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The Slave in Ourselves

On the Importance of the Aristotelian Concept of Slavery for Political Legitimation

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Abstract

*The Slave in Ourselves
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Legitimation*

This paper highlights the importance of the Aristotelian concept of slavery for our current political consciousness. It is an attempt to illustrate what could be called the “neo-Aristotelianism” of the “Münster school” and which can be seen as a fundamental alternative to the “Frankfurt school” approach to the question of political legitimation in the history of German democracy after World War II. The Aristotelian model of politics which is defended in this paper is something Aristotle considered to be a necessary condition of political freedom, namely: to pay the price for what defines the way of life of a free citizen. Modern society has opted against slavery and in favor of wage labor. We have got rid of not only slave holders but of any kind of masters who have the power to rule over the lives of their dependent subjects; but we tend to take over now ourselves the role of master and subject in the mutual relations of economically defined usefulness and utility. An absolutized identification of social rationality with the conditions of a functioning system of the mutual fulfillment of our desires would mean despotism in our relation to ourselves and therefore a kind of self-enslavement.

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“Without slavery there would be no Greek state, no Greek art and science; without slavery there would be no Roman Empire. Without the foundation of Greekdom and the Roman Empire so too would there be no modern Europe”:¹ these words of Friedrich Engels do not have a very substantial analytical meaning, in so far as it is unclear what kind of causality should be characterized here as a *conditio sine qua non*. But they demarcate a historical fact, whose relation to the theoretical understanding of the state is thoroughly in need of explication. Ancient society was, from beginning to end, a slaveholder-society. It is estimated that in Athens in the time before Socrates’ death there were 60,000 slaves; in Italy, in its final years, the Republic supported two millions, and that, statistically speaking, one third of the members of ancient society were slaves. And for political theory this fact has been of no small significance. Aristotle calls the slave a “living tool”² and analyzes his place and meaning like the other historico-social requirements of his teaching on the state, to which indeed also belong the principally inferior legal-status of women and the limitations of citizenship to a, so to speak, elite minority.³ The Aristotelian justification of slavery became associated with Thomas Aquinas,⁴ to whom, at the beginning of the development of modernity, itself referring back to the universal assumption of the freedom of all human beings in the reflection on natural rights in the “School of Salamanca”, the assumption is still

¹ This paper was presented at the Institute of Philosophy of The Research Centre for the Humanities of the Hungarian Academy of Science, on 30 April, 2013. (the editor).

¹ Marx/Engels: *Werke* Band 20, Berlin: Dietz Verlag, 1962, 168 (transl. by Neil O’Donnell).

² *Nicomachean Ethics*, 161a30–1161b11: “...the slave is a living tool and the tool a lifeless slave“ (All English citations from Aristotle, *The Nicomachean Ethics*, in *The Complete Works of Aristotle*, 2 vols, vol. 2, Princeton: University Press, Princeton, 1991), p. 132

³ For (see further below) the “barbarians“ according to Aristotele (*Politics*, 1252a24-1252b9) are incapable of any concept of a free person and, hence, all of which are ranked at the level of slaves, and with them is also no differentiation in rank between woman and slave, while in civil society, i.e. the proper object of his theory, women and slaves are differentiated by nature. (All English citations from the *Politics* comes from: Aristotle, *Politics*, in *The Complete Works of Aristotle*, 2 vols, vol. 2, Princeton: University Press, Princeton, 1991), p. 3.

⁴ See, for example, *Summa theologiae II-II.57.3* and Mensching, Günther: *Arbeit zwischen Sklaverei und Autonomie bei Thomas von Aquin*, in: Erden/Reichard (Hrsg.): *Unfreie Arbeit. Ökonomische und kulturgeschichtliche Perspektiven*, /Zürich/New York: Hildesheim, 2007, 89 – 100.

referred back that there is “natural slavery” and this is the basis of legitimization of the legal institutionalization of slavery.⁵ So too in the New Testament, slavery is naturally presupposed as a service which the slave in his obedience renders not only to his terrestrial, but also his celestial, lord.⁶ For hundreds of years the Church had slaves in her service.

What significance does this background now have for Aristotelian teaching on the state? The following presentation should confine itself to the philosophical argumentation of Aristotle and relate to the historical environment of his thought only in as far as it concerns the reconstruction of the generally divided beliefs of the polis-society which form the starting point of this argumentation, upon which his practical philosophy is explicitly supported.⁷

The role of the Aristotelian model of polis for our political thinking

“He who can be, and therefore is, another’s, and he who participates in reason enough to apprehend, but not to have, is a slave by nature.”⁸ This is the phrase with which Aristotle bases the legitimization of slavery on his key concept, the concept of nature. Of course, there has been a long and highly complex discussion on this idea of slavery “by nature” and its problematic; the discussion goes on until today, and there is not a single, unique key to the solution of the problems it raises. But I think one should keep in mind an important conceptual remark and its consequences. The conceptual remark is that “nature” in the Aristotelian sense, *physis*, has a substantially different meaning from what “nature” signifies in the modern scientific models founded by Descartes, Hobbes and Galileo. Without the reference to this conceptual difference it is hardly possible to understand Aristotle’s fundamental idea of what is right “by nature”⁹, and it is this context of the classical origin of the idea of a *lex naturalis* which brought authors like Joachim Ritter¹⁰ and Robert Spaemann¹¹

5 Cf. Tellkamp, Jörg Alejandro: *Über den Zusammenhang von Freiheit und Sklaverei bei Vitoria und Soto*, in: Kaufmann/Schnepf (Hrsg.): *Politische Metaphysik. Die Entstehung moderner Rechtskonzeptionen in der spanischen Scholastik*, Frankfurt am Main: 2007, 155 – 175.

6 See the most important Bible passages in Schiller, Ludwig: *Die Lehre des Aristoteles von der Sklaverei*, Erlangen: 1847, 1 f.

7 See, for example, *Politics*, 1295b3–1295b34

8 *Politics* 1254a24–1255a3

9 *Nicomachean Ethics* 1134b18–1135a5; *Rhetoric* I.10,13,15

10 Cf. Ritter: *„Naturrecht“ bei Aristoteles. Zum Problem einer Erneuerung des Naturrechts*, Stuttgart: Kohlhammer, 1961

to attempt a reformulation and reactualization of the concept of *physis* for political philosophy. Apart from political philosophy, the same effort to remind the original sense of “nature” as *physis* has been made by Heidegger¹² and Merleau-Ponty¹³. The result is basically the same for all these thinkers and can be summarized as follows: “Nature” as *physis* means “what shows itself by and from itself” or “what has a form, an aim in itself”; so, the classical concept of “nature” is a concept of distinction based on the plurality of beings, whereas the modern, scientific concept of “nature” is a concept of reduction, based on a presumed unity of all living beings which is nowadays thought to be rooted in their genetic “code” or in the laws of evolution. Nature in the Aristotelian sense reveals itself not in the hidden molecular “genotype” behind the “phenotype” of living individuals but in the obvious and visible forms of life which distinguish one species from another.

Only under this presupposition is it possible to speak of a *lex naturalis* in the sense of the principles of human societies that enable us to maintain and develop our human nature. If nature is conceived to be a determinate system of quasi mechanical powers, any reference to a law based on nature will fall under the verdict of the illegitimacy of the “naturalistic fallacy”. For Aristotle however, it belongs exactly to the crucial relations which differentiate our kind from all other natural beings, in particular the animals, that we constitute a form of life that is defined by the term “political”. This term means the legally ordered coexistence of a free citizenry, based upon rational thought. Hence, justice “by nature” is not deduced from some kind of property or set of properties of human individuals, rather it preexists every human social order as a framework of relations to which the concrete historical civil norms must be compared and for reason of which they must, in some cases, be set aside. Thus nature reveals itself in the pre-legal foundation of civil legislation, which permits and forces us to make the difference between good and bad laws, good and bad political order, good and bad rule, and good and bad states. Given all this, the thesis that there are slaves “by nature” must be first and foremost – or at least in one substantial aspect – understood as a thesis concerning not individuals and their properties but the structure of human society and its prelegal but not biological or physiological conditions. What Aristotle says when he speaks of slaves “by

11 Robert Spaemann: *Persons. The Difference between ‚Someone‘ and ‚Something‘*, Oxford: Oxford University Press 2006

12 Martin Heidegger: *Vom Wesen und Begriff der physis*, in: *Wegmarken*, 2. Edition Frankfurt am Main: Klostermann, 1967.

13 Maurice Merleau-Ponty: *Die Natur. Aufzeichnungen und Vorlesungen am Collège de France 1956–1960*, München: Fink, 2000.

nature” then essentially is: that there is a relation between the forms of life of free men and the forms of life of slaves which is the prelegal but essentially social, cultural and ethical condition of what he defines as the “political”, i.e. the free and rational way of living together.

For Joachim Ritter who had been the assistant of Ernst Cassirer and became in Münster the teacher of some of the most influential German conservative intellectuals in the second half of the twentieth century,¹⁴ the key to the importance of the idea of natural law for the political thinking in our time had to be found in Hegel’s idea that the principle of freedom in modernity is rooted in the turn from *substance* into *subjectivity*.¹⁵ What is meant by this turn is the transformation of the political reality of the structures of the antique *polis* not primarily in the modern political institutions – which are in many respects fundamentally different from the institutional framework developed in the Platonic or Aristotelian models of politics – but in the consciousness and the self-relation of the modern subject as citizen of a state which has individual freedom as its principle of legitimation. In this sense, the opposition between freedom and slavery represents not primarily a social structure – although it has to be related to non identical but somewhat-corresponding sociocultural conditions – but a dialectics in our political thinking and action. Dialectics means that we cannot isolate one aspect of the Aristotelian model, let’s say freedom, and try to base our ethical principles on it without thereby exposing us to the conceptual and the real powers contained in the rest, in the parts of the model which refer to the conditions of freedom. And, as we have seen in the first remarks, slavery for Aristotle is such a condition. So, to avoid not the limitation but the alienation of what we consider to be the free substance of modern society, we will have to keep in mind the transformation of the role and even of the content of slavery in structures of our subjectivity, a transformation that, according to Hegel, has been going on and still goes on in our minds.

In some way my following remarks about the importance of the Aristotelian concept of slavery for our current political consciousness are an attempt to illustrate what could be called the “neo-Aristotelianism” of the “Münster school” and which can be seen as the

14 Among them Robert Spaemann, Ernst-Wolfgang Böckenförde, Hermann Lübbe and Odo Marquard, cf. Jens Hacke: *Philosophie der Bürgerlichkeit. Die liberalkonservative Begründung der Bundesrepublik*, Göttingen: Vandenhoeck & Ruprecht 2006; Ritter is also the founder of the “*Historisches Wörterbuch der Philosophie*”, by far the most influential philosophical dictionary in the German speaking world.

15 For Ritter’s interpretation of Hegel the most famous text is: Hegel und die französische Revolution (1956), in: Joachim Ritter: *Metaphysik und Politik. Studien zu Aristoteles und Hegel*, Frankfurt am Main: Suhrkamp, 1977, 183–233; most instructive for the relation between the „substantial“ horizon of the antique polis and modern subjectivity is Ritter: *Moralität und Sittlichkeit. Zu Hegels Auseinandersetzung mit der Kantischen Ethik* (1966), *ibid.* 281–309.

fundamental alternative to the “Frankfurt school” approach to the question of political legitimation in the history of German democracy after World War II.¹⁶ Let me very shortly mark the decisive elements which allow to situate Ritter in relation to the Frankfurt “school” and others:

Ritter, in opposition to Habermas’ famous inaugural lecture “Erkenntnis und Interesse” in Frankfurt 1967,¹⁷ does understand the separation of “technocratic” scientism and “traditionalistic” historicism not as rooted in different interests but as a dialectical relation rooted in the neglect of an intermediating principle; this intermediating principle is the counterpart to Habermas’ postulate of “emancipation” as the “progressive” and liberating interest embedded in the social sciences and designed to cope with the tension between technocracy and traditionalism. Not social science but philosophy is the discipline which is designed to overcome the dialectics of in the core of modernity, and the Aristotelian theory of politics is a decisive source in which we must find the “blind spot” in modern thinking that is the real cause for its dialectics.¹⁸ This blind spot has to be considered in a two fold way: It is “nature”, *physis*, that has been forgotten as the guideline of our practical orientation in the world; and it is the *concept* of “nature” which has been somewhat blocked and repressed by the modern notions of “nature” which makes it almost impossible to save the impact of in the classical horizon was seen as “human nature”. For a Cartesian or Newtonian or Kantian idea of “nature” human subjectivity is pressed into opposition to “objectivity” and shifted in a controversial relation against nature which is now be seen as the field of potentially unlimited manipulation.

Ritter, in opposition to MacIntyre¹⁹ and other exponents of “communitarianism”, does absolutely not postulate a direct “return” to the Aristotelian or any comparable pre-modern

16 Cf. The beginning of Hacke’s book, op. cit. 11: „Wenn einmal ‚die Ideengeschichte der alten Bundesrepublik zu schreiben‘ sei, werde man ‚sich nicht mehr auf die Geschichte der Frankfurter Schule beschränken können‘, urteilt Ulrich Raulff in der ‚Süddeutschen Zeitung‘: ‚Ein besonderes Gewicht wird dabei der ‚Schule von Münster‘ zukommen, in deren Mittelpunkt der Philosoph Joachim Ritter (1903-1974) stand‘. Der Kreis um Ritter, so konstatierte Raulff an dessen 100. Geburtstag, habe ‚den philosophischen Konservatismus in der Bundesrepublik mit zeitgemäßen, intellektuell attraktiven Ausdrucksmitteln versehen‘.“ Hacke, Jens: *Philosophie der Bürgerlichkeit. Die liberalkonservative Begründung der Bundesrepublik*. Frankfurt: 1959.

17 Cf. Jürgen Habermas: *Technik und Wissenschaft als ‚Ideologie‘*, Frankfurt am Main: Suhrkamp, 1968.

18 By far the clearest and shortest exemplification of this strategy is Robert Spaemann’s essay: Zur Ontologie der Begriffe ‚rechts‘ und ‚links‘, in: Robert Spaemann: *Grenzen. Zur ethischen Dimension des Handelns*, Stuttgart: Klett-Cotta, 2001, 260–269, esp. 266.

19 Alasdair MacIntyre: *After Virtue. A Study in Moral Theory*, Indiana: Notre Dame University Press 1981, ch. 9.

model of the legitimation of political order. For Ritter, as for Böckenförde, Lübke, Marquard and also Spaemann, it is a result of their deep reception of Hegel's *Elements of the Philosophy of Right*²⁰, that there is no way back behind modernity, behind 1789,²¹ and this holds absolutely for any attempt to understand Aristotelian political theory as a rival to modern contractualism. The Hegelian component of Ritter's re-foundation of political philosophy forces us to understand Aristotle's *politics* not as a rival or a predecessor of our current model of political legitimation but as the embodiment of what is neglected in this model and therefore indirectly and unconsciously powerful through it and behind it.

Ritter, in opposition to any neo-Thomistic form of "neo-Aristotelianism", therefore does not understand the idea of "natural law" as a catalogue of norms that could delegitimize or put into doubt the constitutional basis of legitimation in the modern state.²² Natural law is the connecting feature of the modern and the classical features of the principle which connects both in respect to the explication of the difference between the good and the bad state, i.e. the principle of the *rule of law*. To refer to the "law of nature" does not, as we can clearly see in the Hobbesian model of political legitimacy,²³ put us into opposition against the genuinely modern idea of natural rights preceding any legal order, rather it is a key concept for the philosophical reconstruction of the fundamental task of the modern idea of political

20 Cf. Georg Wilhelm Friedrich Hegel: *Elements of the Philosophy of Right*, trans. by Nisbet, Cambridge: Cambridge University Press 1991.

21 In this respect it is instructive to read the famous „Böckenförde formula“ in its full length: „Der freiheitliche säkularisierte Staat lebt von Voraussetzungen, die er selbst nicht garantieren kann. Das ist das große Wagnis, das er, um der Freiheit willen, eingegangen ist. Als freiheitlicher Staat kann er einerseits nur bestehen, wenn sich die Freiheit, die er seinen Bürgern gewährt, von innen her, aus der moralischen Substanz des einzelnen und der Homogenität der Gesellschaft, reguliert. Andererseits kann er diese inneren Regulierungskräfte nicht von sich aus, das heißt mit Mitteln des Rechtszwanges und autoritativen Gebots, zu garantieren suchen, ohne seine Freiheitlichkeit aufzugeben und – auf säkularisierter Ebene – in jenen Totalitätsanspruch zurückzufallen, aus dem er in den konfessionellen Bürgerkriegen herausgefunden hat. Die verordnete Staatsideologie ebenso wie die Wiederbelebung aristotelischer Polis-Tradition oder die Proklamierung eines ‚objektiven Wertesystems‘ heben gerade jene Entzweiung auf, aus der sich die staatliche Freiheit konstituiert. Es führt kein Weg über die Schwelle von 1789 zurück, ohne den Staat als die Ordnung der Freiheit zu zerstören.“ (Ernst-Wolfgang Böckenförde: *Staat, Gesellschaft, Freiheit. Studien zur Staatstheorie und zum Verfassungsrecht*, Frankfurt am Main: Suhrkamp, 1976, 60)

22 Cf. Robert Spaemann: Die Aktualität des Naturrechts, in: Spaemann: *Philosophische Essays*, Stuttgart: Reclam, 1994, 60-79, 78.

23 Cf. to this Walter Schweidler: *Der gute Staat. Politische Ethik von Platon bis zur Gegenwart*, Stuttgart: Reclam, 2004, ch. 6 and 7.

legitimation, which is the highly paradoxical task: to integrate the pre-legal foundations of legislation into the legal, i.e. the constitutional system itself.²⁴

Ritter, however, in opposition to any form of legal positivism, utilitarianism, or pluralism, refers to Aristotle also in a fundamental dimension which is essential up to our time and which also Hegel could only hand down to us, namely that there is a sociocultural identity of the people living in a state that has to be respected and maintained by the political institutions and that we would never be able to transfer into the system of legal claims and economic cooperation. This is an essential point of the Aristotelian concept of “nature” which has to be understood in its full paradoxicality. Since there is a human nature which on the one side connects us with all other natural beings but on the other side makes the difference between us and all of them and since the *polis* is the specifically and exclusively human form of community, our “natural” substance is necessarily a cultural one. This is a situation parallel to the circumstance that human beings by nature are speaking beings, but there is no “natural language”; our natural language is our mother tongue and nothing else. Similarly, what we owe to humanity on the political level, what it means for us to respect human rights and human dignity, can only be realized within the historically contingent but ethically substantial horizon of the nation we are born into. The state always is dependent on and responsible to the will of the people not only to live in *one* society but to live in *this one*, in *our* society. Cultural homogeneity is the presupposition of ethical universalism.²⁵ Here we face the even pre-Aristotelian, the genuinely Platonic insight into the substantial relation between the form of the state and the human soul. This is in a certain way the starting and the end point of my following remarks.

Citizenry and slavery in the Aristotelian model

24 Cf. Walter Schweidler: *Über Menschenwürde. Der Ursprung der Person und die Kultur des Lebens*, Wiesbaden: VS Verlag, 2012.

25 Cf. Ernst-Wolfgang Böckenförde: *Staat, Verfassung, Demokratie. Studien zur Verfassungstheorie und zum Verfassungsrecht*, Suhrkamp: Frankfurt am Main 1991, 348: „Demokratische Formen der Einheits- und Willensbildung, die auf der gleichen Freiheit und der politischen Gleichberechtigung aller Bürger beruhen...vermögen nur dann ungeachtet gegebener Interessengegensätze sowie sozialer und gesellschaftlicher Konflikte die erforderliche Integration und den Friedenszustand des politischen Gemeinwesens zu bewirken und zu erhalten, wenn ihnen eine zwar nicht absolute – sie würde die Freiheit aufheben –, aber doch relative Homogenität zugrunde liegt...Diese...zeigt sich als ein sozialpsychologischer Zustand, in welchem die vorhandenen politischen, ökonomischen, sozialen, auch kulturellen Gegensätzlichkeiten und Interessen durch ein gemeinsames Wir-Bewußtsein, einen sich aktualisierenden Gemeinschaftswillen gebunden erscheinen“.

In order to respect this insight in our dealing with Aristotle's political theory, we will have to turn our attention to the paradigmatic political relation in the human life and essentially in the human soul to which Aristotle refers exactly in the passage of his *Politics* in which he defends slavery as "expedient and right".²⁶ In this passage he defines the political as opposed to the "despotic" rule and says that the soul rules the body with a despotic rule whereas the intellect rules the appetite with a "political" rule.²⁷ So, one can say that the anthropological foundation of politics as an order of the rule of free men over slaves is that it is better for the human soul to be ruled by the intellect and not by the appetites *and* that that the rule of the intellect over the appetites cannot be a despotic one. The soul rules, if it does so at all, despotically over the body: that means, it forces it with its own power to follow its instructions. But what is the content of these instructions: that cannot be in the same way based on despotic power. The intellect cannot, if it does so at all, rule desire alone with its own power, but rather always in cooperation with their, the powers of the appetites! Political knowledge is therefore in a deep sense based on the power of a person's self-knowledge. The wise person must know himself as a genuine individual being, he must master his imagination in order to reconcile what he expects from his life with what he can attain in it, he must learn from his own experiences and from the wise advice of others what is permitted to him and what is better left to others. Such wisdom, *phronesis* in relation to oneself as a guiding principle and ultimately as an instance of legitimation in the social relation to other citizens: that is for Aristotle the unwritten principle of the really *political*, that is the *free* commonwealth. The constitutional rule of the free society is rooted in the constitutional way of rule of the intellect over the appetites in a free man, and only on the basis of this difference to "the souls [...] of freemen"²⁸ embodying justice and reason towards themselves others, who stand back behind them, are compelled to become their slaves. "We see then that [...] there is in some cases a marked distinction between the two classes, rendering it expedient and right for the one to be slaves and the others to be masters."²⁹ In the light of "nature" as *physis*, this conclusion can be seen and at least to some degree has to be seen not in a

26 *Politics* 1255b5–1255b15

27 *Politics* 1254a24–1255a3; the english translation is „constitutional and royal“ but the original word is „political“.

28 *Politics* 1254a24–1255a3

29 *Politics* 1255b5–1255b15

qualitatively causal but in structural sense: it is not said that in each of us it is decided by genetic or other physical causes whether one has to be a master or a slave, but that the political order will always be shaped by the fact that among us, in the relations between us as citizens, there will always be free souls and enslaved souls, and that it is better for both if the former rule over the latter.

It is this structural sense in which the justification of slavery within the Aristotelian model and before the background of its historical conditions becomes understandable and in which we can merely ask about the aspects of its possible transformation into our time. I think that one can see and show that the concept of politics which Aristotle is using in his theory of the *polis* is essentially related to the fundamental and unchanged insight of Plato, that to the nature of human existence belongs an inescapable connection between the constitution of the state and the constitution of the soul of its citizens. We can say that the Aristotelian concept of the political is in itself a transformation of that fundamental idea of a somewhat metonymic relation between our institutions and our soul. That means: with the expression ‘political’, in as far as it refers to the rule of the intellect over desire, the paradigm of all other social and cultural relations which we practically and theoretically approach in the light of categories of “the political” is so intrinsically marked that without it, its usage in all these other relations would not precisely mean what it means. There is a relation to myself in which I, *pars pro toto*, represent the relation of all free citizens to one another in the free polis, and it is this relation which lays the ground for the rule of the free men over those who cannot alone in any way form a free *polis*. This metonymical constitution is even extended over the borders of the *polis*, into the relation between Greeks and “barbarians”. Because it had always been, according to Aristotle, a condition of a free personality to live in social and cultural forms of the Greek *polis*, “the barbarian and the slave were by nature one”³⁰. We will also have to keep in mind the structural constitution of the term “nature” when we want to understand how Aristotle can first explain that woman and slave “[are] distinguished [...] by nature”, but, straight after this, say that they stand on the same level with the “barbarians” by reason of their nature “because there is no natural ruler among them: they are a community of slaves, male and female”.³¹ In this whole context, the term “nature” does not designate a complex of causes which decide who of us becomes a master or a slave, but it is used to develop the structural context of the relations that form a society where the free rule over the others just as

30 *Politics* 1252a24–1252b9

31 *Ibid*

reason rules over desire. The “nature” of the relation between women and slaves, between men and women and between freemen and slaves is not located in the individual, rather it dwells in the institutions and positions in life either occupied or not occupied by them.

The historical background: slavery as the price of freedom

It is obvious that Aristotle’s disparaging view of the slaves as well as of the “barbarians” and of course his perspective on the status of women are dependent on the particular time and the contingent historical circumstances of his society. It is a task of a philosophical critique of ideology to analyze this. But this is not the issue I want to direct our attention to. What is interesting for our theme is the fact that his concept of slavery, which is, as we have seen, of structural importance for his view of women and “barbarians”, has one decisive conceptual aspect: it demarcates a counterpart to the idea of the “freeman”, i.e. the citizen who is designated by his way of life to transform the conditions of the rule of the intellect over the desires into the institutional framework of a society which is based on the peculiarity and the normative implications of the human nature. Whoever (or, keeping in mind the Hegelian connection between substance and subjectivity, *whatever*) will have to play the role of the slave in a society ruled by free citizens, will fulfill a very specific function. This function, at least according to the view on the Aristotelian model of politics which I try to defend here, is something Aristotle considered to be a necessary condition of political freedom, namely: to pay the price for what defines the way of life of a free citizen. The role of the slave as well of the “barbarian” in the Aristotelian model of politics reflects a decision concerning that price and the kind of human beings who had to pay it which Aristotle did not deduce from any theoretical deliberation but which he found as a historical condition of the cultural circumstances under which he developed his political theory. It was a decision made by his compatriots over a long period of the history of the *polis* and formed into the social institutions on which the ways of life of its citizens were based. This decision must be brought into our mind if we want to point out the value and the limits which we can ascribe to his model of politics in our current situation.

Almost casually in the framework of the investigation of the real constitution of the state of his time, Aristotle mentions as self-evident that “in a well-ordered state the citizens should have leisure and not have to provide for their daily wants is generally

acknowledged”.³² The question is only, how the corresponding mode of existence is reached for which he uses the word “leisure” (*scholē*). An answer to exactly this question is, for him, quite obvious: slavery. For the state forms itself from the original human relations, to which, at the most elementary, belong that which is between men and women and that which is between intellectual and corporeal gifts.³³ The political constitution —“political” in the aforementioned metonymical sense in which the Greek *polis* stands for the natural human way of social life in general— is the state of social life in which the intellectually gifted and those capable of doing well rule over the corporeally strong and talented, and indeed obviously not in a political, but despotic way. The despotic rule over non-citizens would be, according to this, through rational thought, the necessary condition of the possibility of political rule in its relation to citizens: It is, according to Aristotle, “natural” for human beings when the soul governs the body, and the corrupt personality, who needs to be governed by the sound and reasonable one, is recognized through the subversion of his soul to his body.³⁴ The paradigm, however, of a human existence in which the soul has made itself independent from and master over the body, has to be characterized by the concept of leisure. Aristotle explicitly raises the concept of leisure in this context, and indeed again under the old Platonic requirement of the image-relationship between the state and the soul: “Since the end of individuals and of states is the same, the end of the best man and of the best constitution must also be the same; it is therefore evident that there ought to exist in both of them the excellences of leisure; for peace, as has been often repeated, is the end of war, and leisure of toil.”³⁵ A little later he adds for the sake of clarity the wisdom of the proverb “There is no leisure for slaves”.

Of course this concept of leisure has nothing to do with the role that “leisure time” plays in modern industrial society, i.e., to put it in a slightly Marxist way, the time which is provided for the proletariat to wipe his brow and unclench his fist so that he may be set to work again. What is essential in unfree existence is not that it might spoil one's rest or free-time. Nor is it the point of leisure that it might free oneself from burden or anxiety, for “leisure and cultivation may be promoted not only by those excellences which are practiced in

32 *Politics*, 1269a29–1269b12

33 *Politics*, 1252a24–1252b9

34 *Politics*, 1254a24–1255a3: “although in bad or corrupted natures the body will often appear to rule over the soul, because they are in an evil and unnatural condition.”

35 *Politics*, 1334a12–1334b5

leisure, but also by some of those which are useful to business”³⁶ Naturally, an existence shaped by leisure can be a demanding and troublesome way of life for the educated man, and it may force him to persist in work throughout his life. For Aristotle, the decisive point is not defined by the question on what one is working towards, but whether one is doing it for oneself and from free choice or whether one earns a wage and hires oneself out to others. The exploitation and the acquisition of free activity is to be measured by the principle that it cannot make us philistines, or reduce us to mean work. “Any occupation, art, or science, which makes the body or soul or mind of the freeman less fit for the practice or exercise of excellence, is mechanical; wherefore we call those arts mechanical which tend to deform the body, and likewise all paid employments, for they absorb and degrade the mind.”³⁷ “The object also which a man sets before him makes a great difference; if he does or learns anything for his own sake or for the sake of his friends, or with a view to excellence, the action will not appear illiberal; but if done for the sake of others, the very same action will be thought menial and servile.”³⁸ Ultimately, with this is the essential point of the slavish in self-relation with mankind, and not determined in its external activity: The slavish is the philistine and, as such, despises a free human being with rights and treats him shamefully.

The here obvious “disdain for corporeal work”³⁹ is doubtlessly a key to the understanding of the justification of ancient slavery. It is, however, as we have seen, no personal whim of the theoretician Aristotle, rather it has a dimension for the whole of society. From the disdain of physical work to slavery a step towards connection-making is indeed necessary, and this is actually what is concerned for the actual significance of our posing of the question: the step from the disdain of physical work to *the scorn of wage labor*. It can only come to slavery when an entire society in respect of the choice between *wage labor and coercive labor* opts for the latter.⁴⁰ In classical Greece that was obviously the case. Certainly, that is not to say that by this the existence of slavery, as such, is explained. There are many forms of coercive labor, from debt servitude to corvée labor to serfdom to the use of prisoners or the social precariat for non-commercial labor. It is not explainable, through the scorn

36 Ibid.

37 *Politics*, 1337a33-1337b22

38 Ibid.

39 Nüchter, Norbert: *Über die Bedeutung der Arbeit für das menschliche Leben*, Marburg: 2009, 39.

40 Cf. Finley, Moses: *Die Sklaverei in der Antike. Geschichte und Probleme*, München: 1981, 80 ff.

heaped on wage labor, why among these forms of labor slavery gained such significance, but indeed it is explainable what significance it had.

When it comes to this historic context from which Aristotle still argues, that is, the context of societal *forms of life*, one can only allow the historian to speak, as in the manner of Moses Finley with his plausible implication: “Slavery as such cannot have been invented, it was a ‘primordial appearance’ and was as familiar to the Greeks as to all the others. But slavery as the form of labor merely for others was a completely new idea. I expect that this decision was not brought through by those that needed workers, rather was forced upon the slaves by those Athenians who one wanted to employ as workers”.⁴¹ That is the core of the matter: the scorn of wage labor, in which Aristotle in his theoretical abolition of the substance of the *polis* bases slavery, is in the soul not primarily or in any case not only that in that of the present master but of the potential servant.

But whoever may have been the real historical force that demanded this price of leisure for the free, the price as such had to be paid in Greece by the slaves through the power exerted over them and their exploitation. That requires, of course, that there be a principle of inclusion in the society, for which reason it is unquestionably certain who stands on the side where the price is to be fixed and who stands on the side of those who have to pay it. This principle was freedom in the Athenian polis, or more precisely: the principle of equal participation of all citizens in it. Freedom in this sense of the equality of all who belong to it makes it possible for a population together to decide that the gulf that separates them from abominable existence, as unpleasant and as inconsistent with its own values it may be, is a price, which for the cohesion of the whole—and indeed preferably not by oneself—must be paid.

Price and aim of freedom

Let us now turn to our final question: Where in the structural framework of our modern and contemporary understanding of the legitimation of political order do we have to rediscover the function that in the Aristotelian model slavery played? We cannot avoid this question if we make the assumption which Ritter referred to Hegel’s idea of the transformation of substance into subjectivity, i.e. if we assume that the conditions of rationality which were embedded in the institutional structures of the Greek *polis* have to a substantial degree been transformed into the conditions of the rationality of our modern,

41 Ibid. 105 f.

contemporary consciousness. And if, which I would defend,⁴² we assume especially that the Aristotelian notion of human nature and, as its implication, of the natural law are still valid when it comes to the ethical justification of our modern, contemporary political order, then we will not be able to avoid the question: If there is some current function that corresponds to slavery in the Aristotelian model, how does that function relate to our human nature? So let us try to find out what is in that role which corresponds to the structural function of slavery in the Aristotelian *polis*.

It is of course evident that, under the presuppositions of the modern view of humanity as well as of the well-understood Christian image of man, slavery itself cannot be an option. Despite all inconsequence and contradiction which we find in historical reality, the modern society has, fundamentally on the basis of Christian principles, denied the answer that the ancient *polis* gave to the question of the decision which formed the social basis for the citizen's freedom. Modern society has opted against slavery and in favor of wage labor. In an almost global dimension, wage labor has got the role of, to use Finley's words again, "the form of labor merely for others". This can be interpreted as the result of the rational insight of free citizens that the price for the mutual recognition as free and equal human beings which they owe to one another, has to be paid by themselves. The price of freedom, under this presupposition, consists in the citizen's lifelong need to do wage labor and to contribute to a social system which follows the logic of the highest possible degree of exploitation of human and natural resources for its self-preservation and for the continuous reward of its employees, preferably in exactly the degree which forces them to contribute to the system as much as they can throughout their lives. Of course, there are areas of exception of the actual need to work: illness, age, unemployment and the "leisure time" necessary for the recreation of one's capacity to work, but they definitely are rather parts of the circle which forms the system than counterparts to its logic. Only when we take some distance from that circle itself can we remind ourselves that for Aristotle it was exactly the need for some to take the role of the counterpart to freedom which made slavery a justifiable element of the system of the *polis*. So we face again the question: Where is the counterpoint to freedom yet to be found when freedom and the socially organized system of paying its price almost seem to coincide?

42 In my view, there are good reasons to assume that the substance of the classical concept of human nature has been in a certain way transformed into the idea of "human dignity" in its contemporary universal importance for the ethical justification of political power; cf. to this Walter Schweidler: *Über Menschenwürde. Der Ursprung der Person und die Kultur des Lebens*, Wiesbaden 2012. To the transformation of the classical into the modern notion of the *lex naturalis* especially in the political model of Thomas Hobbes cf. my book: *Der gute Staat. Politische Ethik von Platon bis zur Gegenwart*, Stuttgart: Reclam, 2004, ch. 6 and 7

Here we are at the really essential point of the relation between the Aristotelian and the modern view of free citizenship. To remind us to the function of slavery as a counterpart to the “freeman’s” existence is to remind us that for Aristotle freedom did not only require a price but had what that price in the end was paid for, namely an aim. It was exactly the connection to this aim which he marked by the special sense of the “political” that we faced when we spoke about the metonymic relation between the citizen’s soul and the order of the *polis*. The aim of political freedom for Aristotle is the good life, *eudaimonia*. And the good life is essentially characterized by the forms of human *praxis* which have not only to be clearly separated from the producing activities of *poiesis* in general but also and, as we saw, in a fundamental sense from any kind of work which is only done because the worker is dependent on his salary. To demarcate this separation, Aristotle used the concept of *scholē*, leisure. What now does this mean for our question about the counterpart of freedom in a society based on a system of wage labor?

It is again evident that under the presuppositions as well of the modern understanding of humanity as of the Christian view of a good life the “disdain for corporeal work”⁴³ and the disparaging view of wage labor in general which we found in the historic background of Aristotle’s self-understanding as a citizen of the *polis* cannot be rendered into our modern, contemporary culture. The consequence is that also leisure in the historically contingent way in which Aristotle may have mostly understood it cannot be directly be considered as the counterpoint to dependent work which Aristotle thought to be necessary for the self-understanding of free men. But does it mean then that the question about that counterpoint in our modern, contemporary social system has become obsolete? My answer to that is: not at all! And the reason for this answer does simply consist in the difference between political freedom as such and the aim for which we as human beings need and seek it. On this level once again we have to emphasize that the concept which designated that aim, the Aristotelian concept of a good life, cannot in its historically contingent form be directly rendered into our political thinking. What has made such conceptual nostalgia impossible for us is, as Robert Spaemann has pointed out,⁴⁴ last not least the Christian transformation of *eudaimonia* as a publicly visible way of social existence into the *visio beatifica* as the invisible aim of the earthly life of a human person. But again, this insight does not liberate us from our problem but, in the contrary, it intensifies it, exactly because of what we find as the dialectical form of

43 Cf. footnote 28

44 Cf. Robert Spaemann: *Happiness and Benevolence*, [*Glück und Wohlwollen. Versuch über Ethik*, Stuttgart: Klett-Cotta, 1996]

this problem when we see it in the light of the transformation of the substance of the antique *polis* into modern subjectivity. If we think it to be the last word of our culture concerning the problem of the counterpoint of freedom that we as free citizens have decided to pay the price of freedom by lifelong wage labor, then we forget the decisive criterion which prevents that social system of dependent labor from turning over our self-consciousness into a constitution of serfdom, i.e. into a subjective kind of slavery. This means: We forget that aim of political freedom. What is this aim? How can it be characterized without going directly back to an Aristotelian model of leisure as the guideline of the lives of the members of a social elite? This shall now be the last question in my reflection, and I think that the most cautious way to answer it will be to mention a cultural tendency which I think to be obviously at work and which has its logic in making us forget the aim of freedom.

What I am speaking of is the sociocultural tendency by which the citizens of the current state are directed and urged towards a self-relation in which they define the meaning and the task of their lives almost completely by criteria of utility and of doing services that are constituted by the system of reward through which the society organizes the cooperation of its members. We have got rid of not only slave holders but of any kind of masters who have the power to rule over the lives of their dependent subjects; but we tend to take over now ourselves the role of master and subject in the mutual relations of economically defined usefulness and utility. And the indirect answer which we can get for our question from the look on this tendency can be drawn from an implication which does not intrinsically follow from it but which in the current social reality is obviously connected with it. I mean the pressure which it puts on citizens who are not yet included in the universal system of work and reward to change their forms of life in a way that makes them undistinguishable parts of it and that renders their criteria of self-understanding and self-estimation as completely as possible dependent on the standards of the system of market and competition. There is a real fight against forms of life which in their essence remind us of the elements of a good life which cannot be produced, not be earned, not be controlled by financial stimuli and not be secured by a system of social insurance: forms of life that are so romantically dependent on personal obligations like that of the housewife, that are so penetratingly uncompetitive as that of the priest or so suspiciously based on individual cultural autarky as the methods of home teaching. But there is also a fight against forms of knowledge which like the speculations of philosophy and the hermeneutical standards of the analysis of the self-interpretation of our culture and society in the humanities, contain the danger to move our consciousness into distance from the self-image of a culture which wants to make us believe that the rationality

of a universal system of the mutual fulfillment of our desires provides the answer to the question what is a good life of the human being. I think that this is exactly the point of reflection at which the conceptual core of the anthropological analysis which Aristotle gave for the relation between free men and slaves in his time can turn out to be still extraordinarily helpful for us. That conceptual core does, as we have seen, not consist in dichotomies like them between the individual versus the social or the secular versus the religious but in the opposition between despotical and – political. This is a decisive guideline for the two main conclusions which I think one can draw from our reflection, namely that the absolutized identification of social rationality with the conditions of a functioning system of the mutual fulfillment of our desires would mean despotism in our relation to ourselves and therefore a kind of self-enslavement; and, what is the other side of the coin, that when we, perhaps but not necessarily from a religious or philosophical background, insist on the obligation which our state and our society have to the active respect of human nature and a good life, then we do this not in the name of any ideology but in the name of “the political”, that means in the name of the foundation on which this state and this society are built. We do it as citizens.

