

AN UNALIENABLE RIGHT TO VIRTUE

Explorations on Aristotelian Civic Virtue in the Context of the
Founding of the United States of America



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ABSTRACT

This paper explores the role of Aristotelian ideas on civic virtue in the founding of the United States political system. By having Aristotle's thinking engage with the so-called '*Charters of Freedom*,' the author uncovers parallels between the notions of civic virtue established by the classical philosopher and the thinking that served as foundational to the United States political context. The author does so by first presenting and analyzing Aristotle's ideas on ethics and politics before showing how similar connections between the ethical and political are expressed within the founding documents of the United States. The author relates this examination to a contemporary context that raises the question of why appeals to civic virtue are a recurring phenomenon in American politics, notwithstanding rather forceful historic and contemporary populist currents. The understanding of Aristotle's ideas developed here by the author foreground the extent to which an Aristotelian-like appeal to rational civic virtue is in fact deeply ingrained in American politics.

KEYWORDS: United States; Politics; Aristotle; Civic Virtue; Ethics; Citizen; State

INTRODUCTION

“Patriotism is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime.” Often attributed to the great, but tragically unsuccessful hope of Liberal America in the 1950s, Adlai Stevenson II, but in this exact form actually penned by former Vice-President Hubert Humphrey,¹ the quote above seems a far cry from any rhetoric in contemporary American politics, both in style and substance. In a time of severe polarization, ever increasing attention for spectacle, and growing individualism, appeals to a calm and virtuous sense of patriotism feel as ‘from a bygone era’ as they are.

Despite how far current political discourse has strayed from the words of Stevenson and Humphrey, however, there is still the possibility that it may return, for the appeal to civic virtue is ingrained in the foundations of the American political system. This foundational connection between the importance of civic virtue and the United States republican system is what helps us explain the ever returning call in American politics to return to a way of thinking Stevenson and Humphrey hoped to keep alive. We will be able to understand how, despite a near constant tendency of populists and demagogues (of which the ones that so strongly influence political discourse and practice today are nowhere near the first) to take the tools of American democracy and use them for their own purposes, the voice of reason, consent, and unity has always remained to beckon the American citizen back to their tranquil and steady patriotism.

When Abraham Lincoln gave his historic House Divided speech, his allusion to the Gospels of Matthew and Mark not only placed him in a religious tradition, but also a philosophical one: Thomas Hobbes,² and Thomas Paine,³ two major influences on the intellectual climate of the founding of the United States, had made almost identical references before. While none of them used these references for the same purpose, the notion of the state as a house, dependent on the individual elements such the citizenry to form a whole is a common thread.

The mere fact alone that similar references to this notion can be found in Lincoln, Hobbes, and Paine tells us little about the importance of civic virtue to American politics.

¹ Hubert Humphrey, “Adlai Stevenson Is Remembered By An Old Friend,” *Lawrence Journal*, July 12, 1969, <https://news.google.com/newspapers?nid=2199&dat=19690712&id=3yZUAAAIBAJ&sjid=GjoNAAAIBAJ&pg=7004,1401826&hl=en>

² Thomas Hobbes, *Leviathan*. (London 1651), 160.
<https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/748/leviathan.pdf>

³ Thomas Paine, *Common Sense* (1776), 7. <http://pinkmonkey.com/dl/library1/sense.pdf>

How, then, can we argue the case that an appeal to civic virtue is ingrained in the foundations of the American political system? The most obvious step is to turn to the Founding Fathers and the founding documents, and examine where we find such appeals to virtue, and examples of the interdependence of state and citizen. First, however, we need to understand what we mean by ‘virtue’ whether that be in the civic or broadest sense of the term.

For this, we can turn to the classical thinker Aristotle. Although perhaps unexpected given our orientation toward the American context of the 18th century, his ideas can be valuable to us. Virtue in general, and virtue in the idea of dependence of the state on the citizen, and of the citizen on the state for the proper conduct of politics are central to his thinking. Although not the first,⁴ he is one of the central figures in virtue ethics,⁵ the philosophical school of thought that emphasizes the expression of certain qualities which are inherently good and need to be pursued for sake of their goodness. It is for this reason that his thinking is valuable to us in that it can foster a notion of the interplay between virtue and politics that may help in our examination of the context of the founding of the United States of America.

Our attempt to bring Aristotle’s thinking into contact with the 18th century context of the founding of the United States will rest on two pillars. First we will embark on close readings of Aristotle’s *Nicomachean Ethics*, and *The Politics*, his central works on ethics and politics. From them we will distill the fundamental ideas on the relation between the virtuous citizen and the state in his thinking. It is important that we analyze these ideas thoroughly, critically following through his logic, especially because some elements seemingly appear especially foreign to modern readers. For this reason, the entirety of chapters I and II will be dedicated to this close-reading.

After that we will immediately return to the 18th century context, and the founding of the United States in the subsequent chapters. We can then finally begin the identification of appeals to civic virtue in the three central documents of the so-called *Charters of Freedom*, namely *The Declaration of Independence* in chapter II; *The United States Constitution* and *The Bill of Rights* in chapter III. These will serve as platforms of engagement where we let loose our conclusions drawn from Aristotle on these founding documents. By critically engaging the different ideas and modes of thinking, we can see where there are parallels between Aristotle and the ideas that serve as the foundation for the American political system.

⁴ Marin Terpstra, ed. *Onenigheid en Gemeenschap: Basisboek Politieke Filosofie* (Amsterdam: Uitgeverij Boom, 2015), 209.

⁵ Patrick Delaere, “Deugdenethiek, oud en nieuw” in *Basisboek Ethiek* ed. Martin van Hees, Thomas Nys, and Ingrid Robeyns (Amsterdam: Uitgeverij Boom, 2014), 179.

His views will prove valuable to our grasp of the dynamic between ethics on an individual level and ethics in the realm of collective politics in these formative documents of American history. The American body politic in its current state only stands to gain from being placed in such a framework that emphasizes the interdependence between the individual on the one hand, and the whole on the other hand..

Aristotle's case for rationality's fundamental importance to the successful practicing of politics is perhaps more valuable than ever. By showing how Aristotelian-like views are ingrained into the fabric of the American political system, how there exists a dynamic in American politics between the goal of human happiness and the establishment of rational politics we can substantiate a case against irrationality in political discourse. By drawing lines from the Founding Fathers all the way back to Aristotle and his views of a rational sense of (civic) virtue, we can highlight the importance of an individual commitment to the preservation and betterment of a rational political system as echoed by Stevenson and Humphrey, thus placing that in a long tradition within American politics.

The Possibility of Virtue in the modern Context

When attempting to bring Aristotle's views on virtue in contact with the 18th century political thinking of the founding era, we run the risk of comparing what is next to impossible to compare and drawing conclusions that only hold up if they are so general that we end up talking about only superficial elements. Historical contexts differ, and although limited forms of de-contextualization can serve academic purposes, excess usually harms them.

The same goes for Aristotle and the Founding Fathers. The former lived in the fourth century BC, those men who were part of the latter group were born around 1300 years later. It goes without saying that we cannot simply expect to put them all next to each other, and have any constructive dialogue arise from it. Their ideas come to us in completely different languages, both literally and figuratively.

The most pertinent example of this discrepancy comes to the fore when examining the concept of the state in Aristotle, and 18th century political thought. As C. C. W. Taylor explains, the latter views the state as something "external to the individual, a coercive agency whose power to interfere and to limit stands in need of justification."⁶ As we will see, however, Aristotle is not concerned with the question of political authority; he focuses on the *polis*, a body of citizens in the specific context of the classic city-state, which problematizes attempts to connect his views to our modern notion of the state, as Taylor characterizes it.

This clash of views stems from what can be defined as the rights-oriented bias of our modern political thinking. We tend to presuppose that in his relation to the state, the individual is a "free and rights-bearing agent" whose liberty is restricted by a necessary, but arguably undesirable dependence on the state for protection of life and goods.⁷ This bias has created a deep divide between Aristotle and later thinking on the relation between the individual in his role as citizen, and the state. If we try to search for parallels between Aristotle and with the 18th century political thinking of the founding era, we first need to find a way to close this gap. If we are unable to do so, we may be unable to overcome the (perhaps) only superficial differences between the two modes of thought.

⁶ C.C.W. Taylor, "Politics" in *The Cambridge Companion to Aristotle* ed. Jonathan Barnes (Cambridge: Cambridge University Press, 1995), 2.

⁷ Christopher Shields, *Aristotle*. (New York: Routledge, 2007), 351.

Richard Dagger, *Civic Virtue: Rights, Citizenship, and Republican Liberalism* (Oxford: Oxford University Press, 1997), 18.

For this, we turn to political scientist Richard Dagger. As he points out, the dominance of rights-oriented thinking in modern political theory has led to the rise of an increasingly vocal counter-movement, especially in the United States, which argues that the contemporary, individualistic preoccupation with rights has a deteriorating effect on political unity.⁸ In response to what he calls the present “unhealthy situation” in which “political disputes... reduce too quickly to contending claims over rights”, Dagger offers a theory of Republican-Liberalism which seeks to do away with the supposed division between the liberal focus on rights, and any Republican appeal to civic virtue. It offers a synthesis of “the appeal to duty, community, and related concepts”, and a desire to preserve “the appeal of rights.”⁹

Dagger places virtue in an explicitly social context which leads him to agree with Shelley Burt, who defines civic virtue as the “disposition to further public over private good in action and deliberation.”¹⁰ This notion of civic virtue is, as Dagger makes clear, central to Republicanism, which demands that the individual citizen always needs to recognize some duty to “those whose help has made and continues to make it possible for him or her to lead a reasonably self-governed life.”¹¹

Opposed to this, however, stands Liberalism, which places the individual “shorn of status, role, and often cultural identity” at the center of moral and political thinking.¹² This idea, expressed in such notions as the French Declaration of the Rights of Man and of Citizens, and similar documents in the 18th century, were part of what Thomas Jefferson referred to as the “harmonizing sentiments of the day”, expressing their influence on the American context.¹³

Dagger, citing thinkers like Edmund Burke and Jeremy Bentham, argues that this liberal attitude is unsustainable. The rights-oriented, individualistic attitude of Liberalism reduces political disputes to “contending claims” over rights. These claims have to be settled in court, which means, Dagger holds, that the courts themselves increasingly become political too.¹⁴ In order to repair this disuniting aspect of Liberalism but also preserve its importance as a theory which emphasizes the rights of individuals, Dagger offers a theory that synthesizes both views: Republican Liberalism.

⁸ Dagger, *Civic Virtue*, 3.

⁹ *Ibid.*, 4.

¹⁰ Shelley Burt, “The Good Citizen’s Psyche: On the Psychology of Civic Virtue,” *Polity* 23 (Fall 1990): 24. Quoted in Dagger, *Civic Virtue*, 14.

¹¹ Dagger, *Civic Virtue*, 17.

¹² *Ibid.*, 19.

¹³ Thomas Jefferson, “Letter to Henry Lee, May 8, 1825,” in *The Political Writings of Thomas Jefferson: Representative Selections* ed. Edward Dumbauld (Indianapolis, IN: Bobbs-Merrill, 1955), 8.

¹⁴ Dagger, *Civic Virtue*, 4.

The validity of Dagger's theory rests on its ability to prove that civic virtue, and the obligations it entails, can co-exist with the liberal notion of autonomy. This compatibility is not only necessary for the possibility of Republican Liberalism, but will also turn out crucial in our attempts to understand the relation between the modern citizen and modern state of the 18th century in light of Aristotelian civic virtue.

Central to Dagger's attempt to maintain Republican Liberalism is the principle of fair play, which states that "anyone who takes part in and enjoys the benefits of a cooperative practice must contribute to the production of these benefits."¹⁵ Criticism of this principle comes from Robert Nozick, who argues that fair play implies that an actor outside ourselves can place us under an obligation to them by bestowing benefits unto us, regardless of whether we desire them or not.¹⁶ Dagger responds by stating that Nozick misunderstands the acceptance of benefits. For there to be genuine acceptance, he argues that there must be "some sense in which one takes part in the enterprise" or make others believe he or she is.¹⁷ In the case of the state, the citizen, and a civil rights, the citizen can refuse his or her virtuous obligation to the state by relinquishing the rights in question.

A second argument against fair play comes from John Simmons and is focused on what George Klosko and Dagger refer to as "the limiting argument."¹⁸ This argument creates a distinction between accepting benefits and merely receiving them. According to it, we can only say someone has an obligation to contribute "when he or she has voluntarily accepted the benefits."¹⁹ Simmons argues that we can only decide whether we can truly speak of acceptance when two separate conditions are met. The first is that the individual onto whom the benefit is bestowed must first have tried to get the benefit, and the second demands that this individual must have received the benefit "willingly and knowingly."²⁰ To the former, Dagger responds by arguing that by merely living in a state, almost all citizens have taken "some steps that count as accepting the benefits of the rule of law."²¹ As for the second, Dagger holds that there are benefits we accept willingly and knowingly without thinking of them, as is the case when we ride our bicycle to work without reflecting on the fact that the

¹⁵ Dagger, *Civic Virtue*, 68.

¹⁶ *Ibid.*, 69.

¹⁷ *Ibid.*, 70.

¹⁸ George Klosko, *The Principle of Fairness and Political Obligation* (Lanham, MD: Rowman and Littlefield, 1992), p.37. Quoted in Dagger, *Civic Virtue*, 72.

¹⁹ Dagger, *Civic Virtue*, 72.

²⁰ John Simmons, *Moral Principles and Political Obligations* (Princeton, NJ: Princeton University Press, 1979), 129.

²¹ Dagger, *Civic Virtue*, 74.

cooperation of our fellow citizens has produced our bicycle, the road we travel on etc.²² While he concedes that Simmons could claim that we cannot accept benefits willingly or voluntarily if we have no other option, Dagger then rightly argues that not taking a benefit voluntarily does not necessarily mean they are thrown at us against our will. As social animals we “grow into” our political context; while we are born into it with no possibility of choice, it goes too far to say that we are part of it against our will, and our continued life in this context at least tells us that we are not actively seeking to remove ourselves from it.

The conclusion that Dagger ultimately reaches is that the obligations that an appeal to civic virtue entails generally are not inherently in conflict with the individual’s autonomy. As part of a cooperative political organization in which he or she receives the benefits of this organization in the form of citizenship, this individual places himself or herself under an obligation to that organization to preserve it, on the basis of the principle of fair play. Rather than simply demanding rights or ‘supplying’ his civic contribution, the individual citizen participates by doing both at the same time.

In being able to prove that civic virtue, and the obligations it entails, can co-exist with the liberal notion of autonomy, Dagger offers us a bridge between Aristotle’s political thinking and the philosophical and political climate of the 18th century, with its rights-oriented bias, in which the Founders operated. This will allow us to maintain any parallels we find between the thinking of Aristotle and that which presents itself in the foundational documents of the American political system, despite the different uses of language, notions of citizenship, state, and rights.

²² Ibid., 75-76.

CHAPTER I

Aristotelian Virtue

Before we turn to the 18th century and examine the role of civic virtue in the founding of the United States political system, we first embark upon an exploration of Aristotle's thinking on the matter. As a foundational figure in the tradition of virtue he is not only a logical starting point, but also an insightful one. Although rudimentary and perhaps overtly general in some regards when compared to highly differentiated contemporary theories on virtue, which specialize in different conditions of virtuousness depending on differing contexts, we will find that much of Aristotle's views still remain relevant in our appreciation of political systems such as those of the United States of America.

By first examining Aristotle's conception of virtue itself in this chapter, and subsequently connecting it to our analysis of his political thinking in chapter II, we can achieve a clearer understanding of Aristotelian civic virtue. The notion that we will distill from his thinking can then be put into dialogue with the 18th century context in which the founding fathers of America operated.

Aristotelian Virtue

Aristotle's ethical thinking has its roots in the teleological character of his thought. *The Nicomachean Ethics* starts off with the claim that "every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good" and that thus, "the good" is the goal toward which all things strive.²³ Aristotle then goes on to explain that, while every action or every product of any action has its own end, some actions or products fall under a single capacity, and that the ends of these higher level actions or products are to be preferred to their subordinate ends. He now argues that "if there is some end of the things we do...clearly this must be the good, and the chief good", and holds that it would do us well to gain an understanding of this final goal we all have.²⁴ We are thus presented with the purpose of Aristotle's inquiry into ethics: understanding the final good toward which all men strive.

²³ For all direct references to Aristotle, I use, as is the standard, the Bekker numbering, which allows any reader to retrieve the passage I am referring to regardless of edition or translation. In this case NE 1094a1-3 where NE stands for *Nicomachean Ethics*. The abbreviation POL before Bekker numbers will be used for references to *The Politics*.

²⁴ NE 1094a19-b12.

What, then, can we identify as this final good? Aristotle begins by listing a whole host of criteria which something must satisfy in order to be considered the final good: it must be pursued for its own sake;²⁵ we must wish for other things for its sake;²⁶ we mustn't wish for it on account of other things;²⁷ it must be complete in the sense that it is always worthy of choice and chosen only for itself,²⁸ and it must be self-sufficient, lacking nothing.²⁹ With all these criteria identified, Aristotle then ultimately concludes that the final good is *eudaimonia*,³⁰ which some translate as happiness and others as success.³¹ The purpose of human life then is the achievement of happiness or success, in which the later must be understood within Aristotle's overall teleological framework. With this we mean to say that we must not necessarily understand success in the way we do today, but as the successful functioning as a human being aimed for happiness, as the next paragraph will make clear.

Now that Aristotle has identified *what* to strive for, he seeks to find an answer to the question of *how* to strive for it; how to achieve this final good, or simply put, how to live successfully. In order to do so Aristotle employs what Shields calls the "Function Argument."³² First he asserts that "all things have a function" and that "the good and the 'well' is thought to reside in the function."³³ A flute-player is someone whose function can be described as 'to play the flute' just like a plumber's resides in the act of plumbing, and what determines whether they are successful in living up to their function is how well they commit these acts: a good flute-player plays the flute well, and a good plumber is one because he does his plumbing well. Similarly, if humans have a function like all other things, and Aristotle is convinced that we do, then our functioning well as humans will lead us to the achievement of the human good: success.

Aristotle's goal now is to identify the human function. First, the previous examples give reason to assume that the function of any given X is the exercising of a certain activity: playing the flute, gardening, etcetera. Second, Aristotle asserts that any given X's function is the activity which is unique and characteristic to that X. With this in mind, Aristotle seeks to

²⁵ NE 1094a1.

²⁶ NE 1094a19.

²⁷ NE 1094a21.

²⁸ NE 1097a26-33.

²⁹ NE 1097b6-16.

³⁰ NE 1097a15-34.

³¹ Shields, *Aristotle*, 321.; D.S. Hutchinson, "Ethics" in *The Cambridge Companion to Aristotle* ed. Jonathan Barnes (Cambridge: Cambridge University Press, 1995), 200.

³² Shields, *Aristotle*, 318.

³³ NE 1097b22-1098a4.

identify the unique and characteristic activity of human beings.³⁴ This activity cannot be the life of nutrition and growth, he argues, for it even belongs to plants. Likewise, it cannot be the life of perception, which is shared by all animals and therefore is not unique to human beings. Ultimately, Aristotle comes to the conclusion that what remains is the life of rational reason, which he claims is, in fact, unique and characteristic for human beings. Since he has already established that the human function necessarily entails the exercising of a certain activity, he thus concludes that this human function must be an “activity of soul which follows or implies a rational principle.”³⁵ Because the aim of this function is always the successful exercising of that activity, the activity must exhibit “the appropriate excellence.”³⁶

To summarize, the human good, then, is found in excellent rational reasoning and especially the practical activity of handling rationally.

So far, there has been no mention of virtue in our examination, which might appear odd given its overall context insofar as it seeks to identify the Aristotelian view on civic virtue in order to have it help us understand the role of virtue in American politics. A short digression into the realm of linguistics will hopefully prove insightful in this regard.

In classical Greek, Aristotle uses the word *aretê*, which has been translated as ‘excellence’ above. Traditionally, however, *aretê* is translated as ‘virtue’, the word we might be said to be looking for. The problem with this latter option is that it is likely to mislead readers given its moral connotation in modern English, which is why some translators prefer the former.³⁷ This consideration, in addition to its more obvious affiliation with the notion of success, is why ‘excellence’ was used here above. As Shields explains, however, *aretê* does allow for the modern, moral interpretation as ‘virtue’, it is just that it also allows for a non-moral interpretation.³⁸ Since the overall context of our examination is generally more concerned with the modern, English notion of ‘virtue’, it is for this reason that, instead of ‘excellence’, we shall use ‘virtue’ from here on.

With this in mind, then, we can now summarize Aristotle’s previous conclusion by saying that the human good is found in virtuous rational reasoning.

Not unlike before, this conclusion immediately leads into another question: when is rational reasoning virtuous? Aristotle starts off defining virtue as “a state of character

³⁴ NE 1097b34.

³⁵ NE 1097b34- 1098a15.

³⁶ NE 1098a15-19.

³⁷ David Ross, ed. *Aristotle: The Nicomachean Ethics* (Oxford: Oxford University Press, 1925), xxvi.

³⁸ Shields, *Aristotle*, 322.

concerned with choice, lying in...the mean relative to us, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it. It is a mean between two vices, one of excess and one of deficiency.”³⁹ This is not exactly a straightforward definition, to be sure, but things become clearer to understand when analyzing it step by step.

There are, for our present purposes at least, two main points that can be taken away from the quote above. First, there is the focus on choice and, in effect, decisions. Aristotle believes that decisions reveal the values and quality of a person’s practical thinking, and goes on to claim that while everybody pursues what he regards as good, those with wrong values are mistaken about what is good and will therefore make wrong decisions.⁴⁰ Notice how, in order to live well or virtuously, we are to know what virtue is.

This brings us to the second point: the rational principle by which the man of practical wisdom would determine what is virtuous. That determining what virtue is should be done on the basis of a rational principle comes as no surprise at this point, but what does need some explanation is the appearance of the man of practical wisdom.

First, we need to understand what Aristotle means by ‘practical wisdom’. He has already asserted that the most excellent way to live is by leading a life expressing the rational principle. He then goes on to claim that this means a life devoted to the appreciation of truth, or intellectual contemplation.⁴¹ Access to, and thus the opportunity to appreciate truth is gained through the ‘intellectual virtues’, which come in multiple forms. There are ‘knowledge’, ‘wisdom’, and ‘intuition’ which “concern the facts about the universe that cannot be altered.”⁴² In addition to these, there are skill and practical wisdom, which both concern those things that we can alter. Of these intellectual virtues, it is practical wisdom which interests Aristotle most.

There are various forms of practical wisdom which can be identified. The five forms Aristotle names are the practical wisdoms concerned with the individual, the household, legislation, and finally, politics. The latter category can, in turn, be divided into legislative wisdom and deliberative, decision-making, political wisdom.⁴³

The acquisition and expression of practical wisdom is essential in our search for the human good. It allows us to determine what decisions and actions are good or bad for us, and

³⁹ NE 1106b36- 1107a6.

⁴⁰ NE 111b4-113b2.

⁴¹ NE 117a12-18; NE 1177b26- 1178a8; Hutchinson, “Ethics”, 205.

⁴² Hutchinson, “Ethics”, 206.

⁴³ NE 1141b21-1142a7.

so, if we possess practical wisdom, Aristotle reasons, we will think and do what is right. It is, then, a person of practical wisdom that can decide what is virtuous, and who, after having done so, can begin to reason virtuously so as to become a successful human through acting virtuously upon his rational sense of reason.

Conclusion

We have seen how Aristotle continuously connects the supposed natural instinct of the individual toward excellence to the ways in which we organize ourselves in social and political contexts. Through his ethics we are made aware of his conception of the human function as virtuous reasoning, where the virtuousness of our reasoning is determined by a rational knowledge of practical wisdom which chooses sufficiency over either excess or deficiency. Given the teleological and practical orientation of his ethics, Aristotle reasonably concludes that a notion of what is virtuous, which can, for instance, be acquired through determining when something is in excess or not, can only derive from a social context.

This emphasis on the social context can be found in Dagger, too, which helps us understand the relevance of Aristotle's thinking on the matter for the modern context before us. In the following chapter we will analyze what type of social and political context Aristotle has in mind specifically.

CHAPTER II

Aristotelian Virtue in his political thinking

Chapter I has helped us gain an understanding of the general notion of virtue and practical wisdom in Aristotle's thinking. We, however, will need more than just that if we are to be successful in our attempts to prove his relevance to the American political system. In other words, we need to examine how Aristotle makes the leap from the ethical to the political, so that we will be able to do the same in analysis of the American context. This chapter will do exactly that by focusing on his main political work *The Politics*, which we will find to be a clear continuation of Aristotle's ethical work. In this analysis we will be most interested in what Aristotle has to say on the relationship between the citizen and the state, and on how the notion of virtue relates to that.

The importance of the political context

Aristotle's ethics have left us with room for the assertion that there are, perhaps hypothetically, people who do, or can, have access to the practical wisdom of politics, and that those with such access can determine which political decisions are good in that they will lead to the human good: success, or happiness. After all, we have already seen that the two realms of political wisdom and individual wisdom both fall under the header of practical wisdom, and thus are both concerned with the question of which practical decisions and actions are good or bad.

That the virtuousness of political decisions, which are necessarily interpersonal in nature, contributes to the virtuousness of the personal life of an individual is a conclusion we cannot yet logically draw at this point. Additionally, it might strike a modern reader, accustomed with individual-oriented political theory, which usually pivots the state and political-decision-making structures as coercive obstacles to the natural rights and the pursuit of happiness of the individual, as a peculiar conclusion indeed. To understand how Aristotle can arrive at this conclusion, we now turn our eyes to his thoughts on politics.

Aristotle ends *The Nicomachean Ethics* by establishing the first chain of the link between his views on ethics and politics. "Let us study what sorts of influence preserve and destroy states," he writes in the last paragraph.⁴⁴ After all, this has been Aristotle's goal all

⁴⁴ NE 1181b18-20.

along; as Taylor⁴⁵ and H.B. Veatch⁴⁶ make clear, *The Politics* is a continuation of the practical enquiry into the human good in that Aristotle views the achievement of the good only available in the context of a social, and thus political society. To study which kind of political society is most conducive to our achievement of the good, and why that is so, is essential knowledge in our attempts toward it.

The thesis that a good human life can only be achieved within a political context is a bold one, and requires argumentation. Aristotle provides such an argument by asserting that no one would choose to live in isolation, and more importantly, that the excellent and practical performing of most virtues require interaction with others.⁴⁷ Once again, we see his preoccupation with the practical implantation of wisdom, but the importance of an interaction with others is new.

If we translate his point into a tangible example, Aristotle's reasoning behind these claims will hopefully become clear. We must begin by returning to the definition of virtue as given above, focusing especially on the role of rational choice, and its position between excess and deficiency. If person *A* chooses to build a house on a certain plot of land, the virtuousness of his choosing (remember, virtue lies in activity) is dependent on the rationality behind his considerations and the amount of land he chooses to use. A good house obviously cannot be built on too small a plot, but should also not be built on too large a space since *A* will practically always have a neighbor *B* to consider, who may also wish to put to use his own land. Unless *A* lives in total isolation, an option of which Aristotle reasonably concludes that it is undesirable if even possible, he will always have a *B* to keep in mind, which makes the social and political context of the quest for the human good unavoidable.

Deciding on a political context

What, then, is the political context Aristotle sees as essential for the human good? After some considerations of political forms, he ultimately comes to the conclusion that human beings are naturally adapted to life in a *polis*, the classical city-state.⁴⁸ The term 'natural' is important, because it shows how deeply ingrained he considers social human life to be in nature.⁴⁹ He sees interpersonal relations as requirements for the continuation of mankind. Of these relations, the household is the most primitive, and the village and the city-

⁴⁵ Taylor, "Politics", 233 – 234.

⁴⁶ H.B. Veatch, *Aristotle: A Contemporary Appreciation* (Bloomington: Indiana University Press 1974), 119.

⁴⁷ NE 1178a28 – b3.

⁴⁸ POL 1253a1 – 3.

⁴⁹ Taylor, "Politics", 235.

state are eventual steps in a natural progression. Human beings are, by nature, political animals, and the *polis* is a societal form naturally coming into existence first for the sake of our survival and subsistence, and subsequently strives for its continued existence for the sake of the excellent performance of its unique activity: the promotion of the good life.⁵⁰

At this point, one consideration is pertinent to us: our instinct to interpret *polis* in light of our modern notion of the state. As Shields and Taylor have made clear, we should be careful in doing so since the focus on the individual, removed from the state, in modern liberal thought in that sense is absent in Aristotle's thought.⁵¹ Furthermore, Edel points out that the idea of *polis* is "not restricted to political organization in the sense that the term 'state' has come to be used."⁵² While we can, and will, use 'state' for *polis* from here on, it is important to keep this nuance in mind.

Carrying on, we see that Aristotle has established an interdependent relationship between citizen and state. In this relationship, however, he does give priority to the state because, while the individual can possibly exist outside of the context of a state, this is not only highly improbable as we have seen before, he also cannot hope to live virtuously and fulfill his human function.⁵³ The state does not come into being without the individual, and therefore cannot fail in fulfilling its function as a state if the individual does not exist, whereas the individual does come into being without the state but cannot ever live well without the state. It is for this reason that the state as a collective can continue being a platform that allows humans to live a good life even if individuals fall away.

Now that we know what the purpose of our political organization is, the question becomes how a state can lead to human good. The first condition, Aristotle argues, is that the state not be too large because an aggregation that is too big diminishes the possibility of communal life, which is established in political participation.⁵⁴ Such participation is essential because if the state is seen as a whole, with as its function the promotion of the good life, the individual citizens that make up the whole necessarily have to partake in the carrying out of the state's function. The gears are essential for the operating of the machine.

We should not confuse Aristotle's focus on participation of the citizen in the state with an argument for democracy as common in contemporary political discourse. As in any body, all constitutive elements play their own particular role, but not necessarily the same. In

⁵⁰ POL 1252b34 – 1253a1.

⁵¹ See Introduction.

⁵² Abraham Edel, *Aristotle and His Philosophy* (London: The University of North Carolina Press, 1982), 319.

⁵³ POL 1253a18 – 29.

⁵⁴ POL 1326b14.

fact, Aristotle considers democracy as the deviant form of what he calls ‘the rule of the many’, which stands along ‘the rule of the few’ and ‘the rule of one’ as the different kinds of constitutions possible.⁵⁵ For all three, there is a correct implementation which benefits the common advantage, and a deviant one that is corrupt and aims only for the advantage of the ruler or rulers.⁵⁶ The rule of one when correctly performed is royalty, which can be perverted into tyranny just like righteous aristocracy can degenerate into an oligarchy; the rule of the many can similarly be an unjust democracy or a just *polity*,⁵⁷ which we shall refer to as the rule of law, as opposed to a rule of one, or rule of the few.

Despite this risk of a perverse democracy, Aristotle does not completely reject the rule of the many, however. While he does give preference to monarchy or aristocracy, the possibility that the rule of law is the best constitution for a certain state remains open. After all, the choice for a particular constitution should be based on its contribution to the common advantage, toward the achievement of the virtuous life, which is possible in the rule of law. As Shields points out, in Aristotle’s view, the rule of law should be preferred to royalty or aristocracy if the many are “collectively wiser and more virtuous than the few.”⁵⁸

What determines whether this is so depends on who the many are, and how wisely they act. Aristotle’s definition of the citizen is one who takes part in deliberating and judging, and who takes so-called office with or “without limitation”, meaning those who hold political offices, and judges and assemblymen.⁵⁹ Who specifically should be allowed to take such positions is besides the point for now, especially because the classical context Aristotle writes on withheld many from ruling, for reasons which have become unjustifiable in our contemporary context.⁶⁰ In the rule of law, all those who are wise and virtuous should be allowed to participate, in an aristocracy only a few will be. The inclusion of the many should not be tried to be justified for the sake of inclusion itself (which would be simple and cheap populism), but on the level they can contribute to the excellent functioning of the state.

How can the individual contribute excellently and thus be ‘wise enough’ to be considered a citizen? Aristotle acknowledges that the good individual and the good citizen are not necessarily the same, because what is virtuous for a citizen is dependent on the

⁵⁵ POL 1290a30 – 1290b21.

⁵⁶ POL 1279a17 – 21.

⁵⁷ POL 1259b1 – 1296a20.

⁵⁸ Shields, *Aristotle*, 367.

⁵⁹ POL 1276a22 – 1275b22.

⁶⁰ This point will be discussed in Chapters III and IV as well. While it is important to consider who should or should not be allowed to take office, the answer to that question does not help us understand the role of the citizen as a neutral position within the state.

constitution while the virtue of the individual cannot change.⁶¹ As Nichols points out, however, “the virtue of a certain kind of citizen ... is the same as that of a good individual”⁶² namely the moderate and just exercising of political power rather than despotic rule, which can only be learned by also being ruled yourself.⁶³ The good citizen, then, is one who rules and is ruled, by giving up, let us say, the possibility of total freedom for the sake of something higher: the preservation of the state and its opportunity for the good life offers each individual residing in it.

Conclusion

In Aristotle’s thinking, political organization is inherent to our natural drive toward the good life, and thus an inherent part of human life itself, which sets him apart from later political theorists like Hobbes and Locke, who emphasize the constructed character of the political. Regardless of which viewpoint is correct, Aristotle’s insistence on the inherent connection between the individual, who takes on the role of citizen in a political state, and the political organization as a whole is valuable. As citizens, we are in an interdependent relationship with the state; we are dependent on the social context for protection, subsistence, and fulfillment of our human function, while the state cannot exist without the aggregation of individuals willing to be part of something larger than their particular selves. The state provides us with the opportunity for a successful, virtuous life, but can only continue to do so if we commit ourselves to the practicing of rational, practical wisdom.

Now equipped with this understanding of Aristotle’s political thinking we can return to the American context in our examination of the founding documents of the United States in the subsequent chapters. The ideas distilled from *The Nicomachean Ethics* and *The Politics* will serve as markers with which we be able to discern similar or fundamentally contrasting ideas in those formative documents of the United States political system.

⁶¹ POL 1276b16 – 1277a5.

⁶² Mary, P. Nichols, *Citizens and Statesmen: A Study of Aristotle’s Politics* (Savage, MD: Rowman & Littlefield Publishers INC., 1992), 60.

⁶³ POL 1277b7 – 1277b18.

CHAPTER III

Civic Virtue in the Declaration of Independence

The conclusions drawn from Aristotle's ethical and political thinking in the previous chapters allow us to finally turn our attention to the question of his relevance to the context of the founding of the United States. This has been our purpose all along and now, armed with a comprehensive notion of how Aristotle views the ethical sphere of the individual as inherently tied to the political context, we can set to work in our attempt to bring this notion into dialogue with the ideas of the Founding Fathers as established within the so-called *Charters of Freedom*. In this process we will hope to uncover parallels or distinctions which may help us understand how an Aristotelian appeal to civic virtue is ingrained in the foundations of the American political system.

This chapter will focus on the first of the *Charters*: the *Declaration of Independence*. The seminal document written by Thomas Jefferson and later amended and adopted by the Continental Congress,⁶⁴ is one of the most important documents in United States history, and even in modern political history in general. Although, as David A. Hollinger and Charles Capper point out, most of the ideas within it were not even all that original anymore at the time, the text has acquired its legendary status as “the first complete fusion in a public document of Enlightenment ideals and republican principles.”⁶⁵

We will begin by establishing that the entire text rests on three connected, but distinct legs. The first of them sums up the truths the signees of the Declaration hold to be self-evident (which we will soon discuss in more detail), the second accuses the British crown of ignoring and violating these truths, and the third reaches the conclusion that because of that fact, the American colonies were justified in their insurrection against the British empire.

Most pertinent to our purposes will be the first and final pillars of the document since they provide philosophical and political ideas that are actually relevant to our discussion. Arguing over whether or not some of these ideas actually were harmed by King George III and the British parliament is besides our interest for now, while the expressed notion of an inalienable right to the pursuit of happiness, for instance, obviously does provide us with room for engagement.

⁶⁴ David A. Hollinger and Charles Capper, *The American Intellectual Tradition: Volume I 1630 – 1865* (New York: Oxford University Press, 2001), 133.

⁶⁵ *Ibid.*, 133.

The inalienable right to live virtuously

The document begins by defining its *raison d'etre*, so to speak. “When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another,” it reads, “a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.”⁶⁶ We have to notice the reasonable character of such an introduction to what will turn out to be a strong and direct accusation of serious “crimes” to the address of the British Monarchy.

Given the violent context of revolution, born out of gruesome incidents like the Boston Massacre, that served as a reason for writing the *Declaration* as well as the even more violent situation that was its effect, the insistence on correctly formulating the arguments made within it, could perhaps strike a reader, modern or contemporary, as odd. At the end of our examination, however, we will return to this point and we will hopefully see why the rational and reasonable attitude of the *Declaration* is to be expected.

Carrying on for now, however, we reach the beginning of the first section proper. Here we find the assertion of the...

“... self-evident” truths that “all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

With these truths we have immediately arrived in the realm of ethics, and thus also uncover distinct similarities to Aristotle. First and foremost, this passage puts the entirety of the text in an ethical dimension by its presentation of a two-sided claim. On the one hand there is the acknowledgement of the truths as summed up, and on the other hand there is the conclusion derived from this that it is wrong when these truths are ignored. In fact, it is so wrong that an insurrection aimed at the abolishment of the form of government that ignores the truths, i.e. treats men as unequal and denies them the right to life, liberty and the pursuit of happiness, is justified and encouraged.

⁶⁶ *The Papers of Thomas Jefferson*, vol 1 ed. Julian P. Boyd, Lyman H. Butterfield, and Mina R. Bryan (Princeton: Princeton University Press, 1950), 429-32.

Second, we have reason to view the ethical dimension the document places itself in as strongly influenced by Aristotle. There is the focus on happiness, which we recognize from Aristotle in chapter I. Furthermore, the right to life is stressed and linked to the focus on happiness. Though perhaps not explicitly equated as they are in Aristotle's naturalistic and teleological thinking, there is a clear sense that they are linked. The achievement of happiness is presented as a goal in life similarly to the continuation of life itself, which are the foundational ideas of Aristotle's ethics. Additionally there is the universalistic mindset expressed in the truth that all men are created equal, which also strongly characterizes Aristotle's philosophy as we have seen.⁶⁷

There do seem to appear notable distinctions between the *Declaration* and what we have learned from Aristotle, as well. The focus on liberty as equally important to human life as the preservation of life itself and the achievement of happiness, is not so explicitly found in Aristotle. In this, we finally find how the modern political context of the 18th century, strongly influenced by contemporary theories of Liberalism, differs from the classical mindset. As we have seen in Dagger, however, these do not necessarily exclude each other. In fact, that the right to liberty is presented alongside the right to life and happiness actually furthers the Republican Liberal case that a view of the government as an enabler of life and happiness can perfectly synthesize with a view of the government as guarantor of liberty.

A second distinction is the justification for the abolishment of a government that neglects to enable and guarantee the inalienable rights. Although Aristotle does define that virtuous forms of government are to be preferred to tyrannical forms in which the common good is neglected, he does not explicitly state the right of the citizenry to rid themselves of unjust government as bluntly as does the *Declaration*.

Virtue threatened and protected

This point on the justification of a people, like the American colonists, to abolish a government that ignores the common good immediately brings us to our examination of the third and final section of the *Declaration*. After having listed all the instances in which the British rule has violated the rights of the colonists as defined above, the document then

⁶⁷ As we noted with Aristotle in Chapter II, there is of course much room for discussion on how universalistic this mindset actually was, given the exclusion of so many, along ethnic, gender and class lines. For our purposes, however, the relative nature of who was included and considered equal is not too pertinent. What matters to us is the acknowledgement of equality of men as a concept. For Aristotle, 'men' meant something different from what it meant to the Founding Fathers, just like their definition probably hugely differs from Barack Obama's, yet the universalistic tendency is present in all. More on this in Chapter IV.

concludes that this justifies them to declare their independence and break-off with the British empire in order to form a state that will respect and promote their inalienable rights.

Although we have had to conclude just now that Aristotle does not seem to offer such an outright justification for what is basically a rebellion, perhaps a deeper analysis of this final part of the *Declaration* can help show us whether his thinking is actually more in line with the document's message on this matter than it has appeared.

First of all, the document continues to balance its highly spirited intentions with a reasonable attitude. For instance, it acknowledges quite early on that "Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes." In other words: while the colonists may ultimately be justified in their abolishment of British authority, they are aware of an obligation to not treat matters lightly and to start by seriously considering whether their reasons for action are not too light and transient. Quickly, however, the document concludes that the colonists have been "patient" enough in their "sufferance of" what is called a "a long train of abuses and usurpations" and goes on to describe how the colonists have petitioned with the British and warned them to no avail.

The obvious intention behind this elaborate insistence on the restraint that was shown by the colonists in the time leading up to their declaration of independence, is to prove that they really had no other reasonable option but to rise up against British rule. The word 'reasonable' is key in this. In Aristotle we have seen that citizens have an obligation to contribute rationally to the state; in fact, rationality is at the essence of human life, according to Aristotle. A similar importance is implicitly placed on rationality in the *Declaration* through its repeated focus on restraint. Much more than an inciting call to arms the document reads like a well thought-out argumentative elucidation which is obviously seeking to convince the reader that insurgence against British rule is the only rational outcome of the entire process leading up to it.

Placing the justification for the American uprising that *the Declaration* aims to provide in such a pronouncedly reasonable framework is perhaps the strongest parallel to Aristotle we can find. It would be too great a stretch to claim that Aristotle was the reason the Founding Fathers focused so heavily on the reasonableness of their arguments in drafting *the Declaration*; after all, they lived in the age of Enlightenment. Despite this, however, ideas that strongly present an Aristotelian-like view on the just and unjust implementations of the forms of government are clearly present in the document.

As we have learned from Aristotle's *The Politics*, governments can be just or become tyrannical depending how well the human good is considered by the rulers, whether there be

many rulers or one. Obviously the rule of the one under King George III (or the rule of few when considering the British Parliament) has failed, according to the signees of *the Declaration*, for it has neglected the good of the American colonies. On the other hand, however, this conclusion alone is not in any way a justification to simply replace unjust British rule with an unjust form of American rule.

In this light, the insistence on reason in this document seems to serve as a way to prevent a lapse into an unjust form of democracy, for instance, in which populist and irrational sentiments can distract citizens from their rational obligation to the state and, in effect, the human good. Just like in Aristotle, we see that the good of the individual is made to be interdependent on the existence of a political context that enables these individuals to pursue the good, the happiness to which they have an inalienable, natural right. Furthermore, we can read how crucial rationality and reason are supposed to be to the new political context that the signees intend to establish after declaring independence. In true Aristotelian fashion, virtue and reason are equated, and must serve as the foundation for the imagined political body that will eventually formalize in the United States of America.

Conclusion

Our analysis of the *Declaration of Independence* in light of our Aristotelian framework has shown us several insightful elements for engagement between the ethical and political thinking of Aristotle and that of the signees of the *Declaration*.

We have learned how the document positions itself mainly as an ethical reflection, in which sharp but reasonable distinctions are drawn between the righteous self-evident truths which stress the equality of human beings and promote their rights to life, liberty and the pursuit of happiness on the one hand, and the unjust forms of rule that obstruct and violate these truths. The document can thus be read as an ethical framework, defining on the basis of arguments what is right and wrong, which is subsequently put to use for a distinctive political case. This framework establishes, both implicitly and explicitly, a relation between virtue and rationality, in a manner that reflects an Aristotelian sensibility.

We have clearly noted how the document is filled with parallels to Aristotle's ethics and politics, both in theme and method. There is a distinct universalistic attitude in both, that closely link human life, and human happiness, and which stresses the importance of rationality and reason for the sake of the political whole and the individual self.

CHAPTER IV

Civic Virtue in the United States Constitution and the Bill of Rights

It has by now already become clear that the many insights gained over the first parts of our examination in regards to questions of civic virtue provide us with a forum for interaction between the thinking of Aristotle and the fundamental elements of the United States. While the *Declaration of Independence*, discussed in Chapter III, is one of the most important historic documents of the modern age it does not, however, provide any legal basis for the United States political system. That role is chiefly reserved for the *United States Constitution* and its amendments.⁶⁸ This chapter will examine the legal framework established by these documents in light of Aristotle's thinking, focusing specifically on the relation between the state and the individual citizen. In what way, we will ask ourselves, do these documents display an appeal to civic virtue which we can recognize within our understanding of Aristotle's ideas?

Establishing the political context legally

'We the People...' These three words are arguably the most significant in United States history. More than merely the opening of the preamble to the federal union's constitution, they have come to represent the democratic ideal which has long since transcended the geographical boundaries of that union. The phrase has been copied and adapted around the world in both the official sense of politics and a wider notion as a cultural signifier of popular sovereignty. As such, it has united, and divided, those seeking answers to questions of state, citizenship and power for centuries. Although 18th century American democracy, with all its limitations and problems, is now in many ways far removed from contemporary systems of government, 'We the people' remains a rallying call for political change, be it on the Right or Left, in the United States or elsewhere.

But who are 'the People'? Who is a part of 'we'? These are two of the many questions that can be raised when examining *the Constitution* with a critical, philosophical eye. If we

⁶⁸ Of course, the first ten amendments are collected in *the Bill of Rights*, the last of the three *Charters of Freedom*. As such, these first ten are considered to be on an equal level to *the Declaration* and *the Constitution*, as part of the founding documents, which is why we will take only them into consideration in this chapter, and not the ones after.

are to argue that the document has as its aim to establish and define the political framework of American society, we need to ask ourselves what this political context is like in the first place. If we also wish to have the political framework of the United States, that *the Constitution* and *the Bill of Rights* call into being, engage in a meaningful dialogue with Aristotle, these kinds of questions are crucial because they help define the character of the political context itself.

As for the two questions above, the shortest, simplest, and most unsatisfying answer would be to point to what follows the iconic words in their original context. The actual sentence in the preamble specifies that these people are from the United States, and we could thus conclude that all those who are not from the United States are not part of the people as referred to by the document. This would be a factually correct conclusion, but, again, a most unsatisfying one indeed, not in the least because it would raise yet another question: when is a person from the United States? Because he or she is born there? Because he or she is an official US citizen?

The last option may be the most obvious one, but it is a historically charged one, too. Rulings in Supreme Court cases such as *Dred Scott v. Sandford* (1857) and the *Slaughter-House Cases* (1873) are a testament to the lasting impact certain decisions on who can be defined as a United States citizen can have on civil rights. If some are included, then others have to be excluded, and the word ‘exclusion’ has the historical tendency to be accompanied by such notions as ‘inferiority’ and ‘slavery’, both in the American context and elsewhere. In classical Athens women, children, and slaves were excluded from the political-decision making process and, by Aristotle’s definition of a citizen as “whoever has a right to take part in deliberative and judicial office” would thus not be (and essentially were not) regarded as citizens, although the members of these groups were undeniably ‘people from Athens’.⁶⁹ The same went for African-Americans under *Dred Scott* and it is for this reason such an appeal to citizenship is especially sensitive, even today.

Despite this, however, a legal interpretation of ‘We the People’ is justified for several reasons. First, in *Jacobson v. Massachusetts* (1905), the Supreme Court interpreted the phrase as referring to “all under the sovereign jurisdiction and authority of the United States.”⁷⁰ Second, and more significantly, we must realize that our previous questions were somewhat misguided in that, as we have already seen in Aristotle, who is or who is not included in any

⁶⁹ POL 1275b13; John Rothchild, “Introduction to Athenian Democracy of the Fifth and Fourth Centuries BCE Wayne State University Law School Research Paper” 07-32 (2007); 5.

⁷⁰ *Jacobson v. Massachusetts*, 197 U.S. 11, 22, (1905).

definition of citizenship or ‘the People’ is relative and, for our purposes, less interesting than the acknowledgment of a citizenship and a people as such. Although the previously mentioned complicating factors are highly important and worthy of rich discussions, right now we are concerned with how any individual in the capacity of his or her citizenship is connected to the state through the notion of civic virtue.

For now, then, we can suffice by concluding that the iconic preamble symbolizes one of the fundamental rules of the American political context: the acknowledgment of ‘the people’ taken as a citizenry.

The existence of this citizenry also immediately implies the existence of a state to which the former has a certain form of relation, whether it be a generally harmonious one such as in Aristotle and the Republican tradition, or a more antagonistic one as in Liberalism. Our goal is now to establish how deeply, if at all, the *Constitution* and the *Bill of Rights* position the American political context in the Aristotelian and Republican tradition, keeping in mind, of course, that this tradition need not always inherently clash with Liberalism, as we have learned from Dagger.

Continuing on with the preamble we quickly find typical allusions to the Republican ideals of unity and community, and Aristotle’s teleological attitude. The people mentioned seek a more perfect union,⁷¹ which establishes the existence of some kind of bond between the people which strives for a form of betterment. Another one of the goals is “the common defense”, with a focus on ‘common’, of course; there is mention of “the general welfare”; and “the Blessings of Liberty” are needed to be secured for “ourselves and our Posterity”, which highlights the importance of the continued existence of state or union which provides these blessing, even when the authors would be gone.

These elements are ingrained in the Republican tradition, and we have learned that they are also fundamental to Aristotle’s thinking. Though perhaps more of a symbolic nature, almost the entire preamble is rooted in this age-old mode of thought that stresses the common and the communal which must be preserved for future generations.

The *Constitution* serves just that purpose. It constitutes that common union in such a way that it will remain sustainable, that it will be able to stand the test of time. This is almost exactly what Aristotle sets out to do with his ethical and political thinking: the development of political wisdom that holds up over time and when placed under scrutiny, which will bring

⁷¹ U.S. Const. preamble.

human beings toward the achievement of the human good, which the *Declaration of Independence* clearly defines as the happiness that should be allowed to be pursued by natural and inalienable right.

Because, as Aristotle argues, such political wisdom is a practical form of wisdom, we find that we can read the *Constitution* as a practical manual. If the rules as set out in the document are followed, the implication is, the pursuit of happiness will be possible. The union will then ideally function perfectly as enabler of the individual's quest for the good.

Within those rules, as they are set out, we find more parallels to Aristotle. Articles I and II, which define the legislative and executive branch of government, set standards which citizens must meet in order to be eligible for the offices of representative, senator, and president. In all three cases, there are age requirements as well as minima for how long a candidate has to have been a citizen. In Aristotelian fashion, these articles combine the notion of the citizen as one who takes part in deliberating and judging, and who takes office, and the idea that certain standards can be demanded from the citizen.

On a side-note, the compensations that are offered for these offices would probably be met with criticism from Aristotle, who stresses that the motivation for taking office should be an utter selflessness. Realistically speaking, however, a certain kind of material compensation that allows the citizen in office to carry his or her function healthily is unavoidable when also hoping to prevent corruption, for instance.⁷²

Furthermore, Article II goes on to define the Presidential Oath and lists the reasons for impeachment. Both place demands on the one who holds the office that signify the continued dynamic between the right and possibility to take a central position in the securing of the political context, and the responsibility to respect the restrictions and demands that come along with that position. Only if the president swears to not commit "Treason, Bribery, or other high Crimes and Misdemeanors" can he or she contribute to the betterment, and continued existence of the union.

So far we have seen a clear Aristotelian and Republican attitude which stresses both the notion of the common project of a state or union, and the responsibilities that this project

⁷² Such a sense of realism on the part of the Founding Fathers is a general practical difference between them and Aristotle. In it, we see a strand of skeptic acceptance of some facts of life. Such facts are the one that a politician will have to be paid in order to keep himself alive, or the fact of life that reason does not always prevail in human interaction. This more Hobbesian attitude comes to the fore in the practical orientation of the rules as set out in the *Constitution* more so than in the idealistic orientation of the *Declaration*, for instance.

entails. Where, then, do we find the typically Liberal ideas? The answer is that they come to the fore most, not in the base text of the *Constitution*, but especially in the amendments, or the *Bill of Rights*, that accompany it. They serve as the limitations of the demands that can be made on the individual citizen in the name of the common project in a way that Aristotle never considers. No matter how much the common good may demand it, the right of the individual to subscribe to any religion of choice, or to express a certain opinion, or hold a peaceful assembly can never be refused. Neither can the citizen's right to bear arms and form militias be sacrificed for that purpose, nor can the common good be used to justify the quartering of soldiers in people's homes.

While it is true that these conditions are generally not placed on appeals to the common good in Aristotle's ideas on civic virtue, and but rarely in the Republican tradition, Dagger has shown us that they are not necessarily incompatible with those modes of thought either. After all, not even in a most sinister reading of Aristotle's appeals to civic virtue do we find a reason to suppose that he demands an unconditional surrender of the individual to the whole. Instead, he sees the two as engaged in an interdependent relationship, not a complete dependency of only one on the other. A state that is not conditioned by the citizens to have some limits becomes a tyranny, an oligarchy or a perverse, populist democracy, which all hinder rather than promote the common good.

The meaning of the Constitution and Bill of Rights to the citizen

Notice how quickly and often we have had to refer to a legal definition or interpretation of the articles and amendments examined so far, even for the symbolic preamble. Much more than the *Declaration of Independence*, both *the Constitution* and *the Bill of Rights* are aimed at the practical implementation of the political wisdom that they contain. They establish the political context of which Aristotle states that it necessary for the achievement of the human good, an argument echoed in *the Declaration of Independence* as we have seen in the previous chapter. The result is that the ideas present in *the Constitution and the Bill of Rights* analyzed in this chapter have a strong legal character, largely free of explicit ethical language or ideas, which is much more implied.

As we have seen in Aristotle however, the origins of the practical wisdom of politics lie with the realm of ethics. The political serves as a condition for the possibility of the ethical. The good life of success can only be attained in the social and political context. In that sense we can argue that the political context established by *the Constitution* and *the Bill of Rights* provide the rules to which the state and the citizen must adhere if they are to achieve success,

which, according to Aristotle, lies within a continued existence for the sake of the citizen for the state, and the achievement of the human good through a social context for the citizen, respectively.

Building on our examination of *the Declaration of Independence* in the previous chapter, we can see that there exists a similar dynamic between that document and *the Constitution* and *the Bill of Rights* on the one hand, and Aristotle's ethics and politics on the other. In both cases there is a clear and fundamental connection in which the first sets out the main goal and the later provides a practical guideline on how to achieve it. If the individual wishes to live a successful life him or herself, Aristotle argues, he or she also has to contribute to the political context which enables him or her to achieve this goal. Having established the parallels between Aristotle's ideas and the documents as examined above, we can similarly conclude that *the Constitution* and *the Bill of rights* have the same intention; the latter establishes the promised rights that should enable the individual to fulfill his or her personal pursuit of happiness, and the former lays out the rules for both the state and the citizen that should safeguard the continued enabling of that pursuit.

Conclusion

In our attempts to bring Aristotle into dialogue with *the United States Constitution* and *the Bill of Rights* we have found several similarities in the political thinking that goes on in his thinking and these documents. Yet, as far as Aristotle's ethics are concerned, the legal and practical character of both documents complicated the drawing of parallels between Aristotle and these foundational elements of the United States political system literally.

As we have argued, however the ethical implications are present indeed, and do allow themselves to be uncovered even by simply noting the mere existence of these documents. The establishment of a political context through a constitution, and amendments to it, also immediately provides the rules of that context, and thus carry a distinctly ethical connotation. Some rules protect the citizen and allow him or her to embark on the pursuit of happiness, the quest for the human good; other rules demand something from the citizen in return, so that the continued existence of the union is safeguarded. Only the citizen who is willing to play by these rules can hope to be a virtuous citizen, and, in the spirit of Aristotle, and Jefferson as the author of *the Declaration of Independence*, only this type of citizen can hope to achieve his or her natural goal of success or engage with his or her unalienable right to happiness.

CONCLUSIONS

At the onset of our examination we asked ourselves how Aristotle is relevant to the American political system. Before we could find an answer to that question we first needed to ask ourselves another: how can Aristotle be relevant to the American political system? Now that we have learned that the Aristotelian notion of the inherent relation between the question of ethics on an individual level and question of politics is also deeply ingrained within the foundations of United States politics, we have found our answer to that question.

We have seen how Aristotle presents us with a twofold mode of thought in which the ethical elements and political elements are characterized by their interdependence. Aristotle's inquiry into the human good leads him to conclude that its achievement cannot be possible outside of a political context, and that a political context cannot be successful if it is not aimed at the enabling of the human good because its own continued existence is dependent on individuals striving for goodness. A political organization comes into being for the sake of the individual good, but once it exists it will also seek to be for its own sake.

We have also discovered this type of interaction in the three founding documents of the United States political system that we have discussed. Especially taken as a whole, they form a balance between the ethical and the political. *The Declaration of Independence*, for instance, has a strongly ethical and moral overtone, establishing sharply several self-evident truths that therefore need to be obeyed, condemning those who ignore them, and justifying actions against the condemned. Meanwhile, *the Constitution* and its *Bill of Rights* are mostly free of such explicit value judgments, and simply provide the rules for a political context in which the values expressed in *the Declaration* have become legal norms in which the ethical dimension has become implicit.

The relevance of Aristotle to our understanding of the American political system extends beyond this dynamic, however, as we have learned from our analysis of his specific ideas on the human good, and on which political context best provides for the achievement of this good. In his thinking we have found a strong teleological orientation that always presumes a certain end goal toward which any given living thing will strive. For humans, he determines that to be the achievement of *eudaimonia*, or happiness or success. Human happiness and success are then placed in the expression of rationality, which lie within the virtues. By living virtuously, human beings can live well and successfully, we have seen Aristotle claim.

One of the virtues lies within rational political contribution. We have learned how Aristotle sees human life as fundamentally social, and in effect, political. If part of any political organization, the individual may become a citizen through participation in rule or by holding any office, and is as such tied to the obligation to be a successful citizen, a virtuous citizen who is reasonable and keeps in mind and acts in accordance with the human good of rationality.

We have found a similar insistence on reason and rationality especially in the tone of *the Declaration of Independence*, and *the Constitution* and *Bill of Rights* have shown the rules and conditions for civil participation. As such, we have seen the linkage of rationality and reason, and the political organization in the American system as well. The self-evident nature of certain truths, such as every man's right to the pursuit of happiness, will rationally lead to the adoption of, and participation in a political system as laid out by these documents. The achievement of happiness on a personal level is made dependent on the rational practicing of politics by the whole, and in effect, the existence of politics itself is made dependent on the rational participation of the citizen, without which the system would be meaningless and could not exist in its intended role as the guarantor of the inalienable rights of men.

These conclusions help us put into context the idea expressed by Stevenson and Humphrey that "patriotism is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime" as cited in the introduction. We can understand this notion as an appeal to a form of civic virtue that we have found to be ingrained in the American political system. It is an appeal that we recognize as Aristotelian in many ways. Further, more historically-oriented investigation may reveal how and why these Aristotelian ideas have become a fundamental part of American politics.

All the parallels we have been able to draw between Aristotle's thinking and that of the Founding Fathers as expressed in *the Charters of Freedom* also highlight another aspect they share. In both cases we have seen that there is often a discrepancy between the theories as thought out and practical reality. Matters like slavery problematize the universalistic ideas expressed by Aristotle and in the self-evident truth that all men are created equal. What about the clear fact that varying levels of irrationality have always been able to solidify to a certain degree in the political contexts in which Aristotle operated and the one established by the founding of the United States? Why is it that in both cases, similar problems seem to arise and the virtue-oriented mode of thought appears to be unable to solve them? These are questions well worth of future discussion, and only a further proof that Aristotle is a relevant thinker for anyone trying to understand the qualities and pitfalls of the American political system.

BIBLIOGRAPHY

- Barnes, Jonathan. *Cambridge Companion to Aristotle*. (Cambridge: Cambridge University Press, 1995)
- Boyd Julian P., Lyman H. Butterfield, and Mina R. Bryan *The Papers of Thomas Jefferson, Vol. 1*.
(Princeton: Princeton University Press, 1950)
- Burt, Shelly. "The Good Citizen's Psyche: On the Psychology of Civic Virtue," *Polity* 23 (Fall 1990)
- Dagger, Richard. *Civic Virtue: Rights, Citizenship, and Republican Liberalism*. (Oxford: Oxford University Press, 1997)
- Delaere, Patrick "Deugdenethiek, oud en nieuw" in *Basisboek Ethiek*. ed. Martin van Hees, Thomas Nys, and Ingrid Robeyns (Amsterdam: Uitgeverij Boom, 2014)
- Edel Abraham., *Aristotle and His Philosophy*. (London; The University of North Carolina Press, 1982)
- Hobbes, Thomas. *Leviathan*. (London 1651)
<<https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/748/leviathan.pdf>>
- Hollinger, David A. and Charles Capper, *The American Intellectual Tradition: Volume I 1630 – 1865*
(New York: Oxford University Press, 2001)
- Humphrey, Hubert. "Adlai Stevenson Is Remembered By An Old Friend," *Lawrence Journal*, July 12, 1969,
<<https://news.google.com/newspapers?nid=2199&dat=19690712&id=3yZUAAAIBAJ&sjid=GjoNAAAIBAJ&pg=7004,1401826&hl=en>>
- Hutchinson, D.S. "Ethics" in *The Cambridge Companion to Aristotle*. ed. Jonathan Barnes (Cambridge: Cambridge University Press, 1995)
- Jacobson v. Massachusetts, 197 U.S. 11, 22, (1905)
- Jefferson, Thomas. "Letter to Henry Lee, May 8, 1825," in *The Political Writings of Thomas Jefferson: Representative Selections*. ed. Edward Dumbauld (Indianapolis, IN: Bobbs-Merrill, 1955)
- Klosko, George. *The Principle of Fairness and Political Obligation*. (Lanham, MD: Rowman and Littlefield, 1992)
- Nichols, Mary, P. *Citizens and Statesmen: A Study of Aristotle's Politics*. (Savage, Maryland: Rowman & Littlefield Publishers INC., 1992)
- Paine, Thomas. *Common Sense* (1776)
<<http://pinkmonkey.com/dl/library1/sense.pdf>>
- Ross, David. *Aristotle: The Nicomachean Ethics*. (Oxford: Oxford University Press, 1925)
- Rothchild, John. "Introduction to Athenian Democracy of the Fifth and Fourth Centuries BCE" *Wayne State University Law School Research Paper* (2007) 07-32
- Shields, Christopher. *Aristotle*. (New York: Routledge, 2007)

- Simmons, John. *Moral Principles and Political Obligations*. (Princeton, NJ: Princeton University Press, 1979)
- Taylor, C.C.W. "Politics" in *The Cambridge Companion to Aristotle*. ed. Jonathan Barnes (Cambridge: Cambridge University Press, 1995)
- Terpstra, Marin. *Onenigheid en Gemeenschap: Basisboek Politieke Filosofie*. (Amsterdam, Uitgeverij Boom, 2015)
- U.S. Const. preamble
- Van Hees, Martin, Thomas Nys, and Ingrid Robeyns. *Basisboek Ethiek*. (Amsterdam: Uitgeverij Boom, 2014)
- Veatch, H. B. *Aristotle: A Contemporary Appreciation*. (Bloomington: Indiana University Press 1974)