuine constitutional state under the rule of law (a so-called democratic state).

## The cultural-philosophical sphere of ancient Greece

During the 7th and 6th centuries B.C. – the period when Greek philosophy entered the scene – Greek society experienced the turmoil of a transitional phase in all its facets. The reign of the noble patrician clans during the age of chivalry was now confronted with a process of cultural development and differentiation. The traditional sources of economic income of the nobility, agriculture and stock-breeding, soon was overshadowed by the money aristocracy. A cultural crisis, geared towards the attempt to reconcile the older religions of nature with the Olympic cultural religion, emerged through the theogonic constructions of Homer and Hesiod. This tension eventually materialized in the central direction-giving power of the ultimate longing for *incorruptibility* amidst a world of *change*.

This ultimate concern for the aeonian, incorruptible, immutable and imperishable amidst the ever-changing flow of material things directed early Greek philosophy towards a search for the underlying original principle of everything – thus revealing the central commitment of Greek philosophy to the basic motive of *form* and *matter* (the constant and the changing).<sup>i</sup> Already Anaximander explicitly introduced the idea of an Archè (Ἀρχή) – designated by himself as the *apeiron* (the infinite and limitless). Fr. Solmsen explains that Anaximander is the only thinker ‘for whom the *apeiron* itself was the enduring and all-encompassing entity’ (Solmsen, 1962, p. 114). Sweeney also points out that the Archè of Anaximander is ‘by nature the Infinite, the Boundless, the Limitless’ (1972, p. 65). According to him the *to apeiron* ‘is indeterminate, inexhaustible, everlasting, untraversable, and without any extrinsic limit’ (Sweeney, 1972, p. 62). Before Anaximander, the Archè was often identified with the fluid (flowing) nature of some element which was considered to be original (for instance *water* in the case of Thales, *air* with Anaximenes and, later on, *fire* with Heraclitus). According to Anaximander, however, the *apeiron* is without *ageing* (Diels-Kranz, 1959-1960, B Fr.2) and without *death* and *corruptibility* (Diels-Kranz, 1959-1960, B Fr.3).<sup>ii</sup>

Clearly, this concern was an expression of the fundamental aim to account for the underlying unity of the Archè that reveals itself in multifarious changing forms, which are doomed to return to the formless origin (cf. Anaximander’s B Fr.1). The order (limited form) represents the repressed form-motive which is, in its dialectically depreciated meaning, the source of *punishable injustice* (*adikias*). However, the dialectics between *form* and *matter*, *constancy* and *change*, is implied by the reciprocal determination of these two opposing moments. Although disqualifying order (and therefore: constancy) in B Fr.1, the unstructured and indeterminate Archè, nevertheless, is seen as *everlasting*, *without ageing*, *death* and *corruptibility*, and therefore as *constant*.

The dialectical tension, where the form and the formless (the limited and the limitless), not only oppose but also *need* each other, is clearly stated by a follower of Pythagoras, namely Philalaos. For him the world-order is composed out of the

limitless and the limited (B Fr.1). Against this dualistic background, the Pythagoreans started from the conviction that everything *is* number. Number functions for them as the dialectical unity between the opposing motives of form and matter: as a progressive series number shows the formlessness of the matter-motive, but simultaneously it establishes order, form and harmony in the cosmos (the form-motive). According to its form-giving function, it has been assumed that the essence of everything could be expressed in terms of the relation between two integers (i.e. in terms of *rational numbers*). In his dealing with a regular pentagram Hippasos of Metapont, however, discovered ( $\pm 450$  B.C.) that the ratio of certain line-segments is incommensurable (cf. K. von Fritz, 1965:271 ff., especially pp.295-297), marking the discovery of irrational numbers. *Within* the form-giving function of number the Pythagoreans were thus confronted with an unbounded and infinite series indicating for them something formless. To escape from the fate of irrational numbers, they translated all their arithmetical problems into spatial terms (any spatial figure has a definite and limited form). This possibility to handle irrational numbers (with their implied unlimited and infinite series of numbers) in a geometrical way, caused a fundamental geometrization of Greek mathematics. Not only is this an outcome that was directed by the basic motive of matter and form, since it also meant a shift in the (implicitly present) aspectual focus: rejecting the numerical point of entry ('everything is number'), the *spatial aspect* of reality now provided Greek thought with a rich variety of terms to express their view of reality (even the modern distinction between *analytical* and *synthetic judgments* is dependent upon this development).

Parmenides explored this spatial orientation in his static philosophy of being. The only road to truth is via the theorem that whatever is *is*, since non-being (*mè on*) is neither knowable nor expressible (B Fr.2). The terms used by Parmenides to characterize the nature of being are derived from the perspective of the spatial aspect. As hall-marks of being the following are mentioned: since it is unborn it is imperishable (cf. Anaximander's B Fr.2 and Fr.3), ... it was not and will never be because in its hanging together it is as an indivisible whole given in the present – unified, coherent (B Fr.8, 3-6).

### **The basic motive of Greek culture operative in its societal development**

The *matter pole* of the Greek basic motive dominated the undifferentiated patrician clans who were the bearers of power within the Greek city-states (the polis). The dark and unforeseeable ever-flowing stream of life was believed to be subject to *blind fate* (*chance*), to the *Anankè*. The popular assembly of free citizens actually was a power within the various forms the Greek *polis* took on.

The further development of the Greek *polis* terminated the dominance of the clans, tribes and brotherhoods. The initial four Ionian tribes were replaced by ten new territorial tribes. Upon this basis the Athenian democracy reached its peak under the reign of Pericles (446-404 B.C.), although it was not capable to maintain itself after the end of the Persian wars – soon after the reign of Pericles it came to a fall.

The flourishing of the *polis* during the golden 5th century B.C. finds its spiritual roots in the shift of primacy from the *matter motive* to the *form motive* which ran parallel with the transition from the older *undifferentiated clans* and *tribes* to the relatively *more differentiated* legal order of the *polis* (city-state).

While the pre-*polis* period was still strongly influenced by conceptions of

*dike*<sup>iii</sup> and *themis* (the internal legal order of the clans) as the guardian of the natural order of things, the 5th century witnesses significantly new developments. *Dikè*, for example, lost its original meaning and acquires a new content, designating the *positive law* formed by the *polis* and the punishment exercised on the basis of these positive laws.

### **A competing epistemic orientation leading to an aristocratic nominalism**

At this stage a new theory of knowledge surfaces that acknowledges nothing universal outside the human being – only strictly *individual* entities populate the world. Yet the human mind, according to this theory, does have the ability to refer to such a multiplicity of strictly individual things, but it is only done by employing *concepts* or *words* (*nomina*) referring beyond the human mind to these individual entities. This issue gave birth to a classical philosophical struggle, namely that between *realism* and *nominalism*. The former accepts universality both ‘outside’ and ‘inside’ the human being, whereas the latter accepts it only *within* the human mind.

An early 5th century thinker, Callicles, derives from nature the right of the strongest. He opposes the legal order of the state because it only serves to suppress the strongest through the making of laws. He therefore admires the tyrant because the latter breaks through positive laws and subjects the weak to its power as law (in a sense anticipating ideas about ‘superman’ formulated much later by Nietzsche in the 19th century). The tyrant alone is entitled to have rights – all the citizens are deprived of any rights and subject to the arbitrariness of the tyrant [compare the ideas advanced by Hobbes in his *Leviathan* (1651)]. Vollenhoven calls this a form of ‘aristocratic nominalism’ (Vollenhoven, 1933, p. 83).

### **The primacy of the form motive in the thought of Protagoras and Socrates**

The Sophists, and in particular Protagoras, elaborated this nominalistic orientation in connection with an understanding of the human person and its place within society. The view of the former (i.e., the human person) is in the grip of the *matter* motive: human subjectivity is constantly changing and cannot be grasped in any fixed form or measure (every individual is his or her own measure). Only the *polis*, as bearer of the Greek *form* motive, is capable to supply the human being with a cultural garb through education and obedience to positive laws – thus demonstrating the primacy of the form motive in the thought of Protagoras. This explains why he holds that human beings, coming from a condition in nature where the state is absent, have those properties necessary for the formation of a state – but not on the basis of a ‘social contract’ (see Menzel, 1929 and 1936). Although Protagoras proceeds from a nominalistic individualistic<sup>iv</sup> starting-point, his conception of the state does not acknowledge any material<sup>v</sup> boundaries for the competence of the state – even morality and religion are viewed as products of the existence of the state.

In the thought of Socrates the Greek form-motive fully assumed the primacy. Although he identifies the state with *positive law* – a stance that is currently designated as *legal positivism* – his conception definitely differs from a modern legal

positivist such as Kelsen – in the sense that he considers the ‘justness’ of laws to be dependent upon the knowledge the legislators have of a given *world-order*. His life ended in a tragic way. He was accused of misleading the youth and as a result had to drink the poison goblet. When he was given the opportunity to escape, he did not want to do that in order to show that he was the *best citizen* of the Athenian democracy. At once he also wanted to show how evil the Athenian democracy had become – so bad that they didn’t even have a place left for their best citizen!

## The Political philosophy of Plato

Initially Plato was strongly influenced by Socrates. Particularly his youth dialogues evince this dependency and it manifests an increasing concern directed at an understanding of the place of the human being within the cosmos. This fundamental puzzle exerted such an urgent appeal on scientific reflection that early Greek thinkers already held the opinion that there is no meaning to the attainment of knowledge about all else if humankind does not know itself. As Heraclitus declares: ‘I investigate myself’ (Diels-Krantz, 1959-1960, B Fr.101).<sup>vi</sup> His reflection is situated within the context of an aspiration to discover a cosmic order which is valid for everything (cf. B Fr.30). What he says about the nature of a human being, furthermore, is formulated with the relation between God and humankind taken into account – with as negative limit the relation between a human being and a beast. Note his simile: ‘The most beautiful ape is despicable in comparison to the human race. The most wise human being, however, stands to God as an ape’ (B Fr.82, 83). Humankind, for Heraclitus, is situated between beast and God – a problem echoed even into the 20th century – just consider the title of a book written by the eminent German zoologist, Bernard Rensch: *Homo Sapiens, From Animal to Demigod*.

Socrates indeed deepens and internalizes the Greek quest to uncover the nature of a human being. He wants to know who he is himself: is he related to the many-headed animal TIPON (the mythological symbol of the flowing stream of life without any set limit or form), or does he share in a more measured and simple divine nature (the prominence of the form motive in Greek thought). The nature of ‘knowing’ now gains a new significance: it no longer refers to the acceptance of a pre-existent truth, but to investigation, searching (cf. Landmann, 1969, p. 67).

In his search of the uniqueness of a person, Plato realizes that distinctive characteristics would have to be taken into account. To distinguish always implies the identification of differences between whatever is compared – requiring a *basis of comparison*. In one of his later periods Plato is of the opinion that a person might be described as a ‘bipedal living being without feathers’. In terms of this basis of comparison little room is left, however, for the distinctive nature of being human. According to Landmann there is an anecdote according to which Diogenes plucked a cock as an example of Plato’s human being, upon which Plato added to his definition: ‘with flat toenails’.

In the *Phaedo* – the first dialogue in which Plato’s famed theory of ideas comes to fruition – one finds an approach constitutive of the traditional Western dualistic view of being human. In this view a person is seen as the union of two entities: a rational soul (*anima rationales*) and a *material body*. Plato introduced his theory of (static and eternal) ideas<sup>vii</sup> in an effort to make sense of the human

possibility to *know* things. He had learned from Heraclitus that all things accessible to sensory perception are in an ever-fluctuating state. It is therefore impossible to know these things. This conclusion rests on the presupposition that everything is changing. But in that case what Plato considers to be the essential being of things (their static *eidos*), should also be constantly changing. However, this Plato could not accept, since things can be known. He wishes to acknowledge that the so-called essence of things could not also be subject to continuous change (cf. his youth dialogue: *Cratylus* 439 c- 440 a).

In his dialogue *Phaedo* Plato explains that rational understanding is only possible of that which is *invisible* (and *constant*), while that which is *visible* (and *changeable*), can only be observed through the senses. When the soul investigates without the mediation of the body, it is directed at the world of the pure and eternal, immortal and unchanging, constant and equally natured things (79d). The soul exhibits the greatest similarity to the divine, immortal, conceivable, simple, indissoluble, constant and 'self-identical', while the body bears the greatest similarity to the human, mortal, multifarious, non-conceivable, dissoluble and never-constant (80b, 1-6). This dualistic view of being human is an expression of the ultimate commitment to the ground-motive of matter and form underlying Plato's views.

In Plato's greatest dialogue, *Politeia* (The Republic) – representing the culmination of the first phase of his theory of ideas – he defends – in preparation of his ideal state with its three classes – a tripartite understanding of the soul (cf. *Politeia*, 436 ff.). These three parts of the soul<sup>viii</sup> via the Middle Ages continued to exert an influence on the traditional understanding of the 'abilities' of the soul: *thought*, *will* and *feeling* – compare also Hitler's estates in Nazi Germany and the *id*, *ego* and *superego* in the depth psychology of Sigmund Freud.

### *Justice: its anthropological basis*

In the dialogue *Politeia* Plato expands his anthropological conceptions by dividing the soul into three parts – the *rational* (*logistikon*), the *spirited* (*thumoeides*), and the *appetitive* (*epithumétikon*). This threefold conception of the soul provides the basis for his theory of the state and lays the foundation for his understanding of the first three cardinal virtues distinguished by him. According to him *wisdom* (*sophia*) is the virtue of the rational part of the soul, *courage* (*andreia*) is the virtue of the spirited part, while *temperance* as virtue represents – under the rule of the rational part – the union of the *thumoeides* and the *epithumétikon*. Justice, as general virtue, embraces the former three and thus also has a bearing on the ideal state as a whole (cf. *Politeia*, 433A-C). Justice prohibits the transgression of the legal domain of the different parts of the soul, i.e., it commands avoiding any *legal excess* – and this also applies to the three estates within the state (cf. *Politeia*, 443 ff.).

It should be mentioned here that what in Latin was designated as Aristotle's doctrine of *iustitia commutativa* and of *iustitia distributiva* is already present in Plato's thought. Lucas mentions *Politeia* 558C where Plato rejects the application of equality to equals and those who are unequal alike (Lucas, 1980, p. 76). Van Zyl also mentions the Laws (757A-E) where Plato distinguishes between 'arithmetical' and 'geometrical' equality:

namely that determined by measure, weight and number ('arithmetical' equality) and that which 'dispenses more to the greater and less to the smaller, giving due measure to each according to its nature' ('geometrical equality'), which Plato himself terms 'political justice' (*politikon dikaion*) and describes (at 757D) as 'the natural equality given on each occasion to things unequal' (Van Zyl, 1991, p. 53 note 142).

Looking at Plato's theory of the state and of the role of justice as virtue one certainly cannot deny that its supposedly static nature did not withstand the test of time – both with regard to philosophical reflection and in respect of the actual subsequent history of state-formation. Therefore, instead of questioning his valuable insight that change can only be detected on the basis of something constant – a key-distinction which have had a lasting effect in the Western legacy of science and scholarship – one should rather examine the question: what caused the rigidity in Plato's conception of *static forms of being* and his theory of the *ideal state*?

The answer to this question is that it was caused by the after-effect of the static metaphysics of being coming from the school of Parmenides (as we have mentioned, the switch from the arithmetical to the spatial aspect as point of entry). The consequence is that Plato accepts the (transcendent) existence of an *eidos* determining the structuring of his ideal state. Following the pattern of the threefold soul, the ideal state is constituted by three parts: the correlate of the rational soul-part (the *logistikon*) is given in the class of philosopher-rulers. The philosophers must become kings and the kings ought to become philosophers. They have to pursue the virtue of wisdom based upon knowledge of the *eidè*. The second part of the state is constituted by the guardians and they have to observe the virtue of braveness (*andreia*). They are not allowed to own private property and they share, within a common dwelling place, wives and children. The highest two classes fulfill a public legal role within this totalitarian state-idea – they do not have any private rights. The third class was assigned an exclusively private function – dedicated to make possible economic life. This third estate, on the basis of private property, has therefore the task to provide in the needs of private marriage and family life (see *Politeia* 367 ff., 457 ff., 471 ff.). Parents are not supposed to know their children; women should take a common responsibility in raising the children – children are brought to life in a state-controlled eugenic way (selecting the best and eliminating weak and deformed children).

The *totalitarian* nature of the Greek city-state (*polis*), which embodies the *form motive* of Greek culture, provided the basis for Plato's conception of the ideal state. The ideal nature of Plato's state serves as a model for real (empirical) states. The latter may deviate from this ideal model and Plato even envisaged an increasing process of decay ultimately subject to the *Anankè* (*blind fate*). Such a process may proceed from a 'timocracy' (where the military has the highest power), to an 'oligarchy' (governed by a few rich people), a 'democracy' (ruled by the masses of the third class), up to a 'tyranny' where the state is made serviceable to the egoistic aims of a tyrannical individual.

Yet, in spite of all the negative things that could be said about the way in which Plato envisaged that the 'ideal state' ought to be structured, his theory does give shelter to the two all-important structural properties of a true state: the leading idea of justice and the foundational role of the guardians indeed reveal the key elements of a proper understanding of the state.<sup>ix</sup> Unfortunately these insights are embedded within a theoretical framework which does not have a clear understanding

of the relationship between *public law* and *private law*. In fact Plato denies any cross-cutting between these spheres: the two public classes are excluded from the private sphere while the third class has no function within the public sphere.

It should be noted, however, that in his dialogue ‘The Laws’ (*Nomoi*), written at an old age, Plato develops alternative views. Whereas obedience within the ideal state flows from the adequate knowledge of the ideas (*eidè*) by the rulers who necessarily accomplished the good, Plato here visualizes a surrogate construction of the state where law acquires the meaning of protecting the principle of temperance. Permeated by the spirit of the laws, citizens will now automatically observe the good. In this state, governed by laws, family life and private property apply to all classes. In a certain sense one can view the ‘laws-state’ as the state in which concrete shape is given to the ideal state – but both of these entail a *universalistic* view that leaves no room for a legal sphere truly distinct from the state: law only applies to what is *inside* the state.

### **The human being conceived of as a ‘political animal’: Aristotle**

Aristotle transposed Plato’s transcendent ideas to the realm of concrete reality where he introduces his view of the substance of an entity as the *combination* of form and matter. An essential platonic element is continued in Aristotle’s view of a concept (*logos*) which is intimately related to what he calls the universal (substantial) form of entities. For example, it is not *being a house* that comes into being (and passes away), but only *this* house (*Metaph.* 1039 b 22-26). Aristotle thus indeed realized that universality plays a key role in human understanding. Although he starts with the strictly *individual* primary substance (*proten ousian*)<sup>x</sup> in his *Categoriae*, he realizes that in its individuality this primary substance precludes any and all *conceptual knowledge* – something Aristotle did not want to sacrifice. As a consequence he introduced the *secondary substance*, which is supposed to be the (above-mentioned) universal substantial form of an entity. This secondary substance is designated as the *to ti èn einai* (*De Anima*, 412 b 16 and *Metaph.* 1035 b 32). According to Aristotle a concept is always focused upon what is general or universal.<sup>xi</sup> In this way he wants to safe-guard the universality of theoretical knowledge.

Clearly, ‘reason’ at the very outset of Western philosophical reflection, was thus truncated and confined to *conceptual knowledge*. The limits of knowledge coincide with the scope of concept formation. If it turns out to be impossible to form a concept of what is individual, then by definition individuality is unknowable. In the thought of Aristotle this restriction is intimately connected to the fundamental dualism between form and matter. Aristotle’s ‘unmoved mover’ is involved in eternal self-contemplation, disconnected from all matter (cf. *Metaph.* 1074 A 30 ff.). Pötscher even says that Aristotle not only understands his ‘God’ to be spiritual and immaterial, but positions it also in radical opposition to matter.<sup>xii</sup>

Matter is seen as a *principle of potentiality*, acquiring its first form in *living* entities. The essence of a natural entity is given in its orientation towards a form-giving activity directed towards a goal (*telos*). This teleological order entails that the form of a lower level turns into matter for a higher level – a living entity becomes matter for animal life, while an animal becomes matter for the human being. Becoming always entails such a transition from potential to actual being. Parallel with



this teleological order Aristotle distinguishes a *vegetative soul* (*anima vegetativa*), an *animal soul* (*anima sensitiva*) and a *human soul* (*anima rationalis*). The lower part of the human being is dominated by feelings of *desire* and *aversion* as a result of observing virtue – which is found as the mean between two ethical extremes (such as courage between the extremes of audacity and cowardliness). The sum-total of virtue is given in *justice* (in so far as it is directed towards other persons). In a stricter sense justice relates to the goods destined to satisfy human needs (*life, property and honour*).

The human being as ‘political animal’ (*zoon politikon*) inherently disposes over a rational-ethical essential form and this essential form can only come to completion (fulfillment) within the *state*. The power capable to take the individual form desire to the good is the *state*.

The social drive of the human person is realized in a hierarchy which stretches from the *nuclear family* (the so-called germ-cell of society), via the *village community* up to the *polis* as the highest whole encompassing all other communities as *mere parts*. In it the *form-perfection* of the individual is given at once. In Chapter I of Book I of his work on Politics Aristotle formulates it as follows:

We see that every state is a sort of partnership, and that every partnership is formed in order to attain some good. After all, it is universally true that people do act with a view to obtaining what they think good for them. Clearly, then, all partnerships have some good as their objective; and the highest, most authentic, good is the objective of the most authentic of all partnerships, the one that includes all others. This is the State: political partnership (translation of J.L. Creed en A.E. Wardman).

In Chapter II, Book I Aristotle provides a historical account of the emergence of a society:

The partnership established by nature for satisfying all daily needs is the household .... The first partnership that is (a) the product of several households and (b) not meant just for satisfying daily needs is a village. .... A partnership of several villages is a state; and with that the process is complete. It is a partnership that has already reached the high point of self-sufficiency; it originated so that people could live, but its *raison d'être* now is that people can live the good life. All states therefore are natural, since the very first partnerships are natural. The state is their end, or the goal they aim at, and nature means end; ... Also, the end of an activity, the reason why it is done, is the highest good; and self-sufficiency is the objective of the state and is the highest good.

Within the organicistic and universalistic schema of Aristotle marriage, the nuclear family and the family exist merely as a *means* to the aim of forming *good citizens* of the *state*. The family-community is actually identified with an economic unit which not only includes the relationship between husband and wife, but also that between parents and children as well as the relation between master and slave (Politics, Chapter III, Book I).

Although Aristotle holds that the state, viewed in a historical perspective,

developed from this family-community as germ-cell, his teleological mode of thought implies that the state – as the highest and all-encompassing whole – must *precede* every part of it. This is particularly clear from his influential statement:

Therefore the state, according to its nature, is prior to the family and the individual, since the whole must precede the part.<sup>xiii</sup>

The classical Greek view of reality and human society does not have any room for the inherent *unity* of reality, because in Greek culture matter constantly appears as the independent counter pole of form. The Platonic *demiurg* (architect) and the Aristotelian *nous* (self-contemplating deity) at most can give form to a pre-existing (formless) matter. As such matter remains a non-divine power opposed to divine form-giving.

Aristotle distinguishes three forms of government – in their preferential order: (moderate) monarchy, aristocracy and democracy (understood in a positive sense). A derailment of these forms produces tyranny, oligarchy, and (bad) democracy. The later two are distinguished on the basis of *non-political criteria*, namely *nobility* and *wealth* on the one hand and *freedom* and *poverty* on the other.

The ultimate perspective in terms of which Aristotle articulates his view is that of the state as the encompassing whole of society. Yet the state only has to provide in those needs of its citizens not catered for by its lower parts. In the hierarchical construction of the state the various levels are guided by lower and higher goals. The *oikia* (house-community), for example, serves economic and sexual needs. On the highest level the state pursues the goal of *moral virtue* – citizens can only attain perfection and fulfillment *within* the state.<sup>xiv</sup>

When the form of government is an oligarchy or a democracy, Aristotle disqualifies arbitrary rule and advocates a state governed by *laws* – but within the ideal monarchy (similar to Plato) the wise ruler does not need positive laws to govern. Aristotle therefore merely advocates a *formal idea* of a *just state*, because the *whole-part scheme* does not allow the recognition of social entities *distinct* from the state. Whatever is a part of a larger and encompassing whole in a basic sense shares in the structural typicality of the whole.

A critical remark is here in place: identifying certain *goals* or *purposes* cannot be employed in an attempt to discover the *inner structural principle* of the state, since the latter is presupposed in pursuing any goals. In other words, the state has to be a *state* before it can strive to realize certain aims – and aims as such may transcend the inner nature of the state: there are indeed both *political* and *non-political* goals to be achieved. Consequently, no single goal by itself can ever characterize the state.

Aristotle holds that slavery is founded in the natural order and he views the relationship between those who live in the *polis* and those not living within it (the *savages*) in terms of the form-matter scheme. Aristotle for the first time distinguishes between *natural law* and *positive law*. Justice in a broad (moral) sense (*dikaion politikon*) embraces all virtues (such as courage, moderateness, friendliness, and so on) and manifests itself within the state. Justice in a strict sense concerns legal norms and their obedience. One of the hall-marks of this strict form of justice is *equality*.

Equality may be determined according to an *arithmetical* or according to a *geometrical* yardstick. The latter is applied in the case of distributive justice – regarding the distribution of ‘honour or money or such other possessions of the community as can be divided among its members,’ while the ‘other kind is shown in private transactions or business deals, where it serves the purpose of correcting any *unfairness* that may arise’ (The *Nicomachean Ethics*, NE, Book V, Chapter 2). The latter kind of justice, designated as *corrective justice*, operates according to an ‘arithmetical proportion’ requiring from the judge to find (or restore) the mean between what is *too much* and what is *too little* (cf. NE, Book V, Chapter 4). Well anticipating what the classical Roman jurists took justice to mean, Aristotle’s understanding of *distributive justice* could be summarized in the guideline: *treat equals equal* and *un-equals unequal*.

Our brief discussion of Aristotle’s political views would be incomplete if we do not mention his exceptional understanding of *equity*. He does distinguish between justice and equity but ascribes to the latter a higher value (cf. NE, Book V, Chapter 10). Although equity is just, it is not the justice of the law. Enacting a law necessarily entails a *general statement* that cannot possibly foresee all *particular* (unique) circumstances that may obtain – and therefore it cannot exclude the possibility of error. Applying equity as an effect of the occurrence of an exception to the rule essentially merely amounts to a *rectification* of the law. This modified statement should be what the lawgiver *would have done* if the special circumstances were known. Everything cannot be regulated by law – and when the applicable law in fact would accomplish an unjust effect, the original law-statement ought to be rectified *ex equitate*, i.e., on behalf of equity.

### **Concluding remark**

In the grip of the ultimate and direction-giving basic motive of form and matter Greek political thinking at most managed to produce a *formal theory* of a just state (‘regstaat’). In a *material* sense – regarding the true *inner nature* of a just state – Greek political theory merely developed a *totalitarian* conception of the state.

The state is destined to bring its citizens to the fulfillment of their lives within the all-encompassing ethical perfection of the *polis*. The dominant analytical tool is the whole-parts relation and its application to the state and to society does not leave any room for the distinctness and independent nature of any non-political societal institutions. The historical process witnessing this development had to wait for the disintegration of the ecclesiastically unified medieval culture before and during the Renaissance period and subsequently for the rise of modern nation states during the 16<sup>th</sup> and 17<sup>th</sup> centuries. An analysis of this decisive process transcends the limits of this article.

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## Notes

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<sup>i</sup> Although Bos questions the way in which Dooyeweerd accounts for the genesis of the motive of form and matter and also prefers to speak of the titanic meaning-perspective, he believes that the extensive analysis of the development of this motive found in Dooyeweerd (2003) still contains a valid perspective on the inherent dialectic of Greek thought (see Bos, 1994, p.220).

<sup>ii</sup> Subsequent references to Fragments of pre-Socratic philosophers will omit Diels-Kranz as editors of these Fragments.

<sup>iii</sup> Heraclitus, although thinking under the primacy of the matter motive, attempted a dialectical synthesis between matter and form because the world *logos* (reason) reveals itself both as *Anankè* and *Dikè* (justice). Anaximander views the taking on of a limited form as an encroachment against the formless apeiron (the formless-infinite), which is therefore doomed – by virtue of a law of justice (*dikè*) – to suffer from punishment and penance and to return to its formless origin according to the order of time (B Fr.1).

<sup>iv</sup> Provisionally we can describe individualism (atomism) as the view that wants to explain society and societal institutions purely in terms of the interaction between individuals. Universalism (holism), by contrast, postulates some or other all-encompassing societal whole or totality.

<sup>v</sup> The term ‘material’ is here used to refer to the inner nature or the inner structural principle of the state. It is usually distinguished from a ‘formal’ view. The latter does not intend to account for structural differences or inherently limited spheres of competence. We shall later on see that a thinker like Rousseau advocated a just state in a formal sense, but materially fell back into a totalitarian and absolutistic theory of the state. Hobbes defended a totalitarian and absolutistic theory in both a formal and a material sense.

<sup>vi</sup> The Nobel prize winner, Walter Gilbert (lecturer in biochemistry at Harvard University), claims that the instruction ‘know thyself’ actually refers to (biological) knowledge of the human ‘genome’! (Cf. Gilbert, 1987, pp.87ff). The project of unraveling the genetic structure (code) of the genome was recently completed. Yet Gierer remarks: ‘Generally, cloning genes has been almost an obsession in recent years; young scientists were encouraged to extend all sorts of biological studies to include sequence analysis of the genes directly involved wherever possible. However, the realization is now increasingly emerging that there are many interesting questions that cannot be resolved in this manner. Development and evolution, the formation and the function of the neural networks in the-brain are processes that are not easily broken down into elements corresponding to effects of individual genes, individual biochemical components, or even individual cells. A systems approach seems to be required, and this is a challenge for theoretical as well as molecular biologists: in particular, if development as such is to be understood, we need to uncover the – presumably combinatorial – patterns of the activation of different sets of genes in its course’ (Gierer, 2001, p.26).

<sup>vii</sup> According to him these ideas are foundational to the transient sensorially perceivable things as invisible, unchanging essential forms.

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<sup>viii</sup> Namely the *logistikon*, *thumoeides* and *epithumétikon*, i.e. thought, fervour and desire.

<sup>ix</sup> Of course *justice* was still seen as an *ethical* virtue.

<sup>x</sup> Compare *Metaphysics* 1031 b 18 ff.: *πρώτεν ούσιαν*.

<sup>xi</sup> The Greek of this claim reads: *ὁ δὲ λόγος ἐστὶ τοῦ καθόλου* (*Metaph.* 1035 b 34–1036 a 1). Compare also *Metaph.* 1036 a 8: *καθόλου λόγου*.

<sup>xii</sup> ‘Dadurch das Aristoteles seinen Gott nicht nur als geistiges, also immaterielles Wesen verstanden, sondern in einen radikalen Gegensatz, in Widerspruch zur Materie gebracht, mit welcher er nichts, aber schon gar nichts und in keiner Weise zu tun haben konnte’ (Pötscher, 1970, p. 51)

<sup>xiii</sup> *καὶ πρώτων δὲ τῆ φύσει πόλις ἢ οἰκία καὶ ἕκαστο ἡμῶν ἐστίν. τὸ ἀρ πρότερον ἀναγκαῖον εἶναι τὸ μέρος* – (Aristotle, *Politica*, 1253 a 19-20).

<sup>xiv</sup> Within medieval reflection this view survived in the form of the idea of the *perfect society* (*societas perfecta*).