

What Part of the Soul Does Justice Perfect?

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Interpreters of Aristotle generally agree that each of the particular moral virtues that he discusses has characteristic actions and characteristic emotions or desires (see *EN* II.6, 1106 b 15). Those characteristic passions are rooted in different faculties (*dunameis*) of the soul (see *EN* II.5, 1105 b 24-25), which are perfected by the various moral virtues (see *EN* II.5, 1105 b 25-29; II.6, 1106 a 15-23). In some cases, it is easy to identify the characteristic actions and characteristic desires or emotions of a moral virtue. For example, courage involves the emotions of fear and confidence (*EN* III.6, 1115 a 7-8) and actions such as standing firm in the face of vincible dangers, as directed by right reason (*EN* III.6, 1115 a 25-b 5). Temperance involves the desires for the pleasures of table and bedroom (*EN* III.10, 1118 a 30-33) and those actions whereby temperate people pursue and enjoy or decline the objects of these desires, depending upon right reason (*EN* III.12, 1119 b 33-34; b 11-20). Both of these characteristic passions are rooted in the irrational parts of the soul, viz., appetite (*epithumia*) and spirit (*thumos*) (*EN* III.9, 1117 b 22-23; *De An.* II.3, 414 b 1-2; III.9, 432 b 5-6), and those parts of the soul are at least partly perfected by temperance and courage.

Matters are more difficult with respect to justice. It would seem that justice (*dikaiosunē*) also should have characteristic actions and a characteristic desire or emotion, and that it also should perfect a part of the soul. After all, like the other moral virtues, justice is a character state concerned with choice (*hexis prohairetikē*), which aims at a mean (*EN* II.6, 1106 b 36-1107 a 2; V.5, 1133 b 29- 1134 a 15). However, it is more complicated to determine what the characteristic desire or emotion of justice is and what part of the soul it perfects. This is partly because

Aristotle distinguishes two kinds of justice—general justice and particular justice—which correspond to two senses of ‘what is just’—what is lawful and what is fair (*EN* V.1, 1129 a 26-34).

Corresponding to justice as lawfulness is general justice, which incorporates the actions of all of the particular virtues for “the law bids us to practice every excellence and forbids us to practice any vice” (*EN* V.2, 1130 b 24; cf. V.1, 1129 b 19-25).¹ Hence, it is complete virtue, not absolutely but in relation to our neighbor (*EN* V.1, 1129 b 25-6). Its object is another’s good (*EN* V.1, 1130 b 20-7), which I interpret to mean the common good (V.2, 1130 b 17-27).² In one sense, general justice has no actions that are unique to it because it includes the characteristic actions of the other moral virtues. But in so far as the characteristic actions of the other moral virtues can be directed to the common good of the community, those actions are also proper to general justice (*EN* V.1, 12-24).

Corresponding to justice as fairness is the moral virtue of particular justice (*EN* V.2, 1130 b 8-16). It is another kind of justice, which is related to general justice as a part to a whole (*EN* V.2, 1130 b 14), just as the fair and the lawful are related as part to whole (cf. *EN* V.2, 1130 b 10).³ One reason for maintaining that this is a distinct moral virtue is because there are good

¹ All citations of Aristotle’s works are from *The Complete Works of Aristotle: The Revised Oxford Translation* (Princeton: Princeton University Press, 1984).

² Cf. St. Thomas Aquinas, *Commentary on Aristotle’s Nicomachean Ethics*, C.I. Litzinger trans. (Notre Dame: Dumb Ox Books, 1993), Book Five, lect. II, #902 ff. and T.H. Irwin, *Aristotle’s First Principles* (Oxford: Oxford University Press 1988), 424-427. For a very different interpretation of this passage, see David O’Connor, “The Aetiology of Justice”, *Essays on the Foundations of Aristotelian Political Science*, eds. Carnes Lord and David O’Connor (Berkeley, CA: University of California Press 1991), 136-164, in particular 145-146.

³ St. Thomas Aquinas comments that the object of particular justice is another *individual’s* good; see *Comm. on Aristotle’s EN*, Book Five, lect. III, #919; *Summa Theologiae* II-II, q. 58, a. 7 (New York: Benziger Brothers Inc. 1947).

actions which are required by the laws but which are not characteristic of any of the other moral virtues. These actions, which are characteristic of particular justice (and so constitute, at least in part, its peculiar sphere), include the actions of repaying a loan and honoring those who have performed exemplary community service (cf. *EN* V.2, 1130 b 30-1131 a 9). Particular justice is in turn divided into two species. One kind concerns the distribution of goods among the citizens of a state and aims at a geometrical mean. The other kind concerns transactions between individuals and aims at an arithmetical mean (*EN* V.2, 1130 b 30- 1131 a 1; cf. V.3, 1131 a 21- b 24; cf. V.4, 1131 b 25- 1132 b 20). The former is distributive justice; the latter is rectificatory (cf. *EN* V.3, 1131 b 24; V.4, 1131 b 25-7).

Although both general justice and particular justice have characteristic actions, it is less clear what emotion or desire is characteristic of justice and, consequently, what part of the soul justice perfects. Some interpreters, such as Bernard Williams⁴ and J.O. Urmson,⁵ deny that justice has a characteristic emotion or desire. Other interpreters, such as Howard Curzer⁶ and Susanne Foster,⁷ assign to justice a characteristic desire that is not explicitly mentioned in the *Ethics*. I have responded to their arguments elsewhere.⁸

In what follows, I argue that justice perfects the part of the soul that Aristotle calls ‘wish’—the rational appetite (*boulēsis*). First, I set out some key Aristotelian principles that

⁴ Williams, ‘Justice as a Virtue’, in Rorty *Essays in Aristotle’s Ethics* (Berkeley, CA: University of California Press, 1980).

⁵ Urmson, ‘Aristotle’s Doctrine of the Mean’, *Philosophical Quarterly* 10 (1973), 223-30, reprinted in Rorty 1980, 157-70.

⁶ Howard Curzer, ‘Aristotle’s Account of the Virtue of Justice’, *Apeiron* 28, no. 3 (1995), 207-38.

⁷ Susanne Foster, ‘Virtue and Material Goods: Aristotle on Justice and Liberality’, *American Catholic Philosophical Quarterly* 71, no. 4 (1997), 607-19.

⁸ ‘Aristotle and the Characteristic Desire for Justice’, *Apeiron*, 33.2 (June 2000), 109-123.

frame the question. Next, I will explore the characteristic desire of injustice—*pleonexia*. Finally, I will argue that the characteristic desire of justice is the wish for what is just, and that the part of the soul perfected by justice is wish.

I

The following Aristotelian principles are essential for determining what part of the soul justice perfects:

1. Human virtue is virtue of the soul, the facts about which the ethicist should know (*EN* I.13. 1102 a 15-17).
2. For the purposes of ethics, the soul can be divided into a rational and an irrational principle (*EN* I.13. 1102 a 26-29).
3. The rational element is divided into the scientific and the calculative/deliberative.
 - a. The scientific element has as its object truths that are invariable.
 - b. The calculative/deliberative element has as its object variable truths (*EN* VI.1. 1139 a 2-14; VI.2. 1139 a 26-31; b 12-13).
4. The irrational principle can be divided into the vegetative element and the appetitive (*epithumētikon*) or desiring (*orektikon*) element. The desiring element in a sense shares in the rational principle, in so far as it can obey as well as disobey the rational element (*EN* I.13. 1102 a 32- 1103 a 3).
5. The desiring element is further divided into wish (*boulēsis*), appetite (*epithumia*), and spirit (*thumos*) (*EN* III.2. 1111 b 10-29; *De An.* II.3, 414 b 1-2; III.9, 432 b 5-6).
 - a. Appetite relates to the pleasant and the painful (*EN* III.2. 1111 b 17) and the object of appetite is the apparent good (*Met.*XII.7, 1072 a 27).
 - b. Spirit also relates to the pleasant and the painful (*EN* II.5, 1105 b 21-23) and its object is the apparent, difficult good. The apparent, difficult good is seen as desirable and terminating in pleasure in so far as by means of it one is enabled to enjoy freely pleasant things. (Cf. Thomas Aquinas, *Commentary on De Anima*, Book III, Lecture XIV, 803-806).
 - c. Wish is rational desire (*EN* III.2. 1111 b 10-29; *De An.* II.3, 414 b 1-2; III.9, 432 b 5-6) and the object of wish is the real good (*Met.* XII.7, 1072 a 28). Wish is connected to choice in so far as wish relates to the end and choice to the means (*EN* III.2, 1111 b 27-28).
6. Virtue is a *hexis* that perfects a power of the soul (*EN* II.5. 1105 b 25-29; II.6. 1106 a 15-23; VI.1. 1139 a 15).
7. Some virtues are intellectual, and other virtues are moral. Intellectual virtues include philosophical wisdom, understanding, and practical wisdom. Moral virtues include liberality and temperance (*EN* I.13. 1103 a 4-10).
8. The scientific part of the soul is primarily perfected by philosophical wisdom and the calculative/deliberative part of the soul is primarily perfected by practical wisdom (“Therefore the states that are most strictly those in respect of which each of these parts will reach truth

are the virtues of the two parts.” *EN* VI.2. 1139 b12-13; cf. VI.5. 1140 a 24-b30; VI.7. 1141 a 10-b 8).

9. Courage and temperance are the virtues of the irrational parts [of the desiring element, namely appetite and spirit] (*EN* III.9 1117 b 22-23). In other words, courage perfects spirit and temperance perfects appetite.

Given these principles, an obvious question arises: what virtue perfects wish (*boulēsis*)? We can make progress on this question by determining what the characteristic desires of justice and injustice are.

II

In order to determine what the characteristic desire of justice is, scholars frequently focus on the characteristic desire proper to particular injustice.⁹ This desire is *pleonexia*,¹⁰ the desire for the pleasure that arises from gain in matters such as money, honor, and safety (*EN* V.2, 1130 b 1-4). For instance, people who commit adultery for the sake of gain and make money by their action are motivated by *pleonexia*. They are unlike self-indulgent adulterers, who act at the bidding of appetite even though they lose money and are penalized for their deed (*EN* V.2, 1130 a 24-29). Moreover, whereas all other unjust acts are ascribed to some other type of wickedness, those unlawful actions that are motivated by the pleasure that arises from gain are ascribed to no other form of wickedness except injustice (*EN* V.2, 1130 a 29-32). As the characteristic desire of particular kind of vice, *pleonexia* indicates that apart from the wide sense of ‘injustice’ that corresponds to general justice, there is another sense of ‘injustice,’ viz., particular injustice (*EN*

⁹ In addition to Williams, Urmson, Curzer, and Foster, also see Giles Pearson, “Aristotle on Acting Unjustly without Being Unjust,” *Oxford Studies in Ancient Philosophy*, Vol. XXX (Summer 2006), 211-233.

¹⁰ ‘Πλεονεξία’ could be translated as ‘greediness with a view to one’s advantage’ (see s.v. Liddel and Scott, *Greek-English Lexicon* (Oxford: Clarendon Press 1968)). Alasdair MacIntyre offers another helpful translation—‘having and wanting more’ (see *After Virtue*, 2nd ed. (Notre Dame: University of Notre Dame Press 1984), 137.)

V.2, 1130 a 33). Since one state is often grasped by its contrary (cf. *EN* V. 1, 1129 a 18-25), it follows that apart from general justice there is another sense of ‘justice,’ viz., particular justice (cf. *EN* V. 2, 1130 b 6-15).

Given that *pleonexia* is the characteristic desire of particular injustice,¹¹ to which desiring power does it belong? This is not easy to answer. On the one hand, since it concerns a desire for pleasure (*EN* V.2, 1130 b 4), one might infer that *pleonexia* is a desire based in appetite (*epithumia*). However, not every pleasure is related to appetite, as the pleasure of contemplation (*theōria*) shows (cf. *EN* X.7, 1177 a 24-27). Moreover, since Aristotle contrasts the adulterer motivated by *pleonexia* with the adulterer motivated by appetite (*EN* V.2, 1130 a 24-29), it seems that *pleonexia* is not based in appetite.

I think there are good reasons for believing that *pleonexia* is based on wish (*boulēsis*). Aristotle claims that the unjust person is grasping for goods which, taken absolutely, are always good, even if, for a particular person, they are not always good (*EN* V.1, 1129 b 1-4). Aristotle also states that graspingness is directed at the good (*EN* V.1, 1129 b 10). But the good is the object of wish (*Met.* XII.7, 1072 a 28). Furthermore, Aristotle claims in the *Politics*, “And it is characteristic of man that he alone has any sense of good and evil, of just and unjust, and the like” (*Pol.* I.2, 1253 a 15-17). Hence, the desire for the pleasure that arises from *gain* presupposes that the agent with this desire is rational, because only a rational being is capable of recognizing what is his or her just share of some good and then want more than that share. Brute animals, lacking

¹¹ See Pearson, *op.cit.*

reason and any sense of what is just, are incapable of *pleonexia*.¹² Therefore, *pleonexia* would seem to be a perverse desire based on wish.

III

If *pleonexia* is based on wish and one state is often grasped by its contrary (cf. *EN* V. 1, 1129 a 18-25), then the characteristic desire of justice should also be based on wish. A passage near the beginning of Aristotle's account of justice confirms that it is. Aristotle writes:

We see that all men mean by justice that kind of state which makes people disposed to do what is just and makes them act justly and wish (*boulontai*) for what is just; and similarly by injustice that state which makes them act unjustly and wish for what is unjust (*EN* 1129 a 7-10).

This passage clearly indicates that there is a characteristic desire that is associated with justice—the wish for what is just.¹³

Now >what is just= is vague but, as we have already seen, Aristotle explains that what is just is what is lawful and what is fair (*EN* V.1, 1129 a 32-4), where the latter is a part of the former (*EN* V.2, 1130 b 9-15). Moreover, it is reasonable (perhaps even platitudinous) for Aristotle to imply that the characteristic desire of general justice is a wish for what is lawful and the characteristic desire of particular justice is a wish for what is fair.¹⁴ For it does seem characteristic of just people that they desire to do what is lawful and fair. Furthermore, since just people take pleasure in doing just actions because they are just (cf. *EN* II.3, 1104 b 3-8; II.4, 1105

¹² In the words of St. Thomas, "... the act of rendering his due to each man cannot proceed from the sensitive appetite, because sensitive apprehension does not go so far as to be able to consider the relation of one thing to another; but this is proper to reason" (*S.T.* II-II, q. 58, a. 5).

¹³ What follows repeats my arguments from "Aristotle and the Characteristic Desire for Justice," 119-122.

¹⁴ Williams also seems to think that there is a desire for what is just that all just people have. But he disagrees with Aristotle by holding that, in the case of injustice, there is not a characteristic desire for what is unjust but rather a lack of a desire for what is just (Williams, 197-8).

b 6-9), it would seem that they must desire to do what is just in order for them to feel pleasure in performing just actions.

At this point, it might be objected that my thesis concerning the characteristic desire of justice is trivially true and could easily apply to any of the other moral virtues. For example, Aristotle could easily maintain that the courageous person has a characteristic wish for what is courageous, or that the temperate person has a characteristic wish for what is temperate, or that the person with the virtue of good temper (*praotēs*) has a characteristic wish for what is mild. But of course the spheres of these virtues are not marked by such putatively characteristic desires. Therefore, neither is the sphere of particular justice so marked.

In response, I concede that there is a sense in which the other moral virtues involve a wish for their respective objects. All moral virtues involve a wish for their respective objects in as much as they involve choice (*prohairesis*) (*EN* II.6, 1107 a 1) of their respective virtuous actions, for their own sakes (*EN* II.4, 1105 a 32), and based upon a correct grasp of the end (*EN* VI.12, 1144 a 31-5; VI.13, 1145 a 5-6). Aristotle explains that choice is a rational desire for the means shaped by deliberation (*EN* III.3, 1113 a 10-13; VI.2, 1139 a 22-23). It resembles wish in as much as both choice and wish are rational desires (cf. *EN* III.2, 1111 b 20).¹⁵ As we already pointed out, one reason why it differs from wish is because wish relates to the end whereas choice relates to the means (*EN* III.4, 1113 a 26-27). Since wish gives the desire for the end, and moral virtue involves a correct grasp of the end that is presupposed by choice, each of the moral virtues involve a wish for their respective objects and for their own sakes.

¹⁵ Citing *EE* II.10, 1226 b 2-5 and 1227 a 3-5, John Cooper argues that wish *is* the form of desire involved in choice; see *Reason and Emotion: Essays on Ancient Moral Psychology and Ethical Theory* (Princeton: Princeton University Press, 1999), 242, n. 4; also 119, n. 2.

Nevertheless, there is an important difference between particular justice and at least some of the other moral virtues. In the case of the some of the other moral virtues, such as courage, temperance, and good temper, wish is not the only desiderative element that always contributes to the virtuous action. In these moral virtues there is also a contribution from one of the desires connected to appetite or one of the emotions connected to spirit, and *that* contribution is *characteristic* of the virtue in question.¹⁶ Consequently, in order to exercise these moral virtues as the virtuous do, more than a wish for their respective objects is required; the relevant appetitive desire or emotion must be felt in the appropriate manner. More specifically, in order to act as courageous people do it is not enough to wish for what is courageous. One must also feel the emotions of fear and confidence in the appropriate ways. Similarly, in order to act as temperate people do, it is not enough to wish for what is temperate. One must also desire sensual pleasures in the right sort of way. And in order to act as good-tempered people do, it is not enough to wish for what is mild. One must also feel anger in the appropriate way.

But in the case of particular justice, there are no essential contributions from any of the desires connected to appetite or any of the emotions connected to spirit. There is only the wish for what is just—more specifically, the wish for what is fair. (To the extent that other desires or emotions are involved at all, the situation is no longer merely under the scope of particular justice.¹⁷) But it is not trivially true that the characteristic desire of particular justice is the wish for what is fair. Rather, it is an important feature of particular justice that the desiderative

¹⁶ With respect to courage, temperance, and good temper, the appetitive desires or emotions are characteristic in the first sense of the term. In other cases (e.g., liberality), the appetitive desires (e.g., the desire for wealth), are characteristic in the second sense of the term.

¹⁷ For instance, consider a case where a member of a hiring committee has been offered a sexual favor by a job candidate in return for the job, and declines the offer. The situation not only involves the wish for what is fair, but also appetite for sexual pleasure. Hence, it is a situation that falls under the scope of both particular justice and temperance.

element characteristic of it is a specific kind of wish.¹⁸ The specific content of this wish gets developed in the course of Aristotle's account of justice, such as when he distinguishes different kinds of equality (*EN* V.3, 1131 a 10 ff.).

If the preceding argument is correct, then we have an answer to our question—what part of the soul does justice perfect? Since the characteristic desire of justice is a wish for what is just—in the case of general justice, a wish for what is lawful, and in the case of particular justice, as wish for what is fair—the virtue of justice perfects wish (*boulēsis*), i.e., the rational desire that, among all of the elements of desire, is unique to intelligent beings.

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¹⁸ This may not be unique to particular justice. In his discussion of the virtue of friendliness (*philia*), Aristotle states that it does not require any special feeling toward the people that one meets (*EN* IV.6, 1126 b 22). And in the *Rhetoric*, Aristotle defines friendly feeling towards any one as “wishing (βούλεσθαι) for him what you believe to be good things” (*Rhet.* II.4, 1380 b 35). If Aristotle's definition of friendly feeling is using ‘wish’ in the sense in which it is contrasted to appetite and spirit, and if this passage from the *Rhetoric* can be used to shed light on his discussion of friendliness in the *Ethics*, then the characteristic desire of friendliness apparently involves a specific kind of wish rather than a desire or emotion that is connected with appetite or spirit. (For a different understanding of the use of ‘wish’ in the definition of friendly feeling, see Cooper, 413, n. 9.)

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Thesis: Justice perfects wish—the rational appetite (*boulēsis*).

General justice and particular justice:

1. General justice:
 - a. Is connected to what is lawful and so incorporates the actions of all of the particular moral virtues (*EN* V.2, 1130 b 24; cf. V.1, 1129 b 19-25).
 - b. Is complete virtue, not absolutely, but in relation to our neighbor (*EN* V.1, 1129 b 25-6).
 - c. Its object is another's good (*EN* V.1, 1130 b 20-7), which I interpret to mean the common good (V.2, 1130 b 17-27).
2. Particular justice:
 - a. Is connected to what is fair and it is related to general justice as a part to a whole (*EN* V.2, 1130 b 14), just as the fair and the lawful are related as part to whole (cf. *EN* V.2, 1130 b 10).
 - b. Has characteristic good actions, such as the actions of repaying a loan and honoring those who have performed exemplary community service (cf. *EN* V.2, 1130 b 30-1131 a 9).
 - c. Is divided into two species: distributive and rectificatory (cf. *EN* V.3, 1131 b 24; V.4, 1131 b 25-7). Distributive justice concerns the distribution of goods among the citizens of a state and aims at a geometrical mean. Rectificatory concerns transactions between individuals and aims at an arithmetical mean (*EN* V.2, 1130 b 30- 1131 a 1; cf. V.3, 1131 a 21- b 24; cf. V.4, 1131 b 25-1132 b 20).

Aristotelian principles:

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- b. Spirit also relates to the pleasant and the painful (*EN* II.5, 1105 b 21-23) and its object is the apparent, difficult good. The apparent, difficult good is seen as desirable and terminating in pleasure in so far as by means of it one is enabled to enjoy freely pleasant things. (Cf. Thomas Aquinas, *Commentary on De Anima*, Book III, Lecture XIV, 803-806).
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 9. Courage and temperance are the virtues of the irrational parts [of the desiring element, namely appetite and spirit] (*EN* III.9 1117 b 22-23). In other words, courage perfects spirit and temperance perfects appetite.
 10. The characteristic desire of particular injustice is *pleonexia*—the desire for the pleasure that arises from gain in matters such as money, honor, and safety (*EN* V.2, 1130 b 1-4).

Inferences:

1. There are good reasons for believing that *pleonexia* is based on wish (*boulēsis*). (See *EN* V.1, 1129 b 1-4; b 10; *Met.* XII.7, 1072 a 28; *Pol.* I.2, 1253 a 15-17).
2. If *pleonexia* is based on wish and one state is often grasped by its contrary (cf. *EN* V. 1, 1129 a 18-25), then the characteristic desire of justice should also be based on wish.

- a. A passage near the beginning of Aristotle’s account of justice confirms that it is. Aristotle writes:

We see that all men mean by justice that kind of state which makes people disposed to do what is just and makes them act justly and wish (*boulontai*) for what is just; and similarly by injustice that state which makes them act unjustly and wish for what is unjust (*EN* V.1, 1129 a 7-10).

- b. Now >what is just= is vague but Aristotle explains that what is just is what is lawful and what is fair (*EN* V.1, 1129 a 32-4), where the latter is a part of the former (*EN* V.2, 1130 b 9-15).
- c. Moreover, it is reasonable (perhaps even platitudinous) for Aristotle to imply that the characteristic desire of general justice is a wish for what is lawful and the characteristic desire of particular justice is a wish for what is fair. For it does seem characteristic of just people that they desire to do what is lawful and fair.