CHAPTER – II

ARISTOTELIAN ANALYSIS OF JUSTICE

Introduction

The main purpose of this chapter is to find out concept of right, which seems to be missing in Aristotle’s philosophy. Apart from right, he almost discussed many concepts like justice, equality, liberty and so on. What is the basic reason behind this kind of separation? Why is he not willing to talk about more on this concept? When we read his books especially on *Ethics* and *Politics*, at least we can get some rough idea about the concept of right. He has discussed justice as a form of right. Before elaborating more on right, it is essential to start with his book Ethics where he describes what is the purpose of human life is? What are the ways that a human being should adopt in order to get it? The ways he chooses for the attainment of that end is just or unjust, right or wrong, whether it hampers others property and life.

The central concept in Aristotle’s ethics is ‘eudaimonia’ which is translated as happiness, development, and success. It can be achieved by individual through his own actions or choices. Aristotle’s ethics is practical; its sole aim is to attain happiness through actions. He provides us guideline how to plan our life through which we can attain that end. Happiness is a rare and exceptional thing, which requires virtuous character. He argues that happiness cannot be achieved by following conventional rules or moral rules. Conventional moral rules deal with rights and obligation towards others in the society. Aristotle’s ethics is based on individual character rather than individual action. He argues that, “Individual actions
are important only insofar as they produce a virtuous character.”¹ It is possible for human being to achieve happiness, only when he cultivates virtues of character and virtues of intellect. Aristotle makes a clear cut distinction between virtues of character and intellectual virtue. The former one is concerned with rational element of soul whereas the latter deals with irrational part or element of soul. Intellectual excellence can be developed through teaching and experience.

2.1 Virtue of Character versus Intellectual Virtue

The book two and six of *Nicomachean Ethic* discuss about virtues of character. About Virtues of character Aristotle says, “It is concerned with individual capacities of perception and desire.”² Perception and desire bring humanbeing to the lower level where he aspires for material pleasures (food, drink, sleep etc.). But our aim is to get the ultimate end which is not subject to change. He suggests some of the virtues for human being through which he is able to get happiness. He talks about courage which has direct connection with our reaction to particular situation. In our day today life we have come across many instances which either generate fear or confidence within us. We have seen some people are by nature fearful or some are fearless. In between two extreme, virtue of courage always plays the role of mean. Both courage and fear are necessary, but their amount should be in a proportionate order. Temperance is another type of traits of character. It is linked with our mood. Like courage, it also plays the role of mediator whose job is to decide how much amount of anger is necessary for a particular situation. If we do not control our anger, it would be a big huddle for our

²Ibid., p.98.
development (happiness). Again Aristotle rightly pointed out that, “Virtues of character arises through habit.”

Aristotle notes that for the Greek people the words ‘character’ and ‘habits’ are almost identical. Our character traits are due to habits. It is our habit which makes us what we are. During our childhood, if we pick up some good habits (honesty, brotherhood, helpfulness, mercy), which ultimately lead us to achieve success. Otherwise if we choose some bad habit like drinking, stealing etc, then it ruins our whole life. Likewise our success or happiness depends upon our habit. From this above statement we can say that the virtues of character do not arise in us by nature. In the words of Aristotle:

None of the moral excellences arises in us by nature; for nothing that exists by nature can form a habit contrary to its nature. For instance the stone which by nature moves downwards cannot be habituated to move upwards, not even if one tries to train by throwing it up ten thousand times; nor can fire be habituated to move downwards, nor can anything else that by nature behaves in one way be trained to behave in another. Neither by nature, then, nor contrary to nature do excellences arise in us; rather we are adapted by nature to receive them, and are made perfectly by habit.

We do not have any control over natural things. Neither fire nor stone can change its direction, it is always as it is. But it is possible in the case of human being, who can change his habit according to the demand of situation. It is very difficult to maintain a uniformity of character among human beings because some are courageous, some are fearful, some are

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3 Ibid., p.90.
4 Ibid., p.91.
5 Ibid.
more prone to pleasure and some are insensitive. We are adapted toward nature and by following the rules we have made our life perfect. So we can say human beings are naturally disposed towards virtue or vice. It is his actions or habits which have made his character virtuous or vicious.

Likewise intellectual virtue is also necessary in order to attain the complete wellbeing of life. He has discussed intellectual virtue in Book Six of *Nicomachean Ethics*. Virtue of character arises through habit but intellectual excellence can be possible through teaching and experience. He is always concerned about individual, so he tries to know what sorts of intellect is necessary for a human being to live well. As we have already known that Aristotelian ethics is more a practical science than a theoretical or conventional exercise. Aristotle refers this as deliberative faculty which contemplates human action. It is true when we are doing something, we have a desire to attain that end but in order to achieve that we use reason as a mean to satisfy our desire. Sometimes we are very much impulsive to achieve our goal by hook or crook. That is where reason plays a role of mediator to suggest excessive pleasure or pain which is dangerous, so we should maintain a balance. Wisdom is the guiding factor for the determination of deliberative faculty. Wisdom is only concerned with practical wisdom rather than theoretical. Regarding practical wisdom Aristotle says:

Now it is thought to be a mark of man of practical wisdom to be able to deliberate well about what is good and expedient for himself, not in some particular respect, e.g. about what sorts of things conduce to health or to strength, but about what sorts of things conduce to good life in general.\(^6\)

\(^6\) Ibid., p.209.
Here we come to know the basic principle through our deliberate faculty can be judged. Sometimes we get what we really desire but in the next moment we fail to achieve that. Virtue of practical wisdom guides our ability in order to achieve the best thing of our life. That is why Aristotle states that: “The virtue of practical wisdom is the correctness of thinking.”

In the next moment he tries to show how practical wisdom contemplates both the aspects: universal as well as practical. In his words:

The man who is without qualification good at deliberating is the man who is capable of aiming in accordance with calculation at the best for man of things attainable by action. Nor is practical wisdom concerned with universals only- it must also recognize the particulars; for it is practical, and practice is concerned with particulars. This is why some who do not know, and especially those who have experience, are more practical than others who know; for if a man knew that light meat are digestible and wholesome, but did not know which sorts of meat are light, he would not produce health, but the man who knows that chicken is wholesome is more likely to produce health.

The above passage suggests that for Aristotle, universal and particular rules are both necessary for contemplation. It is not advisable to leave any of them, universal rules are necessary but are applied in a particular context. Take the example of promise keeping, it is a universal maxim, but its value can be realized in a particular situation when an individual keeps his promises. He again says that, “Universal wisdom is the object of knowledge, whereas particular wisdom is the object of perception.” Practical wisdom is the object of

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7 Ibid., p.425.
perception but it is not limited to one sense. It is the perception of a particular thing which studies its various aspects of a situation. He tries to defend his statement with a valid argument that art of navigation and art of medicine. In this context Aristotle suggests to the agents themselves that they must study the each cases separately which is appropriate to the occasion.

A doctor has general training about health, but who always tries to recognize each individual’s disease separately and suggests medicine accordingly. From this kind of observation regarding virtues of character and virtues of intellects shows the way to lead a successful life or contemplated life. He always believes that each individual pursue for its own sake. We can say Aristotle’s ethics is egoistic in nature which is concerned with individual’s own welfare. His ethics is different from utilitarianism whose sole aim is to achieve ‘greatest happiness of the greatest number’. But he believes that as a social being each one needs the help form others to fulfill his needs. He takes the help from others to share his pleasure, pain and happiness with them.

Aristotle’s ethics shows the direction to human being in order to achieve his ultimate goal. As we all know that the word ‘ethics’ is more concerned with individual conduct, habit or behavior. So also in Aristotle ethics which is regarded as the study of human character. Most of the commentators of his book use the expressions happiness, flourishing, success as synonyms. It is natural for being flourished like plant. We are striving towards happiness, not because it is our duty to be happy but because it is natural for being to be happy. In this manner Aristotle’s Ethics is different from Kantian ethics which give more emphasis on moral duty rather than natural things. So, we come to know that Aristotle’s Ethics is regarded as practical science whose aim is directed towards individual actions. Aristotle mentioned that
both his *Ethics* and *Politics* are known as practical science and the purposes of these sciences are to gain ultimate good for mankind which is possible only so far as they perform virtuous actions. However his politics studies the universal aspects, i.e., welfare of society as a whole, ethics deals with particular individual and his happiness. So he pointed out that ethics is subordinated to politics.

The first sentence of Aristotle’s *Nicomachean Ethics* which strikes every mind is that, “Every art and every investigation, and similarly every action and pursuit, is thought to aim at some good; for this reason, the good has been rightly declared to be that at which all things aim.”\(^{10}\) Thus we can say that Aristotle’s ethics is teleological in nature which believes that everyone should aspire for highest good of life. John Vella, one of the interpreters of Aristotle, believes that his thesis can be understood mainly in two ways: psychological and normative. The former view holds that it is the tendency of human being to desire highest good for his or her life. He tries to point out that there are people in the society who are not aware of their goal, and live an aimless life. But the action that they perform is resulted towards an aim, which is beyond his knowledge. On the other hand, normative view tells us that all the action that he performs should possess some goal. What are the goods individuals should aim at and by which mean he has to adopt in order to achieve that good.

From this above observation we can draw a conclusion, that ethics only studies that thing that is good for human being and that good is possible for human being only in so far as they perform noble actions. It suggests that all our actions are directed towards the goal, i.e., highest good. It is regarded as the final end and for the sake of which all our actions are performed. Now the question arises why should we perform all the virtuous action? In answer to the question, Aristotle points out we want a happy life which solely depends upon our

\(^{10}\) Ibid., p.63.
actions. Aristotle’s teleological theory is very much different from Kant’s deontological theory which argues that we should perform right actions because it is our duty or obligation towards others in the society. Unlike deontological theory, Aristotle’s theory is highly practical in nature where individual gets a higher status.

Aristotle describe the chief characteristics of final good, i.e., self-sufficient. It does not need any other external help to explain itself. Self-sufficient, according to Aristotle, “That which is in itself worthy of pursuit more complete than which is worthy of pursuit for the sake of something else.” It suggests that chief and final good is always pursued for itself and never taken as a means of all other goods, whereas all other goods work harmoniously to achieve that ultimate good. For example, a poor man needs wealth to feed his hungry child. Here wealth is only taken as a means through which he can feed his child which is his ultimate aim. After getting happiness, individual feels completeness of his life. Here he makes a distinction between happiness and pleasure. Pleasure is a kind of momentary and temporary feeling which is vanished after getting that pleasure. But happiness is something permanent which will be within us for life long. It is a kind of eternal feeling which provides us complete satisfaction.

Now he tries to make differentiation between individual and lower animal. What is most distinctive feature that gives human being a higher status? He has rightly pointed out that human being shares some of the qualities with lower animals like growth, reproduction, perception and desire. Apart from these qualities, there is a higher kind of thing which can be possible only for human being. It is the reason which differentiate human from other lower animals. The lower animals’ actions are guided by instincts and impulses whereas human being has rational capacity which is helpful for him to achieve success or happiness. Thus he

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11 Ibid., p.73.
advocates that virtuous person is one whose actions are guided by reason and it is his rational action which is necessary for him to lead the highest life.

We can find that ultimate goal of human life (happiness) is discussed as two times in Aristotle’s Ethics. First of all, in Book I where he points out that what is the object of human life and what type of action individual has to perform in order to achieve that goal? Secondly, in Book X where he presents a different version of happiness, i.e., happiness in the highest sense is known as contemplative life. Aristotle rightly observes that it is the individual’s own actions or choice which makes him possible for him to achieve the complete well-being of life, i.e., happiness. So, that he suggests that there are mainly two types of good- good of the soul and external good which is necessary for every human being. In Aristotle’s Ethics, success, flourishing and happiness suggests the same meaning. He believes that human beings can flourish only when they develop the virtue of characters like courage, temperance, justice, goodness, honesty, kindness etc. These virtues are the means through which he is able to achieve his end. These virtues only guide our actions but also suggest that we should possess share, property or any other material things which are necessary for the sustenance of our life. A successful person is one who has sufficient knowledge about his own desire. Reason plays a major role in human life who reminds us that we should control our desire and it provides human being to a higher status. As a social being he cannot live in an isolated world. He needs help from others with whom he shares his pleasure as well as pain. His identity can only be realized with the presence of others in the society.

Again he suggests that apart from good of the soul, he needs sufficient amount of external good. The external goods include things which are coming from outside in which human being does not have any control on it. As Sartre has rightly pointed out that human
beings are thrown into this world. A child when born into a family is totally ignorant about his/her own status. We cannot take the decision of being born in a wealthy family or poor family. Among them some are fortunate by birth, whereas others suffer a lot. In that moment we need some good friends who have all these good qualities, so that at least help his/her friends to come out of this situation. It is our action which brings happiness or pain. But luck plays a major role in order to live a happy life.

There is highest kind of happiness which is mentioned in in his Book X that is contemplation. Aristotle believes that, “It is the most pleasant activity we can engage in.”\textsuperscript{12} The life of contemplation does not need any help from external goods (friends, family and fortune or luck). He believes that this entire thing is needed for the successful practical life. But the life of contemplation is beyond all these things. He has mentioned that, “The life of intellectual contemplation is a divine activity.”\textsuperscript{13} The argument suggests that we should satisfy our divine attitude in order to get the contemplation. As we know each human life is a mixture of two elements- divine nature (controlled by reason) and animal tendency (guided by instincts). Human beings can get contemplation only insofar as they act according to the rules of divine laws. It is more related to life of saints who are beyond this world of pleasure and pain. Previously Aristotle advocates that practical activity is more important than theoretical. But he argues that theoretical activity is higher than practical. On the other hand, practical activity is only concerned with bodily desires whereas theoretical activity is concerned about divine tendency that presents in each and every human being.

From this above description we draw the conclusion that human being is a complex unity of both body and soul. The dominance of soul over body is discussed in his book

\textsuperscript{12} Ibid., p.325.
\textsuperscript{13} Ibid., p.330.
Politics, which is popularly known as master-slave relation. Master-slave comes under in places of his book namely, in family where women work as salves for the betterment of husband as well as his house-hold, state where the person who is endowed with intellect and reason ruled over by poor who do not have capacity to take the decision because of their ill luck or mental disability. Before to elaborate master-slave relationship it is necessary to give a brief outline about Aristotelian view on house-hold, state and status of citizen in the society where the above relationship is practised.

2.2 Status of Men and Women in House-Hold and State

Unlike Ethics, Politics is not concerned with single individual life but it studies the societies as a whole. Individual cannot exist apart from state, similarly formation of state is possible through group of individuals. Aristotle’s presuppositions are quite different from obligation of individual towards state. His main interest towards the formation of state is that each individual should realize his own inner potentialities. Individual feels secure by obeying the order of the state. But the modern theorists raise the question why should individual accept the order of the state? In this context he explicitly reminds us the ultimate goal of human life in Ethics, i.e., to achieve happiness. It can be possible only so far as they perform virtuous activity in accordance with soul. It is the human being who possesses the capacity of reason that makes him different from lower creature whose decisions are guided by his instincts. So he says:

The excellent realization is the distinctive which are distinctive capacities of human life, specifically the capacities for practical and theoretical rationality.

The perfection of practical rationality is the life of complete virtue of character,
guided by practical wisdom (*Phronēsis*), while the perfection of theoretical rationality is the life of theoretical contemplation (*Thêoria*).\(^{14}\)

But someone might raise the question that what is the need of perfection in political life? So he reminds the tag line of *Nicomachean Ethics*, where he provides the argument by saying that, “Good human life must be a communal life.”\(^{15}\)

As I have already discussed that it is difficult for human being to live in deserted world. He needs some members (in the form of a friends, parents, teacher) with whom he shares his emotions. By sharing his ideas with other, he not only creates good relations with others but also maintains a healthy and happy life which is possible only with the involvement of others. Likewise in *Politics*, he suggests that we should live like a community where we have to practise the virtuous action in order to maintain a peaceful life. And the good for human being in Politics is to participate in political organization i.e., state. Aristotle’s idea of *polis* (state) is firmly rooted from his *Philosophy of Nature* where he explicates that human beings are naturally prone to live in a state. Every state is an association which is formed with a view to fulfill the good purpose i.e. political welfare of the whole community. In *Politics*, Aristotle talks about two types of community namely, political community and house-hold community. The house-hold is subordinate to political community. The aim of house-hold is very limited because it only preserves the lives of its members and satisfies its daily needs. In a political community, it is possible for citizens to choose their ruler on the basis of their merits and they can share their views with them. In doing this, people can enjoy a republican form of government. The importance of household for Aristotle, lies in the fact that it liberates


\(^{15}\) Ibid.
free men from household works so that they can devote their time in political and social activities.

In the state we can find two kinds of interpersonal relationship (male and female, and master and slave), and existence of one is dependent on other. They are united not because of choice of state or any other higher authority but it is the demand of nature. Male and female are united because of reproduction, animal and other lower beings share the same quality with human being. Likewise master and slave are needed for preservation. In *Politics*, Aristotle appears to present the idea that, “A man rules over a woman is a part of natural and social order.”16 According to Aristotle, woman does not have any status in public as well as private sphere. Although he has not directly said that women and slave are similar but he indicates the similarities in between these two. The Book 1 of *Politics* discussed about the household, where each of its members enter into the association of one another voluntarily without any compulsion. The growth of household leads to the development of village and state consists of many villages. It appears to us a chain; where growth of one is dependent upon the growth of other. Individual growth is prime concern of the family, village or state, because development of state is dependent upon the overall development of members who do their respective jobs in the household. In a household both men and women are united not only for the sake of procreation but also for the satisfaction of daily needs. But he also suggests that man should be free from household work, so that he can freely participate in political work and woman should stay at home only.

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*Family is relatively a new concept; both house-hold and family are synonyms.*
The chapter two of *Politics* basically shows the identification of both men and women without them it is impossible to conceive the idea of the household development. In this context Aristotle explicates that:

It is necessary that there must be a union between men and women for the sake of reproduction, which is not possible with the absence of one. Their union is not a matter of their choice but as a natural compulsion where one is a natural ruler and another is a subject who is bounds to follow its master’s order.  

In order to vindicate his statement he argues that above relation is necessary for the welfare of both ruler and ruled. He says just as mind rules over body because the former one possesses reasoning capacity like wise men rule over women. Why the relationship between male and female takes a hierarchical character? Aristotle is well-known for its teleological approach, that there is a definite purpose behind everything that is made in this world. He is not denying that fact force plays significant role in the marriage, which compels women to remain at home to do their prescribed job. It is a natural fact that both men and women are united for the sake of reproduction, but status of women is more inferior to men. It is impossible to find out a consistent thought in the whole works of Aristotle. It is mainly because, in *Politics* marriage is union of men and women where one dominates the other in the name of superiority. There is a gradual shift from his book *Politics* to *Ethics* where he presents that notion of master-slave can be resolved through friendly relationship where both are united for the development of family.

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But in *Nicomachean Ethics*, he presents completely different image of marriage. It is like a relationship between brain and brawn and they are united for the sake of harmonious development of its members as well as the society. In the words of Aristotle,

Marriage is rooted like the union of brain and brawn in complementary abilities. The love between man and wife seems to be in accord with nature. For human being it is by nature more a coupling being than a political one, insofar as the household is older and more necessary than the city, and the human being has procreation more in common with the other animals. Among other animals the association goes just this far, whereas human beings live together not only for the sake of procreation but also for the things of life. Far from the beginning the tasks are divided, the husband and wife each having their own; they help one another by each contributing his or her own part to their common life.  

In the household each one does their own duty according to their capabilities. They are living together as friends rather than master or salve. Their friendship is based on mutual love and cooperation. In the household duties and responsibilities are divided on the basis of their abilities which help them to maintain a healthy family or a state. Marriage, in Aristotle’s *Ethics* presents the idea that it is based upon friendly relationship but in *Politics* it is more a kind of dominance (where husband is master and wife is the slave). In *Politics*, Aristotle presents the ideas of poet Hesiod, in the context of master and slave relations. He says out of natural association men are united with women and slave. In the words of Hesiod:

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A house first, then a wife, and then an ox for ploughing, for an ox stands in for a servant among the poor. This association of persons established according to nature for the satisfaction of daily needs, is the household, the members of which Charondas calls ‘bread-fellows’, and Epimenides the Cretan ‘stable-companions’.  

Men and women are the key factors for the formation of household. Their union is necessary for the sake of procreation as well as daily household needs. Inspite of doing the entire household works woman lives her life as a slave who does not have the right to take decision for the welfare of family. It seems that she is only an instrument in the hands of man. At one moment he is taking about sharing nature (in terms of reproduction and needs) but the next moments he argues that men should liberate from daily needs. It gives us impression that during the Greek period the nature of men is more dominating, who is only concerned about own comfort, welfare and development. It is pertinent to present the ideas of Aristotle that in between male slaves and female slaves, the demand of female slaves is more because male slaves are more costly than female slaves. For him both ox and female slave have the same status, they are doing their work without even asking their rights. And more important thing is that female salves are cheaper to men because male slaves physically stronger than female, so they might have charge more money. So in order to avoid this kind of situations, they hire female slave. Similar kind of exploitation we can find in the Indian labour society where male slave possesses higher status because of their physical ability whereas women are not getting their actual share that they deserve.

Again the unity of household is based on part and whole relationship, where the job of part is to obey the order of the rule in order to maintain a harmonious balance. In order to

support this relationship Aristotle provides certain argument that it is necessary that power should be remain in the hand of one ruler and he has the right to make major decision in the welfare of household. Slaves, children and women are coming under the realm of part but differences are clearly visible between slave and child and slave and women. He says, “Slave is a part, subordinate, without reason. A child is much the same, but is capable of growing into a responsible adult, and is thus educated with this end in mind.”20 It is true that there is some sort of similarities present in between slave and child but we should not forget the fact that later one is very much capable of growing into a responsible citizen of society. During the period of childhood his mind is not properly developed, so that their decisions are taken by their parent on behalf of them. But it is not possible in the case of slave because they do not have the reasoning capacity that’s why they depend upon whole (masters). Similar is case with wife, she cannot even take independently without consulting her husband, but her position is somewhat different from slaves and children.

The prime intention behind this kind of discrimination is that Greek people think that women are inferior to men in all respects (both mentally and physically), so they cannot take decision for common interests. The ultimate purpose of the city is to achieve the political goodness and this can be possible only when those who take power in their hand should be virtuous. Aristotle supports the view of Aristocrats that, it is the virtuous person conduct which helps us to attain the political goodness. So, justice demands that the person who are eligible in this sense can participate in government, while the rest (wife, children and slave do not possesses virtuous activity) should remain out of the realm. Thus, we can say that Aristotle’s justice is based upon equality, for him those who are equal (means those who are

virtuous, meritorious) are entitled to claim all the respect, power and privilege in the state, because they deserve it.

It is now the demand of situation to present the concept of justice in Aristotelian framework. He discussed this concept in his two books namely, *Ethics* and *Politics*, but we can find that it was systematically presented in *Ethics*. Before to discuss more Aristotle view in this context, just want to give brief outline Platonic idea and how Aristotle’s view differs from Plato. Morality plays a pivotal role in the justice of Plato. It is regarded as the standard of judging the person whether he or she is just or unjust. He says, “It is the dictate of the inner soul, not external laws that guide man.”21 No external law is superior to the one’s own conscience. He has complete confidence on human reason, where there is no scope of fallibility. A person will achieve the perfection of life by abiding the order of one’s own conscience. It is the conscience of the individual which suggests whatever is appropriate to him. In this way he achieves individual justice for themselves but also achieve justice simultaneously because social justice can be possible when each individual do their own duty with their station and at the same time takes the help from each other for mutual benefits.

2.3 Divisions of Justice

Unlike Plato, Aristotle theory of justice is more legal in nature rather than moral. Justice has a direct link with individual action. Now the question arises what are the steps should be taken by individual for the consideration of just or unjust actions. The most important thing is that any standard present in the society on the basis of which our actions are judged. Who will decide that our action is legal or illegal? In this context, Aristotle provides novel solution

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through which we are able to make differentiation between just or unjust. He mainly divides justice into two parts:

- Universal Justice
- Particular Justice

Aristotle identifies universal justice with moral righteousness. It reminds us the ideas of Plato’s *The Republic*, where he argues justice can prevail in the society only when individual follows his own conscience, external laws always a secondary role in Plato realm of justice. But Aristotle’s contention is somehow different from Plato, for whom it is the external law which influences human activities. In the view of Aristotle, justice means what is lawful. Just man is one who acts according to the laws prescribed by the society. He does not interfere with the others affairs, always believes in mutual cooperation through which he is able to get that ultimate goal of society. The unjust man does it in an opposite manner. He is always concerned about his own personal welfare, so that he does not even hesitate to adopt unfair means for the satisfaction of that end.

Universal justice, according to Aristotle, “is a complete virtue in the fullest sense. It is complete because its possessor can exercise it in relation to another person, and not only by himself.”22 It is complete in the sense that the possessor of it believes in the community welfare. The person who is virtuous is not only interested in the own personal development and but also concerned about other people who live in their surroundings. In the words of Aristotle that: “General Justice appears as legal and social justice. Its business is to direct action towards the common good. Its function is to define the general principle of social organization.”23 So, universal justice is named as complete virtue and its job is to promote

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virtues and prohibits vices. Again it is called complete virtue, it is because of its parts who are getting benefitted out of it. In order to support this view, he refers the quote of Plato’s *The Republic* which was used by *Thrasymachus* in Book 1 that “Justice is another man’s good.”

Thus, it shows that Aristotle’s universal justice includes both moral virtue as well as laws. Individual good can be achieved when there is a harmonious balance maintained between its souls. Likewise, social good is possible when each of it lives happily and without interfering others life. The aim of Aristotle is to obtain community welfare, where both do their own accorded duty and help each for the satisfaction of their end. The sense of selflessness is the necessary criterion for the attainment political good.

Particular justice, on the other hand is a special virtue which goes alongside with other virtues such as courage, temperance etc. It is the species of universal justice, which deals with the part of virtue rather than whole. When someone acts out of greed and takes more that he deserved it is counted as an unjust. In other instance, person is not getting their proper share not because he is incapable but due to external sources (in the name of force, favour or need). Particular justice is of two kinds namely, distributive justice and corrective justice. Distributive justice is concerned with honor, money and other assets of the community. Here it is difficult to be maintained uniformity in terms of individual share. The more deserving person will receive more advantages than the lesser one. Aristotle introduces the important principle of distributive justice, i.e. geometrical proportion. For example, A and B are two persons and C and D are the shares should be given to them equally means in a same ratio. Inequality arises when a more deserving candidate gets unequal amount and a less deserving person receives equal amount. In order to avoid this kind of situation which not only hamper individual growth but also it leaves upon the society. So Aristotle suggests that distribution of

assets in the society should be based upon individual merit. But the concept of merit differs 
from government to government.

So he points out the different approach toward merit that, “for the view of democrats, 
distribution is being done on the basis of ‘free birth’, for the oligarch wealth or good family is 
the ultimate criteria and for aristocrats, it should be based upon virtue or excellence.”

Distribution of assets among the members is counted as just when it follows the proportionate 
equality. Division should be based upon different abilities of the individuals like its merit, 
need or it contributions towards the development of the community rather than its color, sex 
and race. Regarding the idea of democrats (free birth is prime criteria), in Politics basically 
the context of household that only the free man has all the decision making ability, women 
and slave are not part of it because they do not have virtuous insight. In the Book III of 
Politics Aristotle clearly mentioned that, “quality or capacity is relevant for exercising 
political power.” He explicates that it is the individual ability which helps him to attain 
success in his life. Take the example of flute playing that best flutes should be given to those 
who play flutes well rather those who make best flutes. So he point out that: “Justice is equal 
for equals and unequal for unequals.”

Justice is basically for those people who voluntarily do their accorded duties without 
hampering other’s property and life. Individual actions are guided by prescribed command of 
the state, by doing this he not only creates their own identity in the society but also gives their 
best contribution for the further development of state. And injustice arises if someone does it 
in an opposite manner. Welfare of the state depends upon individual actions. The purpose of 
the state is not to achieve property, but goodness of whole mankind. It is impossible to

27 Ibid., p.28.
achieve absolute justice in the society because of the verities of individuals and their different nature. It is the context which is more responsible than verities of individual. Most of the time we judge people badly by looking at it partial nature and give our opinion that he or she is just or unjust person. Like the democrats and oligarch for whom freedom and wealth is important criteria for treating people equally or unequally. This is not the main aim of justice, where few groups will be benefited out of these criteria. From the beginning Aristotle suggests that purpose of the state is to achieve the highest goodness which can be possible by good of whole mankind.

Individual contribution towards the development of the state decides that factor how much amount of share should he receive? It is not like Politics, where democrats’ idea is that share should be given on the basis of free birth or of oligarch for whom wealth is the medium. He repeatedly asserts that purpose of the state is to achieve ultimate good ness and it can be possible by virtuous activities. Like in Ethics, in Politics also Aristotle holds that only virtuous person is capable for achieving the highest good. Those who act in an opposite manner are liable to suffer inequality. In order to measure the equality among its members, he suggests that reciprocal proportion is the novel solution of Aristotle. Thus, justice for Aristotle is what follows proportionate order and vice versa. It is impossible to maintain equality in the society. But when we are distributing the natural resources we should be fair to all, and most distribution should not be based on particular religion, cast, creed, and color. It should be based upon individual merit or its contribution toward that particular work. Aristotle’s second of justice is known as corrective justice. The reason for corrective justice in the society is to compensate the loss of the victim what he has been suffering due to voluntary and involuntary transaction. According to Aristotle, “The job of corrective justice is to protect the established
distribution. Once goods or wealth are distributed to members of a society, social stability requires that distribution be protected from adverse changes.”

The basic difference between corrective and distributive justice is that, the former one rectifies the law violated by the inside factor (culprit who involves in the contract and tries to harm the other party either knowingly or unknowingly). Its aim is to arrange the thing and the medium that he chooses for to maintain proportion is the arithmetical method. While the later suggests that proportionate equality should be based on individual merit. Corrective justice needed two ways through which associations of transaction can be possible, these are namely as: voluntary and involuntary. In case of voluntary transaction, both the parties with their own consent enter into the contract rather than out of any kind of compulsion or external force. If one party adopts the illegal method in order to get more money and others are absolutely ignorant about their ideas, then the former one gains lot while later person suffers loss. In order to avoid this kind of situation, here Aristotle suggests that judge plays the role of mediator whose job is to compensate the victim’s loss which he gets because of its partners deceptive nature. W.F. R Hardie adds a little enlightenment by referring us to the Magna Morlia, where Aristotle supports the view that “Wrongdoer should suffer more than the hurt he has inflicted because he was the first to begin and did a wrong and is in the wrong in both ways.”

There are mainly three components of corrective justice:

1. Loss of victim

2. Loss of victim is caused by his partner who is involved with him in the contract

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3. Mediator (Judge) rectifies by penalizing the offender

Thus, we can say that corrective is based upon the proportion, which is maintained by the judge between the both parties (injurer and injured). But he criticizes the view of Pythagoras who believes in simple reciprocity. In the words of Pythagoras, “As a simple reciprocity justice requires that wrongdoer has to suffer the same hurt as he has inflicted.” 31 This particular theory should be more like a retributive theory of punishment.

Unlike Pythagoras, Aristotle claims that it should be based upon proportionate reciprocation rather than simple reciprocity. The concept of liberty and equality is similar for each individual in the society. If he fails to use their liberty and good for the sake of their safety in the society, then transaction would be collapsed. As in Ethics, ultimate standard is the medium through which we are able to judge the individuals action. Similarly proportionate equality requires a standard for the valuation of equality.

2.4 Justice and Equality among Different Professions

Aristotle’s intention is very clear, he believes that principle of distributive justice is solely based upon individual merit. The deserving candidate should receive more than underserved one. In order to make it more clear and relevant to this method of proportion he further adds the important point that, “the degrees of recognition are different from degrees of achievement.” 32 Take the examples of two teachers, where junior teacher is more efficient than most experienced senior one. Now the question comes to our mind among these two teachers who should deserve more rewards (efficient junior or experienced senior). Most

people claims that before giving our own verdict we should consider the external factors (age, experience and efficient). Without a single doubt one can immediately give his decision junior one deserves more importance because he uses the modern technique in order to make the teaching more interesting, but the experienced one follows the same old pattern which creates boredom. Both equally possess mastery about the respected subject, the method they have adopted creates huge difference between them. His imaginative method and friendly attitude make him closer to students, so he can freely communicate with the students. Although he is a junior teacher, his style of teaching makes him more efficient than the experienced one. But the problem persists if the exchange or contracts occurs between the two different groups

In order to explicate this situation more clearly he has cited two groups (he believes that proper association is possible between two different groups rather than similar one) and tries to define proportionate reciprocation in between them. For example, X is shoemaker and y is a builder, where the value of one house is equal to 100 shoes neither more nor less. If a shoemaker will follow the same proportion, then he would be considered as equal or vice versa. In order to measure our human need, money is taken as a medium through which we can decide the values of particular things. That’s why he says: “the standard we adopt is the demand which is conventionally represented by money.”33 In order to exchange our product we need a medium which decides the values (in the case of house and shoes, how many shoes are equal to a house). He warns that, “money has no independent value because it is liable to depreciation, dependent on convention and representative of demand.”34

It would be foolish to completely rely on money which is more or less depending upon custom and we can change its value according to the demand of the market. The advantage of

the demand (money) in the society is that, it brings together the members into one unit. It seems a cycle where association depends up exchange, exchange depends upon equality, and equality can be possible only so far as there can be maintained proportionate reciprocity. In the next paragraph Aristotle tries to show how equality plays a significant role in order to achieve the ultimate goodness of state i.e. political goodness.

2.5 Relationship between Equality and Political Justice

The aim of political justice is to attain political goodness. Political goodness can be possible when everyone gets their desired due. Aristotle’s notion of equality is based upon individual contribution towards the development of state. Justice and equality go together. Just men can be called equals, they do their own duty according to their ability and taking the actual amount of share that they deserve. Justice can prevail in the society when everyone concerned with the welfare of other without ignoring himself. Aristotle believes that man is a rational animal, his identity and inner talent can get its proper shape only in the involvement of others. Community welfare can be possible only when its members work together harmoniously. They can learn the value of sharing by helping each other for their works. In the meantime they can develop their inner talent by exchanging the ideas with other members of the state. It is impossible to conceive of developed state, if their members want to live in an isolated manner (those who wants to pursue their own self-interests do not bother about others welfare). The State is a collection of households, family where each one works as unity and their aim is to avoid the wrongdoers who are harmful for its development and the same praise the rest group who are constantly trying to give their best effort in order to achieve the
ultimate goal of the state, i.e., political goodness. He is also aware of the fact that “purpose of the state is not to live well but to do well.”

It depends upon the individual actions which is helpful to solve the purpose of state. Who will decide how much power men have? The goodness of life includes both mental and bodily goodness, because it is the mental goodness (reason) which guides our (bodily) behavior to do it in a certain manner so that you will be able to achieve ultimate goodness. The goodness of life is the collocation of various virtues, namely, wisdom, temperance, courage, brotherhoods, helpfulness etc. The aim of political goodness is to make their citizens virtuous and well behaved and this can be possible when each one does their duty without selfish manner. It is not at all a wise decision to give power to one man who will decide individual’s fate. It might be possible that person due to greediness uses all the power for his own advantage or he can act in a partial manner by giving all his attention to the favorite person. In order to avoid this kind of problematic situation which acts as a barrier in the development of overall welfare, it’s better to maintain one uniform law where all are bound to follow this. Those who act against, is liable to suffer injustice. There is difference between injustice and unjust conduct. Suppose a person intentionally telling lie in order to save another person’s life is only an unjust conduct not injustice. Injustice arises when a person voluntarily kills his brother, so that he can take his property.

2.6 Distinction between Political Justice and Domestic Justice

The concept of justice presupposes a sense of equality of status between the parties. In order to measure the equality Aristotle provides two methods, namely, geometrical proportion and arithmetical proportion, but mostly gives emphasis on merit rather than freedom and wealth.

The main aim of political justice is to achieve goodness of all and it can be possible when all the members live together happily. The fundamental difference between political justice and domestic justice is that the former one believes in welfare of all and suggests their members working together harmoniously, in the latter relationship is based on dominance where the superior one uses inferior as a means. In Politics, he has clearly mentioned that it is difficult to find justice in tyrannical government, because if you give power in the hands of one ruler, he might do injustice toward his subject and never treat them as equal. He is more interested in his own welfare, try to possess as much property for himself, in consequence subjects even fail to meet their primary needs. So, it’s better to make one universal law, where all the citizens act accordingly to this principle.

In Politics, especially in the case of household it is difficult to conceive the notion of equality where all the powers remain in the hand of a male who is entitled to be a master and the wife works as a slave. The dispute that arises in order to maintain equality in the context politics will get ultimate solution in the case of friendship. Aristotle tries to point out that, “friendship does not need any kind of justice, but justice still need the help from friendship. Indeed friendliness is considered to justice in the fullest sense.”36 According to Aristotle, “friendship is a necessity for human being.”37 Like other necessities (food, clothe, and shelter), friendship is also necessary for each one in order to lead a better life. A life without a friend is meaningless. He believes no one can live without friends. Friendship is a kind of virtue which is necessary for the sustenance of living being including the material things (wealth, power, honor etc.). It is the duty of a friend who gives valuable suggestion and guides our action, thorough which we will be able to get our desired goal. Even one needs a friend at every step of his life. At the young age, as a good mentor he rectifies our behavior

37 Ibid.
through his noble attitude and prohibits us adopting the unfair means. Similarly, in the old age, like a mother he provides us love and affection so that they will not feel lonely and it is our duty to help them to solve their day to day things.

Aristotle provides that there are mainly three ways of friendship which can be possible between individuals namely, friendship based upon utility, friendship based upon pleasure and friendship based on goodness. Among these types of friendship, the first two possess the lower status, it is because of its impermanent nature. The concept of utility precludes that both the members use each other for their own benefits. Friendship with old age people is considered friendship of utility, because after reaching at certain age, their body does not permit them to do certain work. In this situation he takes the help from others to do that. Generally these kinds of friendship occur between business partners, those are entering in a contract for their own personal benefits. On the other hand, friendship between young generations provides the ground of pleasure. Like hedonist, their chief interest is to seek as much as for himself. They are very much opportunists, and always look for their momentary enjoyment. Their taste depends upon the demands of the situation.

The friendship based upon goodness is considered the perfect friendship. This kind of relation mostly occurs between those groups who have similar nature and similar attitude. Here a friend is not only concerned about his own goodness but also tries to seek as much as good for his partners. It is a kind of permanent friendship which is beyond momentary changes. Trust\(^{38}\) is the most important character through which foundation of friendship is based. They are of the facts if any of them knowingly or unknowingly breaks the trust of other person, so it is difficult to maintain equality, and the result is injustice will arise. But good

friend is a rare gift of god who helps his friend in every odd situation, keeps his promises as his own. So he suggests that “good friends should spend time together and share their activities with each other.”

His intention behind this kind of union is to achieve complete goodness of whole mankind, where the job of most virtuous person is to change the attitude of the selfish people through love. Love is a kind of feeling of oneness, it teaches us the maxim that friendship consists more of giving rather than taking. It is the part of the character of noble friend that he does not claim their own due, but always believes in the maximum welfare for his friends and takes very little. The idea of measuring things in friendship is somewhat different from *Politics*. He believes that friendship is based upon the utility of individual. The person who is virtuous and contributes more for the welfare of the state should be rewarded with honor rather than wealth. And wealth should be given to poor because they actually need it. In *Politics*, it is the honor for which everything is being measured but in the case of friendship it is affection or love which brings closer to each other.

Someone may raise their voice against friendship between unequals. In order to vindicate his argument he presents two completely different relations and tries to build up relation among them. As we know all men are not similar, likewise their function, intelligence and attitude towards love also differ from each other. The relation between father and son is based upon mutual affection, and the relation between husband and wife is based upon dominance. In these two kinds friendship, the affection is based on proportion that means the person who contributes more in order to make the relation friendlier he will deserve more love than the less deserved one. In doing that affection of proportion must fulfill demand of merit and equality arises. Thus, equality is considered to be the chief characteristic of friendship. In

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39 Ibid.
case of justice, merit is considered to be the chief criteria whereas in friendship quantitate equality plays a major role. It is proved that we can establish friendship between equals, how to establish friendship between unequal groups. He says friendship between family (relationship between father and son, husband and wife) is different from the social groups (business partners, club members etc.), because their functions and purposes differ from each other. In order to define his position more clearly, he provides three different relations which is based upon the proportion (on the basis of merit, love of affection).

The relation between father and child gives us the impression that as part of his father receives all the love and affection and both his existence as well as its sustenance (after coming into this world) depends upon his father. As an obliged son, he tries to give all the comforts and love during their old age. If we measure the love of both father and son, we can find that father is more than his son. The affection of father and son relation is regarded as a “form of monarchy” where father is concerned with the welfare of his children. But the relation between husband and wife is a form of aristocracy. The foundation of this relation is based upon natural dominance in the name of love. Their union is necessary for the sake of procreation and satisfaction of daily needs, still man gets a superior position in terms of his reasonable ability which seems lacking in women. Aristotle has also mentioned that although decision making power is only in the hands of men by virtue of its merit but he suggests that women can do anything which is suitable to her ability.

Thus, we can say that friendship between husband and wife is based upon mutual cooperation, love, respect and pleasure which seems to be missing in Politics (in the case household, where dominance plays supreme role and treat women as equal to slave). Aristotle provides us many instances through which we can draw the conclusion that friendship is

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40 Ruler or king is more interested in welfare of his subject rather than in his personal benefits.
possible between those who have possessed the virtue of goodness. It is impossible to make a friendship between the traitors who enter into a relation with his own benefits and use other as a tool, this is against the nature of humanity. Similar is the case with distinct mental ability people. Friendship cannot be possible to stand on its own, it needs everything (mutual love, caring, respect towards others) in a proportionate order. The perfect friendship is based upon the goodness of the individual.

By summarizing Aristotle’s theory of justice I shall not only highlight the shortcomings but also the complements which make him unique from rest of the thinkers. According to him, equality can be maintained in the society when each one gets their desired share. Equality can be measured on the basis of individual’s contribution towards the development of society. His notion of equality is more based upon merit rather than need. Now the question comes to my mind that if everything is judged on the basis of merit then who will take up the need of least deserved people (economically poor). How will they survive in the society? Just because they are poor, less meritorious they do not have right to take decision for the society. If that is the case, we are completely neglecting them.

For the time being I am limiting this issue here, shall take up in the next chapter. In the case of household, he is totally neglecting the role by saying women’s role is limited within the family. Although he acknowledges that both men and women are needed for reproduction. But at the same time he says that women are more inferior to men, they should remain at home to take up home as well as household works. Both women and slave share the same status, whereas man is the master whose order she has to follow. He is aware of the fact that master existence can be realized only when there is slave and vice-versa. He treats master as the soul and slave is the body. Body follows the order of soul because body by itself is not
sufficient enough to take the decision. Likewise it is the man who has the right to take the decision for the welfare of family as well as for state. Women are treated as an instrument in the hands of men in every sphere of life. But Plato’s contention is somehow different from his student Aristotle who was always interested for the development of men in main stream of society. This is the reason why Aristotle says man is a rational animal, not including woman.

But for Plato both women and men should receive same education. In this context he says “the girl must be trained exactly like the boys.”41 In this context he poses two separate arguments in order to justify his statements. The first is the metaphysical argument which depends upon the premise that each person possesses an essential quality which is unique to him/her only. The original and essential nature of both men and women the particular soul they possess. So he says, “Each soul possesses a separate and unique identity. Differences in bodies do not indicate differences in the nature for Plato.”42 He is taking education as medium, which is same for all. The prime aim behind this argument is that both men and women should be given the equal opportunity to achieve the vision of good. Similarly his pragmatic argument believes the equal education for all. Education is not property of one’s own. Education for women is crucial for women themselves and for the man who is in constant relation with them, more importantly it is for them who are born out of their union.

From this above this discussion we can frame a general idea that, in order to conceive of an ideal state, both men and women do their respected duties, no one is inferior to others. It is true that women are more caring, more affectionate that does not mean she cannot give her contribution for society. She not only plays the role of mother, nurse, sister, but also can do all the respected jobs that men do provided she gets the opportunity. Here it is necessary to

42 Ibid., p.135.
present the idea of J. S. Mill who always talks about equality of women in society. Mill points out an important point that, “It is the social and legal condition of the society that restricts the liberty of women which is counted as the chief hindrances to human development.”\textsuperscript{43} He tries to compare the position of women in the society and particularly in the marital relationship. According to him, “Marriage is the legal equivalent of slavery.”\textsuperscript{44} He provides mainly three ways through which woman liberates herself not only from tag line of so called slave in the hands of husband (master) but also creates her own identity as women who can contribute equally for the welfare of family as well as for society. The ways are as follows:

- Equal status in the marriage
- Removal of self-worship which instilled in man\textsuperscript{45}
- Family as the model of virtue of freedom\textsuperscript{46}
- Human progress and greatest happiness for all\textsuperscript{47}

Critiques of Mill, Annas and Ring argues that in the chapter three of (Subjection of Women) he has pointed out that “it is difficult to know women’s true nature by observing their behaviour.”\textsuperscript{48}

In reply to question posed by his critiques he says that their true nature is shaped by social force. Unless we give freedom to women we are not able to judge her behaviour, it is applicable in the case of men also. Ethics gives us the impression that only free man is counted as right or wrong, so that he/she will be responsible for that. In the Subjection of Women, we can find the best division of work. The job of husband is to earn the income and

\textsuperscript{45} Ibid., pp.155-59.
\textsuperscript{46} Ibid., p.160.
\textsuperscript{47} Ibid., p.199.
wife remains stay at home to take care of household work and child rearing. Someone may misinterpret the statement of Mill, that he does not give any independence to woman. But it is not the case, if a particular woman wants to work outside of home, she should be given that opportunity to do whatever job she want to pursue. In a way woman can make her own identity by working outside of home. So that he says, “The power of earning is essential to the dignity of women.” In every possible way Mill works for the rights of women. He believes in a unity which can be possible when both get the equal opportunity, especially women because many are of thought that woman is submissive, she needs some kinds of restraints. It is true that equality cannot be possible because of multiple people and their varieties of interests. But the primary goods should be distributed to an equal manner irrespective of their race, sex, caste, and creed.

Apart from the shortcomings listed above there are many positive aspects present in Aristotle’s philosophy, specially the community welfare. It can be possible when each one does his/her respective duties. As a rational being he should live in community not like a solitary reaper. His overall development depends upon the involvement of others. By acting as a part of the community he develops his virtuous character and satisfies his personal interests. It is the responsibility of the rational beings to extend their support to the needy people and help them to lead a better life which is their right. That is the basic objective of Rawls’ fair society which wants to maintain cooperation among the members in order to improve the standard of deprives section in society.