Overcoming Uncertainty in Ancient Greek Political Philosophy

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ΜΗΤΡΙ

Acknowledgements

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Abbreviations

Acad. Pr.	*Academica Priora*
An. post.	*Posterior Analytics*
BFM	Best for most
BGP	Best for given people
Comm. not.	*On Common Notions*
CP	City of Our Prayers
De an.	*De Anima*
De plac. Hipp. et Plat.	*Doctrines of Hippocrates and Plato*
De Stoic.	*On Stoic Self-Contradictions*
Diog. Laert.	Diogenes Laetrius, *Lives of the Philosophers*
DK	Diels, Herman and Walther Kranz, *Die Fragmente der Vorsokratiker*
Eth. Eud.	*Eudemian Ethics*
Eth. Nic.	*Nicomachean Ethics*
Fat.	*De Fato*
Gen. corr.	*On Generation and Corruption*
Hist. an.	*History of Animals*
Math.	*Adversus Mathematicos*
Metaph.	*Metaphysics*
OSAP	*Oxford Studies in Ancient Philosophy*
Part. an.	*Parts of Animals*
PBACAP	*Proceedings of the Boston Area Colloquium in Ancient Philosophy*

PH	*Pros hen*
PHA	*Pros hen* analogy
Pol.	*Politics*
Resp.	*Republic*
RO	Reputable opinions
Sext. Emp.	Sextus Empiricus
SVF	Arnim, Hans von, *Stoicorum Veterum Fragmenta*
Top.	*Topics*

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Introduction

Behind liberal rights, republican virtue, and democratic deliberation lie fundamentally different notions about the nature of political opinion. The same holds true for the political theories of Plato, Aristotle, and the Stoics. Unfortunately, ancient debates about the nature of opinion have done little to inform contemporary assumptions about opinion because the ancient theories of opinion have largely been ignored. They should not be ignored because the epistemological issues implicit in the nature of opinion impact every political theory. Opinion, understood as a form of uncertainty, is a problem that every political theory must face, whether explicitly or by mere assumption. The precise nature of uncertainty sets the conditions for its own management. Opinion matters, not just for ancient political theories, but also for modern ones, despite the many differences between the political culture of Ancient Greece and contemporary societies. Epistemological issues remain.

The status of opinion is of critical importance to political theorists seeking to establish deliberation as the model for political decision making. Deliberative theories need to be able to explain that some opinions should be set aside and others pursued in the hopes of establishing consensus. Deliberation depends on the ability to make distinctions between

opinions for the sake of opinion formation. If one is to develop a credible and workable theory of a deliberative polity, one needs to confront the nature of political opinion and in this project, the insights and limitations of the Ancient theorists can be of great assistance.

It is not by accident that of the Ancient theorists, only Aristotle prioritizes deliberation in his political theory because only Aristotle develops a theory of opinion that explains the need for and possibility of opinion-formation through deliberation. In contrast to Plato and the Stoics, Aristotle treats opinion as a mix of what can be known with certainty and that which must remain uncertain. Deliberation relies on such a mixture because it is employed to deal with uncertainties but does so on the basis of premises that can be known with certainty. Because it is needed to deal with uncertain courses of action, Aristotle establishes two models for deliberative republics—one aspirational and one generally accessible— with the two models based on different presumptions about the economic conditions of their cities. The aspirational "City of Our Prayers" has sufficient resources to train all its citizens in the virtues required for judicious deliberation. Since most cities lack such resources, Aristotle devises a second-best polity with a strong middle class who can deliberate effectively based on shared interests, rather than virtue. Thus, Aristotle sets forth both the epistemological and economic conditions for government by deliberation that have largely been overlooked by deliberative theorists, but should not be.

The importance of the nature of opinion for deliberative theory is made clear by the Ancient alternatives. Neither Plato nor the Stoics hold to the same mixture of uncertainty as Aristotle and consequently neither develops a model of politics based in deliberation. For Plato the uncertainty of opinion results from the changeability of the physical cosmos, while for the Stoics, uncertain opinion represents a subjective failure to understand the divine law governing the world. Only Aristotle recognizes the importance of addressing both types of uncertainty—uncertainty resulting from subjective failure and uncertainty arising from objectively contingent conditions—and the difference between the two types of uncertainty grounds his theory of political deliberation in a way not possible in Plato's or the Stoics' theories. Objective uncertainty makes

deliberation necessary, but to make it possible, one must overcome subjective uncertainty to find shared premises that ground rational deliberation.

Curiously, despite its importance for deliberation, the precise nature of opinion in the ancient theorists has been overlooked or misrepresented by some of the greatest modern advocates of democratic deliberation. In his landmark study of the rise of public opinion in the Eighteenth Century, Jürgen Habermas (1989, p. 89) glosses over the key differences in the notion of opinion that can be found among the classical thinkers. He states that from Plato to Hegel, the technical philosophical term "opinion," meaning "uncertain, not fully demonstrated judgment," … "corresponded exactly to the term's meaning in everyday language." Hannah Arendt (1968, p. 233), another advocate of deliberative democracy, misrepresents the nature of opinion in Plato's work. Arendt asserts that Plato held that opinion is illusory and opposed to truth. She adds that the opposition between truth and opinion gave rise to a division between philosophy and politics, as opinion "was equated with illusion, and it was this degrading of opinion that gave the conflict its political poignancy." Because philosophers deal with truth and citizens with opinion, the opposition between truth and opinion gives rise to "two diametrically opposed ways of life" (1968, p. 232). Contrary to Arendt, neither Plato nor his immediate successors equate opinion with illusion. Plato, Aristotle, and the Stoics each hold that opinion can be true and that true opinion has a crucial role to play in politics. Only much later in the writings of Plotinus does the equation of opinion and illusion lead to a division between the political and philosophical lives. Arendt is correct about the mechanism, but incorrect in her attribution. Treating opinion as illusion does undermine political theory, but it happens long after Plato's time, although Plotinus' enduring influence still colors interpretations of his master.

Contrary to Arendt, we need to investigate both how opinion can be true and what role true opinion plays in Ancient Greek political theory. Contrary to Habermas, we need to explore the different analyses of true opinion among our principal theorists in order to understand the different roles that opinion plays in their political theories. By examining opinion, it becomes clear why Aristotle is the only Ancient political theorist

that emphasizes the importance of political deliberation. Understanding his theory of opinion and deliberation is not only of historical interest, but it suggests a new, more practical, and overlooked model for a deliberative republic based not on virtue, but on the economic independence of its citizens.

Aristotle outlines two major requirements for judicious deliberation that presuppose a very specific notion of opinion that allows for its rational formation. First is the subject matter for deliberation. We deliberate when we cannot foresee the best course on our own and we need to enlist fellow deliberators. When the course of action is clear, we do not need to deliberate (*Eth. Nic.* 3.3, 1112a34–b1). This presupposes a degree of uncertainty inherent in the subject matter of deliberation. Second, deliberation proceeds by rational argument (*Eth. Nic.* 6.9, 1142b14–15). That means that to proceed we must have premises and conclusions that validly follow from them. This in turn requires that some of our premises be necessary truths, otherwise the conclusion will not follow validly.

Taken together, these requirements call for the conclusion of judicious deliberation to be an opinion that is uncertain but informed by necessary truth. Thus, deliberation combines certainty and uncertainty. If nothing is uncertain, deliberation is not necessary. On the other hand, if all is uncertain, deliberation is not possible, for without certainty, there can be no rational argument and hence no strictly valid deliberation. Judicious deliberation is an excellence in practice that depends both on certainty and uncertainty.

However, keeping the combination of uncertainty and certainty in focus seems difficult, as Aristotle's competitors make clear. Plato and the Stoics each ignore the combination of uncertainty and certainty, instead prioritizing one over the other. For Plato, the subject matter of politics is uncertain as it is enmeshed in the world of change. The uncertainty of politics needs to be guided by those who have knowledge and technical skill, not left to deliberation among those who hold to various uncertainties. At the other extreme, the Stoics deny that there is any uncertainty in the world because everything is determined by Zeus' all-pervading reason. Uncertainty only arises from a subjective ignorance of the objective certainty in the world, and so the sage who knows the truth holds no opinions. Therefore, the sage has no need for deliberation because to

consider opinions is to trade in ignorance. Instead, the sage conforms to the law of nature that determines what should and should not be done. An ancient story illustrates the point. Zeno is reported to have said that there is no need to listen to both sides of an argument. If the first speaker has proven the point, then it cannot be refuted and if he has not made his case, it need not be refuted (Plutarch, *De Stoic.* 1034E). Zeno does not view deliberation as a contest that can result in rival uncertain conclusions. Instead, it is a matter for conclusive rational proof. By Aristotle's lights, if certain conclusions can be found, there is no need for deliberation. We only deliberate when the outcome cannot be clearly seen.

Their differences concerning political theory reflect two distinct notions of the uncertainty of opinion. As a privation, the uncertainty of opinion can arise through different causes. At a general level, uncertainty can result: (1) from ignorance on the part of an opining subject or (2) from the indeterminacy of an object. (1) Uncertainty can result from a person not knowing the necessity of a truth. To cite Aristotle's example, if a person knows that humans are animals, but does not understand that being an animal is part of a human's nature, the person has opinion rather than understanding (*epistēmē*) because she does not understand the necessity of the truth (*An. post.* 1.33, 89a 33–6). This type of opinion can be termed "subjective uncertainty" because the uncertainty results from the ignorance on the part of the person who holds an opinion about what properly can be known. By contrast, objective uncertainty results from the indeterminacy of the object. In Aristotle's analysis, anything that is contingent does not admit of genuine understanding but is a matter of opinion. Genuine understanding only concerns necessary, not contingent truths (*An. post.* 1.33, 88b30–4).

Aristotle's distinction between subjective and objective uncertainty assumes that there are both necessary and contingent truths. Subjective uncertainty is an opinion that fails to grasp the necessity of a truth. If there are no necessary truths, there is no subjective uncertainty in Aristotle's sense, for there can be no failure to grasp a necessary truth if necessary truths do not exist. On the other hand, if there are no contingencies, there are no objective uncertainties. Objective uncertainty is always about a contingent truth—something that can be other than it is. In a deterministic world, there are no contingent truths. If everything is

necessarily determined, then the only uncertainty remaining is subjective uncertainty arising from a subject's failure to grasp the necessity of the truth of a state of affairs. These may seem to be pretty abstract distinctions, but they are the positions occupied by the major political theorists of antiquity.

Aristotle holds that there are both necessary and contingent truths and thus he recognizes both subjective and objective uncertainty. Plato does not recognize subjective uncertainty in the political sphere because the physical world is a realm of pure contingency and change. The only necessary truths are eternal and they are the Forms. One cannot have opinions about the Forms. Those who fail to grasp the Forms do not mistakenly grasp them as contingent truths. They fail to grasp the forms at all. People do not misunderstand the Forms. They simply do not know them. By contrast, the Stoics do not recognize objective uncertainty because they hold that there are no contingent truths. Everything in the world is necessarily determined by Zeus' all-pervading reason. Consequently, every uncertainty is a failure to grasp a necessary truth. Every opinion is subjectively uncertain.

For Plato, politics deals with the objectively uncertain because the visible realm is a realm of contingency. The human world is the object of opinion and not knowledge, as is clear from the simile of the divided line and the allegory of the cave, in which opinion concerns that which changes while intellect grasps eternal being (*Resp.* 6, 508D; 7, 534A). Change in the visible realm makes it unfit for genuine understanding and renders it the object of opinion. This creates difficulties for the philosopher who descends back into the cave and struggles to communicate with the cave-dwellers about the true realities (7, 517D–E). If the visible realm is a realm of mere opinion, can there be a place for the philosopher of eternal truths in the politics of the visible realm?

The division between knowledge and opinion threatens to create an unbridgeable divide that Plato attempts to ameliorate in his late dialogues. He does so by developing a model of true opinion that serves as the basis for his late political theory. Opinion can be true and true opinion can both be informed by philosophy and also guide non-philosophers as Plato outlines in the *Statesman* and explains in detail in the *Laws*.

Plato develops the model for true opinion in the *Timaeus* in the divine circular motions of the heavenly realm. These motions serve as a model for true human opinion (42C–D). Plato is not the first to treat the cognitive states of the soul as motions. Among the Presocratics, it was common to analyze knowledge and opinion as types of motion (see Aristotle, *De an.* 1.2, 405a8–19; 1.5, 410a25–6), but in the *Timaeus*, Plato explains that circular motions can achieve the kind of stability that is characteristic of truth (Chap. 2). Regular circular motions become the ideal of true opinion that he seeks to engender in the *Laws'* Magnesia. The theory of circular motion explains both the importance of gymnastic training and astronomical theology in the political program of the *Laws*, as Plato seeks to train the citizens of Magnesia in correct opinion as they contemplate and comport themselves to the regular heavenly motions. However, true opinion is inherently unstable and requires the protection and supervision of those with knowledge. Therefore, in Magnesia, Plato establishes a Nocturnal Council to study the truths of virtue and to oversee the opinions of its citizens. The largely informal powers of the Nocturnal Council tip Plato's purported mixed regime into oligarchy (Chap. 3).

By contrast, Aristotle thinks that politics must deal with both objective and subjective uncertainty. Like Plato, he recognizes that there is contingency in the physical world and in human affairs. Aristotle's judicious deliberator knows how to reason about the best courses of action to deal with the contingencies faced. The judicious deliberator does so both by relying on knowledge about the best ends and by recognizing the most advantageous among particular, contingent courses of action (see *Eth. Nic.* 3.3, 1112b16–17; 6.7, 1141b14–15). Because it determines a particular course of action, the conclusion of deliberation is opinion rather than knowledge (*Eth. Eud.* 2.10, 1227a3–5). However, excellence in deliberation does not rely on opinion alone, but also knowledge of the best ends (*Eth. Nic.* 6.12, 1144a26–31) (Chap. 4).

Consequently, the legislator must deal with subjective uncertainty because people usually fall short of the knowledge needed for judicious deliberation. They typically misconceive virtue, justice, and the proper end for the city. The political conflicts between the rich and the poor result from two insufficient understandings of the nature of justice. The poor recognize only numerical equality, while the rich believe in equality

by merit, leading each side to suspect the other party of injustice (*Pol.* 5.3, 1303b3–7). Aristotle designs three regimes to deal with the conflicting opinions about justice. In the aspirational best city with sufficient resources, he devises a city which fulfills both types of justice. In cities with fewer resources, he introduces either a strong middle class as an arbiter between the two other classes or institutional mechanisms to balance the conflicting interests of the rich and poor. The latter two regimes cope with the subjective uncertainty in the people concerning the true nature of justice. Only in the aspirational best city are there sufficient resources to provide an education that can instill the proper knowledge of justice so as to overcome subjective uncertainty and allow for judicious political deliberation. However, in the middle polity, the relative equality of the middle class means that they share common interests that can serve as a basis for deliberation, although it is not the judicious deliberation of the aspirational best city (Chap. 5).

While Aristotle's political theory addresses both subjective and objective uncertainty, the Stoics reject objective uncertainty. In a purely deterministic world, there is no objective uncertainty and so all uncertainty is a subjective failure to grasp what can and should be known with certainty. Thus, the Stoics assert that the sage holds no opinions. The sage has only certain knowledge and withholds assent from anything about which she is uncertain. On the other hand, fools have only opinion and not knowledge (Sext. Emp., *Math*. 7.152). They are subjectively uncertain about everything. The claim that fools know nothing with certainty is paradoxical and problematic because the Stoics take sages to be as rare as phoenixes (Alexander, *On Fate* 199).[1] That means the vast majority of people know nothing with certainty.

The paradox has not been properly explored because according to the standard interpretation certain knowledge is one that cannot be overcome by argument. The standard interpretation does not get to the root of the problem. The problem for fools is that they mistakenly believe that external objects can be good or evil. This makes them vulnerable to excessive emotions and corrupts their power of judgment, rendering their judgments insecure. The state of uncertainty that fools find themselves

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[1] For a discussion of the passage, see Brouwer (2014, pp. 105–11).

does not result from any unknowability of the world, but only from their own subjective failure. The sage overcomes this failure by the recognition that virtue, virtuous acts, and the virtuous community are the only goods, firmly grounding all her other cognitive states as certain knowledge (Chap. 6).

Stoic political theory focuses on the sage as the model of certain knowledge and virtue. Their theory operates at two levels, at the levels of cosmopolitan and conventional politics. At the cosmopolitan level, the sage is a member of the universal city of the gods and the wise. Everything the sage does is to benefit the universal city of the wise governed by Zeus' own reason that is the universal natural law. The universal natural law has only one command—to act virtuously. Since fools cannot uphold the commandment, they are exiles from the city of the wise. Still, the sage operates among fools, and best does so as a king or as an advisor to a king because then the sage can do the most to promote virtue. Because of his knowledge, only the sage is a legitimate ruler. Only the sage overcomes subjective uncertainty and therefore only the sage is fit to rule, and hence the Stoic preference for kingship (Chap. 7).

The study of the role of opinion among the Ancient Greek political thinkers shows that in politics, opinion matters. It also matters how opinion is understood, for the nature of the uncertainty inherent in opinion dictates the means for dealing with it. For Plato, the uncertainty of the physical world is best overcome by looking to the only true regularity within it—the motions of the heavenly bodies. For the Stoics, uncertainty lies within the vagaries of one's own soul, to be overcome by conforming oneself to the certainty of the natural law and will of Zeus. For Aristotle, uncertainty can never be overcome, but it can at least be managed through excellence in deliberation in the best of circumstances and through the balancing of interests in the others.

Only the combination of subjective and objective uncertainty promotes a deliberative ideal because deliberation requires both. Deliberators need to be able to distinguish between the type of uncertainty that can be overcome in order to face the type that cannot. On the other hand, if uncertainty is purely subjective, it can be completely overcome by one with knowledge, as in the Stoic system. The Stoic theorists support kingship as the best form of rule because if one can rule simply based on

knowledge, then clearly the most knowledgeable should rule. The picture is more complicated when uncertainty is purely objective. In that case there are numerous solutions possible, but Plato favors a rational solution by employing knowledge to inform objectively uncertain opinion. Plato categorizes the mixture of knowledge into the realm of opinion as technical skill. As a technical skill governing numerous aspects of human life, Plato does not feel that any one person can be adequate to the task (*Statesman* 294B). Neither can the multitude master technical skill (*Statesman* 300E), leading Plato to develop an oligarchy under the knowledgeable direction of the Nocturnal Council. Thus, the Greek theorists' political preferences can be traced to their differing notions of the nature of political uncertainty.

The differences between the notions of opinion as objective or subjective uncertainty continue to impact political theory to this day. When public opinion emerges as an important political notion in the Eighteenth Century, one can already observe the division between subjective and objective uncertainty among English and French thinkers. For French theorists, opinion is primarily subjectively uncertain, while English theorists retort that public opinion is objectively uncertain. In many ways, their debates set the parameters for modern liberal distrust of political certainty.

French theorists hold that public opinion is subjectively uncertain because properly developed, it can attain certainty, unlike objective uncertainty that can only be managed, not overcome. The French Physiocrats Anne Robert Jacques Turgot (see Condorcet 1847, p. 224) and Nicolas de Condorcet (1785, p. i) think that morals and politics can attain a certitude like that of natural science. For Jacques Necker (1784, p. 56), true public opinion is characterized by its reasonableness, permanence, and universality—each marks of true judgment.[2] Jacques Peuchet (1789, p. li) maintains that the enlightened writers in society, the true legislators of the people, "take from public opinion and make it a universal instrument." Although progress is slow, we can marshal the resources of government, religion, the enlightened, and riches to perfect society (*pour perfectionner la societé*, 1789, p. cix). The perfectibility of society

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[2] On Necker's definition of public opinion, see Burnand (2004, pp. 58, 110–11).

means that current political opinions are not merely objectively uncertain. Any uncertainty can potentially be overcome, indicating that current uncertainty is subjective and correctable.[3]

For English critics of the Revolution that followed, such confidence in the power of theory to attain certainty is dangerous, leading to the excesses of the French Revolution. The differences between people's desires and habits renders politics an uncertain art. Edmund Burke contends that the many differences among people makes certainty in politics impossible. According to Burke (Burke 1892, p. 454), unlike the French revolutionaries, the ancients understood that politics could not be conducted through "the metaphysics of an undergraduate, and the mathematics and arithmetic of an exciseman," but required a study of human nature because of the "many diversities amongst men" arising from nature and habit that "rendered them as it were so many different species of animals."[4] Another critic of the French Revolution, Arthur Young (1793, pp. 4–5), accuses the builder of modern republics as "building castles in the *air*." Young rejects "fine-spun" theories in favor of "common sense."

Thomas Townshend develops an extensive analysis of the misplaced confidence of the revolutionaries in the perfectibility of their theories and condemns the current fascination with the "fantastic formation of wild theories" (1793, p. 6). He charges that the true voice from France would say, "Inflamed by the spirit of theory, we rejected government as an experimental science" (1793, p. 13). For Townshend, the theoreticians falsely assume that politics can attain certainty, but for theory to be true, its subject matter would have to "be invariable in its nature." This is not possible because, "Society is, and ever will be, in an incessant and changeful agitation." At base, society is changeable because it is not founded in theory, but in the variable and differing motives of its people, "The error of most theorists consists in their reasoning, as if the actions of men were made on metaphysical speculations, and not through motives of personal advantage; and as if moral agreements must be determined by

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[3] For more on the development of public opinion in Eighteenth Century France, see Habermas (1989, pp. 96–9), Baker (1990, pp. 163–6, 171–99), Ozouf (1997), Sheehan (2009, pp. 64–81).

[4] For Burke's "denial that any philosophical certainty can be achieved in political matters," see Hampsher-Monk (1988, p. 465).

geometrical exactness" (1793, pp. 16–18). Politics is based in personal interests of the people, which renders geometrical or scientific certainty impossible.

Echoes of the Eighteenth-Century critiques of the excessive reliance on theory reverberate into the twentieth century, particularly in the liberal tradition. By and large, the liberal tradition rejects not only theory, but any posit of a common good that directs political decisions. According to Isaiah Berlin (1998, p. 79), the Eighteenth-Century *philosophes* failed because human nature is not a matter of fact. Berlin contrasts monists and pluralists based upon their belief or skepticism concerning a common good. Monists believe if they can "establish what is good for men and how to effect this, the only unsolved problems will be more or less technical." On the other side, Berlin (1998, pp. 69–70) includes skeptics about human perfectibility—relativists, irrationalists, and romantics—for whom the good is not objective. In other words, like his English predecessors, Berlin rejects the monists' claims to objective certainty in politics. Politics deals with the objective uncertainties of humanity that cannot be reduced to a scientific model (1998, pp. 79–80).

Many notable liberal theorists follow Berlin's lead and base their pluralism or liberal neutrality on skepticism about the common good. According to Charles Larmore (2008, p. 177), "The cardinal liberal principle:" is "Our standing as free and equal citizens ought to stand free from controversial ideas of the human good."[5] Because they are controversial, liberals must eschew positing views about the common good. John Rawls (1993, pp. 58–9) holds that a recognition of the "burdens of judgment" constrains one to acknowledge the impossibility of general political consensus on the basis of fundamental moral principles.

However, not everyone fits into Berlin's neat dichotomy between monism and pluralism because not all pluralists are skeptical about defining an end. In contrast to Berlin, they do not take opinions about the end to be objectively, but subjectively uncertain. Ronald Dworkin (1985, p. 203) contends that liberals should not base neutrality on skepticism, but on the principle of equality, "Liberalism cannot be based on skepticism. Its constitutive morality provides that human beings must be

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[5] Cf. Larmore (1999, p. 603).

treated as equals by their government … because that is what is right" (1985, p. 205). According to Dworkin, equality is fundamental and neutrality is derivative, as opposed to a liberalism that takes neutrality as fundamental. However, "Liberalism based on neutrality finds its most natural defense in some form of moral skepticism," which Dworkin rejects as negative and ineffective (1985, p. 205). If Dworkin is correct and neutrality can be derived from the goal of equality, then pluralism need not be based on skepticism about the end. Rather, pluralism, in the form of liberal neutrality, can and should be derived from the end of equality. Skepticism about the end is a misplaced subjective uncertainty.

Alternatively, civic republicans and deliberative democrats, dissatisfied with the mere aggregation of preferences based on liberal skepticism about the end, have each worked to develop a model for political deliberation, but their quest remains difficult in the absence of a common end that Aristotle says is required for deliberation. For their part, civic republicans such as Cass Sunstein, Quentin Skinner, Philip Pettit and others claim that the common end should not be presupposed, but be allowed to emerge through deliberation.[6] Sunstein (1988, p. 1549) rejects skepticism and relativism concerning ends because it treats personal preferences as exogenous to the political process, leading to the mere aggregation of opinion and the exclusive reliance on bargaining. Rather, a common good can be found through dialogue based on the agreement of political equals, which is the pragmatic standard for correctness (1988, p. 1554).

Civic republicanism differs from classical republicanism in that it does not take virtue to be the end, but as a necessary condition for deliberative self-government.[7] Each theorist sees citizen virtue as essential to maintaining a free republic and personal political liberty, and it may even need to be coerced by law.[8] They understand citizen virtue as placing the common good ahead of one's own private interest.[9] Critics charge that civic

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[6] Sunstein (1988, p. 1554, 1991, pp. 17–18 & 34), Skinner (1995, p. 35, 1996, pp. 15–16), Pettit (1997, p. 190).

[7] Skinner (1984, pp. 214, 218, 1995, p. 30), Sunstein (1988, pp. 1550–1), Pettit (1997, p. 245), Dagger (1997, p. 17), Spitz (1993, p. 344).

[8] Skinner (1995, p. 33), Pettit (1997, p. 254), Spitz (1993, p. 345).

[9] Dagger (1997, p. 14), Spitz (1993, p. 344), Pettit (1997, pp. 258–9), Skinner (1995, p. 37), Sunstein (1994–1995, pp. 742–3).

republicanism's reliance on and possible coercion of citizen virtue is impractical,[10] paternalistic,[11] oppressive,[12] or even totalitarian.[13]

Habermas (1999, p. 244) too thinks that civic republicanism's reliance on virtue is unrealistic and seeks a third way between liberalism and republicanism. Like Sunstein, Habermas rejects both dogmatic monism and skeptical pluralism, or in his terms non-cognitivism about morality (1999, pp. 5–6) in favor of a common standard, although he posits the standard as a universal principle of discourse that he contends is more universal than any conception of a common good. Any common good must be formulated within a historical, ethical tradition, while the discourse principle is universal relying only on the presupposition that participants agree to settle their differences through communication rather than through "violence, or even compromise" (1999, p. 39).

According to Habermas, liberalism's rejection of a common good degrades politics into a system of mere bargaining based on the model of the market. Still, Habermas cannot accept the republican alternative that he sees based on a presupposed notion of the good. Liberalism relies on the aggregation of personal preference through voting and bargaining, while republicanism seeks to forge a common ethical community through dialogue. Habermas' view of democracy based on discourse theory rejects mere bargaining, but also the republican presupposition of a shared ethical community,

> In contrast, a discourse-theoretic interpretation insists on the fact that democratic will-formation does not draw its legitimating force from a previous convergence of settled ethical convictions, but from both the communicative presuppositions that allow the better arguments to come into play in various forms of deliberation, and from the procedures that secure fair bargaining processes. (1994, p. 4)

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[10] Macey (1988, p. 1679), Herzog (1986, p. 488), Sandel (1996, pp. 337–8), Goodin (2003, pp. 66–8).

[11] Habermas (1999, p. 28), Brennan and Lomasky (2006, p. 241).

[12] Young (2000, p. 81).

[13] Gey (1993, p. 897).

Rather than presupposing a common ethical good as classical republicanism does, Habermas tries to develop the ethical principles required for democratic practice from the Discourse Principle required for dialogue. The Discourse Principle states, "Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses" (2008, p. 107). From it, he derives basic rights, the division of powers, (1996, pp. 123, 192) and the legitimacy of democratic procedures (2008, p. 103) and of law (1996, pp. 454–5).

There are two key problems with Habermas' alternative to liberalism and republicanism. First, it is not at all clear that he can distinguish his Discourse Principle from a common good in the classical republican style. According to Habermas (1996, p. 178), "There is no criterion independent of the argumentative process." Legitimacy only comes from the conditions that allow for "better arguments to come into play" and for fair bargaining (1996, pp. 278–9). However, the Discourse Principle invokes a controversial political principle that goes beyond mere argumentative processes for it entails universal participation in rational discourse and this is not something that all would accept merely as a principle of argument. Aristotle, for one, thinks that universal participation in political discourse is undesirable simply because most people are not equipped to engage in rational discussions. Further, Aristotle treats the right to participation in political discourse as one of the most fundamental and consequential political arguments. According to Aristotle, the poor and advocates of democracy think that everyone should be able to participate equally in political discourse, but the rich disagree. The wealthy think that the right to political participation should be awarded on the basis of merit (*Pol.* 1301a28–35). This difference of opinion over the nature of participation is the leading cause of civic unrest and a major problem that Aristotle confronts in his theory. The Discourse Principle constitutes an ethical claim and an ethical good because it prioritizes the good of universal participation over the good of merit-based participation, envisioning a very different community than the wealthy of Aristotle's time do. It is not at all clear that many in today's wealthy class would disagree with Aristotle's wealthy oligarchs.

A second problem for Habermas' theory is his characterization of republican theory because he says that Aristotelian politics requires "the

virtues of citizens oriented to the common good" (1996, p. 277). Habermas is hardly alone in his assessment of Aristotle and of republican theory more broadly,[14] but it is only partially true of Aristotle's theory.

Aristotle does develop an aspirational "City of Our Prayers" in which citizen virtue can be developed due to its abundant resources. However, in addition to the aspirational republic of virtue, Aristotle outlines best constitutions for other cities with fewer resources and without assuming extraordinary citizen virtue. The middle polity presents an alternative republican model not founded on virtuous citizens, but on the political friendship that can develop among equals. Political friendship, not virtue, serves as the basis for deliberation in the middle polity. Unlike the rich and poor who have conflicting interests, the middle class shares common interests that can serve as the basis for political deliberation. It is not the judicious deliberation of the "City of Our Prayers" because it is not directed by an understanding of the best life. Still an opinion-based deliberation of the middle polity is sufficient to ensure that the city is well run. In a city without a strong middle class, polarized between rich and poor, genuine political deliberation is impossible because the rich and poor do not share a common end necessary for shared deliberation (*Pol.* 4.11, 1296a29–36). Thus, the wise legislator cannot afford to overlook the economic conditions of the city that must be properly developed if citizens are to share common opinions about their end, thus making political deliberation possible.

The middle polity neither presupposes a high degree of virtue among its citizens nor seeks to impose a standard of the good. Its deliberation is not based on a common understanding of the good life, but upon common opinions about mutual utility. Unlike Habermas' deliberative democracy, it does not suppose that all can recognize the value of universal participation in discourse. The middle polity only requires that the middle class is large and strong enough to ensure that those with a common opinion about their mutual utility can prevent the factional interests of the rich or poor from dominating. The mutual interest of the middle class can serve as the basis for effective political deliberation, without

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[14]Barker (1918, p. 11), Strauss (1988, p. 40), Rahe (1992, pp. 57–8), Zuckert (1994, p. 182), Gibson (2007, p. 260).

having to presuppose a universal standard either of discourse or of a good and virtuous life. The city's common goals emerge from the opinions of a suitably empowered middle class. Thus, based on their common goals, they can deliberate without the need for self-sacrificial virtue advocated by classical and civic republicans. By showing the economic conditions necessary for shared deliberation, Aristotle's middle polity can serve as a new model for a deliberative republic.

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