

# The Academic Synopticon

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## Part Fifteen.

### Philosophy, Politics, and Economics from the Ancients to the Twentieth Century

#### Philosophy and Politics in Plato's Republic

Translations of Plato by Benjamin Jowett, *The Republic*, 3rd edn (Oxford, 1888)

“Just because you do not take an interest in politics doesn't mean politics won't take an interest in you.” attr. to Pericles (fl.440BCE)

The techniques of Socratic dialogue, exemplified by Socrates in dialogues of Plato (c429–347BCE), artfully display language's power for conducting logical debate. Politics is also about power. Where the power of logic and the power of politics meet, no one could be unaffected. Before analyzing some oft-used logical tactics in one prominent dialogue, *The Republic*, the basics of logical reasoning should be surveyed.

Spoken conversation and written composition display the endless uses for language. One of those uses is called logic, which consists of the best methods to think rationally, change beliefs responsibly, and make reasonable judgments. Language and logic depend on each other. To think rationally, one will think about matters in symbolic ways, such as “If this now, then that next,” and “Either this one, or maybe that one.” And to communicate clearly, others will listen for logical patterns of thinking. That co-dependency between language and logic is even displayed when they appear to head in different directions.

#### Language and Logic

Does language usually ignore logic? To accomplish so many of its purposes, what we say or write pays no attention to logicity, or even strict rationality. What we say and write is about whatever happens to be on our minds at the time. These sorts of sentences are not statements, but rather kinds of speech acts, and they won't be components to logic arguments. They could provoke an argument, perhaps a combative argument if not a logic argument, but their purpose goes in a different direction.

Exclamation     “I said to him, excellent man, how suggestive are your remarks!”

Question        “What is the meaning of the word ‘justice’? To tell the truth and pay your debts?”

Plea              “I beg you, please take some time and reconsider your decision.”

Proposal        “I propose therefore that we enquire into the nature of justice and injustice.”

Obligation      “I must go now, for I have to look after the sacrifices.”

Bequest	“I hand over the argument to Polemarchus and the company.”
Legality	“They [guardians] alone of all the citizens may not touch or handle silver or gold.”
Imperative	“You are commanded to take up arms and go to war in defense of your homeland.”
Instruction	“Take this prescription drug to relieve your bad headache.”
Inception	“This new company is hereby officially inaugurated!”
Commendation	“There is something truly divine in being able to argue as you have done!”
Christening	“This new ship is now christened as the U.S.S. Enterprise.”
Fiction	“I will tell you a tale; a tale of a hero, Er the son of Armenius.”

Any of us would have our own reasons for making these kinds of sayings, urgings, and praisings, but they aren’t uttered to serve as statements connecting other statements as argumentative reasons. Our daring proposals or fictional tales would be less entertaining if the imagination had to halt at cold facts or logical consistency. Our persuasive requests might bend the truth a little, while our guessing predictions may jump to hasty conclusions. When we need to be obeyed, or we want our advice to be followed, the force behind our messages goes directly to the point. And when our self-expressions say what we really think and feel, that sincerity is more important than verifiability. Inner viewpoints and perspectives will always be our truths, no matter how others react.

Nevertheless, we wouldn’t know how our own thoughts are importantly different from the ideas of others without some logical comparison. The eye-opening thought that “I’m going to have to contradict that person to express my belief,” reveals logic at work. More thought-provoking is a logical realization that, “Between her view and mine, only one view could actually be correct.”

After further consideration, one may even start to reasonably think, “It seemed as if only one of our views can be true, but perhaps we are both mistaken due to something deeper here.” Having a way to learn how far one could be from the real truth, due to our own biases, prejudices, or bad habits, is a crucial service performed by logic.

Knowing where and when to apply logical skills is just as important to know how to use them. Supposing that most anything someone says in all seriousness has to be promptly analyzed and evaluated with logic could only be a large waste of time and talent. Socrates of ancient Athens, Plato’s revered teacher, knew when and how to apply logic arguments to issues and debates that were never anyone’s waste of time. Did Socrates give any logical arguments for his views of politics and justice? Actually, every argument using logical relations to support a conclusion is a logical argument, rather than a rhetorical argument or an angry argument lacking much logic. However, in plain English, a “logical argument” means “a reasonable argument” rather than only a “reasoned argument.” There are entirely logical and well-reasoned arguments concluding that “democracy is the best form of government” and equally well-reasoned logical arguments concluding that “democracy is not the best form of government.” Logic demands that asserted conclusions are logically supported – it is not logic’s business whether a

conclusion sounds pleasant or unwanted. Logic does reveal where dubious or objectionable premises are implicated, so that reasoned arguments won't be credible.

Let's look into Book 1 of Plato's *Republic* where Socrates has conversations with several people about wisdom, religion, politics, and justice. Some of these conversations contain passages that provide "arguments" in the logical sense: at minimum, some statements are logically connected in a way that makes another statement, the conclusion, be more credible and possibly worth believing.

### Listening Carefully to Wisdom

Reading the opening pages of Book 1 allows us to get acquainted with Socrates, who has a reputation in Athens for being a very interesting guest at one's home, and Cephalus, the elderly and wealthy gentleman who welcomes Socrates into his fine house. Part of Socrates's reputation has to do with his incessant habit of asking penetrating questions about deep matters, and expecting his conversation partners to keep up with their own thoughtful answers. But most of Socrates's reputation rests on the way that he is rarely satisfied with the answers he hears, especially from other intellectuals and elites in Athens. And he doesn't hesitate to explain why there have to be better answers, by putting together logic arguments against some views and offering other logic arguments favoring different views. He thought of himself as an admirer of wisdom, a "philosopher" as such intellectuals were later called, and also as a teacher of younger men expecting to have a place in the wider civic and political affairs of their city of Athens.

As we listen in as a silent audience to the first significant conversation, between Socrates and Cephalus as they settle down for his visit, our attention sharpens as Socrates pleasantly asks Cephalus about what is like to reach such a respectably old age. This initial encounter confirms for the audience that Socrates acknowledges what is obvious. Because Cephalus is elderly, we are in the presence of some wisdom, probably gained from living a successful life of wealth and status, and that wisdom seems strengthened by his unwavering fidelity to ancient traditions and customs. We can also hear Cephalus speak confidently about his views on what is like to reach old age.

Cephalus: "... at our meetings the tale of my acquaintance commonly is—I cannot eat, I cannot drink; the pleasures of youth and love are fled away: there was a good time once, but now that is gone, and life is no longer life. Some complain of the slights which are put upon them by relations, and they will tell you sadly of how many evils their old age is the cause. But to me, Socrates, these complainers seem to blame that which is not really in fault. For if old age were the cause, I too being old, and every other old man, would have felt as they do. But this is not my own experience, nor that of others whom I have known. ... For certainly old age has a great sense of calm and freedom; when the passions relax their hold, then, as Sophocles says, we are freed from the grasp not of one mad master only, but of many. The truth is, Socrates, that these regrets, and also the complaints about relations, are to be attributed to the same cause, which is not old age, but men's characters and tempers; for he who is of a calm and happy nature will hardly feel the pressure of age, but to him who is of an opposite disposition youth and age are equally a burden." (329a-d)

This brief speech by Cephalus sounds like the first extended pronouncement of a logic argument in *The Republic*. Cephalus uses some words that stand out, especially "For certainly..." and "The truth is..." An argument, for logic, would have to do with something could be right and true, or at least potentially correct and perhaps worth believing. Cephalus is doing more than offering his personal opinion when he states a truth to be acknowledged by others such as Socrates. His truth is this: "these regrets, and also

the complaints about relations, are to be attributed to the same cause, which is not old age, but men's characters and tempers."

Maybe Cephalus is right and maybe he is wrong, but he does give some reasons why anyone should think that his view could be correct. That is the genuine character of an argument in logic.

Particular things that Cephalus brings up are about his own observations, or about what other people have said. Some of his statements are about general aspects of life, or about the personalities of individuals, that many people would find interesting. By themselves, these are not argumentative for logic.

"I hear people my age complain about no longer being able to keep eating and drinking, or having fun and romance, or getting along with their families, as they did when younger."

"Elderly people who complain about the evils of their lives blame their condition of being quite old."

"Although I am old, I don't feel so badly about life like they do, as my life seems calmer."

"Before old age, pleasures and passions have great control over younger people."

"In old age one's passions subside, no longer compelling us to do so many excessive things that youth does."

"Someone who has always had a calm and happy nature will hardly feel the troubles of getting old."

These sorts of statements made by Cephalus are not, just by themselves, constituting an argument in the logical sense.

A recollection of general opinions heard from many people.

A report about what significant people think about this or that topic.

An account of a personal experience and how that experience made an impression on oneself.

An explanation for some observed conditions or for how something works.

A viewpoint is offered to share some wisdom or advice.

A judgment is made about what will happen, or what probably should happen.

These sorts of statements need not be suspect or untrustworthy by themselves, so long as they represent sincere and unbiased thoughts. Just the same, by themselves, they do not add up to anything more than items for consideration if one has the time and curiosity. In fact, a little curiosity is just what should get aroused by unexpected or unfamiliar thoughts.

It makes good sense to give any of these kinds of thoughts some critical attention before simply accepting them or repeating them yourself. Although the ideas of others come with the partial perspectives of the people offering them, the responsibility for accepting them is mainly on the receiver,

not just the giver. Each person should be held accountable for both what one believes for themselves, as well as what they believe from others. If you go ahead and believe in something without that extra thoughtfulness, you yourself are introducing some sort of cognitive bias coming from within your psychology, which lessen your chances of holding onto genuine information.

## Cognitive Biases

Cognitive bias generally reveal themselves as beliefs get influenced more by mere accessibility, superficiality, familiarity, or congeniality than objective reasons for its rightness or accuracy. Biases all have affective aspects: emotional or motivational impulses behind believing. Acting on emotions and motives (such as liking or fearing something) may be entirely reasonable in situations calling for quick judgment and fast action. Situations needing careful consideration or thoughtful insight should not be handled only in affective ways, but with more cognitive methods. Failing to be cognitive and reflective enough in one's thinking allows motives and mistakes to dominate.

Anyone's thinking is commonly and constantly taking fast "short-cuts" to judge matters and make quick decisions all the time. Ordinary thinking is motivated thinking, because we are in the midst of taking practical action as we do what needs to be done. The brain is equipped with dozens of information processes operating to yield more information from little data. What we can see for ourselves, what we can hear from others, what we can remember from advice, and so on, allows us to perform very complex activities with efficiency. From minute to minute and hour to hour, we act sensibly and intelligently thanks to these fast heuristics.

However, all that cognitive efficiency has a price, as these informing processes reach their own practical limits. They will make you think that things are real when they aren't, make something seems persuasive when it shouldn't, and make you seem smarter when you aren't. Cognitive biases are the result, as our thinking deviates away from prudent routes towards good inference, better knowledge, and more truth.

For each sort of statement below, none of them amount to an argument in its logical sense, so we don't apply the standards of strict logic argumentation to them. However, each one can lead us towards various sorts of cognitive biases, and if we allow them to dominate our thinking, we can fall into a fallacy of bad reasoning.

### *A recollection of general opinions heard from many people.*

Candid and collective beliefs can be shared among plenty of people, while some people may disagree with that majority view. Admitting that widely-held beliefs may have some merit is not unreasonable, so long as those beliefs are independently confirmable. However, expecting agreement with majority opinion is exhibiting a cognitive bias about conformity. That bias allows conventionality to control belief, which is not truth. The notion of "our truth" can at most mean "commonly believed" or "our view." Without sufficient argument, supposing that "We all believe X" implies "Everyone knows X" commits the Bandwagon Fallacy. If everyone can actually know something, there must be better reasons than just a lot of people believing it.

### *A report about what significant people think about this or that topic.*

Note-worthy assertions from particular personages can be interesting, going beyond the usual experiences of ordinary people. Considering the pronouncements of important people is not unreasonable, where their particular experiences back them up. However, prioritizing assent with higher-status people is perpetuating a cognitive bias about idolization. That bias allows popularity to

guide belief, which is not truth. Without sufficient argument, supposing that “Prominent people say X” implies “It’s smart to say X too” commits the Ad Populum Fallacy about vanity or prestige. If something said by prominent or popular people has value or validity, there would be justifying reasons behind it.

*An account of a personal experience and how that experience made an impression on oneself.*

Sincere but subjective beliefs held by one individual may be worth listening to, while others’ beliefs will naturally differ. Understanding how someone thinks and feels is never a waste of time, but naively believing another’s notion slows one’s own intellectual growth. Someone getting indignant about others hesitating to agree is displaying a cognitive bias about conceit. That bias causes self-certainty to dictate one’s conviction, which is not truth. The notion of “my truth” can at most mean “my witnessing” or “my intuition.” Without sufficient argument, just supposing that “I know X myself” implies “Anyone must admit X too” commits the Subjectivist Fallacy. If X is generally knowable, there must be additional available reasons.

*An explanation for some observed conditions or for how something works.*

Discovering how two things are connected is always valuable information, but others can also find different explanations too. We are all curious and inquisitive people who want to figure out what is going on to find relationships between events. Sometimes a proposed causal relationship is taken for the final answer before enough evidence has been gathered, sifted, and evaluated, due to a cognitive bias about correlation. That bias causes a high level of confidence that a pattern of coincidences is a genuine correlation that indicates a causal relationship. Without sufficient argument, just supposing that “This is an interesting correlation” implies “There must be a causal relationship here” commits the Causal Illusion Fallacy.

*A viewpoint is offered to share some wisdom or advice.*

Forthright and helpful guidance can provide timely insight, although it may not be so relevant at other times. People can be remarkably generous about giving some instruction or lending their counsel. Sometimes the words of a well-informed adviser can be credited with greater weight than they deserve, due to a cognitive bias about validation-seeking. That bias causes a false sense of security belonging to a group “in the know,” which is not truth. Without sufficient argument, just presuming that “A respected person tells us X” implies “We can heed X without question” commits the Appeal to Authority Fallacy. If this person actually knows X, sharing good reasons for thinking X should be explainable.

*A judgment is made about what will happen, or what probably should happen.*

Predictions about the future help us to foresee events ahead of time, but most predictions don’t turn out quite right. Experts often disagree because they rely on differing sources for their information or discrepant methods of projecting trends. It may happen that projections of an expert fail to take into account all of the evidence, due to a cognitive bias about selectivity. That bias causes a false sense of overconfidence in “the best evidence,” which is not truth. Without sufficient argument, assuming that “Our evidence so far supports X” implies “X is a reliable projection” commits the Hasty Generalization Fallacy or another fallacy about trusting incomplete evidence. If there is solid reliability to X, a thorough and impartial examination of all available evidence would continue to support it.

There are additional types of statements we hear from other people or make ourselves, and many more cognitive biases at work within the ways that we think about things and arrive at beliefs. We will continue to encounter these issues as we proceed.

As for Cephalus, we aren't hearing anything to make his audience suppose that he is being less than sincerely helpful with his observations on life. Does he do more than lead his audience towards seeing life and old age the way he happens to view them?

### Assembling an Argument

A good sign that Cephalus is employing this conversation for assembling an argument for a conclusion does appear when he admits disagreeing with the views of others. He says, "But to me, Socrates, these complainers seem to blame that which is not really in fault." If that was the last observation Cephalus makes, the conversational momentum would be lost, and his audience would be left wondering why Cephalus doesn't think that old age causes those troubles. However, Cephalus continues with a statement that starts, "For certainly..." That alerts us to his intention to explain why he won't put all the blame on old age. The word "for" indicates that he has a good reason in mind to support his view on old age.

The word "for" often serves an indicator word alerting the reader to a reason being stated to be part of an argument. The word "for" has other uses too, so the reader must check whether a full sentence follows that "for". Consider this example of a sentence that uses 'for' but not for indicating a reason:

He followed her into the library, for he wanted to see books used for stacking up to the ceiling.

The first 'for' starts a statement but its just an explanation. The second 'for' has no statement after it – "stacking to the ceiling" is a sentence fragment.

Lists can be assembled for words that (usually) serve as premise indicators and conclusion indicators.

#### A partial list of premise indicators

And (starting a sentence)	in that
But (starting a sentence)	in view of
, and (also a subclause indicator)	may be concluded from
, but (also a subclause indicator)	may be inferred from
after all	my reason is
as indicated by	owing to
because (also an explanation indicator)	on the basis of
for ('for example' is not an indicator)	on the grounds that
for the reason that	seeing that
given	since
given that	the evidence is
in as much as	we know this by

#### A partial list of conclusion indicators

accordingly	hence
as a result	implies that
consequently	it follows that
entails that	it must be that
for this reason	shows that

so  
therefore  
thus  
we may conclude

we may infer  
wherefore  
which implies  
which means that

Let's return to the developing argument by Cephalus. Another good sign of development is the word "certainly" which suggests that Cephalus not only thinks that "old age has a great sense of calm and freedom," but also he thinks that anyone would see the good sense in that view. In case someone can't see that view's good sense yet, Cephalus repeats the idea, pointing out, "when the passions relax their hold ... we are freed from the grasp not of one mad master only, but of many." And Cephalus's "truth" announces that there is a different cause responsible for the way that many elderly complain about getting old.

C1. Elderly complainers tend to blame that [old age] which is not really in fault.

C2. Old age offers a sense of calm and freedom from many passions that dominate younger people.

C3. Something else besides old age is responsible for the complaining heard from elderly people.

These three views of Cephalus do not compose a full *argument* according to logic, but they are getting closer. Such thoughts may strike some in the audience as exaggerated or misguided. So far, these views of Cephalus might arouse a *controversy*, an exchange of contrary thoughts that clarifies why opposed viewpoints have to clash. Each side states reasons already convincing to themselves, not expecting to convert the other side with reasons acceptable to all.

As Cephalus elaborates his position on old age, he brings together views that anyone could acknowledge, and builds an initial argument with two premises and a conclusion:

C4. If old age is the cause of elderly complaints, then all old people complain about age's troubles.

C5. Some old people do not complain about old age.

C6. So, considering 4 and 5, old age is not the cause of elderly complaints.

These three statements can be re-stated formally: If P then Q, but not Q, so not P. This is the Modus Tollens type of deductive argument, and it is always valid. The substitution of letters for statements looks like this:

P = old age is the cause of elderly complaints.

Q = all old people complain about age's troubles.

not-Q = it is not the case that all people complain about age's troubles.

not-P = old age is not the cause of elderly complaints.

As a formalized argument with logical symbolization, it looks like this:

1.  $P \rightarrow Q$

2.  $\sim Q$

3.  $\therefore P$

A deductive argument is *valid* so long as its conclusion must be true while its premises are taken to be true. It is irrelevant to validity whether any of the premises or the conclusion are “really” and verifiably true. An *invalid* deductive argument makes it inconceivable how all premises could be true yet the conclusion be false. Validity is crucial, since no reasonable person wastes any more time on an invalid argument. What is convincing is a valid argument not relying on any wrong premises. Valid deductive arguments with true premises are called *sound* arguments. Just one mistaken, disputed, or unknowable premise leaves the whole valid argument *unsound*, and the conclusion can’t be credible. In Propositional Logic, the symbolizations are as follows:

Proposition “P”	P (or any letter as needed)
Negation “not P”	$\sim P$ or $\neg p$
Conjunction, “R and S”	$R \wedge S$ or $r \cdot s$
Disjunction, “R or S”	$R \vee S$ or $r \vee s$
Conditional, “If R then S” or “R implies S”	$R \rightarrow S$ or $r \supset s$
Biconditional, “R implies S, and S implies R”	$R \leftrightarrow S$ or $r \equiv s$
Rule of Substitution, “R is equivalent to S”	$R :: S$
Conclusion, “Therefore, R”	$\therefore R$

Returning to Cephalus’s views on old age, he has, by the half-way stage of his remarks, offered two connected reasons to think that something else beside old age is behind elderly complaints. Perhaps that sounds like a controversial opinion, but we have more to ponder.

C7. Besides getting old, the elderly all carry their own natures into old age.

C8. Considering 6 and 7, something about the natures of elderly people is responsible for their complaining or not complaining.

Cephalus plans on pointing out something already inside elderly people that they carry into old age from youth. Statements C6, C7, and C8 have this structure: Either P or Q, but not Q, so P. This is the Disjunctive Syllogism type of argument, and it is always valid.

- (a) Either something happening to us, or something innate in us, is causing our behavior.
- (b) It is not something happening to us (old age) to cause our behavior.
- (c) So, something innate in us is causing our behavior.

His audience is alerted in this way to Cephalus’s “truth” to explain how elderly people react to old age. He spells out his particular insight about human nature like this:

C9. A nature that is calm and happy lets some elderly people enjoy old age’s sense of calm and freedom much more.

C10. A nature that is not calm and happy lets some elderly people enjoy old age’s sense of calm and freedom much less.

C11. Considering 9 and 10, a person’s natural character and temper is responsible for how one may or may not enjoy old age.

That conclusion is reached from the sort of argument with this form:  $(P \wedge Q) \rightarrow R$ , and  $(P \wedge \sim Q) \rightarrow R$ , so therefore  $P \rightarrow R$ . In effect, whether Q or  $\sim Q$  is involved, it must actually be P causing R. This is not a valid deductive argument since P still may not be the main cause of R, so committing to P causing R would commit the Fallacy of False

Cause. This kind of argument, with more evidence about the conditions for R, is a kind of Inductive Argument from Abduction, and it can only strongly suggest a probable cause.

Socrates doesn't sound surprised about the idea of crediting one's own nature for the way one views and conducts one's life. Although that seems wise, he suspects that more factors are also involved. Upon questioning, Cephalus admits that his wealth has allowed him to be living a mortal life of fewer troubles, as well as feeling less troubled about an afterlife. He has never wanted to, nor had to, deceive or defraud anyone – his life has been one of good business and dealing fairly with others. Hence, he will not be punished in the afterlife (331b) because the gods only justly punish those who have lived unjust lives.

### Seeking a Definition of Justice

Socrates notices the specific view of justice – speaking the truth and paying your debts – that makes Cephalus so confident. That permits them both to appreciate the overall point being made:

- A. One's inner nature is a disposition about appreciating one's life.
- B. One's idea of justice is a guide to conducting one's life.
- C. One's understanding of the gods is a clue to knowing one's fate.

Cephalus can see how he appreciates his life's good fortune, and his life's good fairness. He has been able to justly deal with everyone on earth, and he expects the gods to justly deal with him in death. Only one idea of justice is needed for a life and an afterlife, a specific idea for both humanity and divinity that Cephalus endorses.

C12. The idea of justice as "honesty and paying debts" is the same as the gods' idea about delivering justice.

C13. Because the gods are just (12), they are honest with humanity and repay their obligations to humans.

C14. Due to that divine honesty, myths about the gods truly depict how they reward just souls in the afterlife.

C15. Because of 12 and 14, an honest and debt-paying person will be divinely rewarded in the afterlife.

This argument of Cephalus can be stated in a formal way: If P then Q, If Q then R, so If P then R. This is the Hypothetical Syllogism type of argument, and it is always valid.

If the gods are just (P), then they reward justice (Q).

If the gods reward justice (Q), then they reward people who lived justly (R).

So, if the gods are just (P), then they reward people who lived justly (R).

And Cephalus not only believes that the gods are right and just (that's what a god should be like), but he also thinks that the specific conception of justice held by the gods is precisely what his life's career has followed, staying honest and fair-dealing. This argument has the formal structure of: If P then Q, and P, so Q. This is the Modus Ponens type of argument, and it is always valid.

C16. If the gods will reward people who lived justly with fair-dealing (R\*), then they will reward someone like me who lived justly with fair-dealing (S).

C17. The gods will reward people who lived justly with fair-dealing (R\*).

C18. Due to 16 and 17, the gods will reward me, who lived justly with fair-dealing (S).

The basis for Cephalus's confidence about his fate is now clear. Socrates doesn't need to explicitly point out what the nearby listeners have surely noticed, that (i) Cephalus has conveniently accepted mythic picture of the gods as business-like and fair-dealing, and (ii) if Cephalus is mistaken about this specific conception of justice, then he is mistaken about what the gods will do to his soul in the afterlife. His audience, like ourselves, can further appreciate that affirming the true conception of justice has to make an enormous difference to anyone's life and afterlife. As for Cephalus, his inner nature (calm and moderate) and his idea of justice (fair-dealing) aligns with his picture of the gods (as honest and fair). Altogether, Cephalus's public reputation matches his personal thinking, as a traditional and transactional individual. His "wealth" of wisdom tells him that right and wrong are about upholding the customs and giving what you get. His gods entirely agree.

Socrates latches onto that specific conception of justice praised by Cephalus, and wonders if this idea of justice could really be satisfactory as a complete definition, saying "... no more than this? And even to this are there not exceptions?" There shouldn't be exceptions to a conception as important as justice. Since justice is always right and righteous (as everyone would suppose), then "honesty and giving what is owed" must always be in the right, for anyone anywhere, under any circumstances. After all, justice does appear to be essential to everything about a well-lived life.

And then Socrates offers a hypothetical situation, in which a friend, now sounding mentally disturbed, asks you for a weapon to be returned. "Suppose that a friend when in his right mind has deposited arms with me and he asks for them when he is not in his right mind, ought I to give them back to him? No one would say that I ought or that I should be right in doing so, any more than they would say that I ought always to speak the truth to one who is in his condition." (331c) Our reaction to this case is no doubt the right one, that it would be right to deceive this friend about the weapon so it isn't handed over. Returning what is owed would be harmful to your friend, and whoever your friend intends to hurt with that weapon. Socrates's first full-length argument in *The Republic* proceeds as follows.

S1. If justice is "honesty and giving what is owed," then honestly returning what isn't yours must be the right deed.

S2. Just one situation in which returning what isn't yours cannot be the right deed is a case showing that justice cannot be defined as "honesty and giving what is owed."

S3. Returning a weapon owed to a friend while mentally disturbed is not the right deed to perform.

S4. Therefore, justice cannot be defined as "honesty and giving what is owed."

This argument can be simplified in that formal scheme *Modus Tollens* that we have seen already: If P then Q, but not Q, so not P. When Q is about a case that exposes a poor definition, we are appealing to a logical rule, the Rule of No Counter-Examples.

Socrates is not arguing that Cephalus's conception of justice is entirely wrong; indeed, his conception is a limited and partial view of justice that doesn't need to be discarded entirely. Conceiving justice as requiring repayment from those who have taken something is a common idea, that idea of "an eye for an eye" justice: the wrongdoer must suffer the same wrong done to someone else. We now call this "retributive justice" and proven criminals get their proportionate punishments.

As a conception, what Cephalus says is justice can at least be clarified and tested against case situations, which Socrates has done. It turned out, as he himself admits too, that Cephalus's conception cannot be the entirely correct *definition* that applies under all circumstances.

Why does Socrates work so hard at testing and refining definitions of ordinary words like “justice”? Anyone could suggest a common sense idea of justice. Asking lots of people would show how people use the word, and thousands of other common words to a language. What people say and how they commonly say it – their “diction” – can be collected and collated by linguists and assembled into dictionaries. Even if Socrates or Plato didn’t have a handy dictionary for the Attic Greek of their times (later periods compiled such books), they were well-conversant with popular literature, theater, and oratory. Popular usage is reflected in a dictionary definition, but a good dictionary displays the multiple uses and meaning of a word. Indeed, the more common a word is, the more meanings it has, and the more vague those meanings get.

For Socrates, most thoughts and beliefs that people entertain are vague ideas lacking precision, so conversations about those ideas don’t amount to anything more than the exchange of opinions. Dictionary meanings are no help there. A significant word deserves a more precise and stable meaning. Some thoughtfulness produces conceptions with clear precision that can be affirmed with conviction, and they are ready for deployment in the course of controversies or other sorts of discourses. For example, defining a term by explication would assign it an operational, theoretical, or genus-and-species definition. These explicatory definitions are better than just dictionary definitions for establishing a shared understanding. Scientific, legal, bureaucratic, and academic terminology construct their precise conceptions in these ways.

Socrates is seeking out conceptions of important matters, such as justice, that are able to logically survive the tests of counter-examples and contradictions. A conception surviving any proposed counterexample and hiding no self-contradiction (as we see with Polemarchus) would serve as a definition satisfying all participants in a conversation or the sides to a controversy. Logical definitions are (by definition) accurate under all circumstances for all people everywhere. Only one higher level of abstraction reaches Formulaic definitions (found in mathematics, pure logic, and computation) where a set of definitions are primitive or iteratively definable among each other without anything going logically undefined in the system.

Socrates will reveal what he thinks is the best definition of justice, after discussions with Polemarchus and Thrasymachus. The key Greek term in *The Republic* is *dikaiosune*, translated as “justice.” The root Greek word *dike* meant “the right way” and *dikaiosune* refers to acting justly and righteously in life. For Socrates and Plato, this justice is simultaneously a personal virtue, a moral obligation, and a political duty: to live a just life requires exemplifying the character of an ethical and civic-minded citizen. Although it is possible to appear to be law-abiding in public yet secretly immoral, Socrates argues in *The Republic* that the only worthy and happy life seeks what is justly right among others personally *and* pursues what is true justice in public affairs. That would be authentic and complete justice.

### Testing Definitions for Contradictions

Polemarchus, Cephalus’s son, offers a differing conception of justice that covers that strange case of returning a weapon, for one wouldn’t knowingly harm a friend. This revised conception (334b-c) says:

P1. Justice is doing good for friends, those thought to be good, and harming those thought to be bad, who are enemies.

Socrates then points out, and Polemarchus comes to agree, that a person might be mistaken about one’s “good” friends when some are actually bad and unjust (334). Likewise, a person might think that another person is an “enemy” although that person is truly good and just. Take either case – justice according to P1 would require justice to someone unjust and injustice to someone just.

S5. Doing good for an unjust friend (as P1 allows) cannot be justice.

S6. Doing harm to a just enemy (as P1 allows) cannot be justice.

S7. The conception of justice by P1 causes injustice.

As Socrates then reasonably points out, no proper conception of justice should be self-contradictory like this. True justice would never equate to its opposite of injustice. More formally, this argument of Socrates has this schema:

P

If P, then Q.

But, if Q then by further argument we reach not P.

So, P and not P.

But it is always false that “P and not P”. This is the logical Law of Non-Contradiction.

Therefore, P cannot be correct.

P1 therefore fails as a definition of justice because it turns out to be self-contradictory. The point to employing sound definitions in arguments is the expectation that no one should get exposed in a self-contradiction, which may be the fastest way to lose in a debate. There are many ways to end up contradicting oneself in a debate if one’s reasoning isn’t logical enough, but such troubles shouldn’t start from a poor definition. So far, Socrates has put to good use his general requirements for a definition: *a proper definition must not be self-contradictory, as well as free from counter-examples.*

Socrates sees a learning opportunity with Polemarchus, who wants to revise the conception of justice again to avoid self-contradiction. How did Polemarchus arrive at an unjust idea of justice, which, as Socrates points out, permits stealing from adversaries in order to benefit allies?

Perhaps the wealthy world of his father has seeped into Polemarchus’s head, since business encourages those with financial power to exploit and steal from the working class, with the “just” excuse that those without wealth evidently don’t deserve more money (they have little to fairly exchange for more money) and they are “bad people” anyways (they criminally steal from the wealthy when they can).

P2. Either you are akin to me as a trustworthy ally, or you are alien from me as an untrustworthy adversary.

It is not hard to understand how Polemarchus has been raised to perceive and categorize the world around him. Everything in society about harsh competition where one is a winner, or a loser. This perspective exemplifies the Zero-Sum Fallacy, where one assumes a rigid divide between two things so that one’s increase or gain must be the other’s diminishment or loss. This type of “either be with me or against me” stance leave no room for neutrality.

P3. Society is divided into two parts, the righteous people like me or all the evil people.

P4. If you are not among my good “in-group,” then you are from the evil adversaries.

P3 and P4 are logically convertible – if one is true then the other is true:  $(A \text{ or } B) \leftrightarrow (\text{not } A \rightarrow B)$ . This is the logical substitution rule of Material Implication, and it is always valid.

This is all about class privilege and prejudice. That blind loyalty Polemarchus shows towards the rich like he and his family is a soldier’s virtue (332e); “Polemarchus” in Greek spelled out “warlord.” Yet Polemarchus comes to see some wisdom in the idea that it cannot be just to do evil to those who aren’t unjust, so he amends his conception of justice (335a):

P5. Justice is doing good to those who are truly good and doing harm to those who are truly bad.

Today we call this Procedural Justice, which methodically judges who is a good person (the innocent) and who really is a bad person (the guilty by trial).

Socrates isn't satisfied that the revised conception of justice is entirely free from self-contradiction. He notices that this conception requires justice to do harm to people deemed bad. Indeed Retributive Justice and Procedural Justice require such harm: this is essential to the justice of a Criminal Justice system. However, Socrates is contemplating an even higher conception of justice, fitting for the supreme power wielded by a government as it conducts the criminal justice enforcement of its laws.

Socrates points out that we wouldn't call something a virtue if it makes individuals into worse people. Better people have real virtues. Justice must generally be a virtue, not just for some, but for anyone.

S8. If justice is inherently a virtue (common sense) then justice makes a person a better person (as virtue must).

S9. Justice by P5 requires the kind of harm making someone a worse person.

S10. From 8 and 9, that P5 justice is not virtuous.

S11. Justice cannot inherently be a virtue and sometimes not virtuous.

S12. Therefore, P5 is not a proper definition of justice.

Formally, this argument invokes the Law of non-Contradiction: If P then Q, and if Q then not P, so If P then not P, but not(P and not P), so therefore not P.

Socrates reaches a welcome conclusion to his friendly controversy with Polemarchus after this discussion of arguments over defining justice: "Then if a man says that justice consists in the repayment of debts, and that good is the debt which a just man owes to his friends, and evil the debt which he owes to his enemies,—to say this is not wise; for it is not true, if, as has been clearly shown, the injuring of another can be in no case just" (335e).

For a criminal justice system, that great power of a government should ultimately aim at benefitting the character of criminals towards virtue with Reformatory Justice, no matter that myths or prejudices say that inner nature can't be changed. After all, a just person, and a just government, would only seek to benefit people and never really harm them.

S13. The correct definition of justice is *What is Good for each Person and Good for all People*.

S14. The genuine implementation of justice requires *Making all people more Good and more Just*.

Together, Socrates's kind of supreme justice is called "Social Justice." Social Justice seeks the improvement of each and every person, and never the degradation or dehumanization of anyone. Social Justice ranks as the highest of all forms of justice, including and perfecting them:

Social Justice (complete and true justice)  
Reformatory Justice  
    Procedural Justice  
    Retributive Justice

In the hands of Socrates and Plato, Social Justice determines laws aiming at improving the population, while the promotion of justice attempts Rehabilitation Justice, through legal processes of Procedural Justice that adjudicate when Retributive Justice is imposed. Even if punishments aren't appreciated, the innocent needn't fear punishment (the government is just) and the guilty benefit from rehabilitation.

### Abstract Definitions and Realistic Definitions

Logical definitions are precise conceptions lacking counter-examples or self-contradictions. They are especially useful, even more so than explicative definitions for particular areas of discourse, for helping to clarify controversies and conducting debates among participants (and their audiences) from any background or standpoint. One thing lacking in a logical definition is a guarantee that its subject actually exists nearby, or anywhere.

Typical descriptions and explicative definitions can take their subjects for granted. "S are P" can describe what some S are like, or should be like, such as "students are punctual." "S have P" can explain how an S usually has P, such as "shirts have pockets." "An S has P" can help define what an S is: "A store has products." These sorts of propositions rely on prior acquaintance with students, shirts, or stores. A precise conception has the form "S is P" which only connects an idea of S with an idea of P. "Santa Claus is philanthropic" captures something essential to who Santa Claus is, without committing to whether Santa Claus exists. If Santa Clause could exist, he would be very generous indeed. But that is all that this conceptual proposition can say for sure. Logical definitions can be abstract in this way, not committing to what exists or what doesn't. To know that "S is P" by itself doesn't mean that S exists; at most, "S is P" just means that if anything would be an S, it is also P. Whether anything like S really exists is another matter, and possibly not the case at all. But if you can find an S, and you already know that any S is P, then you also know that this S has P.

Often enough it happens that a logical definition is kept in mind while looking for anything to fit it, and failing to find even one example. This is not like thinking up a counter-example to criticize a conception. Rather this search is about holding up one or more real examples to confirm a conception.

Logical definitions are primarily abstract, and secondarily realistic. In a way, they are more like idealizations in one's intellect than realizations in one's observation. Nevertheless, logical idealizations aren't useless. They often set a high standard for actual matters in the world to get compared against, and perhaps ranked and evaluated by that standard. For example, if there was no definition of Procedural Justice, all the trials in the world would rightly seem rigged, theatrical, or despotic, rather than close approximations to an entirely fair and impartial trial. And without any conception of Procedural Justice, no punishment would really be Retributive Justice, but only amount to retaliation, revenge, or mob violence. Although there hasn't been an actual trial achieving abstract perfection – nothing operated by human beings could do so – striving towards a worthy ideal shows our respect for duty and humanity.

Idealistically, matters such as true justice and good government set high expectations. Are they set too high, for the sort of politics that one will have to practically deal with in this world? Consider the position that Polemarchus, and Glaucon and Adeimantus and other young people listening to Socrates, find themselves in. They aren't counting on controlling the whole government of Athens, or any other city-state, to dictate its laws of justice. (Although Athens did briefly have dictators when Plato and his brothers were young men.) The eventual leaders of city-states, whatever their form of government, will be dealing with their actual constitutions and laws. Where would be the government meeting the definitions of Socrates?

One person in the audience was already thinking about that question, as the conversation gets interrupted by Thrasymachus. He is a self-styled "sophist" or philosopher who trains his students in speech-making, persuasive

rhetoric, and legalistic argument, skills needed for attaining and keeping political influence. His abrupt and rude manner gets everyone's attention, and once he has it, he accuses Socrates of committing sophistry – making a poor argument look better than it really is – in front of pupils deserving more than deceptive rhetoric. He declares, "I will not have you say that justice is duty or advantage or profit or gain or interest, for this sort of nonsense will not do for me; I must have clearness and accuracy." (336d) Thrasymachus announces his definition for justice: "Listen, then, he said; I proclaim that justice is nothing else than the interest of the stronger." (338c) He is only talking about supreme political power: making the laws, administering them, and defending the city-state. In every state, what counts as justice is whatever is legal, but whatever is legal only benefits those in power, who are politically the strongest.

Thrasymachus explains how this definition of justice has no exceptions among all types of states and their governments.

"... the different forms of government make laws democratical, aristocratical, tyrannical, with a view to their several interests; and these laws, which are made by them for their own interests, are the justice which they deliver to their subjects, and him who transgresses them they punish as a breaker of the law, and unjust. And that is what I mean when I say that in all states there is the same principle of justice, which is the interest of the government; and as the government must be supposed to have power, the only reasonable conclusion is, that everywhere there is one principle of justice, which is the interest of the stronger." (338e-339a)

Thrasymachus intends his definition of justice to be realistic, focusing on what is common to all governments. The Socratic definition of justice is idealistic, proposing what should be shared by good governments. Following Thrasymachus, citizens only think that justice is obedience to laws, but the laws really benefit only political rulers, no matter whether a tyrant (in a tyranny) or a majority (in a democracy) is ruling. Thrasymachus concludes that "All justice is what benefits the state's rulers." In propositional form, his argument looks like this:

T1. All justice is obedience to state law.

T2. All obedience to state law is what benefits the state's rulers.

T3. So, All justice is what benefits the state's rulers.

Formally, this argument has the form of a categorical syllogism 'AAA-1' as follows: All A is B, All B is C, so All A is C. This specific categorical syllogism is valid: whenever its premises are true, its conclusion must be true.

Socrates draws attention to these rulers of any state: since Thrasymachus thinks that he teaches young men to be fine political leaders, do his rulers know what they are doing? Socrates doubts that T1 is true, but he first focuses on T2 by questioning its correctness. It appears that T2 is wrong when lawful obedience doesn't benefit the rulers. How could that happen? Thrasymachus admits that rulers are not infallible, so a law might be a mistake by rulers when it fails to benefit them. When a law mistakenly fails to benefit the ruler (it is 'unjust' according to Thrasymachus), then any subjects not obeying that law are not being unjust. Socrates notices this oddity, and Thrasymachus has to agree how a double negation cancels out here:

T4. When it is not the case that subjects do not obey an unjust law, then subjects obey an unjust law.

This logical inference invokes the rule of Double Negation: If it isn't the case that not P, then infer P. Formally, this rule can be expressed as  $\sim(\sim P) \leftrightarrow P$ .

That double negation puts Thrasymachus's view in a vulnerable position. Socrates points out how a citizen not obeying a law (an injustice) that is not benefitting the ruler is a citizen accidentally benefitting the ruler (satisfying justice). Then the argument of Socrates can proceed like this (339b-d):

S15. Some obedience to erroneous law is not what benefits the state's rulers.

S16. All obedience to erroneous law is lawful obedience.

S17. So, Some lawful obedience is not what benefits the state's rulers.

This argument has the form of the specific categorical syllogism 'OAO-3' as follows: Some M are not P, All M are S, so Some M are not P. This specific categorical syllogism is valid: whenever its premises are true, its conclusion must be true.

Socrates then points out that, according Thrasymachus, some lawful obedience (justice) is not what benefits the state's rulers (justice). The Law of Non-Contradiction forbids justice equating to not-justice. Thrasymachus's definition of justice is hence exposed as a self-contradictory failure (339e).

To evade this embarrassing result, Thrasymachus declares that a ruler making errors in ruling is not a genuine ruler, so that Socratic argument S15-S17 doesn't apply anymore. He denies that a ruler could be a true ruler while erring in ruling, and with this statement Thrasymachus intends to separate his kind of true ruler from any poor ruler who makes mistakes, so that either one isn't a true ruler or one doesn't err in ruling (340d-e). That inferential move does conform to a valid logical rule, one of De Morgan's Laws. This is Thrasymachus's way of setting the first and second propositions into a logical equivalence:

T5. It isn't true that one is a true ruler and one errs in ruling, so either one isn't a true ruler or one doesn't err in ruling.

This statement T5 is logically valid because it exemplifies the De Morgan law,  $\sim(p \wedge q) \equiv \sim p \vee \sim q$ .

Although Thrasymachus has clarified why he thinks that his genuine ruler isn't making erroneous law, that convenient view only ensnares him in bigger difficulties. That conception of his "true ruler" as knowledgeable in the enterprise or craft of ruling (what is called "statecraft in modern times) exposes Thrasymachus to a different problem. What is political authority really good for?

### Expertise, Authority, and Knowledge

Socrates and Thrasymachus do agree on three things: (i) justice is in the best interests of (some or all) people, (ii) a genuine ruler must comprehend justice, and (iii) expertise in the craft for ruling a state includes comprehending justice (340-341). One large controversy still divides their views: Thrasymachus believes that justice is always what benefits the ruler, while Socrates does not want to believe that at all. So, Socrates asks, what kind of authoritative expertise is designed to only benefit the authority?

Socrates cannot think of a single example of that, because any expert craft – such as medicine, music, or mathematics – only prescribes what is best for others needing that expertise. He provides a brief argument to back up his view:

"But is the art of medicine or any other art faulty or deficient in any quality in the same way that the eye may be deficient in sight or the ear fail of hearing, and therefore requires another art to provide for the interests of seeing and hearing—has art in itself, I say, any similar liability to fault or defect, and does every art require another

supplementary art to provide for its interests, and that another and another without end? Or have the arts to look only after their own interests? Or have they no need either of themselves or of another?—having no faults or defects, they have no need to correct them, either by the exercise of their own art or of any other; they have only to consider the interest of their subject-matter. For every art remains pure and faultless while remaining true—that is to say, while perfect and unimpaired. Take the words in your precise sense, and tell me whether I am not right.” (342a-b)

Socrates’s argument proceeds from his survey of typical arts or crafts to isolate how they serve the interests of their subjects.

S18. If an art or craft is skillful, then that art or craft is concerned with its subjects’ interests.

S19. So, if an art of craft is concerned with its own interest, then that art or craft is not skillful.

This inference from S18 to S19 conforms to a substitution rule, Transposition: “A implies B” implies “Not B implies not A” (and vice-versa). As a linear rule,  $p \rightarrow q \equiv \sim q \rightarrow \sim p$ .

Having stated that no self-interested art or craft can be expertly skillful, the next argument by Socrates promptly goes like this:

S20. No expert with authority is a leader ruling for their own benefit.

S21. All true rulers are experts with authority. (Thrasymachus and Socrates agree here.)

S22. So, No true ruler is a leader ruling for their own benefit.

This argument has the form of the specific categorical syllogism ‘EAE-1’ as follows: No M is P, All S are M, so No S is P. This specific categorical syllogism is valid: whenever its premises are true, its conclusion must be true.

Socrates proposes that S22 reveals the wiser truth, that the expert craft of political rule only makes laws for the benefit of citizens. Combined with S14, his view of social justice making all people more good and just, everyone listening can understand what Socrates thinks about politics: if political rulers are experts in ruling, then those leaders know social justice and enact it in just laws.

Thrasymachus won’t listen to these Socratic ideas. Real governments and real-life rulers, who are mostly like tyrants (is today’s globe of around two hundred countries so different?), keep Thrasymachus preoccupied. He has thought of a different kind of craft that makes a good analogy with his own picture of the crafty ruler, the craft of shepherding (343b). His revised argument for “justice benefits only the ruler” sounds like this:

T6. Shepherding employs crafty shepherds protecting grateful ignorant sheep, who are actually getting exploited for the master.

T7. Ruling, like shepherding, similarly employs crafty laws protecting grateful ignorant citizens.

T8. So, ruling employs crafty laws that actual exploit citizens for the master.

This argument is an inductive argument, the “Argument from Analogy” which points out similarities between two things and then expects another feature of one to also be a feature of the other. Thrasymachus finally concludes that his definition of justice is indeed accurate, as the “justice” praised by citizens actually benefits only the strong

ruler. The sheepish people think that they are beneficially protected, but the true predator is the tyrannical “wolf” holding supreme power above all law, who only appears to care about citizens.

For Thrasymachus, a natural justice among humans, like the animal world, ranks higher than the other kinds of justice:

Natural Justice (the few tyrants prove their supreme strength)

Social Domination (the strongest are ruling)

Corrective Justice (the rebellious are forced to submit)

Procedural Justice (the weak must obey the law)

Retributive Justice (the weak suffer for rebelling against authority)

Socrates decides to return to the issue of the “true ruler” who possesses knowledgeable expertise. He can’t believe that Thrasymachus’s selfish tyrant really knows how to rule effectively. That’s something that Thrasymachus would think, and we can hear this confidence from him as he outlines how a typical tyrant would proceed to rule effectively. We can picture how a tyrant must be ‘good at ruling’ tyrannically to stay in power. But Thrasymachus also wants us to picture how this tyrant must be ‘ruling in a good’ way while wielding that power. Does having to rule well as a tyrant mean that a tyrant has to always ruling well? That inference commits the Modal Scope Fallacy, with one premise using “must” in its meaning of ‘necessity’ and another premise saying “must” in its meaning of ‘obligation’. Not really noticing this fallacy, Thrasymachus stubbornly proceeds to defend the qualifications of the tyrant.

Although Thrasymachus has never been an autocratic dictator himself, we get the impression that the study of tyrants is among his interests. Taking such tyrants to be not only authorities over their subjects, but also authorities about the subject-matter of being a tyrant, Thrasymachus speaks from that standpoint for a tyrant, expecting the audience to accept that standpoint. This expectation proceeds from the Inductive Argument from Authority: because an authority on a topic affirms something about that topic, we should accept that assertion as reliable information. This kind of argument is very common, since we all can’t be knowledgeable ourselves about many topics and subjects, and so we trust expertise and its authority of knowledge.

However, Socrates doesn’t think that a tyrant could really be knowledgeable about the main business of governance: how to properly use the authority of power. Are tyrants really going to be experts about anything? Socrates points out that Thrasymachus is actually committing the Appeal to Authority Fallacy. A tyrant is an authority in a political sense as a supreme ruler, but that doesn’t guarantee that a tyrant is an expert about properly using that ruling power.

Who is a genuine expert? Expertise, which is a kind of knowledge, has to conform to an essential feature of knowledge: it never opposes or contradicts itself. Recall how Socrates has required a proper definition to avoid counter-examples and self-contradiction. Those two criteria are now brought forward as criteria for any kind of knowledge: whatever knowledge is about, true knowledge never opposes or contradicts itself.

S23. Knowledge must be coherent (no internal opposition) and consistent (no inner contradiction).

This view of knowledge is not quite a logical definition, but it does provide a useful explication of two criteria for knowledge (and there may be others).

Looking more closely at Thrasymachus’s tyrannical rulers, Socrates points out how each one will be driven to use their power to oppose the aims of other tyrants and exceed the ruling capacities of the rest (349-350). What sort of expert craft has its practitioners disagreeing about how to use that craft and using that craft to undermine skills of the others? There are indeed some “arts” and “crafts” in a loose sense which display those behaviors, such as

occultists (want a prophecy?), fringe healers (for a 'miracle'), and pseudo-scientific enthusiasts. They never want to agree on all methods or conform to craft standards, instead hoping to lure clients with exaggerated promises while disparaging rivals. A genuinely expert craft does not conduct itself competitively like the realms of business or war.

Socrates then applies his precise conception of knowledge as shared expertise displaying coherence and consistency.

S24. There is no cooperative expertise among the ruling authorities with Thrasymachus's justice.

S25. If there is no cooperative expertise among a craft's practitioners, then that craft lacks expert knowledge.

S26. So, the ruling authorities with Thrasymachus's justice practice a craft that lacks expert knowledge.

This argument can be formalized as a valid argument, Modus Ponens, that we have observed previously: P, and if P then Q, so Q.

Socrates hence announces (350b) that Thrasymachus's ideal ruler lacks knowledge of ruling. That tyrant is more ignorant than those "sheepish" masses, who at least know some happiness and virtue. But an even worse fate awaits those ignorant tyrants. They lose power as other eager tyrants fight them, whereas just cooperation strengthens a whole group. They lose virtue as their injustice obstructs getting what is good for themselves or anyone else. And they lose the opportunity for a happy life because a life of outer and inner conflict is neither healthy nor wise. In short, the unjust tyrant will be an enemy of all the people and also an enemy of the gods who are just (352b).

We have completed a full circuit starting from Cephalus's initial wisdom about the three components to living a wise and happy life. With Socrates's amendments, we should now understand the role of justice:

A\* One's inner nature should be a disposition towards justice in all aspects of life.

B\* One's idea of social justice should be a fine guide to conducting one's life.

C\* One's understanding of the just gods should be an exemplar to planning one's future.

We can summarize the various views of justice compared in Book 1.

The *Traditional* view of justice: a life of justice conforms to customary rules and roles of society.

The *Transactional* view of justice: a life of justice competes with honest and fair bargaining.

The *Polemical* view of justice: a life of justice defends the "good" people against sub-human adversaries.

The *Tyrannical* view of justice: a life of justice submits to the ruler's unjust power.

And the view advocated by Socrates with proper definitions and knowledgeable arguments:

The *Socratic* view of justice: a life of justice respects governing laws genuinely benefitting everyone.

We have also been presented with one principle of reasoning – the logical Law of Non-Contradiction – and two definitions: a definition of a proper definition, and a preliminary definition of true knowledge.

For any proposition, it is always false that "P and not P" – one or the other may be true, but not both.

A proper definition has no counter-examples and no self-contradictions.

A body of true expertise/knowledge is always coherent (what is known is knowable by all) and consistent (knowledge never implies contradictory propositions).

As Book 1 comes to a close, Socrates confesses that his argumentative contests have fallen short of his original goals: knowing the nature of justice to prove it yields happiness; finding true leaders worthy of power, and determining key laws ensuring social justice. These goals now seem out of sight. Although Socrates has shown that other views of justice are inadequate, his own preferred conception of justice, while less wrong, cannot be asserted as entirely and exclusively true.

“For I know not what justice is, and therefore I am not likely to know whether it is or is not a virtue, nor can I say whether the just man is happy or unhappy.” (354c)

And Socrates is indeed wise to admit how more philosophical effort remains to be undertaken. Many of Plato’s shorter dialogues find Socrates admitting that he may know less than his conversation partners. Some dialogues get no further than his confession that an important idea remains unknown, by himself or anyone. The conclusion of a dialogue, a debate, and many arguments and counter-arguments run out of inertia without a decisive destination. Each argument has its own conclusion, logically; but no conclusion can stand established as truly known until potential counter-arguments against that conclusion are shown to fail from their own falsities or fallacies. His last words at the end of Book 1 propose a skeptical result, that the genuine nature of justice is not yet known.

Plato did not intend *The Republic* to be a one-book dialogue. Glaucon’s admiration for Socrates, and his own “pugnacious” character, won’t let him stay silent, so he assumes the argumentative place of the departing Thrasymachus. As Book 2 begins, Glaucon steps up to pursue some good points that he heard from Thrasymachus. Why do ordinary people (sheepishly) praise the kind of submissive justice that only yields a “second-best” sort of life? Perhaps a life of complete liberty and injustice really is the happiest life, but most people won’t achieve that inequality of dominating power during anarchy and war. The practical option for most is forming governed states so members have a second-best happiness of living in “equality” with everyone dominated by pacifying law. When the masses simply consent to their submission under laws governing them all, neither nature nor human nature is determining justice, so conventionality rather than naturality has settled “justice.”

The *Conventional* view of justice: a life of justice adheres to a consensus imposing one law upon all.

Law-abiding citizens call that imposition “justice,” not because they believe that justice is truly good in itself, but only good for its enforced consequences: the lower chances of suffering injustice from the rest of society, including any potential tyrants. Are law-abiding citizens in the right? If they are, then Thrasymachus actually prevailed in his contest with Socrates, because Thrasymachus did declare that justice is only valued for its social consequences rather than its own virtue and goodness. That conventional view of useful justice and the Socratic conception of righteous justice now have to be directly contrasted and compared.

The Thought Experiment Test

Socrates has declared that seeking justice is always most beneficial, the most happy, simply for its own sake. Glaucon proposes a thought experiment, to test if there is good sense to that popular opinion that living unjustly brings greater happiness if injustice were hidden. By itself, whatever traditional belief or current opinion happens to say does not deserve to be treated as wisdom or knowledge, so the Ad Populum Fallacy and the Bandwagon

Fallacy should be avoided. Glaucon would not willingly follow a fallacy, so he constructs an argument to test Socrates's view of justice.

Glaucon points out that if justice is a beneficial good in itself, then injustice is not a better good than justice. If injustice could never be a better good, then no one would knowingly choose injustice when doing justice is an option. If no one would willingly do injustice, then a person would not commit injustice even if great benefits were guaranteed. What would any person really do, if one could get away with injustice? If any person would commit injustice rather than stay just, then we know the truth about injustice and justice, and Socrates is wrong to think that justice is a good in itself.

Formally, this procedure has the following schema:

1. Suppose A (for the sake of argument).
2. If A, then ... (by more logic arguments about  $A \rightarrow B$ ,  $B \rightarrow C$ ,  $C \rightarrow D$ ) ... D.
3. So, if A then D.
4. But D is surely false.
5. Therefore, not A (from 3 and 4 and the rule of Modus Tollens)

This logical procedure is an indirect proof that reduces a premised statement (A) to a contradiction (here, both D and and D) in order to infer that A must be false. This indirect proof is labeled as a "Reductio ad Absurdum" argument because a self-contradiction must be logically absurd. In this logical thought experiment, so long as each step of an indirect proof is logically rigorous without a falsehood or a fallacy committed from step to step, the whole procedure is logically valid.

Glaucon sets out on his procedural argument. If justice is beneficial in itself, then no one would sincerely think that rejecting justice and committing injustice could be more beneficial. What do people sincerely think about injustice? It's hard to tell, at least from what ordinary people are willing to say, because they don't want to admit (out loud) that they would eagerly be a criminal if they wouldn't get caught. How could we know what people sincerely think? If we can't read their minds, then we only have their behavior under strange conditions when they really won't get caught and punished. That is why we are all very interested in what might happen when a person could steal or lie without anyone finding out. When people are convinced they can't get discovered and exposed, they usually end up doing all sorts of deviant and devious deeds. They behave unjustly, and their genuine belief about justice becomes manifest. If justice were always most beneficial for its own sake, and a person sincerely believed that, that person would never exchange justice for something less valuable like injustice. Yet injustice is what people would actually commit.

Petty dishonesty and defrauding people might be understandable, even if not forgivable, if we can be sympathetic with the frailties of human nature. What are the biggest crimes anyone could attempt to commit? Glaucon points out that the kind of justice and injustice that Socrates and Thrasymachus were discussing had to do with supreme power: the kind of power sought and held by rulers. The argument has to focus on unusual cases when someone has a free opportunity to become a super-criminal. We meet super-criminals in comic books and superhero movies, where even superheroes are tempted by extreme power. Glaucon reminds the audience of a legendary tale familiar to Greeks of his own time.

"... let us watch and see whither desire will lead them; then we shall discover in the very act the just and unjust man to be proceeding along the same road, following their interest, which all natures deem to be their good, and are only diverted into the path of justice by the force of law. The liberty which we are supposing may be most completely given to them in the form of such a power as is said to have been possessed by Gyges, the ancestor of Croesus the Lydian." (359c)

Gyges was an ordinary shepherd who found a magic ring, empowering him to commit great crimes and become a tyrant. Since this “Gyges” represents any human being with the same human nature and natural desires, we are all Gyges. This allegorical tale isn’t really about a legendary figure, but about every one of us. If you in your heart think that you could stay good and just while being “a God among men” as Glaucon puts it, that only means that you haven’t been tested, but the rest of us would all know that you would fail too. No one really takes justice to be always beneficial for itself. By using this legend as an argumentative allegory, Glaucon has reached the dramatic conclusion of his procedural argument:

“And this we may truly affirm to be a great proof that a man is just, not willingly or because he thinks that justice is any good to him individually, but of necessity, for wherever any one thinks that he can safely be unjust, there he is unjust. For all men believe in their hearts that injustice is far more profitable to the individual than justice.”  
(360d)

G1. If justice is a beneficial good in itself, then injustice is not a better good than justice.

G2. If injustice is never a better good, then no one would knowingly choose injustice.

G3. If no one would knowingly choose injustice, then under no circumstances would a person do injustice.

G4. If under no circumstances would a person do injustice, then a person with a superpower wouldn’t commit injustice.

G5. So, if justice is a beneficial good in itself, then a person with a superpower wouldn’t commit injustice.  
(Hypothetical syllogisms from G1 through G4)

G6. But, any person with a superpower would commit injustice. (Like Gyges)

G7. Therefore, it is false that justice is a beneficial good in itself. (G5 and G6, Modus Tollens)

Having followed the path taken by Glaucon applying that Gyges thought experiment, Adeimantus takes the lead next, assembling another thought experiment also concluding that injustice brings the better kind of life. His argument does not begin from a hypothetical proposition but instead a disjunctive proposition: Either living justly is the best life, or only having a reputation of justice is the best life (365b). His depiction of the lives of those who live justly, compared against the lives of those who are secretly unjust but regarded as just, shows how the secretly unjust life is usually superior in most ways. Since it is difficult to think of cases in which a justly lived life is better, then a secretly unjust life is truly better, and hence Socrates is wrong to think that justice is beneficial in itself.

Ad1. Either A is better or B is better (and no other third alternative C)

Ad2. Assume A is better (for the sake of argument)

Ad3. If A is better, then what accompanies A would be better.

Ad4. A is accompanied by D, and also E, and also F.

Ad5. But by comparison, B is accompanied by G, and also H, and also I.

Ad6. In no case is D better than G, or E better than H, or F better than I.

Ad7. What accompanies A is not better.

Ad8. Therefore, A is not better, and B is better.

This procedural argument is also a kind of indirect proof, eliminating one alternative of a disjunctive proposition in a “reductio” in order to establish the other alternative. In strict logical form, it takes this shape:

1. P or Q
2. Q and R, and Q and S, .... and Q and T... (etc. as needed).
3. But not R, and not S, and not T ...
4. So, not Q (since R and not R is absurd, S and not S is absurd, and so on)
5. Therefore, P

However, the initial premise must be a strict disjunction of A or B. If A and B are two of three alternatives, then any effort to deny B and then assert A is not logical, since some alternative C still stands rather than A. Inferring A from not B, while C remains possible, commits the Fallacy of False Dichotomy. When Adeimantus first sets aside the two other possibilities, being just but treated as unjust or being unjust and treated as unjust, it is already obvious that the inevitable punishments make a worse life. The group is satisfied that only two candidates for living a better life remain to be compared; no C alternative is possible here, so Adeimantus’s logical test can proceed.

Adeimantus then describes why the results from injustice, if kept hidden, are regarded as the best rewards life can bring, far better than staying just. Even myths about the gods end up teaching this immoral lesson. This seems to be a matter of global consensus:

“The universal voice of mankind is always declaring that justice and virtue are honorable, but grievous and toilsome; and that the pleasures of vice and injustice are easy of attainment, and are only censured by law and opinion. They say also that honesty is for the most part less profitable than dishonesty; and they are quite ready to call wicked men happy, and to honor them both in public and private when they are rich or in any other way influential, while they despise and overlook those who may be weak and poor, even though acknowledging them to be better than the others.” (364a)

Adeimantus has offered an argument that does take one illogical risk, by appealing to what the people all say about a life of secret injustice. The Ad Populum fallacy forbids the assertion of a proposition just because plenty of people agree with it. Here, Adeimantus takes a much stronger stand, unable to imagine anyone honestly disagreeing with his view of injustice’s hidden but greater benefits. This core portion of his indirect proof at A4, A5, A6 has its own label as a Common Consent argument or the “Consensus Gentium” (the consensus of humanity). This kind of argument is an example of the Ad Populum Fallacy, since the beliefs of people so far are not a reliable guide to what people *will* think in the future, or what people *should* think in the future. By taking this common consent argument seriously, what people have generally believed so far is taken for the truth: if practically no one dissents from this general conviction, then the premises do not seem to be false, and the proof proceeds to its conclusion:

“For what men say is that, if I am really just and am not also thought just profit there is none, but the pain and loss on the other hand are unmistakable. But if, though unjust, I acquire the reputation of justice, a heavenly life is promised to me.” (365b)

In Adeimantus’s own words,

Ad8. A life of true justice is not better than merely a life having the reputation for justice.

Although this argument from common consent is fallacious, it seems inconceivable to Adeimantus how everyone could be wrong about this issue of the frailty of human integrity. If there could be exceptions, the world has not witnessed one yet.

In consideration of the two arguments assembled by Glaucon and Adeimantus, Socrates must admit, and so he honestly does admit, that his own view of justice now appears to be not only wrong, but seriously misguided and unwise. The appearance of justice, and not the reality of living justly, may indeed be truly beneficial for anyone's life.

Socrates's only recourse at this point in Book Two must directly address a core issue that first arose with Thrasymachus: What can be known and done about justice when all of humanity (excepting only philosophers and tyrants) are deceived and ignorant about justice and its benefits for life? Socrates cannot admit, unless he intends to abandon justice, that steps G5 and A6 of their arguments are actually correct. Even if (almost) all of humanity has been the victim of a mass deception, any opportunity to live justly for the greatest good has to be discerned and explored.

Socrates still believes that "Justice can be what is truly beneficial for each and all." Additional arguments will have to be constructed in the course of his efforts to depict a world, perhaps a bold new world, in which truly just people can all live most happily.

#### Assessing an Ideal Model

Leaving the present world to its fate, Socrates proposes an ambitious plan to found a new city state. In Book Two, this ideal model of a city state is constructed within the imaginations of Socrates, Glaucon, and Adeimantus together. While only an ideal model, for it exists simply as a model, Socrates wants to include the most realistic features and factors as this city is assembled. Glaucon and Adeimantus eagerly comply, to enjoy the merit and honor of city-founding. Their proposals about the kinds of inhabitants and various occupations make good sense. The city grows, and grows some more.

Glaucon demands that the city must provide more than just material necessities, so such "luxuries" require many more people engaged in arts, crafts, and trades, from specialists and artisans to merchants and laborers. Socrates at last points out that their new city will be at war and require an army (373e). Glaucon and Adeimantus aren't surprised, having only known a Greek world where most any city-state can field an army. All the same, the world they inhabit isn't supposed to serve as their model, but only the artificially constructed city-state that must find its own destiny. Why must war inevitably be part of that destiny?

Socrates describes the enlarging luxurious city, noting how more land will be required for housing, commerce, and agriculture to domicile, deploy, and feed so many more people. Perhaps there is unoccupied and unused land nearby, but there is nothing about the enlarging city, with an unending appetite for the finer things in life, to halt its expansion (373a-d). At some point, since any city like this would be doing the same thing, multiple growing city states will find borders with land already occupied by neighbors. Since there is nothing to internally halt the demand for more and more growth, the next demand will be to take land and resources from neighboring city-states, and they have the same urgency likewise. Whoever proves to be fielding the more powerful army will succeed in that military objective.

S27. A city-state seeking luxuries will keep growing in population, setting a trend of acquiring more and more land.

S28. As any city-state tries to continue enlarging its territory, all city-states will eventually border on, and clash with, each other.

S29. It is reasonable to predict that every city-state wanting to survive will field an army to defend/expand its territory.

This argument based on a trend fits a kind of inductive argument by Prediction: A trend of Ps having more Q implies that such Ps will continue to have Q more too. The only way to reasonably deny the credibility of the conclusion S29 is to either deny that S28 has to be correct (but useable land is not endless, across Greece or around the world), or to reject the premised plan of the “city of luxuries” (but Glaucon and Adeimantus refused already). So long as nations refuse to control their population sizes, or populations decrease naturally by many disasters or few births, this argument from Prediction merits credibility in general. “And so we shall go to war, Glaucon. Shall we not? Most certainly, he replied.” (373 e)

The military in general, and military leaders in particular, have the finest natures: “a really good and noble guardian of the State will require to unite in himself philosophy and spirit and swiftness and strength” (376c). How will such guardians be found? Just as the city-state had to be founded and constructed to build towards its ideal, the guardians will have to be birthed and raised rightly to reach their ideal. Glaucon and Adeimantus echo Socrates’s enthusiasm for their proper education.

Perhaps wise words of Cephalus still echoed around them. Cephalus had been the first to bring up the way that religion is an early teacher of virtue and vice, by way of its fables and myths about the gods and their deeds. Even before children are ready for proficiency in music and gymnastics, the “muses” are heard in such literary works. What would be the real impact of mythic legends on young impressionable minds? Socrates has a very good idea (377a-b):

S30. “We begin by telling children stories which, though not wholly destitute of truth, are in the main fictitious.”

S31: The beginning is the most important part of any work, especially in the case of a young and tender thing; for that is the time at which the character is being formed and the desired impression is more readily taken.”

S32. “Shall we just carelessly allow children to hear any casual tales which may be devised by casual persons, and to receive into their minds ideas for the most part the very opposite of those which we should wish them to have when they are grown up?”

Socrates then judges that wrong ideas about gods and good values are (partly) the responsibility of wrong religious myths about gods and good values. Bad religion absorbed in childhood manifests in bad characters when adults. This argument is an example of the inductive argument from Causation.

1. P usually causes R with conditions C.
2. This R occurs with C.
3. So, this R is probably caused by P.

Specifically,

1. Religious tales usually cause character formation during an attentive childhood.
2. A poor character formation occurs when a child attends to tales told to them.
3. So, a poor character in adulthood is probably caused by poor religious tales.

Socrates only appeals to an inductive argument, with its tentative observations and probable conclusion, because he reasonably understands that several sorts of influences surround childhood. If religion weren't a significant influence on childhood, the argument loses credibility to the point of being irrelevant. However, that's not the kind of world Socrates lives in, and hasn't been until very recent times in a few parts of the world.

Premise 1 can be disputed, as other causes such as parental guidance, family emulation, peer imitation, (and so on) play their roles too. Still, those influencers are (probably) not immune to religion, so that inflated responsibility assigned to religion as a powerful social and cultural force is hardly unreasonable. If Socrates was faulting religion for a level of impact it really can't possess, he would commit the Fallacy of False Cause, which misdirects attention to a single cause and attributes the main cause of something to a factor that at most is actually a partial or incidental cause. Superficiality mustn't be substituted for true causality.

Religion hasn't been anything superficial about society. Nevertheless, if we allow ourselves to be careless about the moral character of adults in society, religions can teach whatever lessons they want in pursuit of their own interests. All the same, Socrates cannot be so careless about children, which is the only resource for raising the eventual guardians. Again, if we could know which infants are destined to rule (as if they were the princes and princesses), we could leave the masses to their mythic amusements. That seems doubtful in the cases of the needed Guardians, for as we shall see, true Guardians cannot be properly trained, tested, and identified until they are well into mature adulthood. Besides, good Guardians shouldn't have to be governing nothing but unjust and immoral citizens. In this ideal city-state, no child can be left morally behind. As Socrates declares,

"Then the first thing will be to establish a censorship of the writers of fiction, and let the censors receive any tale of fiction which is good, and reject the bad; and we will desire mothers and nurses to tell their children the authorized ones only. Let them fashion the mind with such tales, even more fondly than they mold the body with their hands; but most of those which are now in use must be discarded." (377c)

Adeimantus is the more "poetical" of the two brothers, whose curiosity gets aroused about the sorts of permitted myths in their city-state. He asks, "what are these forms of theology which you mean?" Socrates replies, "God is to be represented as he truly is. Something of this kind, I replied:—God is always to be represented as he truly is, whatever be the sort of poetry, epic, lyric or tragic, in which the representation is given." (379a) But how can humans know something about what any real God is truly like? We can begin with a definition: God by whatever name must be good, as anything not good cannot be God. Then Socrates points out that something that is truly good cannot be responsible for something evil. (We treat matters fully responsible for evil as evil too.) Allowing that to be so, Socrates sets up the need for an explanation behind the existence of a world replete with both goods and evils:

S33. Our earthly goods should be attributed to something different from whatever causes our earthly evils.

S34. A truly good God would be responsible only for our earthly goods.

S35. Therefore, a truly good God exists.

This argument is a kind of Inductive argument, an abduction postulating a cause to account for a body of evidence. Its structure takes this format: A pattern of Rs is distinguishable, and Rs would be evident if P is real, so P is probably real to cause Rs. A simple abduction to postulate a cause is close to a fallacy, the Hasty Abduction Fallacy, if its conclusion is easily believed, since other possible causes may account for R as well. Socrates would not commit a fallacy like this, and he carefully correlates "all our earthly goods" with "a truly good God." Besides a God to create the earth, arranging what is good about it, it is difficult to think of another sufficiently powerful and responsible entity to hold accountable. Modernity brought the idea that only nature explains why earth is the way

that it is, and philosophers and theologians still argue over whether blind nature alone fully explains what is good about sentient life.

In any case, as far as theology is concerned, this abductive argument lends credibility to the view of Socrates that a religion about a truly good God only doing and causing good must be more accurate than a religion about a God doing good and evil, or a group of Gods doing whatever they want to. Socrates concludes, "Then God, if he be good, is not the author of all things, as the many assert, but he is the cause of a few things only, and not of most things that occur to men. For few are the goods of human life, and many are the evils, and the good is to be attributed to God alone; of the evils the causes are to be sought elsewhere, and not in him" (379c). Having Adeimantus's assent, Socrates asks, "Then the lying poet has no place in our idea of God?" Adeimantus: "I should say not." (382d) As Book Two closes, Socrates is heard to say, "Our guardians, as far as men can be, should be true worshippers of the gods and like them." (383c)

By the end of books three, the restrictions on the military and the top generals / guardians are growing very tight. Socrates says, "every care must be taken that our auxiliaries, being stronger than our citizens, may not grow to be too much for them and become savage tyrants instead of friends and allies," and he doesn't entirely trust their fine education. He continues, "And not only their education, but their habitations, and all that belongs to them, should be such as will neither impair their virtue as guardians, nor tempt them to prey upon the other citizens. Any man of sense must acknowledge that." (416b, d) Socrates infers:

"Their way of life will be that of a camp. Then now let us consider what will be their way of life, if they are to realize our idea of them. In the first place, none of them should have any property of his own beyond what is absolutely necessary; neither should they have a private house or store closed against any one who has a mind to enter; their provisions should be only such as are required by trained warriors, who are men of temperance and courage; they should agree to receive from the citizens a fixed rate of pay, enough to meet the expenses of the year and no more; and they will go to mess and live together like soldiers in a camp. Gold and silver we will tell them that they have from God; the diviner metal is within them, and they have therefore no need of the dross which is current among men, and ought not to pollute the divine by any such earthly admixture; for that commoner metal has been the source of many unholy deeds, but their own is undefiled. And they alone of all the citizens may not touch or handle silver or gold, or be under the same roof with them, or wear them, or drink from them. And this will be their salvation, and they will be the saviours of the State. They must have no homes or property of their own. But should they ever acquire homes or lands or moneys of their own, they will become housekeepers and husbandmen instead of guardians, enemies and tyrants instead of allies of the other citizens; hating and being hated, plotting and being plotted against, they will pass their whole life in much greater terror of internal than of external enemies, and the hour of ruin, both to themselves and to the rest of the State, will be at hand. For all which reasons may we not say that thus shall our State be ordered, and that these shall be the regulations appointed by us for guardians concerning their houses and all other matters?" (416d-417b)

This sort of communitarian lifestyle for the military and the guardians is consistent with Plato's requirement that the army and leadership remain a full-time and professional organization. But Plato goes farther: the guardians won't have families, and not even marriage, for their partners will be shared and they won't know who their children are (464).

Having settled the three main classes of people in this ideal city-state – the philosophical guardians, the courageous and loyal military (auxiliaries), and the working class (the demos) – the plan to find justice has culminated (432b–434d). Socrates recalls, "justice ... that each one must practice one of the functions in the city, that one for which his nature made him naturally most fit" and "justice is the minding of one's own business and not being a busybody, this we have both heard from many others and have often said ourselves" (433a-b) Socrates enlarges on this point, "Meddling among the classes, of which there are three, and exchange with one another is the greatest harm for the city and would most correctly be called extreme evil-doing" (434b). Finally,

Socrates concludes, “the money-making, auxiliary, and guardian classes doing what’s appropriate, each of them minding its own business in a city” is justice (434c).

The stages of this Socratic argument begins from that initial principle about how justice is best conducted, and builds up to large scales until we view the whole state in a new light.

S36. One exhibits justice by conducting functions that one is best fitted to perform (and not taking another job).

S37. Members of a state’s class exhibit justice as they each conduct functions that they are best fitted to perform.

S38. Each class of a state exhibits justice as it conducts the function that it is best fitted to perform.

S39. All of a state’s classes together exhibit justice as they all conduct functions they they are best fitted to perform.

This kind of argument is an example of an Inductive Argument from Generalization. Starting from what people individually can do to be just, up to their aggregate in a class that can do what is just, and then on to an assembly of classes able to conduct their functions justly, the final generalization observes that a state, as an assembly of such classes, would also display justice as its classes do so. This is a strong argument, and a cogent one if S36 has merit. So long as individual people, at each level of greater and greater generalization, continue to conduct their lives justly, then nothing in the whole state would be unjust, and that state can be labeled as just.

S40. The entire state exhibits justice as its classes function as they are best fitted to perform.

Political Justice: A state exhibits justice as three classes (ruling, protecting, working) perform their own functions.

Having discovered how the whole state can be just, to the extent that individual citizens conduct their functions justly, Socrates uses S36 and S40 to look inside an individual, who will be best fitted psychologically and “soulfully” for the functions of one class or another (443-444).

S41. A just person will be like the just state that he or she inhabits: moderate, balanced, and harmonious.

Because of that harmonious excellence, within the harmonious state, nothing be stronger or more beneficial. Therefore, as Book Four comes to its end, Socrates concludes that it is always better for any person to be just, do justice, and live in a just state.

Books 5, 6, and 7 provide the core of the Socratic-Platonic theories about the nature of knowledge, the role of philosophy to enlighten the mind, and the admirable justice of the ideal City compared to the miserable servitude of an ignorant democracy. The Allegory of the Cave depicts an intellectual and spiritual journey into “the Light” of knowledge where Truth can be apprehended. That dialectical journal yielded the proper definitions of the virtues and especially justice.

Having delivered what he promised back in Book 2, a model of a just city with just and happy citizens, there are a few scores still to settle with Cephalus, Polemarchus, and Thrasymachus. The supremacy of justice can now be empirically established as well as theoretically demonstrated. Objective comparisons among the kinds of government and their respective ways of life can display where the greater justice and happiness lies.

Book 8 covers the five kinds of political sovereignty, at the level of the regime and its rulers and the corresponding soul of its typical citizen. The “aristocracy” or rule by the guardian-philosophers, puts all power in the hands of the most just individuals who are most motivated to guarantee justice for all. The other four governments are, in

order of degeneration away from ideal aristocracy, are timocracy (rule by the honor-loving), oligarchy (rule by the money-loving), democracy (rule by the freedom-loving), and tyranny (rule by the self-loving). Be comparing them, Socrates announces, “we may be persuaded either by Thrasymachus and pursue injustice, or by the argument that is now coming to light and pursue justice” (545a-b).

However, the way that Socrates argues that aristocracy is the most just form of government here in Book 8 is most peculiar. He pursues a lengthy hypothetical syllogism to the effect that (a) by starting at aristocracy, timocracy will eventually take over, followed inevitably by oligarchy, and then necessarily by democracy, and then unavoidably into tyranny. Since tyranny is terribly unjust, each one before it must share in its unjust guilt (since it helped to produce it), so only aristocracy looks entirely good. If this were the substance of his argument, it would look like the Slippery Slope fallacy by arguing that the unacceptability of a conclusion implies that any initial step towards it takes too great a risk to affirm. However, that is not the actual argument by Socrates, since he wants us to agree with aristocracy, not fear to try it.

Let’s go back to Socrates’s beginning. Guardians are still human and fallible (that sounds undeniable). Sooner or later, the guardians will allow some “impure” souls into join their inner guardian council, and the eugenics plan to breed and educate ideal leaders starts to fall apart. Some guardians are just generals. After a portion of the guardians have all the courage but not enough wisdom, the rulers are now basically just generals seeking military honor and glory (a timocracy). Since philosophy no longer is in charge of politics, and honor-loving generals lack the wisdom to know why they should avoid money, they next pursue wealth for its own sake (oligarchy). Generals just become lords. However, the rule of wealth eventually reduces the rest of the population to poverty. At that point, the common masses yearn for liberty from their servitude to the rich, stop listening to the rich explaining how they are better people than the poor, and attempt revolutions until one succeeds to establish democracy.

Socrates depicts the revolutionary scene: “democracy... comes into being when the poor win, killing some of the others and casting out some, and share the regime and the ruling offices with those who are left on an equal basis; and, for the most part, the offices in it, are given by lot” (557a). Democracy without virtue or moderation is a scene of amazing variety as each person demands the freedom to live however they like. There is no vice, nothing so immoral, that the masses won’t make legal and celebrate in praise of their diversity. However, there is a paradox trap looming: the people make all the laws, and the obvious way to guarantee my freedom to do something is to get a law forbidding you from preventing me. A democratic nation always has far more statutory laws than any other kind of government (an observation still accurate to this day). After 10 or 20 generations of this lawmaking over every aspect of life (since no aspect of life doesn’t deserve the right to do as one pleases), the masses will wake up to the way that the Law prevents them from doing most anything – somebody else’s legal right stops you. Socrates says “Too much freedom seems to change into nothing but too much slavery, for private man and city” (564a). Factions among the people then emerge, each blaming the other one for oppressive Law that is oppressing them. Civil contests by elections will devolve into civil wars, spurred on by the Demagogues. This classic figure of the demagogue, well known in ancient and modern times, always plays the same role pretty much the same way. Today, political scientists watch for the rise of the populist autocrat, which is the same character with the same script. The demagogue is “one who speaks to the people” to arouse their emotions and make them into a potent force as a political faction capable of winning national elections, such as a Presidential election. Any democracy will have many demagogues running around, dividing up the population into political factions in conflict – sometimes civilly, sometimes violently – against each other. The demagogue wants public violence, to convince more citizens that a new government is needed. The greatest and strongest demagogue eventually becomes a tyrant. This is pretty much a version of the tyrant praised by Thrasymachus. However, tyranny only ends in tragedy, the tragedy of endless despotic war.

The overall slope of political degeneration:

<u>Form of Government</u>	<u>Leaders’ Virtues</u>	<u>What it Loves</u>	<u>How it is destroyed</u>
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ARISTOCRACY	Wisdom, Courage, Moderation	The Good & Justice	Poor guardians are allowed to rule, causing:
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UNWISE WARS AND EVICTION OF PHILOSOPHY

TIMOCRACY	Courage, Appetite	Military Honor	Greedy guardians love wealth too, so then:
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GENERALS BECOME THE RICHEST

OLIGARCHY	Appetite	Wealth	The rich reduce everyone else to poverty:
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REVOLUTION OF THE POOR !!

DEMOCRACY	no virtues	Liberty	Too many laws; factions fight for control of
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government, so we see:

DEMOGOGUES COMPETE FOR SUPREME POWER

TYRANNY tyrants	no virtues	Love of the people	Endless wars among
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Plato makes this dismal prediction: each form of government, in the real world, inevitably collapses into the next lower form of government, sooner or later. And tyranny only follows tyranny, inevitably.

When Roman intellectuals began to read Greek philosophers and translate Plato in Latin, the pessimism of the degeneration of all governments haunted their own political theorizing. Only Cicero, Seneca, Cato, Lucian, and a handful of other philosophical minds looked back to the old Roman Republic with any spark of hope. Those sparks of hope were never extinguished, despite the fall of the Roman Empire, the Dark Ages, and Medieval Feudalism. The Renaissance opened as European minds were taking the opportunity to re-think the ancients.

## A Collection of Logic Arguments

In Books 1–4 of *The Republic*, these kinds of arguments have been applied or tacitly assumed in the Socratic discussions and debates. Potential fallacies are listed as well.

### Valid Deductive Arguments

Modus Ponens. “If P implies Q, and P, then infer Q.” As a linear rule,  $[(p \rightarrow q) \wedge p] \rightarrow q$ . As a three-step argument:

$p \rightarrow q$   
 $p$   
 $\therefore q$

Modus Tollens. “If P implies Q, and not Q, then infer not P.” As a linear rule,  $[(p \rightarrow q) \wedge \sim q] \rightarrow \sim p$ . As a three-step argument,

$p \rightarrow q$   
 $\sim q$   
 $\therefore \sim p$

Double Negation. “It is not the case that not P, so infer P.” As a linear rule,  $\sim(\sim P) \leftrightarrow P$ . As a two-step argument,

$\sim(\sim p)$   
 $\therefore p$

Disjunctive Syllogism. “Either P or Q, and not P, then infer Q.” As a linear rule,  $[(p \vee q) \wedge \sim p] \rightarrow q$ . As a three step argument,

$p \vee q$   
 $\sim p$   
 $\therefore q$

Exclusive Disjunctive Syllogism. “Either P or Q but not both, and P, then infer  $\sim Q$ .” As a linear rule,  $[(p \vee q) \wedge \sim p] \rightarrow q$ . As a three-step argument,

$p \vee q$  (exclusive ‘or’)  
 $\sim p$   
 $\therefore q$

Hypothetical Syllogism. “If P implies Q, and Q implies R, then P implies R.” As a linear rule,  $[(p \rightarrow q) \wedge (q \rightarrow r)] \rightarrow (p \rightarrow r)$

As a three-step argument,

$p \rightarrow q$   
 $q \rightarrow r$   
 $\therefore p \rightarrow r$

Categorical Syllogisms. There are 24 different types of valid categorical syllogisms. Two common types:

Categorical syllogism ‘AAA-1’ as follows: All A is B, All B is C, so All A is C.

Categorical syllogism ‘OAO-3’ as follows: Some M are not P, All M are S, so Some M are not P.

Commutative Laws for Conjunction and Disjunction. As linear rules,  $(p \vee q) :: (q \vee p)$  and  $(p \wedge q) :: (q \wedge p)$ . As a substitution stage in an argument,

$p \vee q$   
 $q \vee p$  (by Commutivity)

Material Implication. “When P implies Q, then infer not P or Q.” As a linear rule,  $(P \rightarrow Q) \leftrightarrow (\sim P \vee Q)$ . As a substitution stage in an argument,

$p \rightarrow q$   
 $\sim p \vee q$  (by Material Implication rule)

Transposition Rule. “A implies B” always validly implies “Not-B implies not-A” and vice-versa.

As a linear rule,  $p \rightarrow q \equiv \sim q \rightarrow \sim p$ . As a substitution stage in an argument,

$p \rightarrow q$   
 $\sim q \rightarrow \sim p$  (Transposition)

De Morgan’s Laws. (1) As a linear rule,  $\sim(p \wedge q) \equiv \sim p \vee \sim q$ . As a substitution,  $\sim(p \wedge q) :: \sim p \vee \sim q$ .

(2) As a linear rule,  $\sim(p \vee q) \equiv \sim p \wedge \sim q$ . As a substitution,  $\sim(p \vee q) :: \sim p \wedge \sim q$ .

Law of Non-Contradiction. “It is never true that both P and not P are true.” As a linear rule,  $\sim(p \wedge \sim p)$ . It can be inserted as a true premise at any stage as needed.

Reductio Ad Absurdum. “P then Q. And if Q then not P. So then P implies not P – but not(P and not P) [Law of Non-Contradiction], so finally infer not P. As a five-stage indirect proof,

$p$  by Assumption  
 $p \rightarrow q, q \rightarrow r, r \rightarrow s, \dots t \rightarrow \sim p \dots$  as steps in the middle of the argument...  
 $p \wedge \sim p$   
 $\sim(p \wedge \sim p)$  by Law of Non-Contradiction  
 $\therefore \sim p$

### Invalid Deductions, as Fallacies

Fallacy of Reversing Implication. “If P then Q, so then infer that Q implies P.” This is always invalid.

Fallacy of Affirming the Consequent. “If P then Q. And Q. So, infer P.” This is always invalid.

Fallacy of Denying the Antecedent. “If P then Q. But not P. So, infer Q.” This is always invalid.

Fallacy of Inclusive ‘Or’. “Either P or Q is causing R. So, infer that R depends on P, or R only depends on Q.” This is invalid in circumstances where *both* P and Q can be involved with R. An inclusive ‘Or’ doesn’t rule out P *and* Q by saying P or Q. The Disjunctive Syllogism presumes the Exclusive ‘Or’ of *only* one or the other.

Fallacy of False Transitivity. “If P then Q. And if P then R. So, infer if Q then R.” This is always invalid.

Fallacy of False Dichotomy. “If P or Q (but we forgot R), and not Q, then infer P.” This is always invalid so long as a third alternative is possible.

Zero-Sum Fallacy. A premise assumes a rigid relationship between two things so that one’s increase or gain must be the other’s diminishment or loss.

Modal Scope Fallacy. An argument in which a premise says that As must necessarily be related to Bs, while another premise says that As and Bs must related in an obligation, so two different senses of ‘must’ are used.

### Inductive Arguments

Inductive Argument from Authority. An expert on the topic P affirms Q, so Q is probably accurate.

Argument from Signs. The presumed authority of a posted or prominent sign means that information from the sign is probably accurate.

Inductive Argument from Analogy. Ps are like Rs, and typical Rs have Q, so a P probably has Q.

Inductive Argument from Generalization. Some sampled Ps are Q, so most/all Ps are probably Q.

Common Consent or “Consensus Gentium” argument. Most/all of humanity believes P, so P is far more believable than not.

Inductive Argument from Prediction. A trend of Ps having more Q implies that such Ps will continue to have Q more too.

Inductive Argument from Causation. Where a known cause is effective under certain conditions, that effect will probably occur again under similar conditions. As a three-step argument:

1. P usually causes R with conditions C.
2. This R occurs with C.
3. So, this R is probably caused by P.

Inductive Argument from Abduction. A pattern of Rs is distinguishable, and Rs would be evident if P is real, so P is probably real to cause Rs.

### Rhetorical Fallacies

Subjectivist Fallacy: Insisting that “I know X myself” has to imply “Anyone must admit X too.”

Ad Populum Fallacy. Inferring the credibility of a statement from the way that most people have believed it.

Bandwagon Fallacy. Inferring the credibility of a statement from its status as a currently widespread opinion.

### Inductive Fallacies

Appeal to Authority Fallacy. Presuming that “A respected person tells us X” implies “We can heed X without question.”

Causal Illusion Fallacy. Proceeding from “An interesting correlation has appeared” to then imply “There must be a causal relationship here.”

False Cause Fallacy. Attributes the main cause of something to a factor that at most is actually a partial or incidental cause.

Hasty Generalization Fallacy. Taking “Some Ps are Q” to be enough to imply that “Ps are generally Q” without checking for sampling and statistical cogency.

Hasty Abduction Fallacy. A postulated cause for an observed effect is inferred to be real without ascertaining whether alternative causes are possible and confirmable.

Slippery Slope Fallacy: Rejecting a narrow position on the grounds that once that position is accepted, no one knows how prevent the later acceptance of a dangerous broad position.

## Logic Arguments about Philosophy and Politics in Aristotle

Quotations from Aristotle, *Politics* (Oxford, 1995)

Aristotle, Plato's student and then philosophical rival, took a more realistic route searching for political justice. His research into kinds of actual governments, throughout Greece and also neighboring regions, confirmed that monarchy, oligarchy, and democracy are typical constitutional forms. Plato found five types of pure government forms in *The Republic*: Aristocracy (rule by philosophical guardians), Timocracy (rule by military commanders), Oligarchy (rule by the wealthy), Democracy (rule by the many), and Tyranny (rule by one). His later view, outlined in his dialogue *Statesman*, held that a sovereign government either pursues justice good for all citizens, or it pursues power benefitting part of society, so each constitutional form has two sub-types. Aristotle imitates this six-fold classification, only substituting "rule by stable Law" as a mark of justice best for the whole people.

Monarchy an autocrat ruling with Law	Aristocracy the noble ruling with Law	Polity the classes ruling with Law
Tyranny an autocrat ruling arbitrarily	Oligarchy the few ruling arbitrarily	Democracy a majority ruling arbitrarily

The upper level of sovereigns and their distinctive constitutions providing justice for all bring together the governments which are politically superior to any on the lower level that only display disordered and unchecked power. Aristotle presumes this principle for determining the more *political* types of government:

Ar1. A sound political basis for organizing a state must serve the entire community/nation.

Principle Ar1 has an argumentative role more important than any factual premise. A principle simultaneously states what something properly *is* and what that thing *should be*: it blends the factual and the valuational. No inconsistency or ambiguity inheres in such a principle, especially where the principle concerns something functional. A different approach to defining a social or political institution focusing on its character rather than its purpose would avoid the Fact-Value Fallacy of using a term ambiguously to carry both factual or descriptive meaning as well as value or normative meaning. Here, Aristotle conceives a state as functional in the first place so no fact-value fallacy is risked, as the state must explicitly serve a social group such as a community, a city, or a nation.

Applying Ar1 to democracy, for example, Aristotle finds that a democracy allotting each citizen some equal liberty and power cannot be as good as a democracy set up for equitable power-sharing among social classes. The former yield simple majorities that lack wisdom and virtue plenty of opportunities to unjustly oppress the rest (the tyranny of the majority). The latter tends to be more stable (civic order indicates justice) while promoting the virtuous to leadership (so justice can rule).

Aristotle offers a conceptual definition of justice, which looks consistent and lacks counter-examples. His confidence lies in the way that partisans of various governments each continually appeal to this same abstract principle.

“All parties have a hold on a sort of conception of justice; but they both fail to carry it far enough, and do not express the true conception of justice in the whole of its range. For example, justice is considered to mean equality. It does mean equality—but equality for those who are equal, and not for all. Again, inequality is considered to be just; and indeed it is—but only for those who are unequal, and not for all.” (1280a7)

Ar2. Justice requires treating equal persons equally, and treating unequal persons unequally.

This conceptual definition, while too abstract by itself for deriving conclusions about ranking governments, serves well as a premise for many arguments over governments. Because all parties to debates over ranking governments appeal to this idea of justice, he says, Aristotle provides no argument supporting it – reasoned arguments in political theory (he asserts) would presume it anyways. No fallacy of Ad Populum is happening here. General opinion is only involved for its inability think up counter-examples. As for consistency, academic debate over politics has to presume a definition like this to conduct intelligible arguments.

This premise Ar2 is a sort of principle, but for logic it is better classified as an Axiom. An axiom is asserted where it provides a precise conception or a clear definition of a term that can be used in any reasoned argument within an area of academic discourse or a field of inquiry. Within political philosophy and political theory, this Ar2 axiom of justice plays a neutral but useful role, ensuring that at least one crucial term means the same thing for all disputants. There are more complex views of justice, but they usually don’t deviate far from justice as “equals treated equally.” Very few political thinkers down to this day have ever disputed or replaced the minimal conception of fair justice that Ar1 provides.

Aristotle connects his functional conception of the state according to Ar1 with his axiom of justice Ar2 in this manner:

“In all branches of knowledge and in every kind of craft the end in view is some good. In the most sovereign of these, the capacity for political matters, the end in view is the greatest good and the good which is most to be pursued. The good in the sphere of politics is justice; and justice consists in what tends to promote the common interest. General opinion makes it consist in some sort of equality. Up to a point this agrees with the philosophical inquiries which contain our conclusions on ethics. In other words, it holds that justice involves two factors—things, and those to whom things are assigned—and it considers that those who are equal should have assigned to them equal things. But here there arises a question which must not be overlooked. Equals and unequals—yes; but equals and unequals in what? This is a question which raises difficulties, and involves us in philosophical speculation on politics.” (1282b14)

Because the question of political equality involves the issue of assigning citizenship, and awarding citizenship must be done justly, Aristotle has to explain who deserves citizenship. By the principle of justice, citizens possess an equality among each other that is lacking in those unequal to them, who cannot be citizens. What is the nature of that equality? Free citizens of a state cannot be defined into existence, like this: “The equality among citizens is based upon their liberty, for the equal liberty of people lies in their citizenship.” These two statements are just re-statements of each other; the second only appears to support the first. That is an example of the Fallacy of Circular Definition that explains nothing. We still ask, How many people merit free citizenship, and what is the basis for justifying that status?

Aristotle denies that “having large wealth,” as the advocates of oligarchy claim, is a legitimate basis for equal citizenship. As a common sense rule, no portion of society could fairly advocate their own political primacy. The rich, naturally enough, claim impartiality from their position of high status. That claim commits the Fallacy of Special Pleading: a proposition asks for an exemption to a general rule, a rule which is otherwise widely accepted, without justifying that exception. The oligarchs’ own prejudice favoring wealth really must be too partisan. In any

case, mere wealth has no political merit since a transactional worldview won't pursue the whole community's best interests (1280a25). (The Scottish Enlightenment had thinkers such as Adam Smith who challenged that assumption.) If not wealth, what then could be genuine basis for citizen equality?

Partisans of democracy claim that "wanting equal liberty" is a legitimate basis for equal citizenship. Aristotle cannot see why any person should be deemed a citizen simply because he or she wants plenty of liberty. Like wealth, mere liberty is not a sufficient political basis for deciding the matter, since a mere mass of free people display power but they lack the virtuous capacity to rule themselves in an orderly and just way (1310a12). Aristotle concludes that liberty won't amount to justice, because doing whatever one desires is not justice. In the schematic form of a categorical syllogism, his argument is as follows:

Ar3. No justice is doing whatever what one desires. [No P is M]

Ar4. Some liberty in itself is license to do whatever one desires. [Some S is M]

Ar5. Some liberty in itself is not justice. [so, Some S are not P, by the valid deduction EIO-2]

Merely equating wealth with just power, or equating liberty with just power, won't answer the real question, what is virtuously equal about people that they merit equal political power? Neither wealth nor liberty guarantee virtuous or just behavior, personally or publicly. Constitutions based on either would be poor governments. Aristotle accuses both oligarchs and democrats of political bias and partisanship:

"These people [pro-oligarchy and pro-democracy voices] fail to consider for whom there should be equality or inequality and thus make erroneous judgements. The reason is that they are judging in their own case; and most people, as a rule, are bad judges where their own interests are involved. Justice is concerned with people; and a just distribution is one in which there is proportion between the things distributed and those to whom they are distributed, a point which has already been made in the Ethics. There is general agreement about what constitutes equality in the thing, but disagreement about what constitutes it in people." (1280a7)

Still, Aristotle does allow the pro-democracy position to defend its standpoint on mass citizenship. His book Politics is not a dialogue, so he has to speak for the proponents of democracy. He construes the core argument for extreme democracy in this manner:

D1. People who are co-equal in something should be equal citizens. (Only equals can be equal citizens.)

D2. Citizens are co-equals, in liberty.

D3. So, all people are co-equals in citizenship.

This pro-democratic argument commits the Fallacy of Begging the Question. Only by assuming that the conclusion is already right would those premises look true. To expose the fallacy, consider one with the identical formal schema:

- a. Athletes who are co-equal in something can be equal All-Stars. (Only equally excellent players are All-Stars.)
- b. All-Stars are co-equal, in excellence.
- c. So, All athletes are co-equal All-Stars.

Not only does that position of extreme democracy encounter a fallacy, Aristotle can't see any sense to premise D2 about liberty. It is absurd to regard all athletes as All-Stars, since they don't all deserve to be regarded as excellent

players. Similarly, it is absurd to regard all people as equal citizens, since they don't all deserve to be regarded as worthy of political liberty. In fact, the typical principle of democracy seems to violate that axiom of justice.

D4. Each adult deserves to be an equal citizen, because everyone should have equal liberty to be citizens.

D4, so far, has depended on a fallaciously circular definition of "citizen" or it fallaciously begs the question. Can a valid argument be constructed to justify D4? Pro-democracy advocates need an argument to conclude that the equal citizens should be all the free people. They could begin by asserting that liberty itself is the equalizer among all people:

D5. All the free people are people equal in liberty. [All P are M]

D6. All people equal in liberty are the equal citizens. [All M are S]

D7. So, All the equal citizens are the free people. [All S are P – the invalid AAA-4 syllogism]

This argument is invalid, as may be seen by a substitution of terms while retaining the form: "All thieves are criminals, and All criminals are prisoners, so all prisoners are thieves." The conclusion can plainly be false even if the premises were true, so AAA-4 is always invalid.

The crucial idea behind democracy's quest for liberty as justice is the way that democracy essentially equates them. Has Aristotle overlooked that fundamental matter? Aristotle would not be impressed with any logical attempt to equate them.

D8. All justice is equality. [agreeing with Ar2]

D9. So, all equality is justice. [taking the converse of D8]

This immediate inference from a single categorical proposition to similar proposition commits the Fallacy of Illicit Converse. All dogs are mammals, but not all mammals are dogs. The valid immediate inferences from "All S is P" are either by Obversion to "No S is non-P" or by Contraposition to "All non-P is non-S". Friends of democracy wouldn't be wrong to assert that "No justice is inequality" or "All injustice is inequality" based on Dem8, but those uncontroversial statements cannot help justify democracy either. As Aristotle points out, "justice is considered to mean equality. It does mean equality—but equality for those who are equal, and not for all" (1280a7).

Proponents of democracy staunchly affirm that all people having equal liberty are the people having justice. The issue for democracy is not about whether liberty should be distributed to people by their desert or merit, but instead about each person inherently meriting liberty so it should be distributed equally. Aristotle does not overlook democracy's affirmative pillar:

"The underlying principle of the democratic type of constitution is liberty. Indeed it is commonly held that liberty can only be enjoyed in this sort of constitution, for this, so they say, is the aim of every democracy. ... The democratic conception of justice consists in arithmetical equality, rather than proportionate equality on the basis of desert. On this conception of justice the masses must necessarily be sovereign and the will of the majority must be ultimate and must be the expression of justice." (1317a40)

For democracy, when all people have equal liberty, then the people all have justice. Aristotle explains that position, and the argument behind it, in this manner:

“The argument is that each citizen should be in a position of equality; and the result which follows in democracies is that the poor are more sovereign than the rich, for they are in a majority, and the will of the majority is sovereign. This then is one mark of liberty, which all democrats agree in making the defining feature of their sort of constitution. Another mark is ‘living as you like’. Such a life, they argue, is the function of the free man, just as the function of slaves is not to live as they like. This is the second defining feature of democracy. It results in the view that ideally one should not be ruled by any one, or, at least, that one should be ruled in turns. It contributes, in this way, to a general system of liberty based on equality.” (1317a40)

The way that Aristotle casually mentions unfree slaves as the natural counterpart to free citizens catches one’s attention. We have caught sight of his position on citizens and slaves living together in a political state. Aristotle’s loose understanding of democracy allows him to regard democracy and slavery as compatible, just as monarchy and aristocracy can be. Nowhere does he suggest that pro-democratic advocates are eager to forbid slavery; indeed, he depicts mass democracy in companionship with slavery, while regarding the former as somewhat unnatural and the latter as entirely natural. As Aristotle points out, “democracy exists wherever the free-born are sovereign” (1290a30), while the fates of those born for unfreedom won’t have any political status.

“The last variety [of democracy], which includes all classes alike, is one that cannot be borne by all cities, and can hardly itself endure, unless it is properly constituted so far as its laws and customs are concerned. ... In attempting its construction the leaders of popular parties usually follow the policy of seeking to strengthen the populace by simply increasing its numbers to the utmost possible extent. Citizenship is given not only to the lawfully born, but also to the illegitimate and to those who have only one citizen parent, whether that parent be father or mother. Of course, this whole element suits the kind of democracy we are discussing. But, although this is the policy of construction usually followed by demagogues, they ought to increase numbers only to the point at which the masses exceed [in number] the notables and the middle class. They should never go beyond this point. Any greater proportion will at once disturb the balance of the constitution...” (1319b1)

Even mass democracy’s appetite for citizen inclusiveness could not imaginably extend to freedom for slaves, at least in Aristotle’s imagination. (We needn’t adjust “slaves” to “enslaved persons” as we cite his words since he did not regard slaves as persons.) In all, Aristotle does not expect any stand against slavery to come from democracy. What would democracy’s argument against slavery look like? If the argument was, “If democracy rules then political liberty reigns, and if freedom prevails then there’s no slavery, then a democracy has no slavery.” As an argument in the form of a hypothetical syllogism, it commits the Fallacy of Context. Although the ‘liberty’ of the first premise sounds like the ‘freedom’ of the second premise, their contexts shift from the first to the second premise, because liberty is a matter for the political realm while freedom is a matter for the economic realm. Substitute ‘poverty’ for ‘slavery’ in that argument to easily observe that fallacy. To avoid that fallacy of context, democracy would have to supply additional arguments demonstrating a more substantial connection between liberty and freedom (and so it does, see below).

Ultimately, Aristotle cannot think of a valid argument favoring mass democracy. If he had to choose one form of democracy closest to justice, he prefers a “polity” of power-sharing among meritorious classes – the rich, the middle class, and the working poor – who set up one Law for all citizens (the free-born of the city or nation) to minimize the risk of one class unjustly outweighing the others. In this “mixed constitution” these three classes (unlike those in poverty or slavery, or foreign workers, or resident aliens of another country, and the like) are essential to the state and hence merit power-sharing. Aristotle shows little more respect for the working poor than he shows for slaves, but he admits that the working poor can be numerous and their democratic inclusion (so long as they can afford armor in wartime) serves to balance the state against the domineering rich.

Aristotle cannot see any merit to valuing equal liberty for its own sake. It makes neither the individual happy (for many people cannot even rule themselves) nor the state (when rulers are unfit and unjust).

“If an individual can lack self-control, so can a city. ... In democracies of the type which is regarded as being peculiarly democratic the policy followed is the very reverse of their real interest. The reason for this is a false conception of liberty. There are two features which are generally held to define democracy. One of them is the sovereignty of the majority; the other is the liberty of individuals. Justice is assumed to consist in equality and equality in regarding the will of the masses as sovereign; liberty is assumed to consist in ‘doing what one likes’. The result of such a view is that, in these extreme democracies, each individual lives as he likes—or, as Euripides says, ‘For any end he chances to desire.’ This is a mean conception. To live by the rule of the constitution ought not to be regarded as slavery, but rather as salvation.” (1310a12)

A democracy prioritizing liberty for its own sake liberates citizens from political rule by others, but a mass democracy in power subjugates each individual to the unjust domination of majority rule. That is why Aristotle here points out how mass democracy in practice overpowers the individual liberty praised in theory, since neither side values self-control (and hence never gains justice). We are approaching another principle, practically an axiom for Aristotle, that identifies the true political grounds for discerning equal citizenship.

Ar6. Only people capable of beneficial self-rule can be citizens equally sharing political rule in a state.

With his three principles about the state, justice, and self-rule in place, can Aristotle argue better for his opposed stance? His position in effect reverses that democratic claim about broad equality: the people meriting political power are only those with enough liberty and leisure away from drudgery and poverty to participate in public affairs. Aristotle does thereby accept the argumentative burden of giving his reasons why “everyone should have equal liberty” cannot be correct. If he can establish his position conclusively, then proponents of democracy can stubbornly continue the controversy, but they have lost the argumentative debate.

For Aristotle, citizenship liberty must be merited and not merely desired as democracy’s friends propose. To argue, “The entire purpose of political life is the pursuit of liberty” again misses the point according to Aristotle, since a mass anarchy of chaotic liberty does not serve a goal of justice or any other political purpose. People doing whatever they want amounts to inequality, since human beings are inherently unequal in abilities and motivations, and hence unequal in achievements. Such inequality implies unequal citizenship, per the principle of justice. Only some people merit full citizenship.

Ar7. People exemplifying their inequalities are people meriting unequal citizenship. [All M are P, per the definition of justice]

Ar8. People living with liberty to do what they want are people exemplifying their inequalities in abilities. [All S are M]

Ar9. So, People living with liberty are people meriting unequal citizenship. [All S are P, by the valid AAA-1 syllogism]

Democracies detest that repugnant conclusion, but they cannot fault the true premise Ar7, so they must distance themselves from Ar8. That motivation accounts for that democratic impulse to award everyone “first place” or bestow identical medals for just participating. Artifice and deception cannot long disguise the reality that people naturally manifest all sorts of capabilities and advantages never quite identical to those of others. As Aristotle points out,

“The reason is that where people differ from one another there must be a difference in what is just and proportionate to their merits. If this argument were right, the mere fact of a better complexion, or greater height, or any other such advantage, would establish a claim for a greater share of political rights to be given to its possessor. But is not the argument obviously wrong? (1282b14)

That admirable divergence of ability, surely conducive to cultural diversity as Aristotle recognizes, cannot ground *political* equality. Interestingly, democracy's admirers loudly proclaim the very same thing, that the immense diversity of natural interests and talents cannot justify what sort of share of political power one should receive. Aristotle simply asks democracy to stay true to this assertion, instead of promptly forgetting it. Only *political* merit can ground political standing and equal political power. Claims to citizenship and an equal share in power have to be justified *politically* and not merely *socially* with status assigned by tradition, free birth, nobility, prestige, might, wealth, and so on. Political status must be supportive of the polis, of the entire state, and not merely conducive to increasing social status. Aristotle explains,

"Claims must be based on the elements which constitute the being of the city. There are thus good grounds for the claims to honour which are made by people of good descent, free birth, or wealth, since those who hold office must necessarily be free men and pay the property assessment. (A city could not be composed entirely of those without means, any more than it could be composed entirely of slaves.) But we must add that if wealth and free birth are necessary elements, the qualities of being just and being a good soldier are also necessary." (1282b14)

Ar10. The only grounds for equal citizenship have to do with the proper political rule of a state.

However, there are too many sorts of social qualifications crowding around for supremacy. Aristotle goes on to point how other well-regarded portions of the population, distinguishable in all manner of prominent ways, have no proper relevance to determining who is deserving and qualified to share political power. "All these considerations would seem to prove that none of the principles, in virtue of which people claim to rule and to have all others subject to their rule, is right" (1283b27). Aristotle's argument could be formalized in this manner:

Ar11. The various grounds for meriting respect each sensibly support political power for different portions of society.

Ar12. It is not possible to know which, if any, of these numerous claims to political power have more merit than any of the others.

Ar13. So, none of these grounds are reasonable claims for political power.

Although it is quite reasonable to admit when knowledge stays elusive, that negative admission should not be the key premise of a reasonable argument. As it stands, this argument commits the Fallacy of Appeal to Ignorance. Nothing can be concluded from an absence of knowledge. Aristotle would not intentionally commit a fallacy, so we need to attribute a different standpoint behind his stance on political power. Another passage displays a premise that he is willing to positively assert without hesitation:

"The citizen is, in general, one who shares in the civic life of ruling and being ruled in turn. But this varies from constitution to constitution; and under the best constitution he must be one who is able and willing to rule and be ruled with a view to attaining a way of life in keeping with goodness." (1283b27)

This assertion about the political qualifications for citizenship gets to the core of Aristotle's vision for a limited democratic polity and his disdain towards mass democracy. If any sort of constitution receives qualified praise for civic stability, it is the mixed constitution balancing the rich, the middle class, and the poor, where the middle class is the more numerous than the others.

"A city aims at being, as far as possible, composed of equals and peers, which is the condition of those in the middle, more than any group. It follows that this kind of city is bound to have the best constitution since it is composed of the elements which, on our view, naturally go to make up a city. The middle classes enjoy a greater

security themselves than any other class. They do not, like the poor, desire the goods of others; nor do others desire their possessions, as the poor desire those of the rich, and since they neither plot against others, nor are plotted against themselves, they live free from danger.” (1295b13)

This Aristotelian praise for the middle class serves as no salvation for the poor (who are on their own) and the slaves (who have no freedom) while he ignores the rich as they take advantage of so much servility. Aristotle’s overall approach to balancing the three classes against each other could be rightly accused of committing the Fallacy of Missing the Point: inferring a conclusion proposing a resolution for a problematic situation outlined in the premises, but this proposal couldn’t do much for that problem in actuality. The dire need for crafting a constitutional balance among classes is due to large classes trapped in impoverishment and degradation, but instead of shrinking those classes, Aristotle would grow a prosperous middle class to buffer that social strife.

For Aristotle’s political theory, there will always be a large class of slaves. Another central issue is now in sight: why would some humans merit a complete lack of political liberty? Poverty suffices for Aristotle, but ultimately he says, “because of slavery.” Readers of Plato’s Republic will recall Thrasymachus and his stance that most humans, by their nature and natural status, cannot deserve ruling power. There is only natural inequality; conventional law can artificially “equalize” those lacking the natural strength to take power. Aristotle’s own view is similar, holding that rightful rule over subjects is not different from rightful rule over slaves. His position is stated first:

“There are some who hold that the exercise of authority over slaves is a kind of knowledge. They believe (as we said in the beginning) that household management, slave ownership, statesmanship, and kingship are all the same. There are others, however, who regard the control of slaves by a master as contrary to nature. In their view the distinction of master and slave is due to law or convention; there is no natural difference between them: the relation of master and slave is based on force, and so has no warrant in justice.” (1253b14)

Advocates of maximal democracy would prohibit a master-slave distinction as unnatural and unjust force. Aristotle finds slavery to be natural and just: not all humans are born for participating in justice.

“We have next to consider whether there are, or are not, some people ... for whom slavery is the better and just condition, or whether the reverse is the case and all slavery is contrary to nature. The issue is not difficult, whether we study it philosophically in the light of reason, or consider it empirically on the basis of the actual facts. The relation of ruler and ruled is one of those things which are not only necessary, but also beneficial; and there are species in which a distinction is already marked, immediately at birth, between those of its members who are intended for being ruled and those who are intended to rule.” (1254a17)

Who is intended by nature to rule, and be ruled? The signs of superiority must be evident, to determine the relations and ranking among species, and between humans.

“Tame animals have a better nature than wild, and it is better for all such animals that they should be ruled by man because they then get the benefit of preservation. Again, the relation of male to female is naturally that of the superior to the inferior, of the ruling to the ruled. This general principle must similarly hold good of all human beings generally.” (1254b2)

Such claims are committing the Hasty Generalization fallacy, based on only limited acquaintance with the animal world and the variety of cultures. Aristotle does not notice, because he is trusting the tight horizon of the patriarchy and prejudice of his Greek culture. Aristotle thinks that he is observing nature as it really is. No superficial superiority will serve to demarcate those needing to rule and those needing to be ruled. Political justice requires a political divide, and a political assignment of power is about finding those fit to rationally know how to rule best. Aristotle is now asking, Who has reason enough to know how to authoritatively rule?

“It is possible, as we have said, to observe first in animate beings the presence of a ruling authority, both of the sort exercised by a master over slaves and of the sort exercised by a statesman over fellow citizens. The soul rules the body with the authority of a master: reason rules the appetite with the authority of a statesman or a monarch. In this sphere it is clearly natural and beneficial to the body that it should be ruled by the soul, and again it is natural and beneficial to the affective part of the soul that it should be ruled by the reason and the rational part; whereas the equality of the two elements, or their reverse relation, is always detrimental. The same principle is true of the relation of man to other animals.” (1254b2)

Ar14. Ruling is a kind of rational knowledge of what is good for life.

Ar15. Political authority is not different from domination rule, where the ruling power is more rational.

“We may thus conclude that all men who differ from others as much as the body differs from the soul, or an animal from a man (and this is the case with all whose function is bodily service, and who produce their best when they supply such service)—all such are by nature slaves. In their case, as in the other cases just mentioned, it is better to be ruled by a master. Someone is thus a slave by nature if he is capable of becoming the property of another (and for this reason does actually become another’s property) and if he participates in reason to the extent of apprehending it in another, though destitute of it himself.” (1254b16)

Ar16. Those dominated into subjugation are best fit to be ruled by a more rational authority.

We can see how Aristotle infers that subjugated people have to lack ruling power for lack of rationality: if they weren’t lacking in rational knowledge, they wouldn’t get subjugated in the first place. This argument commits the Fallacy of Begging the Question and its circular reasoning is evident by asking Aristotle the pointed question, Why should those people be slaves? “Because they lack reason enough to exercise power.” How do we know they lack enough reason? “They are by nature lacking in enough reason.” Why should we think they lack enough reason? “Because they could be subdued into slavery.” How would that be ascertained. “Look at how those people are slaves.” Basically, reducing this circularity to essentials, Aristotle fallaciously thinks that a person should be a slave simply because they actually are a slave.

Aristotle not only thought that many people should become slaves, he believed that once a slave, always a slave. Becoming a slave not only proves that one should be a slave, but after that it is impossible to show why you shouldn’t be a slave, since you were naturally a slave, and what is natural remains essential and permanent. In a way, Aristotle depicted the freeing of a slave as an unnatural deed contrary to the nature of the world. In this assumption, Aristotle commits the Genetic Fallacy by inferring that just because something began doing one thing, or was made for doing one thing, then it cannot become fit for doing something else.

Is there an argument that Aristotle could construct to avoid such fallacies? He does suggest this sort of categorical argument, which has to be analyzed for both validity and soundness:

Ar17. Those people who should be citizens are people with rational knowledge of the good life. [All P are M]

Ar18. No people with rational knowledge of the good life are subjugated people. [No M are S]

Ar19. So, No subjugated people are those people who should be citizens. [No S are P, by the valid EAE-2 syllogism]

Although this argument is valid and premise Ar17 can be admitted, Ar18 is highly dubious. Indeed, it must be false, since an understanding of how to live the good life is naturally distributed across all peoples (excepting children, the infirm, etc.). Aristotle is not unaware of this weakness to his argument on that point. He re-emphasizes his position taken with Ar14 on the ability to participate in rational ruling:

Ar19. The fact of one's ruled domination establishes one's lack of rational ruling power.

The way that Aristotle must equivocate on "political" and "domination" power exposes how his arguments are vulnerable to obvious criticisms.

Ar20. The exercise of rational rule is the capacity needed for citizenship. [All M is P]

Ar21. Having power over another is the exercise of rational rule. [All S is M]

Ar22. Having power over another is the capacity needed for citizenship. [All S is P, by the valid AAA-1 syllogism]

However, Aristotle needs "power" in (d) to mean "dominating power" so that slaves are rightly subjugated, while he needs "power" in (e) to mean "political power" so that only a political capacity stays relevant to political citizenship. In other words, Aristotle needs masters to be rulers and vice-versa, as Ar15 asserts, but they simply aren't the same. That equivocation over "authoritative rule" shifts to 'political' rule and then to 'dominating' rule as Aristotle's arguments shift in turn, but that equivocation makes his syllogism commit the Fallacy of Four Terms.

Even if Aristotle insists that no fallacy is committed because only one term, "authority" is actually meant in both cases, then he still falls into a contradiction with his own earlier premise Ar10. Political authorities are ruling with lawful justice over citizens; by contrast, masters ruling by sheer force over slaves are not displaying any *political* capacity. Aristotle said that great wealth and free liberty are not able to affirm citizenship; why would he affirm that slave mastery can deny citizenship?

Recall his own words: "Someone is thus a slave by nature if he is capable of becoming the property of another ... and if he participates in reason to the extent of apprehending it." The first condition approves of the force and violence needed to subdue others into slavery, and the second approves of barely-rational humans (and not just animals) getting subdued. Neither of these conditions would be conducive to exercising citizenship, since they aren't exhibitions of self-rule, but there is nothing valid in Aristotle's arguments to show that these must be natural and permanent conditions. Freedom from slavery is an opportunity for self-rule, and a life of liberty is an opportunity to acquire full rationality. Aristotle insistently declares,

Ar23. Humans lacking enough rationality or capability to self-rule or rule others are those who get naturally subjugated.

And he keeps insisting this point as if he easily expects his readers to also affirm,

Ar24. Humans who get subjugated are those naturally lacking enough rationality or capability to self-rule or rule others.

That immediate inference from Ar23 to Ar24 commits that Fallacy of Illicit Converse. Even if Ar23 happens to be regrettably but historically accurate, there is nothing about human nature to warrant Aristotle's view that some human beings by nature must be rightfully dominated and enslaved.

What is democracy's political standpoint here? Any type of constitutional state permitting slavery, including democracy, must be an unnatural and unjust government. By dropping that untruth of Ar24 about human nature, a fresh argument can be assembled from a few Aristotelian principles to refute and reject slavery.

Ar25. An opportunity to acquire the rational capacity for self-rule is a condition for living the good life.

D10. Living a life in freedom is an opportunity to acquire the rational capacity for self-rule.

D11. So, Living a life in freedom is a condition for living the good life. [Ar25, D10, the valid AAA-1 syllogism]

From D11, the incompatibility of slavery with political justice can be inferred. First, democracy asserts that any state for citizens living freely must avoid slavery (D12). Second, democracy agrees with Aristotle that the just political state is concerned for the good life of the people, so if Dem11 is true, the state advancing the good life must be concerned with the people living in freedom (D13).

D12. No state permitting slavery is a state for living a life in freedom. [No P is M]

D13. A just state guaranteeing conditions for living the good life is a just state for living a life in freedom. [All S is M]

D14. So, No just state guaranteeing an opportunity for the good life is a just state permitting slavery. [No S is P, valid EAE-2 syllogism]

Democracy can prove, through a couple of Aristotelian principles, that justice and slavery are incompatible. Slavery leaves persons in an unjust and unfree condition. The principle announced by D9, that equality for all is justice, can be vindicated.

Aristotle has no satisfactory answer to the democratic question, Shall the just state take no interest in enslaved persons beyond the perpetuation of their doomed domination? Aristotle persisted in claiming that the just state treats “natural” slaves justly by treating them as unfree unequals who are unworthy of citizenship. He never disguised how his political philosophy prevents liberty from serving as a ground of state legitimacy. He would reject D12 as partially untrue: he held that a state permitting slavery is for *citizens* living a life in freedom, including some citizens eager to be masters. Aristotle did not believe that we are all born for justice.

The modern idea, that endorsing the role of masters for citizens in fact erodes their capacity for justice (and their capacity for ethics as well), did not occur to Aristotle. He was fixated on the traditional complacency towards slavery. Perhaps history remains the best teacher, to eventually learn from experience how justice for all is inconsistent with liberty for some. Modernity had to directly confront the racist legacy from Aristotle that perpetuated the notion that some humans are naturally sub-human born for subjugation. Other ancient political philosophers, such as the Roman statesman Cicero, lent the moderns some wisdom about justice for vital inspiration.

Quotations from Cicero, *On Duties* (Cambridge, 1991), and from *On the Commonwealth and On the Law* (Cambridge, 1999).

Marcus Tullius Cicero (106-43 BCE) was the most philosophical statesman before the rise of Rome's Caesars, starting with Julius Caesar and his dictatorship during 49-44 BCE. Cicero died at the orders of such dictators, but not before he composed a variety of philosophical works largely imitating the Greeks he admired: Plato, Aristotle, the academic Skeptics, and the cosmopolitan Stoics. Cicero upheld the Republic until the tragic end, and like Socrates affronted by a democracy, he became another famous philosopher murdered by his own government.

Only the Greek orator Demosthenes had a more respected status among the ancients for rhetoric and public speaking than Cicero of the Romans. After the Renaissance's revived interest in his literary works, modern thinkers appealed to Cicero and his depictions of the Roman Republic to support republican movements against European monarchies. Cicero was praised by Voltaire, Diderot, and Montesquieu in France; Gibbon, Locke, and Hume in England; and by America's founders John Adams, Thomas Jefferson, Alexander Hamilton, and James Madison. In the Colonies the ability to read and translate Cicero's Latin was widely mandatory, not only for college-level instruction, but for admission into better colleges.

Cicero's book *On the Commonwealth* wasn't recovered from its Dark Ages disappearance until the early 1800s, but his books such as *De Finibus Bonorum et Malorum* (On Moral Ends), *De Officiis* (On Duties) and *De Legibus* (On the Law) was part of an intellectual's education in the West from his day down to the present. He transmitted much knowledge about various philosophies then much-discussed in the Roman Empire. The tradition of Stoicism could claim him, although he critiqued its paradoxes and departed from its worldview in distinctive ways. He could be platonic, and then skeptical, and then stoic in turn as he sought a balanced and harmonious approach to life.

Cicero's appreciation for Aristotle, and the Stoic ideal of Natural Law, was devoted but selectively developed in his philosophy. Nature itself is designed for providing each kind of creature, including humanity, with a fitting way to live. This naturalism does not leave out a Creator God, but this beneficent deity does not plan humanity's fate or plot the fortunes of people great or small. (Cicero was dismissive towards divination and superstition.) Indeed, providence only extends to opportunity: our human lives are largely in our own hands, and we each bear the responsibility to reasonably pursue human goals.

Reason, by natural law, is humanity's essential capacity for guiding a good life. If reason is natural, so is justice, and vice-versa. Following Aristotle, Cicero describes humans as social, economic, *and* political creatures. It is no coincidence or convention that reasonableness is necessary for both cooperative communality and civic order. That civic community, to combine those human proclivities, is simultaneously the reasonable life and the opportunity for the happy life. That civic order exemplifies justice for all living under it, so Cicero expects justice and reason to be correlative: where one is in control, so is the other; where one is not followed, the other is lost. The nature of human beings is enough to judge what humans should all do with their lives: reasonably advance justice.

This Aristotelian and Ciceronian manner of drawing conclusions about what humans should be doing from descriptions of traits all humans have exemplifies that Natural Law worldview and ethos. Establishing the credibility of this sort of position is never logically straightforward, although it may look easy. As a matter for inductive logic, the fallacy of appealing to nature is easily committed by making a position seem more reasonable on the grounds by agreeing with general ways of nature. From the perspective of deductive logic, a fallacy can be

easily committed as well: the Is-Ought fallacy. An argument having premises only describing factual matters, while lacking any normative terms, cannot validly deduce a conclusion about values, norms, or moral judgments. Philosophers who believe that the world, our natural home, and our own bodies were all designed and created – and many thinkers ancient and modern have presumed exactly that – cannot see why such reasoning from descriptions to evaluations has to be fallacious. The fallacy is avoidable if an argument’s premises include a normative proposition, to the effect that “This thing is a designed artifact.” If I already know that this object is a tool, for example, then its handle and long sharpened edge reasonably suggests that it serves as a knife and it should cut other things.

Aristotle nor Cicero were quite aware of reasoning risks taken when assembling “Is to Ought” arguments. In their writings, they offer extensive arguments to establish the world’s organized design and well-functioning, and those arguments are still studied with interest today. Here, Cicero avoids committing the deductive Is-Ought fallacy by proceeding to point out inductive correlations and connections between reason and justice that extend across humanity. “We are born for justice” is accurate about humans because all humans are “born with reason” and vice versa.

“[W]e are born for justice and that justice is established not by opinion but by nature. That will be clear if you examine the common bonds among human beings. There is no similarity, no likeness of one thing to another, so great as the likeness we all share. ... Thus, whatever definition of a human being one adopts is equally valid for all humans. That, in turn, is a sufficient proof that there is no dissimilarity within the species; if there were, then no one definition would apply to all. In particular, reason, the one thing by which we stand above the beasts ... is shared by all, and though it differs in the particulars of knowledge, it is the same in the capacity to learn.” (On the Laws, Book 1, sections 28-30)

Cicero’s inductive argument from constant correlation is grounded in an empirical truth, evident in humans how they all have common inherent traits. Cicero is talking about the sort of definition that stands as irrefutable: defining a thing in terms of its necessary and sufficient features. A sufficient feature tells you how to classify a thing: for example, having an engine, two rows of seats, and four tires sufficiently makes that thing a car, but you can’t define “car” as “having two rows of seats” because some cars only have front seats. The number of seats isn’t necessary for being a car. How about “having seats” as necessary for a car? That’s better, but its not sufficient to identify cars: trucks have seats too. A proper necessary and sufficient definition only specifies features (or traits, properties, or powers, etc.) for a kind of thing that each one of those things has (hence, had in common) but nothing else has too (hence, had exclusively).

The best sort of definition only includes important or vital features. All humans have two legs and walk upright, but so do chickens, and defining a human as a “featherless biped” still seems superficial. Besides, someone is still quite human despite being born missing a leg. What distinguishes humanity among the animals? Cicero, like Greek philosophers before him, selects the capacity for reasoning, typically expressed in complex language and utilized in social life. This singular trait – that capacity for reason – appears to Cicero as universal across all humanity, so a proper exceptionless definition of “humanity” starts there. We can still ask, are there no exceptions? Presuming that universality for such a species-level generalization commits the Essentializing Fallacy: treating a feature that is statistically distributed in a group (a population, society, etc.) as an inherent or essential feature equally present in every individual of that group. Modernity understands that no cognitively impaired person should be dehumanized or de-listed among human beings in this essentializing manner. Cicero’s quest for equality through imagined essences only leads towards inequalities.

Cicero wanted to locate a natural basis in a human universal to explain why every human being merits a kind of natural equality. Following Aristotle, that natural basis had to be politically relevant, so being a *walking* biped won’t serve as well as a *talking* biped. Hence, reason would be a natural basis for human *equality*. Cicero departs from Aristotle here. Aristotle went looking for the grounds of human *inequality* and found them in the natural

capacities for reason and self-rule: human are naturally too different in talent, and some too sub-human, to all be eligible for participation in political rule. Aristotle insisted on the immediate political implication from this supposed inequality:

Ar7. People exemplifying their inequalities are people meriting unequal citizenship.

Only those with the potential for rationality and self-rule could be citizens in Aristotle's world. Cicero agreed with Aristotle on this point in principle:

C1. If person has the potential for rationality and self-rule, then that person could be eligible for citizenship.

Cicero also agreed in his own manner with a basic principle affirmed by both Aristotle and democracy:

D15. People who are co-equal in some relevant political ability are persons who could be equal citizens.

Since Cicero affirmed humanity's universal capacity for reason, he knew that all humans are co-equal in that political capacity:

C2. All human beings have the potential for rationality and self-rule.

C3. All humanity, thanks to each person's capacity for rationality and self-rule, could be eligible for citizenship. (from C1 and C2 and Modus Ponens)

The sound of C3 echoes the affirmation of D1 in theory, but it is only a weak echo. The spirit of democracy is about an equality of *liberty* as the natural entitlement of each and every person. Liberty is a sufficient but not necessary feature of humans; indeed having liberty is for human beings (and not animals), but not all humans have liberty. Cicero observed his Roman world carefully, while not seeing much equality of freedom. Quite the opposite – many in the Empire were impoverished workers without liberty for escaping that drudgery and servility, and many were slaves who were housed and fed but unfree to leave service. All that servility was not the material for citizenship, not in practicality.

C4. Eligibility for citizenship requires sufficient liberty from material necessities and hardships.

C5. Each person, by exercising rationality and self-rule, could acquire the independence needed for citizenship.

Cicero found that material inference from C3 and C4 to C5 (a valid AAA categorical syllogism) to be irrefutable given its principled foundations. Whether a person merited their liberty was a contingent matter, and no necessary guarantee. Independence, like wealth (for they are convertible as far as Cicero could see), had to be acquired; only the use of reason and the need for justice were natural inheritances.

Where economics was mainly just a matter of well-operating family households and enterprises in Aristotle's philosophy, Cicero combined economical and political principles for a subject matter rightly called "political economy." In his version of political economy, understanding the nature of property is essential to understanding the proper function of the State. Private property was more natural than any artificial constitution. In principle, a person surely merited their property – however they came to possess it (for possession was nine-tenths of the law, as the saying goes, for Romans) – and people should be able to keep their possessions.

"The men who administer public affairs must first of all see that everyone holds on to what is his, and that private men are never deprived of their goods by public acts. Philippus acted perniciously in his tribunate in proposing an agrarian law ... That speech deserved to lose him his civic rights, pointing as it did to an equalization of goods.

What greater plague could there be than that? For political communities and citizenships were constituted especially so that men could hold on to what was theirs. It may be true that nature first guided men to gather in groups; but it was in the hope of safeguarding their possessions that they sought protection in cities.” (On Duties, Book 2, section 73)

Good government keeps its law away from private property, except to protect it at all costs. The earth was originally the common possession of all humanity, but acquisition (however accomplished) sets property apart individually and perennially. Cicero’s notable respect for private property as a political principle, and his comfort level with vast wealth clutched by aristocratic hands (such as his beloved Roman Senate) got in the way of much momentum towards democracy. Government, as Cicero views politics, is not of, by, and for the people (as Lincoln hoped) but of wealth, by wealth, and for wealth. Nothing else could sustain aristocratic loyalty to the State, to prevent both tyrannies of democracy and tyranny.

There is little conception of a significant “middle class” in Cicero’s political economy. Anyone laboring for a wage or earning a salary is not quite independent, in his eyes, and probably unfit for civic affairs. Commerce was respectable enough, so long as profit elevated a family towards independence and nobility over generations. The *accumulation* of liberty and wealth was paramount, while the *distribution* of freedom and property was beneath the State’s interest. Little about Cicero could aid the cause democracy, for his scheme of political power kept most power in the hands of the upper class. Aristotle’s category for a mixed constitution that balances a self-elective oligarchy (the patricians) with democratic elements (the plebs) has a design that suited Cicero’s hopes for Rome: a stable civic order and a restrained government can constitute political justice.

Democracy was the form of government that called for more equality in both liberty, opportunity, and property. For Cicero, government must respect property already in individual hands, however it got there, and no matter who had it or didn’t have it. People in poverty and enslaved persons are all a matter of private property for consideration economically, and they couldn’t be a problem politically, until urban unrest or slave revolt called for military repression. Cicero’s natural reasoning hardly strayed from that reliable AAA categorical syllogism. Private property is beyond political intrusion; enslaved persons are private property; so slavery cannot be subject to government control.

For Cicero, the capacity for reason is humanly universal, but a person actually being reasonable or living reasonably happy is another matter. Freedom is cheap, and sometime lost. One’s own choices may send a person down a course of life towards poverty, and misfortunes beyond one’s control can leave one stranded in slavery. The irony that aristocratic acquisitiveness was commendable while commoner avarice was anarchy never occurred to Cicero with his patrician prejudices. Although the poor and slaves did not merit citizenship, that’s not because of any absence of humanity or rationality according to Cicero, but only due to a lack of life’s luck. Blaming misfortune illustrates the Fallacy of False Cause, not only because many social factors can deprive someone of a fair opportunity at success, such as systemic discrimination and structural repression, but mainly because “bad luck” has never been a cause of anything.

One’s place in the social world comes down to individual responsibility. This is a key Stoic principle. Being born into poverty or sold into slavery is not really nature’s fault or the State’s responsibility, as far as Cicero could see. Neither nature nor government is fundamentally about the one thing that all reasonable people want: freedom. Nature’s bounties reward freedom and enterprise with profit; government’s justice respects liberty and wealth through citizenship.

Cicero’s ethical complacency towards slavery looks inconsistent with his own stand that the property of one person can never be rightly stolen by another person.

“Now then: for one man to take something from another and to increase his own advantage at the cost of another’s disadvantage is more contrary to nature than death, than poverty, than pain and than anything else that may happen to his body or external possessions. In the first place, it destroys the common life and fellowship of men: for if we are so minded that any one man will use theft or violence against another for his own profit, then necessarily the thing that is most of all in accordance with nature will be shattered, that is the fellowship of the human race. ... It is permitted to us – nature does not oppose it – that each man should prefer to secure for himself rather than for another anything connected with the necessities of life. However, nature does not allow us to increase our means, our resources and our wealth by despoiling others. (On Duties, Book 3, section 22)

The enslavement of one person by another is precisely the theft and violent degradation of the victim of enslavement. However, if Cicero ever sensed a contradiction in his views, it did not surface in his writings. He regretted slavery, he urged the just treatment of slaves, and he praises the generosity of liberating worthy slaves, but he never says that capturing a free person into slavery is naturally wrong. Enslavement itself simply isn’t a moral issue for him; he may have never seen it accomplished with his own eyes. Romans of Cicero’s acquaintance would purchase their slaves or supplement by births from their slaves, and never stain their hands doing the deed itself. Most slaves, or parent of slaves, were captured in war or piracy far from the city of Rome.

Perhaps it never occurred to Cicero that one’s body is one’s own property, but he would have been aware of the legality of selling oneself into slavery (perhaps the money is for one’s family, or it pays off a terrible debt). That contradiction arises again: if a person’s own body and its labor can be sold (to go into slavery) then one’s bodily labor is property (otherwise it could not be legally exchanged for money). But, if a person’s body is naturally property, then getting enslaved violates that bodily property right, which Cicero condemns.

Cicero simply treats slaves as given economic facts, no more curious than standing forest of trees awaiting harvest. After a person is enslaved property, property itself has no rights against the theft of its labor. Roman slaves sometimes acquired their own money from small enterprises, but that property-making ability in the economy didn’t mean that they weren’t property according to the law. Cicero’s admonition against theft of property only applies among property owners with civic standing. Enlightenment thinkers such as John Locke did not fail to notice this Ciceronian contradiction, so a typical list of types of property started with a person’s own body and using one’s body. In effect, one’s own liberty is a kind of natural property, never to be “alienated” by voluntary or involuntary choice. Modern thinkers (except pro-slavery voices) concluded that the State should not encourage slavery. Cicero instead judged that the State should simply respect and protect private property however it might happen to be economically acquired.

Cicero’s understanding of the purpose of the State was never going to advance very far towards complete democracy. Liberty and justice had almost nothing to do directly with each other. Like Aristotle, he couldn’t trust liberty for its own sake and he wouldn’t entrust the common masses with justice. That reticence towards democracy was a durable Ciceronian legacy in Europe. The Renaissance associated Cicero with republicanism’s (gentry) virtues to contrast with monarchy’s decadences. Enlightenment liberals such as Locke praised ancient thinkers who founded the State on individual consent. However, modern democracy had to wait until freedom itself was regarded as the supreme good for its own sake. In the meantime, democracy followed Cicero’s republicanism on the principle of independence:

C6. Government should be based on the approval of governed *citizens*.

D15. Free citizens should not be less numerous than the body of *independent* adults.

That criterion of independence kept limiting the number of civically-active citizens. In Roman times, only men of independent means were eligible. The seventeenth century revived the idea that government should be representative of the social classes. In the eighteenth century, as republicanism advanced along with a growing

middle class, even men of modest income were deemed independent for political purposes, but that left women, servants, and slaves without a share in political power. More radical voices demanded more: “Man is born free, and he is everywhere in chains” (J.-J. Rousseau, 1762) and “All men are created equal” (Thomas Jefferson, 1776). Modern democracy after the American Revolution and the French Revolution began to confidently affirm that the true basis of liberty should be the entire body of citizenry subject to the Law.

D16. Government should obtain the consent of all adults governed *under the law*.

Classical republicanism since Cicero was never going to be prepared for D16’s radicalism on political consent, because its design revolved around the idea that not all those under the State’s law have to be citizens. By C5, only *independent* persons could be citizens. Political economy’s materialism trumps over D16’s political idealism. For Cicero, none of the people dependent on orders by masters, wages from employers, salaries from patrons, and the like, while free to use their reason, have access to enough liberty to be regarded as independent citizens. He is talking about millions of people around the Empire: no one performing those occupations could find their way to sufficient liberty? Cicero is making the Fallacy of Sweeping Generalization: applying a universal generalization that Xs *usually* have a feature to infer the conclusion that any one particular X *must* have F. Here, Cicero is assuming that laborious occupations necessarily deprive those people of liberty, without actually looking into all those people’s lives.

Cicero was looking at an Empire that couldn’t afford to operate without millions of subservient and unfree people trapped in their lowly status. For Cicero, given that stark reality, although in principle any human being could be eligible for liberty and citizenship, in the real world only some people will actually be free citizens, just as in any society only some people will be wealthy or prestigious. Just as falling into a condition of servitude would be a contingent misfortune, rising from enslavement was also a uncertain contingency. A Roman slave could work towards freedom with special talents to merit freedom, or thrifty savings to buy freedom, or at least through good conduct over many years. Just the same, a low-talent, wasteful, or obstinate character would likely remain a slave. And either way, Cicero would add, a measure of justice would be served.

Cicero’s philosophy did not promise lifestyle equality among all people, not did he expect economics or politics to be responsible for producing it. Economic disparities, from wealth to poverty to slavery, are economic matters, where the realm of private property and financial exchanges determines outcomes. Government should respect private property, the basis for a person’s security and happiness. Slavery is an economic issue for Cicero, not a political matter or a natural condition. He denied that anyone could be a “natural slave” as Aristotle claimed, but Cicero’s praise of self-rule did not extend as far as democracy. Nowhere does he endorse complete liberty as a political agenda: keeping or liberating slaves were economic options left to the realm of private property and owner discretion. Cicero himself freed some of his better-educated slaves out of friendship and gratitude for their virtuous service to his household.

Departing from reason and natural law abandons the good life, although the accidents of misfortune can bring one down to an unhappy life. God and nature were not only compatible with poverty and slavery, but the universal order practically rationalizes those fates. Cicero and other Stoics spoke of the world’s Natural Law almost as if it was an immense power controlling the world, elevating those who conform to higher prosperity, and demoting the rest to lower status. That depiction of Natural Law as a pro-active force (like a deity itself) commits the Fallacy of Reification (also called hypostatization) where an argued position treats an abstraction or idealization in theory as a real entity with functions and powers.

Immorality can never be reasonable. Living the bad life, the life of vice and evil, is the result of some sort of loss of rationality. Even slaves, if they keep their wits and live reasonably too, are unhappy but not subhuman or deprived.

“There is no person of any nation who cannot reach virtue with the aid of a guide. ... In fact, there is no one, from any people whatever, who, if he finds a guide, cannot attain to virtue... For virtue originates in our natural inclination to love our fellow men, and this is the foundation of justice” (On The Laws, 1.10.30, 43).

Being a slave to one’s irrational passions is a worse slavery, by Cicero’s ethics, than enslavement under a just master. The natural order of things does not halt at the master-slave relationship:

“Let us remember also that justice must be maintained even towards the lowliest. The lowliest condition and fortune is that of slaves; the instruction we are given to treat them as if they were employees is good advice: that one should require work from them, and grant to them just treatment.” (On Duties, Book 1, section 40)

How could the treatment of slaves ever be regarded as just? Going back to Plato, (a) justice had to be beneficial to those ruled over by authority. Aristotle judged that (b) slaves, lacking much reason, naturally needed rational direction over their lives. And, (c) a life governed reasonably, even if it is governed by another’s rationality, is always a better life than an irrationally chaotic life. From this set of three propositions it was inferred that slaves are treated justly while benefitting under enslavement. (A hypothetical syllogism or a categorical syllogism can structure a valid argument here.) This view was voiced across the ancient world and it carried into the Middle Ages and thereafter. It was usually expressed in its fallaciously converse form as “any slave is justly benefitted.” The implied corollary was “no slave is human enough to live reasonably or responsibly” which actually was Aristotle’s original prejudice and never a sound conclusion.

During the Middle Ages, Europe continued its comfort level with slavery, although no European nation developed a “slave economy” to the scale seen in the Roman Empire. Serfdom was the preferred mode of agricultural servitude, with millions effectively tied down to the plots of land allotted them for a lifetime. Nevertheless, intellectuals continued to defend slavery. With Aristotle’s resurgence in the high Middle Ages, the theologian Thomas Aquinas re-laid the foundations for politically accommodating slavery. Natural Law must be the Creator’s Law, and slavery is so natural that it must be human law too. In his *Commentary* (c.1270) on the Politics of Aristotle, he wrote about the ‘natural’ form of slavery:

“The soul, by nature, rules over the body, and human beings by nature over irrational animals. Therefore, all human beings who differ from others as much as the soul does from the body, and as human beings do from irrational animals, are, because of the eminence of reason in them and the deficiency in others, by nature masters of the others. In this regard, Solomon also says in Proverbs 11:29: ‘The stupid will serve the wise.’” (Aquinas, *Commentary on the Politics*, 1.3.10. Hackett, 2009).

Any sort of bodily beating can be legitimated on this “beneficent” view of slavery:

“Therefore it is not lawful for a man to strike another, unless he have some power over the one whom he strikes. And since the child is subject to the power of the parent, and the slave to the power of his master, a parent can lawfully strike his child, and a master his slave that instruction may be enforced by correction.” (Summa Theologiae II-II, q.65, a.2, co.)

That Aristotle-Cicero-Aquinas legacy of natural law and natural slavery became perennial and pervasive. Since the Roman Empire, slavery was common around the Mediterranean and Near East worlds, and well-known to Medieval and Renaissance Europe. The widespread feudal system of serfdom that tied millions of families to hereditary lands and their lords also was legitimated by the Natural Law worldview. Unlike slavery, the bondage of serfdom did transition towards free tenant holding, although the mobile peasantry and craft classes were not eligible for citizenship and any share of political power. The principle of Aristotle and Cicero, that laboring classes had their freedom but lacked civic liberty, obstructed any recognition of their eligibility for political equality.

## An Interlude

On Dialogue, by Bernard Mandeville  
from *The Fable of the Bees Part II*, Preface (1729)

“[T]o discuss opinions, and manage controversies, [dialogue] is counted the most unfair manner of writing. When partial men have a mind to demolish an adversary, and triumph over him with little expense, it has long been a frequent practice to attack him with dialogues, in which the champion, who is to lose the battle, appears at the very beginning of the engagement, to be the victim that is to be sacrificed, and seldom makes a better figure than cocks on Shrove-Tuesday, that receive blows, but return none, and are visibly set up on purpose to be knocked down. That this is to be said against dialogues, is certainly true; but it is as true, that there is no other manner of writing, by which greater reputation has been obtained. Those, who have most excelled all others in it, were the two most famous authors of all antiquity, Plato and Cicero: the one wrote almost all his philosophical works in dialogues, and the other has left us nothing else. It is evident, then, that the fault of those, who have not succeeded in dialogues; was in the management, and not in the manner of writing; and that nothing but the ill use that has been made of it, could ever have brought it into disrepute. The reason why Plato preferred dialogues to any other manner of writing, he said, was, that things thereby might look, as if they were acted, rather than told: the same was afterwards given by Cicero in the same words, rendered into his own language. The greatest objection that in reality lies against it, is the difficulty there is in writing them well. The chief of Plato’s interlocutors was always his master Socrates, who every where maintains his character with great dignity; but it would have been impossible to have made such an extraordinary person speak like himself on so many emergencies, if Plato had not been as great a man as Socrates.

“Cicero, who studied nothing more than to imitate Plato, introduced in his dialogues some of the greatest men in Rome, his contemporaries, that were known to be of different [265]opinions, and made them maintain and defend every one his own sentiments, as strenuously, and in as lively a manner, as they could possibly have done themselves; and in reading his dialogues a man may easily imagine himself to be in company with several learned men of different tastes and studies. But to do this, a man must have Cicero’s capacity. Lucian likewise, and several others among the ancients, chose for their speakers, persons of known characters. That this interests and engages the reader more than strange names, is undeniable; but then, when the personages fall short of those characters, it plainly shows, that the author undertook what he was not able to execute. To avoid this inconveniency, most dialogue-writers among the moderns, have made use of fictitious names, which they either invented themselves or borrowed of others. These are, generally speaking, judicious compounds, taken from the Greek, that serve for short characters of the imaginary persons they are given to, denoting either the party they side with, or what it is they love or hate. But of all these happy compounds, there is not one that has appeared equally charming to so many authors of different views and talents, as Philaethes; a plain demonstration of the great regard mankind generally have to truth. There has not been a paper-war of note, these two hundred years, in which both parties, at one time or other, have not made use of this victorious champion; who, which side soever he has fought on, has hitherto, like Dryden’s Almanzor, been conqueror, and constantly carried all before him. But, as by this means the event of the battle must always be known, as soon as the combatants are named, and before a blow is struck; and as all men are not equally peaceable in their dispositions, many readers have complained, that they had not sport enough for their money, and that knowing so much before hand, spoiled all their diversion.”

[note: Philaethes would have meant Lover of Truth in ancient Greek– a character to always get things right.]

## Philosophy, Politics, and Economics of Renaissance Slavery

It is impossible to comprehend the foundations of European political economy without appreciating philosophical and theological principles that justified the “natural order” ranking the superior over the inferior among humanity. Natural law offered more civil and legal structure for architects of society. God’s law as discerned in the Bible surely approved of monarchy and slavery, to nearly every European looking for their legitimation, but Biblical guidance about political policy for an economy and an empire was sparse.

Three hundred years after Thomas Aquinas, as the age of Atlantic empires was opening during the Renaissance, the question of Christianity’s compatibility with slavery occasionally surfaced to trouble the conscience. Erasmus of Rotterdam (1466-1536), a leading Protestant intellectual and a staunch pacifist, completely rejected slavery in his *Education of a Christian Prince* (1516). Catholic intellectuals were not silent either. Pope Paul III issued his bull *Sublimis Deus* in 1537 to scold the Spanish for trying to justify enslavement in the New World in the name of Christianity, for American inhabitants are fully human too and deserve to be nonviolently indoctrinated into the faith. Objections from the war-mongering Spanish compelled this Pope to withdraw his bull within a year, and no Pope touched the topic of slavery again until the 1800s. Juan Ginés de Sepúlveda was the most strenuous Spanish voice favoring the conquest and subjugation of “barbaric” peoples in the Americas. His position, presented in his tract *Democrates secundus* (1544),

“... rested on Aristotle’s claim, found in the first book of his *Politics*, that some people are ‘slaves by nature’ (*natura servi*). Sepúlveda’s unabashed application of this doctrine to justify Spain’s wars has since become the primary source of his notoriety. As noted earlier, he was not the first to make use of the doctrine. John Mair, the Scottish theologian at the University of Paris, had applied it to peoples of the Americas in his commentary on the second book of Peter Lombard’s *Sentences*, published in 1510. The licenciado Gregorio introduced it into Spanish debates about the Americas two years later. Numerous others had repeated it in the years since. But few had invoked it and applied it to the Amerindians with such apparent conviction and enthusiasm as Sepúlveda.” (Luke Glanville, “Introduction” to *Sepúlveda on the Spanish Invasion of the Americas: Defending Empire, Debating Las Casas*, Oxford, 2023).

This *Democrates secundus* by Sepúlveda, while superficially akin to a Platonic dialogue, shares as much with Ciceronian discourse, and many discursions veer into diatribe. Some versions of his manuscript emphasize the subhuman status of New World inhabitants:

“... it is by the highest right that the Spaniards rule over those barbarians of the New World and the adjacent islands, people who in intelligence, native wit, and every sort of virtue and human feeling [humanitate] are as far surpassed by the Spaniards as children are by adults, as women are by men, as savage and fierce people are by the most gentle people, as the wildly intemperate are by those who are self-controlled and temperate— and finally I might almost say: as apes are by human beings (*denique quam simiae prope dixerim ab hominibus*). (Sepúlveda *on the Spanish Invasion of the Americas*, p. 75).

As the dialogue of *Democrates secundus* opens, we hear the moderate pacifism of the character Leopoldus in his admission that “it occurred to me again and again to doubt and to fear that it may not have been sufficiently on the basis of justice and Christian piety that the Spaniards inflicted war upon those innocent human beings who have done nothing to deserve bad treatment at their hands.” (p. 90) This standpoint, as befits the way that Leopoldus echoes German jurisprudence, reflects the “*Sachsenspiegel*” grounding the Germanic law code, in which the human likeness to God forbids slavery. In reply to Leopoldus, the character of Democrates (speaking for Sepúlveda) appeals to natural law as the ultimate basis for any justification of belligerent war.

“For by natural law, as the most eminent author Gratian propounds, ‘nothing else is ordered than that which God wants to happen; nothing else is forbidden but that which God forbids to happen.’ For indeed the truth is that, since there are, all told, three fit and proper kinds of government (kingship, the public order of the best men, and that which in common parlance is termed a republic), no law can be passed conformably to any of them that would not also be in accord with nature— or at least none that would deviate from the natural order. For the aim of all of them is safety and the public good— that is, felicity, which is to be understood in two senses. One is perfect and final and the end-goal of all good things, which the clear vision and contemplation of God brings about; and, as such, it is called eternal life. The other is imperfect and incomplete, the sort that can fall to the lot of human beings in this life— this moreover consists in the practice of virtue, as the philosophers make clear, and it is the road and as it were the stairway to perfect felicity. (p. 92)

Leopoldus would have also been familiar with the Medieval scholar Gratian (fl. 1140) as the Father of canon law. Still, he asks for a clear and complete definition of “natural law” next, and Democretes obliges as follows:

“The philosophers define the law of nature as ‘that which everywhere has the same power, not because there is an agreement on this or that’. For their part, the theologians define it in different words, but ones that tend to the same end, along these lines: ‘The natural law is the participation in the eternal law in a created being capable of reason.’ Moreover, the eternal law, as Augustine defines it, is the will of God, ‘which orders that the natural order be preserved and forbids that it be disturbed.’ Furthermore, man has a share in this eternal law through right reason and a propensity to duty and virtue. For while a man may be prone to evil through some eager desire, he has nonetheless a tendency towards the good through reason. Therefore, proper reason and a proclivity to performing duties and approving the tasks of virtue both are and are called natural law. ... For that which is good and just and, contrariwise, that which is wicked and unjust, this law makes clear in good men, not only Christians, but in all men who have not ruined upright nature through twisted practices— and all the more so to the extent that any given individual is better and more intelligent.” (p. 93)

In reply to Leopoldus’s question, “Why so much about natural laws and pagan philosophers?” – Democretes points out that the universal naturalness of laws, and the power of reason to understand and follow them, receives its illustration in the pagan philosophers of Greece and Rome. Sepúlveda finds that a natural system of just order extends across nature and humans alike, just as Aristotle and Cicero did. That order depends on a firm ranking of ruler over the ruled, whether magisterial, political, familial, or patriarchal. Sepúlveda’s repeated appeal to “the philosophers” from ancient times grounds his standpoint.

“(2) ... Though these forms of rule may be diverse, given that they exist in accord with right reason they all rest upon the law of nature— a varied law, to be sure, but one derived, as wise men teach, from a single natural principle and ordinance: that things that are perfect rule over and dominate things imperfect, strong things over weak things, things outstanding in virtue over things unlike themselves. (3) This is in accord with nature to such an extent that in all things which consist of many or connecting or divided elements we see that one thing— that is, that which is greater— holds power, while another thing is subject, as the philosophers make clear. ... [T]he soul holds the ruling power and is, as it were, the mistress, while the body is subject and is, as it were, the slave. Then, in the same manner, in the soul itself the part that is capable of reason is superior and exercises power (albeit a kind of civil power), while the part devoid of reason is subordinate and submits to rule— and they all do this in accord with that decree and law of God and nature that the more perfect and powerful things are to hold the power over things unlike and unequal to themselves. The philosophers bid us to contemplate this in things that retain an uncorrupted nature and in men who are best endowed with mind and body.” (*Sepúlveda on the Spanish Invasion of the Americas*, p. 100).

This argument relies on a granted premise about all of nature, that the reasonable portion of nature dominates the less rational portion. Even if that general order prevails throughout nature, nature has innumerable parts and elements displaying their own character. A fallacious argument therefore emerges here. It doesn’t validly follow

from that general natural order that each and every subcomponent within nature must similarly be operating in some slave-master relationship, down to small groups of individuals. Consider this similarly invalid argument: the nation's economy operates on a commercial basis, so neighborhoods operate by commercial relationships. This invalidity is the Fallacy of Division, where an argument expects that an overall property or functioning of something must also be found in some or all of its parts. It was an ideological principle, quite common from medieval times to modernity, that not the smallest part of society could have a non-authoritarian basis without the whole human order falling apart into anarchy.

Not content with requiring every human society to display an internal order of ruler-and-ruled, Sepúlveda couldn't tolerate a world without a world order controlled from by the greatest power.

“(4) ... they [the philosophers] teach that this reasoning holds good in the case of different men among themselves, and that there is a certain category among them within which some are by nature masters, while others are by nature slaves. For those who are powerful through intelligence and wit, but not through strength of body, are by nature masters. On the other hand, those who are slower-witted and more sluggish, but powerful in body for undertaking vital tasks are by nature slaves, for whom it is not only just (they declare) but even profitable that they serve those who are by nature masters. We see that this has also been ordained by divine law; for it is written in the book of Proverbs: ‘He who is stupid shall serve the wise’— and such, they teach, are barbarous and uncivilized peoples who stand apart from civility and gentler customs and virtues, for whom it is advantageous and just by nature that they be subject to the power of princes or peoples who are more civilized and superior in virtue, so that when their savagery has been set aside they may be brought back to a more civilized way of life, gentler customs, and the cultivation of virtues through the virtue, laws, and wisdom of those others.” (*Sepúlveda on the Spanish Invasion of the Americas*, p. 101).

Overlooking that fallacious Appeal to Authority from the Bible (useful when getting theological as well as political), Sepúlveda pushes his argument for conquest and Empire too far beyond his (dubious) premises. Even if there are ‘natural’ slaves in need of authorities scattered across the globe, the Spanish needn't be the new-found continent's rulers. The nobler idea that “barbarians” could learn to civilly rule themselves was beneath consideration by all but a few radical thinkers in Enlightenment Europe. For Renaissance Spain, the imperialist idea that Spain was at civilization's peak was the highest consideration, entitling the Empire's swift expansion wherever its weapons could go. This argument commits the Fallacy of Composition, by expecting that a property or power found in the parts of a thing must be possessed by that thing as a whole. Even if small groups of “native peoples” merited rule by their local superiors, hundreds of tribes and nations needn't be absorbed into Spain's globe-spanning territories.

However, Sepúlveda is too prejudiced about European superiority to perceive much humanity in those peoples:

“... if it is lawful and permitted for those who are superior and more advanced in nature, customs, and laws to rule over those who are their inferiors, you certainly do understand, Leopoldus, provided you are familiar with the customs and natures of the two peoples, that it is by the highest right that the Spaniards rule over those barbarians of the New World and the adjacent islands, people who in intelligence, native wit, and every sort of virtue and human feeling are as far surpassed by the Spaniards as children are by adults, as women are by men, as savage and fierce people are by the most gentle people, as the wildly intemperate are by those who are self-controlled and temperate.” (*Sepúlveda on the Spanish Invasion of the Americas*, p. 110).

The fact that the Spaniards were the invaders into the Americas did not matter to Sepúlveda's chain of reasoning. The “barbarians,” as Sepúlveda repeatedly calls them, are far inferior to the people of Spain. This emotional appeal distorts this line of argument into the argumentum ad populum fallacy by appealing to popular European sentiments, and then into another fallacy of appealing to flattery, as Democretes holds up the Spanish as superior to an audience of fellow Europeans enjoying their feeling of superiority. He goes on to laud and praise the

superior virtues of Spanish rulers and generals, implying that loyalty to their leadership must sweep aside worries about the wars they conduct, committing the fallacy of appeal to loyalty.

At such a low level of inferiority, the New World peoples are not worthy to even inhabit their own lands. By Sepúlveda's argument, the uncivilized and subhuman status of New World peoples requires Spanish subjugation and domination in accord with laws of nature and God. The very fact that "those lesser humans (homunculi) among whom you will scarcely find any vestiges of humanity" (p. 111) attempt to raise resistance against their conquest only proves how depraved and barbaric they must be, further justifying a Spanish war against them.

"Could it be made clear by any greater or more manifest piece of evidence how some men surpass others in ingenuity, energy, strength of mind, and virtue— or more clearly demonstrated how those people are slaves by nature? For as to the fact that some of them seem to be clever at certain arts, that is no indication of a more human intelligence, since we see certain insignificant beasts— bees and spiders, for example— fashion such works as no human industriousness is sufficiently able to imitate. ... I have no more decisive evidence for the backwardness, barbarity, and native servility of those peoples than precisely the public practices of those very same people. For almost all of those practices are servile and barbarous. For the fact that they possess houses and some manner of living together and commerce, which natural necessity brings in— what does this prove, apart from the fact that they are not bears or apes utterly deprived of reason?" (*Sepúlveda on the Spanish Invasion of the Americas*, 112-113)

Sepúlveda hastily concludes that a 'barbaric' way of life was an intrinsic violation of natural law (which prevailed before Mosaic law) and God's own law.

"Thus it is understood that it is all the more fitting that those men obey the rule of more prudent, more humane, and pious men, given that most of them are of such a nature that does not resist teaching if they are given instruction, although it be agreed that all of them are— or were, before the rule of the Spaniards and daily interaction with them— barbarians and people brought up in a servile manner without letters, shrinking from a civilized and more humane way of life and customs, and contaminated with those crimes that in themselves constitute another justification for a thoroughly just war." (*Sepúlveda on the Spanish Invasion of the Americas*, 114)

After Sepúlveda's fallacies of conquest are set aside, the deeper implications of his political economy are worth some examination. The master-servant relationship, like the ruler-and-ruled relationship, is most just when it is most "profitable" for both parties involved. Those in servility are improved from being ruled, and those in authority should benefit from their virtuous rule.

"Therefore, are we going to doubt that these peoples so uncivilized, so barbaric, so contaminated by heinous sacrifices and impious rites have been reduced to submission by a most excellent, pious, and most just king, such as Ferdinand was and as Emperor Charles is now, and by a nation that is pious, most humane, and pre- eminent in every sort of virtue in accord with the best possible justification and with the greatest benefit for the barbarians themselves? Although prior to the arrival of the Christians these people were such as we have declared with regard to their nature, customs, religion, and unspeakable sacrifices, now that they have received, along with our rule, our letters, laws, and customs— at least those who have entrusted themselves docilely to the magistrates and priests who have been assigned to them, as many have indeed entrusted themselves— they differ from themselves and that earlier condition of theirs just as much as the civilized differ from the barbarians, the sighted from the blind, the gentle from the fierce, and the pious from the impious— and, to be perfectly blunt, almost as much as human beings from beasts." (*Sepúlveda on the Spanish Invasion of the Americas*, p. 114).

This mode of rulership is a theory of political economy, and a political theology backed by ancient philosophy, justifying absolute dominion over non-European peoples. As for political theology, the jurisprudence School of

Salamanca in Spain was at that time arguing on the basis of established canon law that no cause for just war could license the European colonizing invasions. Committing the fallacy of appeal to tradition, Democrates only recounts his own chosen traditional figures of theology who agree with his position while overlooking any dissenting figures.

European empires really can do no wrong in Democrates' eyes. Even while they conquer and plunder, when they refrain from utterly destroying the New World peoples, then the supremacy of European Christianity, and Spain's Catholicism in particular, is thereby proven.

"Therefore, with the help of God's greatest and clearest judgments we can see that important precedents have been established with regard to the laying waste and pillaging of those barbarians. Therefore if those barbarians had been dealt with according to justice and punished on the basis of their manifest crimes, and we had not chosen to prefer kindness and mercy to severity, not only could they have been deprived of their possessions but also of their lives, given that they imitate the sins of those who were punished in accordance with divine fore-judgments and the curse of the Psalm: 'Pour out your wrath upon the nations who know you not, and upon the kingdoms that have not called [upon] your name.' But I see that the most humane kings of Spain arrived at a different decision and continue to abide by it; for in pursuit of this task that they have been assigned— to subjugate those barbarians to their rule and that of their fellow Christians— they have set forth not the punishment of sins but their correction, as well as the salvation and the public good of those peoples. This is what the pursuit of Christian piety demands, which— unlike the old law, which was of slavery and fear— is the law of Grace and gentleness." (*Sepúlveda on the Spanish Invasion of the Americas*, 117)

Sepúlveda didn't insist on the fate of slavery under Spanish rule, although they deserved it in his view, but such "barbarians" merited little more than serfdom and servility under a Christian dominion. He even resorts to the fallacy of appeal to force so that natives are speedily converted: "I maintain that it is not only in order that they might listen to the preachers that the barbarians should be reduced to rule; but also in order that threats may be added to teaching and admonitions and that terror may be struck into them" (p. 140). The liberty to think for oneself doesn't apply to receiving the Gospel in this situation of Spanish invasion.

In case some of his Christian readers haven't joined his side of the argument, he makes his position sound completely unchallengeable with the fallacy to disprove the believer, saying that no one could dare to think he is wrong.

"Given that the justice of this war has been made clear by this impartial judgment and rescript of the Highest Priest [the Pope], I am utterly amazed if there is anyone from the ranks of the pious— anyone, at least, who has been made aware of this— who could harbour doubts about the propriety of this cause and would dare to oppose his own judgment or the opinion of any private person to the sacrosanct authority of the church." (p. 146)

As for Leopoldus, perhaps he knows (like many of his readers) that different Popes have stated divergent edicts about the righteousness of belligerent war upon New World natives. He returns to the question of whether their complete subjugation is really warranted and necessary (p. 151). To reply to the objection that, as Cicero had insisted, that all human beings have a natural liberty and right to their property (p. 154), Sepúlveda appealed to a "natural necessity" that war's victors own the lives of the defeated as well as their possessions.

"[T]hough it is by nature just that each person should enjoy his natural liberty and his justly acquired goods, nonetheless reason and the natural necessity of men have through a tacit consensus of nations established or approved that, when there will have been a recourse to arms, the things that will have been captured in war— to use the words of Aristotle— 'become the property of the victors'; that is, as the jurists make clear, people who have been captured are to become slaves and their goods are to pass into the power of those who seize them— indeed, for the most profound of reasons, which is something agreed upon by universal law, though it goes

against the nature of a private person or single individual, as Thomas teaches in the second part of Book 2, question 65. This law, then, is natural and is secured with much stronger bonds of justice than that aforementioned law of natural liberty. (*Sepúlveda on the Spanish Invasion of the Americas*, p. 155)

That startling conclusion – that a natural right to rule over a war’s losers must override a natural right to liberty – effectively enshrines the principle of Might Makes Right. The most superior who already possess the most should benefit the most by exploiting the few with the least capacity to hold what little is theirs. As far as Sepúlveda can see, nothing in Christianity militates against the idea of natural slavery and a natural right to reduce the less civilized to servility.

“Those who are most important and most skilled in pontifical law agree, for they say that things that have been seized in a just war are not to be reckoned as compensation for things that have been stolen; rather, the defeated are deprived of their goods and reduced to slavery as punishment for the crime of having violated human fellowship.” (p. 159)

After appealing to vague theological authority again, Sepúlveda abruptly appeals to New Testament epistles which can be quoted to lend religious support. By committing the taking out of context fallacy, quotations can be made to appear to support his pro-slavery stance even though those words may have a somewhat different meaning in their actual context.

“This slavery even Paul affirms is just and legal when contracted in a just war: in his Epistle to the Colossians he not only does not regard as unjust slavery contracted in a just war through the law of nations, but even gives precepts and lays out the duties of slaves to masters and masters to slaves: ‘Slaves’, he says, ‘obey your earthly masters in all things, not only obeying them in plain view as those who please men, but fear God in the honesty of your heart.’ With these words he makes it clear that that person does not fear God— that is, he gravely sins— who, though a slave, does not serve and act submissively to his master— and he says, ‘You masters, offer to your slaves that which is just and fair, for you realize that you too have a master in heaven.’ He does not say, ‘Manumit your slaves, free your slaves’ — which is what he should have said if divine law condemned human servitude— but ‘treat your slaves justly and humanely’. And he writes to the same effect in another place: ‘Slaves, obey your fleshly masters in fear and trembling . . . and you masters do the same to them, leaving threats aside.’ Also, in an epistle, Peter, the prince of the Apostles, orders slaves to obey not only good and modest masters, but also difficult ones.” (*Sepúlveda on the Spanish Invasion of the Americas*, p. 159)

Translations into Latin or Spanish from the original Greek words are never precise, especially a term from a long-ago era and far-away culture. The controversial term used in some epistles is δοῦλος (doulos) to denote a bound slave, the full property of a master. However, leaping from the ancient Roman world in which early Christians lived, and repeating the word “slave” for sixteenth century Spain, also commits the fallacy of appealing to literal meaning, by imposing only one basic meaning for a word.

Another controversial term playing a large role in this discussion is ‘property’. For the future of political economy, apart from political theology or just war theory, a conjoint argument develops a theory about the ownership of lands that makes rightful ownership depend on right and righteous usage. In Sepúlveda’s hands, natural law sets the standard for the appropriate human use of the natural world:

“There are many things that bring it about that someone could legally be deprived of his own goods, but this in particular: if someone is making ill use of those goods, especially as an affront to God or an evil for the state... Moreover, those people most especially abuse their faculties for the contempt of God who worship demons in place of God or who live a life that is at variance to divine and natural laws; for goods and resources, as the philosophers teach, are tools for life, whose use cannot avoid being most vile when it is adapted to such a life as that.” (*Sepúlveda on the Spanish Invasion of the Americas*, p. 151-152)

Sepúlveda's principle of Natural Law here, that inhabitants poorly using their lands lose any right to the possession of those lands, would become a cornerstone of John Locke's view of property, in which the naturally proper use of land entitles rightful ownership.

Sepúlveda did not go unchallenged, and his rival promptly emerged. Friar Bartolomé de las Casas studied canon law at Salamanca and then was bishop of the Royal City of Chiapas in southernmost Mexico. Upon returning to Spain in 1547 he began composing tracts against Sepúlveda's book. His participation in the 1550 "Valladolid Debate" contra Sepúlveda to defend the full humanity of indigenous peoples in the Americas and denounce Spain's dominion over them. The aftermath of that debate carried on the primary points of disputation. Bartolomé de las Casas's "Twelve Replies" (1551-52) were composed in response to Sepúlveda's "Twelve Objections" to positions taken in las Casas's earlier "Apología" composed for the debate. Most of their positions and counter-positions pertain to issues of Biblical and Catholic theology, interpretations of patriarchs and philosophers, appeals to historical precedents, and principles of canon law and rights of kings.

The primary positions of las Casas ring out clearly. First, on the spectacle of a Christian nation engaged in the unjust subjugation of fellow human beings, he wrote:

"[N]o Christian can in good conscience lawfully champion and defend apostolic authority or the dominion of a Christian monarch by means of unjust wars, mountains and fields awash with innocent human blood, and the defamation and desecration of Christ and his faith." (*Sepúlveda on the Spanish Invasion of the Americas*, p. 290)

Nothing about the peoples of the New World, in las Casas's eyes – not their seeming indolence, heathen idolatry, or infidel ignorance of the true faith – could justify a Christian conquest. Besides, as enumerated in his "Apología," the New World inhabitants aren't rightly classed among the worst sort of barbarians anyways.

"[T]he bishop proceeded to recount the history of the Indians at great length, showing that even though they do exhibit some traits characteristic of less civilized people, they are nonetheless not barbarians of that degree; rather, they are social, civilized people who boast large settlements, houses, laws, arts, nobles, and governance and who impose the death penalty not only for sins against nature but even for some of the other natural crimes. Their level of civilization is certainly such that war cannot be waged against them on this count of barbarism." (*Sepúlveda on the Spanish Invasion of the Americas*, p. 267)

Enlarging on this depiction of Amerindians as fully and equally human, las Casas's "Twelve Replies" elaborates:

"The Indians are so intelligent and quick-witted, so capable and receptive to any moral science or speculative doctrine, and for the most part thoroughly well organized, prudent, and reasonable in their governance, boasting many eminently just laws; moreover, they have derived such great benefit from matters of the faith and Christian religion and in developing good habits and reforming their vices whenever they have received instruction from missionaries and other upstanding individuals, and with every passing day they continue to make progress as much as any people of the world discovered after the Apostles ascended to heaven or yet to be discovered today. I need not rehearse the remarkable progress they have made in the mechanical and liberal arts, such as in reading and writing, in singing and with all musical instruments, in grammar and logic, and in all other areas in which they have been instructed and to which they have been exposed." (*Sepúlveda on the Spanish Invasion of the Americas*, p. 311)

The New World inhabitants must be protected by natural law and civil law from the unjust predations of Christian monarchies. Not even Christianity itself has a just cause to engage in violent conquest.

“... what [Sepúlveda] proceeds to posit— namely that the Indians deserve to be stripped of their liberty and sovereignty on account of their idolatrous sins— proves to be specious. Presumably he means to imply that they are not the lords of their own domains, realms, or estates, or that they can be stripped thereof *ipso jure*: if this is indeed what he means to suggest, then it must be that the reverend doctor does not realize that this assumption leads, by virtue of sound logical reasoning, to a major heresy now long since condemned, namely claiming or contending that temporal civil sovereignty has its basis in faith or grace.” (*Sepúlveda on the Spanish Invasion of the Americas*, p. 337)

Las Casas mentions a Medieval doctrine that a monarch’s own devout Christianity legitimates their rule, or justifies military action against another nation. Regrettably, Sepúlveda’s doctrine continued to have persuasive force as European powers not only conducted “Christian” conquests in the New World, but carried on religious wars for two more centuries across the Old World. As for Las Casas, his initial participation in colonizing before he joined the priesthood didn’t slow down slavery; his early writings as a younger man concurred with the importation of African slaves to the New World. By the early 1500s, Portuguese and Spanish slave traders were transporting African captives to the New World, with England surpassing their trade volume by the mid-1600s.

## Logical Principles

### Proper Definitions

#### Extensional definitions

With a limited or beginner's vocabulary, words have to be learned from examples, so that a definition is extended to concrete objects. Pointing to objects to teach their names is a start, and baby books draw attention to pairings of words with pictures. After a basic vocabulary is understood, a word can be defined with a list of named examples. An enumerative definition lists some specific things to define a kind of thing. A subclass definition defines a general term with a list of kinds of things classifiable under that term.

#### Intensional definitions

Defining a word by way of what the word intends allows great flexibility and perhaps clarity. Rhetorical definitions divert attention to controversial or emotional connotations of a word to sway an audience. A vague definition, of the sort common in dictionaries, offers synonyms to convey the general meaning. A good definition should avoid metaphor, allusion, circularity, and ambiguity. Bestowing a new label for something just invented or discovered is a stipulative definition. Recounting the history of the origins of the meaning of a word helps to bring its meaning into better focus.

Four more kinds of definitions make logical argumentation much clearer. To reduce a word's vagueness, use an operational or precising definition. To distinguish meanings of an ambiguous word, genus-difference or theoretical definitions work well. In general, a good definition is neither too broad nor too narrow, and focuses on central or essential aspects of the thing defined.

A genus-difference definition for a term begins with the wider category a thing belongs to, followed by a description of what makes this term different from the rest of things under that category. If this kind of definition admits of no counter-examples, it yields necessary and sufficient conditions. Example: A well (term) is a (shaft going underground = genus) that (reaches access an underground supply of a liquid or gas = difference).

An operational definition explains how something characteristically functions or works or serves a purpose. This type of definition should include necessary conditions for what the term intends, but operational definitions typically don't attempt sufficient conditions since many kinds of things may function in very similar ways. A definition for a drill is "an instrument with an edged or pointed end for making holes in hard substances by revolving or punching motions."

A precising definition specifies measurable criteria or observable conditions within a certain context for satisfying the term's meaning. For example, the U.S. Department of Health and Human Services (2021) definition of poverty specifies that a family of four is in poverty if its annual household income was \$26,500 or less before taxes.

A theoretical definition gathers together some intrinsic properties, powers, or activities of an entity as imagined or postulated in theory. A sharp theoretical definition includes only necessary and sufficient characteristics. However, those characteristics may not be observable and perhaps difficult to instrumentally discern.

The same term can be defined in multiple ways.

Genus-difference: a diamond is a precious gemstone capable of being colorless, perfectly clear, and brilliantly sparkly when faceted.

Operational definition: a diamond is the hardest natural stone capable of scratching any other stone without being scratched itself.

Precising definition: a diamond won't fog with breath, float in water, lack a tiny inclusion under a loupe, look less than intensely reflective, shatter from striking or heating-cooling testing, and fail to glow blue in UV light.

Theoretical: Diamond is a solid form of the element carbon with its atoms arranged in a crystal structure called diamond cubic.

### Principles and Axioms

An argument can appeal to a principle or an axiom in the course of its steps. It is customary to state an axiom at an argument's beginning, and often a principle or two can lead off an argument, but these kinds of propositions can appear at any stage.

A *principle* simultaneously concerns what can be real and what should be real: it blends the factual and the evaluative. For example: "An atom is the fundamental unit of matter." By this principle of science, one understands the nature and the role of atoms: everything material has to have atoms, and any explanation of matter should somehow involve atoms. Principles guide inquiries towards what *can be* known, and how those things *should be* known. Principles are normative and not just descriptive by showing where inquiry and knowledge can go wrong. On that example of atoms, if an account of a material object isn't compatible with atoms, then (a) that account either is not actually about a material object, or (b) that account is not explaining the object.

An *axiom* is a proposition playing the role of precise conception or a clear definition of a term that can be used in any reasoned argument within an area of academic discourse or a field of inquiry. Axioms play this important definitional role in mathematics, information science, physics, and similarly rigorous fields. As an axiom, its status only lasts as long as a consensus within that field can last. Rival theoretical paradigms within one field may start disputes over this or that axiom, reducing its status back to just a premise for debating between paradigms. (A paradigm for internal purposes can maintain its preferred premises and call them "axioms" or "principles" and the like). Axioms for an entire field help define that field's theoretical subject matter and methodology; paradigm axioms likewise perform that function paradigmatically.

### Valid Deductive Arguments

Modus Ponens. "If P implies Q, and P, then infer Q." As a linear rule,  $[(p \rightarrow q) \wedge p] \rightarrow q$ . As a three-step argument:

$p \rightarrow q$   
 $p$   
 $\therefore q$

Modus Tollens. "If P implies Q, and not Q, then infer not P." As a linear rule,  $[(p \rightarrow q) \wedge \sim q] \rightarrow \sim p$ . As a three-step argument,

$p \rightarrow q$   
 $\sim q$   
 $\therefore \sim p$

Double Negation. "It is not the case that not P, so infer P." As a linear rule,  $\sim(\sim P) \leftrightarrow P$ . As a two-step argument,

$\sim(\sim p)$   
 $\therefore p$

Disjunctive Syllogism. "Either P or Q, and not P, then infer Q." As a linear rule,  $[(p \vee q) \wedge \sim p] \rightarrow q$ . As a three step argument,

$p \vee q$   
 $\sim p$   
 $\therefore q$

Exclusive Disjunctive Syllogism. “Either P or Q but not both, and P, then infer  $\sim Q$ . As a linear rule,  $[(p \vee q) \wedge \sim p] \rightarrow q$ . As a three-step argument,  
 $p \vee q$  (exclusive ‘or’)  
 $\sim p$   
 $\therefore q$

Hypothetical Syllogism. “If P implies Q, and Q implies R, then P implies R.” As a linear rule,  $[(p \rightarrow q) \wedge (q \rightarrow r)] \rightarrow (p \rightarrow r)$   
 As a three-step argument,  
 $p \rightarrow q$   
 $q \rightarrow r$   
 $\therefore p \rightarrow r$

Categorical Syllogisms. There are 24 different types of valid categorical syllogisms. Two common types:  
 Categorical syllogism ‘AAA-1’ as follows: All A is B, All B is C, so All A is C.  
 Categorical syllogism ‘OAO-3’ as follows: Some M are not P, All M are S, so Some M are not P.

Commutative Laws for Conjunction and Disjunction. As linear rules,  $(p \vee q) :: (q \vee p)$  and  $(p \wedge q) :: (q \wedge p)$ . As a substitution stage in an argument,  
 $p \vee q$   
 $q \vee p$  (by Commutativity)

Material Implication. “When P implies Q, then infer not P or Q.” As a linear rule,  $(P \rightarrow Q) \leftrightarrow (\sim P \vee Q)$ . As a substitution stage in an argument,  
 $p \rightarrow q$   
 $\sim p \vee q$  (by Material Implication rule)

Transposition Rule. “A implies B” always validly implies “Not-B implies not-A” and vice-versa.  
 As a linear rule,  $p \rightarrow q \equiv \sim q \rightarrow \sim p$ . As a substitution stage in an argument,  
 $p \rightarrow q$   
 $\sim q \rightarrow \sim p$  (Transposition)

De Morgan’s Laws. (1) As a linear rule,  $\sim(p \wedge q) \equiv \sim p \vee \sim q$ . As a substitution,  $\sim(p \wedge q) :: \sim p \vee \sim q$ .  
 (2) As a linear rule,  $\sim(p \vee q) \equiv \sim p \wedge \sim q$ . As a substitution,  $\sim(p \vee q) :: \sim p \wedge \sim q$ .

Law of Non-Contradiction. “It is never true that both P and not P are true.” As a linear rule,  $\sim(p \wedge \sim p)$ . It can be inserted as a true premise at any stage as needed.

Reductio Ad Absurdum. “P then Q. And if Q then not P. So then P implies not P – but not(P and not P) [Law of Non-Contradiction], so finally infer not P. As a five-stage indirect proof,  
 $p$  Assumption  
 $p \rightarrow q, q \rightarrow r, r \rightarrow s, \dots t \rightarrow \sim p \dots$  as steps in the middle of the argument...  
 $p \wedge \sim p$   
 $\sim(p \wedge \sim p)$  Law of Non-Contradiction  
 $\therefore \sim p$

### Formal Logic Fallacies

Fallacy of Reversing Implication. “If P then Q, so then infer that Q implies P.” This is always invalid.

Fallacy of Affirming the Consequent. “If P then Q. And Q. So, infer P.” This is always invalid.

Fallacy of Denying the Antecedent. “If P then Q. But not P. So, infer Q.” This is always invalid.

Fallacy of Inclusive ‘Or’. “Either P or Q is causing R. So, infer that R depends on P, or R only depends on Q.” This is invalid in circumstances where *both* P and Q can be involved with R. An inclusive ‘Or’ doesn’t rule out P *and* Q by saying P or Q. The Disjunctive Syllogism presumes the Exclusive ‘Or’ of *only* one or the other.

Fallacy of False Transitivity. “If P then Q. And if P then R. So, infer if Q then R.” This is always invalid.

Fallacy of False Dichotomy. “If P or Q (but we forgot R), and not Q, then infer P.” This is always invalid so long as a third alternative is possible.

Zero-Sum Fallacy. A premise assumes a rigid relationship between two things so that one’s increase or gain must be the other’s diminishment or loss.

Modal Scope Fallacy. An argument in which a premise says that As must necessarily be related to Bs, while another premise says that As and Bs must related in an obligation, so two different senses of ‘must’ are used.

Fallacy of Circular Definition. A proposition involves a definition that remains vague and unacceptable if the term getting defined (or a close synonym of it) appears among the terms in the offered definition.

Fallacy of Begging the Question. Only by assuming that the conclusion is already right would an argument’s premise be accepted as correct.

Fallacy of Reification (hypostatization). A premise assigns functions and powers to something as if it were real, when it is only an abstraction.

Special Pleading Fallacy. A premise requires an exemption to a general rule, a rule which is otherwise widely accepted, without justifying that exception.

Missing the Point Fallacy. Inferring a conclusion proposing a resolution for a problematic situation outlined in the premises, but this proposal couldn’t do much for that problem in actuality.

Essentializing Fallacy. An argument that treats a feature that is statistically distributed in a group (a population, society, etc.) as an inherent or essential feature equally present in every individual of that group.

Fallacy of Context. A hypothetical syllogism where the connective term’s import depends on context, and contexts are perspectival and variable, leaving premises poorly connected.

Taking out of Context Fallacy. Prejudicially distorting a statement of the opposed position by selecting out a phrase from that statement so it appears to have a different (and distracting) meaning.

Appeal to Literal Meaning Fallacy. Imposing on an opponent’s position only one meaning for something as it is most commonly or basically used.

Fallacy of Composition. An argument expects that a property or power of a thing’s parts must be its own as a whole as well.

Fallacy of Division. Where an argument expects that an overall property or functioning of something must also be found in some or all of its parts.

**Fact-Value Fallacy.** Using a term in an argument that can carry both factual or descriptive meaning as well as value or normative meaning, and appealing to one meaning for one premise while appealing to the other meaning in different premises or in the conclusion.

**Is-Ought Fallacy.** An argument having premises only describing factual matters, lacking any valuational or normative terms, cannot support a conclusion about what should be or what ought to be.

### Rhetorical Fallacies

**Appeal to Emotion Fallacy.** A broad category for non-arguments that manipulate positive or negative emotions, in order to persuade people to agree with your position.

**Ad Populum Fallacy.** Inferring the credibility of a statement from the way that most people have believed it.

**Bandwagon Fallacy.** Inferring the credibility of a statement from its status as a currently widespread opinion.

**Appeal to Tradition Fallacy.** Making a position seem more reasonable on the grounds that a long tradition of significant people have agreed with it in the past.

**Chronological Snobbery Fallacy.** Making a position look weaker by pointing out that reasons for that position date back to a past era of unfamiliar or wrong ideas.

**Appeal to Trends Fallacy.** Making a position seem more reasonable just because it is newer, enjoys recent growth, sound more contemporary, and/or accepted by younger people.

**Appeal to Loyalty Fallacy.** Making an argument seem persuasive by pointing out how people truly loyal to the group already believe it.

**Appeal to Flattery Fallacy.** Making an argument more persuasive by reminding supporters how good and proud they should feel about themselves.

**Appeal to Pity Fallacy.** Making an argument look stronger by pointing out how people who think that way deserve compassion and sympathy. "Of course you couldn't be so heartless as to suggest they might be wrong."

**Wishful Thinking Fallacy.** Making an argument seem persuasive by appealing to what people need, desire, or hope for.

**Subjectivist Fallacy.** Insisting that "I know X myself" has to imply "Anyone must admit X too."

**Appeal to Force Fallacy.** Where an argument only amounts to intimidation, coercion, raising threats, or inflicting harms.

**Appeal to Fear Fallacy.** Making an argument look stronger by raising prejudices and anxieties about those holding the opposed position.

**Appeal to Spite Fallacy.** Making an argument persuasive by drawing attention to feelings of bitterness or vengeance against those holding the opposed position.

**Ad Hominem Fallacy.** Making your position look stronger by insinuating that the people who defend the opposed position are bad people with bad motives, so no one should listen to them.

Tu Quoque Fallacy. Insinuating that the opposed position is weak by claiming that its defenders don't consistently follow it themselves.

Appeal to Ridicule Fallacy. Making the opponent's position look weaker by depicting it as silly, naïve, or childish.

Fallacy of Appeal to Ignorance. Nothing can be concluded from an absence of knowledge pointed out in the premises.

Guilt by Association Fallacy. Making reasons for a position look much weaker because they are somehow connected to something or someone very unpopular now.

Appeal to Class Fallacy. Insinuating that people who hold the opposed view only find it reasonable because of their social or financial status.

Appeal to Nature Fallacy. Making a position seem more reasonable on the grounds that it agrees with the (alleged) nature of people or the general ways of nature.

#### Inductive Fallacies

Appeal to Authority Fallacy. Presuming that "A respected person tells us X" implies "We can heed X without question."

Appeal to Fallibility Fallacy. Presuming that "A respected person made one mistake" implies "We cannot trust that person on anything."

False Attribution Fallacy: Making it appear that a 'fact' given in an argument comes from a reliable source of information, but this 'source' isn't identified, or the source lacks expertise or holds a bias.

Causal Illusion Fallacy. Proceeding from "An interesting correlation has appeared" to then imply "There must be a causal relationship here."

False Cause Fallacy. Attributes the main cause of something to one factor that at most is actually a partial or incidental cause.

Slippery Slope Fallacy: Rejecting a narrow position on the grounds that once that position is accepted, no one knows how prevent the later acceptance of a dangerous broad position.

Hasty Generalization Fallacy. Taking "Some Ps are Q" to be enough to imply that "Ps are generally Q" without checking for sampling and statistical cogency.

Sweeping Generalization fallacy. Applying a generalization that Xs usually have feature F to infer the conclusion that any one particular X must have F.

Hasty Abduction Fallacy. A postulated cause for an observed effect is inferred to be real without ascertaining whether alternative causes are possible and confirmable.

Genetic Fallacy. Inferring that just because something began doing one thing, or was made for doing one thing, then it shouldn't be involved with doing anything else.

## Inductive Arguments

Inductive Argument from Authority. An expert on the topic P affirms Q, so Q is probably accurate.

Argument from Signs. The presumed authority of a posted or prominent sign means that information from the sign is probably accurate.

Inductive Argument from Analogy. Ps are like Rs, and typical Rs have Q, so a P probably has Q.

Inductive Argument from Generalization. Some sampled Ps are Q, so most/all Ps are probably Q.

Common Consent or “Consensus Gentium” argument. Most/all of humanity believes P, so P is far more believable than not.

Inductive Argument from Prediction. A trend of Ps having more Q implies that such Ps will continue to have Q more too.

Inductive Argument from Causation. Where a known cause is effective under certain conditions, that effect will probably occur again under similar conditions. As a three-step argument:

1. P usually causes R with conditions C.
2. This R occurs with C.
3. So, this R is probably caused by P.

Inductive Argument from Abduction. A pattern of Rs is distinguishable, and Rs would be evident if P is real, so P is probably real to cause Rs.

## Categorical Syllogisms in Logic Arguments

The figure 1, 2, 3, or 4 of a categorical syllogism refers to the arrangement of the middle terms in the premises. Here the major premise is the premise that contains the major term, and the minor premise is the premise that contains the minor term.



## Immediate Categorical Inferences

### Valid Conversions

No S is P :: No P is S

Some S is P :: Some P is S

### Fallacies of Illicit Converse

“All S are P” is not logically equivalent to “All P are S”

“Some S are not P” is not logically equivalent to “Some P are not S”

### Valid Obversions

All S is P :: No S is non-P

No S is P :: All S in non-P

Some S is P :: Some S is not non-P

Some S is not P :: Some S is non-P

Valid Contrapositions

Fallacies of Illicit Contraposition

All S is P :: All non-P is non-S

“No S are P” is not logically equivalent to “No non-P are non-S”

Some S is not P :: Some non-P is not non-S

“Some S are P” is not logically equivalent to “Some non-P are non-S”

All 24 Categorical Syllogisms, unconditional and \*existential

1. AAA-1 is Barbara.  
All M are P.  
All S are M.  
∴ All S are P.

2. AAI-1 is Barbari.  
All M are P.  
All S are M.  
∴ Some S are P.\*

3. AAI-3 is Darapti.  
All M are P.  
All M are S.  
∴ Some S are P.\*

4. AAI-4 is Bamalip.  
All P are M.  
All M are S.  
∴ Some S are P.\*

5. AEO-2 is Camestros.  
All P are M.  
No S are M.  
∴ Some S are not P.\*

6. AEO-4 is Calemos.  
All P are M.  
No M are S.  
∴ Some S are not P.\*

7. AII-1 is Darii.  
All M are P.  
Some S are M.  
∴ Some S are P.

8. AOO-2 is Baroco.  
All P are M.  
Some S are not M.  
∴ Some S are not P.

9. EAE-1 is Celarent.  
No M are P.  
All S are M.  
∴ No S are P.

10. EAO-1 is Celerant.  
No M are P.

All S are M.  
∴ Some S are not P.\*

11. EAO-2 is Cesaro.  
No P are M.  
All S are M.  
∴ Some S are not P.\*

12. EAO-3 is Felapton.  
No M are P.  
All M are S.  
∴ Some S are not P.\*

13. EAO-4 is Fresison.  
No P are M.  
All M are S.  
∴ Some S are not P.\*

14. EIO-1 is Ferio.  
No M are P.  
Some S are M.  
∴ Some S are not P.

15. AEE-2 is Camestres.  
All P are M.  
No S are M.  
∴ No S are P.

16. EAE-2 is Cesare.  
No P are M.  
All S are M.  
∴ No S are P.

17. EIO-2 is Festino.  
No P are M.  
Some S are M.  
∴ Some S are not P.

18. AII-3 is Datisi.  
All M are P.  
Some M are S.  
∴ Some S are P.

19. IAI-3 is Disamis.  
Some M are P.  
All M are S.  
∴ Some S are P.

20. OAO-3 is Bocardo.  
Some M are not P.  
All M are S.  
∴ Some S are not P.

21. EIO-3 is Ferison.  
No M are P.  
Some M are S.  
∴ Some S are not P.

22. AEE-4 is Camenes.  
All P are M.  
No M are S.  
∴ No S are P.

23. IAI-4 is Dimaris.  
Some P are M.  
All M are S.  
∴ Some S are P.

24. EIO-4 is Fresison.  
No P are M.  
Some M are S.  
∴ Some S are not P.

## Valid Syllogism Strategies

In order to prove a conclusion “All A are B” only 1AAA will work.

In order to prove a conclusion “No A are B”, four options are available: 1EAE, 2AEE, 2EAE, 4AEE.

In total, there are only five syllogistic ways to prove a universal statement of “All” or “No.”

In order to prove a conclusion “Some A are B”, the three figures of 1AAI, 3AAI, and 4AAI are valid, if a case of the subject exists. But the second figure 2AAI (All S are M, all P are M, so Some P and S) is invalid. Other options are 1AII, 3AII, 3IAI, and 4IAI.

There are twelve ways to prove “Some A are not B.” The four figures of EIO are all unconditionally valid, and two more figures are 2AOO and 3OAO. The four figures of EAO are all valid, so long one instance of the subject does exist. Two more valid figures are 2AEO and 4AEO if a case of the subject exists.

## Categorical Fallacies

Fallacy of Four Terms: The three terms of a syllogism (S, P, M) must each be used with the same meaning in each statement where it appears. If just one term is used differently or left ambiguous, then the statements have four terms and it is no longer a proper or valid syllogism.

Example: This 1AOO syllogism uses ‘men’ in two senses: “All men are mortal. Some philosophers are not men. So, some philosophers are not mortal.” Even if that were cleared up, this syllogism commits the Fallacy of Illicit Major.

Fallacy of Undistributed Middle: An invalid syllogism in which the middle term is not in an A or E of the premises.

Fallacy of Illicit Major: An invalid syllogism in which a major term distributed in the conclusion is not also distributed in a premise.

Fallacy of Illicit Minor: An invalid syllogism in which a minor term distributed in the conclusion is not also distributed in a premise.

Fallacy of Exclusive Premises: A syllogism is invalid if both premises are negative (E or O).

Fallacy of Illicit Negative: An affirmative conclusion (A or I) in a syllogism with a negative premise (E or O).

Fallacy of Illicit Affirmative: A negative conclusion (E or O) in a syllogism with affirmative premises.

Existential Fallacy: An invalid syllogism with an particular conclusion (I or O) from two universal premises (A or E), unless it is known that one case already exists.

The Sampler’s Fallacy: No syllogism with both premises starting with “Some” are valid.

## Philosophy, Politics, and Economics in Renaissance and Early Modern Europe

Despite the political neglect for the laboring poor and slaves during European feudalism, Cicero's stoic and republican principles were not forgotten. John of Salisbury (c.1120-1180), bishop of Chartres, wrote the first full-length treatise on politics since antiquity, *Policraticus, sive de nugis curialium et vestigiis philosophorum*. Aligned with Cicero, and akin to Alan of Lille's reliance on nature and natural virtues, John of Salisbury finds the foundations of the political order in human speech and reason, which, through humanistic education, allow people to institute justice in cooperative communities. He assumes that kingship is the typical and stable form of government. His Neoplatonic analogy between the body's organs and the parts of society allows him to assign kingly responsibilities for the welfare of the whole. No authority has the right to impose arbitrary will. A selfish tyrant may rule by God's will, but tyrannicide is entirely justifiable from the public standpoint.

Giles of Rome (c.1240-1316) was the archbishop of Bourges and the author of *De Regimine Principum* (On the Government of Princes), which was perhaps the most secular work on political theory in Europe since the Romans. Although Giles usually imitated Aquinas in his other works where Papal authority prevails, here Aristotle takes center stage and the government is an entirely worldly institution. The king's unique role is to reasonably harmonize the civil law with natural law, ensuring that peace and justice prevail for the good of the people.

William of Ockham similarly justified absolute monarchy in the form of the supremely just ruler solely capable of protecting all subjects. Unlike Aquinas and his predecessors, Ockham advanced a radical view of human free will capable of refusing anything, even God, so no sort of coercive law automatically obligates persons. Later Renaissance theorists enlarged that conception of natural freedom inherent to each individual. For Ockham, a political authority must be capable of rationally justifying its rule to any and all citizens, and the people have an extraordinary right to overthrow terrible despots. A Short Discourse on the Tyrannical Government over Things Divine and Human additionally argued that the people do not have to suffer any tyranny from a pope interfering in political affairs, and the Church should only be concerned with the spiritual life.

Marsilius of Padua (1280-c.1343) outlined a wider separation between church and state in *Defensor pacis* (The Defender of Peace). The Church has no claim to worldly power. A pope is just an appointed leader of a humanly-created institution, canon law lacks any legally binding status, and citizens can ignore attempts at clerical interference in civic matters. The approval of the body of citizens (*universitas civium*) is the basis for government authority, and free citizens can acclaim and depose their rulers. As Marsilius assumed that a legitimate monarchy could meet these standards, his political theory is not a kind of republicanism that would be designed by early modern theorists. Nevertheless, quite secular and humanist grounds for justifying legitimate government are decisive in Marsilius's influential work.

No Medieval or Renaissance thinker of note directly challenged either the institution of slavery or the institution of monarchy. As the 1600s opened, the Sepúlveda–las Casas debate had receded from memory, and the Atlantic slave trade accelerated. Only a few lonely voices during the early Enlightenment would eventually object strongly to slavery. Those objections had to raise resistance to Aristotle's view of 'natural' slaves and Cicero's combination of political economy and natural law republicanism. Resistance to slavery made more progress in Europe, with many countries abolishing slavery or serfdom within their national borders during 1300–1800 (e.g. France 1310s, Sweden 1335,

Poland 1347, Russia 1679 and 1723, England 1706, Portugal 1773, Germany 1797-1807). However, forced serfdom and slavery continued to flourish in the territories of European empires. Most notably, a slavery economy was maintained in Brazil (independence in 1822) and Southern states of America (independence in 1776).

Retaining republicanism's principles while exalting liberty and abolishing slavery sound straightforward today, but the 1500s–1700s only heard a radical political agenda. Just as radical was the political position advocating political representation from the laboring classes. Democracy was rare indeed. Switzerland produced no intellectual genius until Jean-Jacques Rousseau (fl.1750-70s) to promulgate its republicanism that dated back to medieval times, but Renaissance Italy did in the person of Niccolò Machiavelli (1469-1527). His lingering hopes for republicanism as Cicero, Seneca and Livy knew it were elaborated in the *Discourses on the Ten Books of Titus Livy* (c.1517). Machiavelli was far better known for his amoralistic and undemocratic treatise *The Prince* (published in 1532) which did nothing for advancing the cause of international peace or commerce. Renaissance Spain during the 1500s advanced much farther in those directions.

The Spanish School of Salamanca, inaugurated by the University of Salamanca's Dominican professor of theology Francisco de Vitoria (c. 1483–1546) became Europe's leading light of not just Thomistic thought, but principles for just war, international justice, and individual liberty. A century before the fellow monarchist Thomas Hobbes, Vitoria and other Salamanca thinkers (such as Las Casas, above) argued that human beings are naturally born free, never merit servitude, deserve just government, and justly resist oppressive tyrants.

Vitoria's lectures "On the American Indians" (1539) initiates the discourse by first recounting the view he opposes, the prevailing philosophical and juridical opinion about the right of Spain to conquer and subjugate American native peoples:

"But these barbarians are slaves by nature. This last point is proved by Aristotle, who says with elegant precision: 'the lower sort are by nature slaves, and it is better for them as inferiors that they should be under the rule of a master' (Politics 1254b20). By 'lower sort' he meant men who are insufficiently rational to govern themselves, but are rational enough to take orders; their strength resides more in their bodies than in their minds (1252a32). And if indeed it is true that there are such men, then none fit the bill better than these barbarians, who in fact appear to be little different from brute animals and are completely unfitted for government. It is undoubtedly better for them to be governed by others, than to govern themselves. Since Aristotle states that it is a natural law that such men should be slaves, they cannot be true masters. ... Therefore, if the barbarians were slaves, the Spaniards could appropriate them." (Vitoria, *Political Writings*, Cambridge 1992, p. 239)

Vitoria then lists the four alleged grounds for categorizing native people as worthy of servility: "that they were either sinners (peccatores), unbelievers (infideles), madmen (amentes), or insensate (insensati)" (p. 240). In other words, African and New World inhabitants were viewed as subhuman because they were immoral or un-Christian (which went together for enslavers), or they were regarded as unreasoning or irrational as wild animals. On the principle that only virtuous and rational persons could control their own actions and lives, native peoples must hence be ruled by more intelligent and civilized nations. In response, Vitoria denies that less intelligent creatures cannot be capable of living their own lives as best they can, and asserts that they have every natural right to rule themselves as they think best. In fact, Vitoria cannot believe that native peoples have to be inherently less intelligent, and apparent backwardness is only due to their simpler customs: "... if they seem to us insensate and slow-

witted, I put it down mainly to their evil and barbarous education. Even amongst ourselves we see many peasants who are little different from brute animals.” (p. 250)

In summary, for Vitoria, European powers have no religious, natural, or legal justification for dominating peoples of other lands.

“The conclusion of all that has been said is that the barbarians undoubtedly possessed as true dominion, both public and private, as any Christians. That is to say, they could not be robbed of their property, either as private citizens or as princes, on the grounds that they were not true masters (*ueri domini*). ... granting that these barbarians are as foolish and slow-witted as people say they are, it is still wrong to use this as grounds to deny their true dominion (*dominium*); nor can they be counted among the slaves.” (p. 251)

He continues to reduce the rightful claims of Spain, arguing that no Christian empire was assigned dominion over the whole earth, no supposed violation of a law of nature justifies belligerent war, and no native resistance to Christian conversion merits war upon them. Besides, “war is no argument for the truth of the Christian faith” (p. 272). As for legitimating land rights merely by the occasion of the European “discovery” Vitoria argues as follows:

“This title by right of discovery (in *iure inuentionis*) was ... with this pretext alone that Columbus of Genoa first set sail. And it seems that this title is valid because: 1. All things which are unoccupied or deserted become the property of the occupier by natural law and the law of nations, according to the law *Ferae bestiae* (Institutions II. 1. 12). Hence it follows that the Spaniards, who were the first to discover and occupy these countries, must by right possess them, just as if they had discovered a hitherto uninhabited desert. But ... I proved above (1. 1-6), the barbarians possessed true public and private dominion. The law of nations, on the other hand, expressly states that goods which belong to no owner pass to the occupier. Since the goods in question here had an owner, they do not fall under this title. Therefore, although this title may have some validity when taken in conjunction with another (as I shall discuss below), of itself it provides no support for possession of these lands, any more than it would if they had discovered us.” (p. 264-265)

What are the just grounds for mutual relationships between native peoples and Europeans in the New World? Vitoria essentially treats indigenous peoples in the same way as any independent nationalities according to “the law of nations.” All the world’s citizens have a right to travel freely, engage in commerce, use natural resources, and belong to the community of their choice.

“... the Spaniards have the right to travel and dwell in those countries, so long as they do no harm to the barbarians, and cannot be prevented by them from doing so. The first proof comes from the law of nations (*ius gentium*), which either is or derives from natural law, as defined by the jurist: ‘What natural reason has established among all nations is called the law of nations’ (Institutions I. 2. 1). Amongst all nations it is considered inhuman to treat strangers and travellers badly without some special cause, humane and dutiful to behave hospitably to strangers.” (p. 278)

“... the barbarians can no more prohibit Spaniards from carrying on trade with them, than Christians can prohibit other Christians from doing the same.” (p. 280)

“... if there are any things among the barbarians which are held in common both by their own people and by strangers, it is not lawful for the barbarians to prohibit the Spaniards from sharing and enjoying

them. For example, if travellers are allowed to dig for gold in common land or in rivers or to fish for pearls in the sea or in rivers, the barbarians may not prohibit Spaniards from doing so. But the latter are only allowed to do this kind of thing on the same terms as the former, namely without causing offence to the native inhabitants and citizens.” (p. 280)

“... if children born in the Indies of a Spanish father wish to become citizens (cives) of that community, they cannot be barred from citizenship or from the advantages enjoyed by the native citizens born of parents domiciled in that community. The proof is that the law of nations (ius gentium) clearly defines a ‘citizen’ (ciues) as a man born in a community (ciuitas) (Codex X. 40. 7). The confirmation is that man is a civil animal (animal ciuile), but a man born in one community is not a citizen of another community; therefore, if he is not a citizen of the first community, he will not be a citizen of any community, and this would be inequitable by the law of nature and of nations (ius naturale et gentium). Indeed, if anyone were willing to take up domicile in one of these barbarian communities, for example because he had taken a wife there or for one of the other reasons by which denizens customarily acquire citizenship, it does not seem to me he could be prohibited from doing so, any more than the other inhabitants. Consequently, it seems he would enjoy the same privileges as the rest, at least as long as he accepted the same burdens as they.” (p. 281)

On the chance that native inhabitants cannot abide by these basic rules of the law of nations, the Spaniards still have no right to wage war, but only to remain civilized and resort to war in self-defense:

“... if the barbarians attempt to deny the Spaniards in these matters which I have described as belonging to the law of nations (ius gentium), that is to say from trading and the rest, the Spaniards ought first to remove any cause of provocation by reasoning and persuasion, and demonstrate with every argument at their disposal that they have not come to do harm, but wish to dwell in peace and travel without any inconvenience to the barbarians.” (p. 281)

In the end, however, Vitoria’s toleration for non-European cultures cannot reach the Enlightenment ideal of religious toleration. The defense of the Christian faith knows no earthly boundaries. All indigenous peoples must accept the missionary preaching of the True Faith or else Christian nations can rightfully declare war, overthrow native rulers, and erect a Christian government over them: “if the business of religion cannot otherwise be forwarded, that the Spaniards may lawfully conquer the territories of these people, deposing their old masters and setting up new ones and carrying out all the things which are lawfully permitted in other just wars by the law of war” (pp. 284-285). Furthermore, as soon as enough natives are converted to Christianity, a Christian nation should overthrow an infidel government and impose a Christian government (p. 287).

Vitoria’s zeal for increasing the number of Christian nations carries him far into subversive and republican territory.

“Imagine the barbarians recognized the wisdom and humanity of the Spaniards’ administration, and one and all, both masters and subjects, spontaneously decided to accept the king of Spain as their prince. This could happen, and might be a legitimate title in natural law. Any commonwealth can elect its own master; for this, the unanimous consent of all is not necessary, a majority being clearly sufficient. As I have elsewhere argued (*On Civil Power* 2. 1), in matters which concern the good of the commonwealth, the decisions of the majority are binding, notwithstanding the opposition of the minority; otherwise no action could be taken for the benefit of the commonwealth, since it is difficult to obtain unanimous agreement for any proposal.”

His Catholic monarchist sensibilities only go so far as to approve of a commonwealth choosing a new monarch, however. That Catholic assignment of divine power to monarchs would be rejected by English Protestant philosophers, but the Salamanca School rejected regal absolutism no less firmly. Vitorio's lectures *On Law* (comp. 1530s) explains:

"[W]hat if the commonwealth has transferred authority to a king? It cannot later ask for its authority back, if it transferred it unconditionally and in perpetuity to the king and his successors. It is no longer lawful for it to change its rule, even if it is expedient to do so. But it remains true that if a king proves to be a tyrant in government the commonwealth can depose him, because even if the commonwealth has given away its authority it keeps its natural right to defend itself; if there is no other way, it may reject its king." (Vitorio, *Political Writings*, Cambridge 1992, p. 200.)

The Jesuit Francisco Suárez brought this Salamanca School to its culmination as far as Catholicism would permit. For example, his *Defensio Fidei Catholicae adversus Anglicanae sectae errores* (The Defense of the Catholic Faith against the errors of the Anglican sect, 1613) elaborated a political theory of the people's inherent freedom and sovereignty, and their right to rebel against an unjust Christian ruler.

During the 1500s and early 1600s, republicanism's stance that the people of a commonwealth may reconstitute their government to the point of abandoning monarchy was scarcely heard in intellectual circles. The English idea that society itself maintains ultimate civil authority while establishing government for earthly ends (the so-called "social contract" theory) was a mid-1600s development after England executed its own king in 1649 and tried a commonwealth republic. England soon had a monarch again; the democratic theory that the people receive justice from an entirely *representative* government without kings awaited yet another century. The monarchist Hobbes in his treatises of the 1650s did find an ally in Saurez for they shared a common opponent, as time would tell: Robert Filmer's book *Patriarcha, Or the Natural Power of Kings* (1680) criticized Saurez for failing to uphold a Christian defense of absolute monarchy, and Hobbes in turn attacked Filmer's "divine right" theory of kings.

Any political theorist during the 1600s could only look back upon a short list of genuine republics without dynastic kings or militaristic autocrats (or hardly any democracy). In fair historical order, and not longevity (although many lasted centuries), history records Sparta (c.700-200 BCE), Athens (c.600-330 BCE), Rome (509-40s BCE), Venice (c.700s-1797), Iceland (930-1260), Florence (1115-1434), Switzerland (c.1200s-present), the Dutch Republic (1579-1795), and Pennsylvania (1682-present). These oligarchic republics were far from democratic in its modern sense and most of them were heavily reliant on unfree labor, peasantry, serfdom, and/or slavery. Among them all, only the example of local Canton democracy in Switzerland displays an impressive longevity until the rise of democratically elected assemblies and parliaments in the late 1700s.

Republicanism required centuries to congeal into a defensible political theory. That ancient and medieval prejudice against giving any political power to laboring classes would not be overcome easily. During the Renaissance, just the notion of general political liberty was more about ungodliness, anarchy, and revolution, and not about civility. Indeed, not until the mid-1600s would the basic idea of natural *and* political liberty receive a more positive connotation for both economics and politics. By that time, across northern Europe, liberated peasants of the agrarian class and the laboring urban class found that their work, wares, and wages could naturally improve their material conditions where they could be integrated into expanding national and international economies. The merchant class found itself weaving complex webs of transactions across more and more of society. The liberty and civic privilege

enjoyed by landed aristocracies and city nobles was gradually rivalled by rising economic actors accumulating some property. This measure of progress was largely wasted by population majorities still mired in terrible poverty, rampant and incessant wars, and currency depletions to slow productivity and trade. If the English, and Dutch leapt ahead in mercantile and finance enterprises, their domestic tranquility and investment proclivity (and Protestant aloofness from Holy Roman Empire turbulence) lent them certain advantages.

The major economical problems encountered by rising nations of Europe provoked the academic field of political economy to arise. That strict divide from Aristotle and Cicero between the economics of private family households and the politics of law and order no longer made sense, and little about Aquinas's views on natural law and domestic justice seemed adequate to sprawling trade networks and avaricious kingdoms. Spanish legal and commercial minds debated monetary policy and colonial trade during the 1500s, but the dramatic inflow of mined gold and silver into Spain relieved it from pondering hard finance decisions. Italian intellectuals first drew attention to measurable impacts from international trade. Gasparo Scaruffi proposed a single international currency beyond the manipulation of sovereigns in his tract *L'Alitinofo, per fare ragione, et concordanza d'oro e d'argento* (1582). Giovanni Botero's *Della Ragion di Stato* (The Reason of State, 1589), Leonardus Lessius's *De Iustitia et Iure* (On Justice and Law, 1605), and Antonio Serra's *Breve Trattato delle Cause che possono fare abbondare li Regni d'Oro e d'Artgento* (A Short Treatise on the Causes that Can Make Kingdoms Abound in Gold and Silver even in the Absence of Mines, 1613) were early treatises about political economy. The first book with "political economy" in its title was by Antoine de Montchrétien, titled *Traité de l'économie politique* (1615).

Their ventures into what later became called "mercantilism" (or "cameralism" in German-speaking lands) brought together theories that assigned to the government (the monarchy) a responsibility to regulate key economic matters for a kingdom's advantage over rival nations, especially concerning the monetary supply, the value of currencies, money exchange rates, the balance of trade and trade barriers, market protectionism, monopolistic control over goods exchanged between colonies and country, interference with international trade in concert with warfare, intervention against the power of artisan guilds, domestic wealth accumulation, and prudent taxation. The scope of mercantile intervention in the economy could be vast, such as managing of the availability of skilled labor, investment in manufacturing, discouraging "wasteful" consumption of luxuries, encouraging thrift for investment, and similar social habits conducive to the growth of capitalism. Mercantilism prioritized nationalism over cosmopolitanism, manufacturing over agriculture, industry over indolence, enterprise over custom, aristocrats with investments over nobles with lands, and sea merchants over caravan vendors. Mercantilism was the first view of economics that viewed the distribution of wealth as more than a zero-sum game, where competitive and efficient trade can grow the total amount of wealth among nations.

During the Renaissance, humanistic thought had sought to pre-empt this new form of commercial oligarchy and rising statism. Radical minds in England could look back to Thomas More, whose book *Utopia* (1516) depicted a philosophical communalism, long before socialism or communism, where all people shared the land and its prosperity. The poverty of southern Italy provoked a Dominican friar, Tommaso Campanella, to compose a philosophical utopia entitled *The City of the Sun* (1602), wherein all inhabitants have productive work, prize the industrial arts and sciences, and share the general prosperity.

In a much more realistic manner, Antonio Serra's reflections during the 1610s on the causes and conditions of wealth led him to compare the minor kingdoms of Venice and Naples as contrasting cases

in wealthy and poverty. Venice was a trading hub instead of just an exporter, an attractor of talented people rather than just a growing population, a center of inventive industry instead of traditional practices, and a state with republican liberty rather than an oppressive nobility. Unlike Cicero's obsession with the exclusive wealth of aristocratic families, the Renaissance political economist such as Serra focused on the overall wealth of a kingdom's population (what could now be measured by gross national wealth or a country's per capita income). Long before any government could simply "print money", no state had a way of increasing its monetary wealth other than mining operations or a favorable balance of trade to bring gold and silver into its economy. Serra summarized his theory to increase wealth in terms of four common conditions:

"a multiplicity of manufacturing activities, an enterprising population, extensive trade and effective government. These accidents may be termed common because they are possible in any kingdom. If all four of them should occur in one place, there is no doubt that, even if there were no domestic agricultural surplus and everything had to be imported, they would still make that place abound in gold and silver even if the country had no mines of those metals." (Serra, *A Short Treatise on the Wealth and Poverty of Nations*, 2011, p. 119)

Manufacturing, Serra then explains, is more advantageous because finished goods are more valuable, more reliably produced, and more easily transported. He continues with the pool of labor:

"Second in order of importance is the accident of an enterprising population. This accident may be said to be present in a kingdom or city when the inhabitants are enterprising, hard-working, creative people who trade not only within their own country but abroad, and who are constantly looking for ways of applying their skills. These skills will certainly make their city abound in gold and silver, for they will make money not only from the business that they do in their own country but also from that which they do in other countries." (Serra, p. 123)

Enterprising people will flourish where trading routes come together, he next explains, so that exports of local commodities is small compared to exchanges of imported goods and currencies. Without a government to intervene, a kingdom like Naples will remain relatively poor:

"So unfavourably situated is the Kingdom, in fact, that no one ever needs to travel through it to reach another country. Wherever he is coming from, and wherever he wants to go, he will never pass through the Kingdom, unless he wishes to make a detour for his own pleasure or needs to go there on business. Far from it being convenient for businessmen to take goods there in order to export them to other places, it is extremely inconvenient, indeed disadvantageous. And since this unfavourable geographical position is combined with an indolent population and a lack of industrialization, it is inevitable that the accident of extensive trade will be lacking, for the only trade possible is that internal to the country." (Serra, p. 127)

Finally, effective governance maintains rule of law and civil order, and promotes general welfare rather than privileged interests. "Once the ruler knows what measure needs to be taken, he must not allow himself to be carried away by any passion which might prevent him from reasoning correctly or, if it does not actually prevent him, make him disregard what he knows to be right, inducing him to pursue his own desires instead of the public good." (Serra, p. 129).

Regrettably, Naples would persist in languishing in agricultural semi-feudalism despite its enormous population. Elsewhere in Europe, the rise of international trade and banking, corporate pooling of

investment, and speculation in the value of commodities and currency itself continued to be of increasing interest to legal and commercial minds seeking academic justifications to underwrite their legitimacy. Willful and greedy sovereigns were looking more and more like drains and obstacles to profitable markets rather than protectors. The realization was growing during 1650-1750 that private profit and savings was the main driver behind the availability of funds for business ventures and investments that improved commercial activity. The value of money itself, as a fluctuating variable to be tracked and managed rather than a fixed constant tied to precious metals, was an evident target for the attention of political economists. The key issues revolved around currency exchanges, returns on investments, and interest rates. Local banks rewarded deposits with “gifts” yearly. The great financial houses, such as the Medici in Florence, avoided the accusation of usury as their networks of trade could disguise interest charged with “bills of exchange” to take advantage of differing values of a currency in different countries.

The fundamental problem was about accumulating money and lending at interest (usury), which mystified ancient philosophers and irritated medieval thinkers. The topic of philosophy of money was underway in Aristotle.

Aristotle’s *Politics* sharply distinguishes wealth (the use of things among people) from monetary riches. The acquisition of wealth must be for the usage of such goods. An idle commodity (coinage metals, unused land, etc.) doesn’t count as wealth, but rather as an accumulation only having potential for conversion to wealth.

“One kind of acquisition therefore in the order of nature is a part of the household art, in accordance with which either there must be forthcoming or else that art must procure to be forthcoming a supply of those goods, capable of accumulation, which are necessary for life and useful for the community of city or household. And it is of these goods that riches in the true sense at all events seem to consist. For the amount of such property sufficient in itself for a good life is not unlimited, as Solon says that it is in the verse “But of riches no bound has been fixed or revealed to men;” for a limit has been fixed, as with the other arts, since no tool belonging to any art is without a limit whether in number or in size, and riches are a collection of tools for the householder and the statesman. Therefore that there is a certain art of acquisition belonging in the order of nature to householders and to statesmen, and for what reason this is so, is clear. But there is another kind of acquisition that is specially called wealth-getting, and that is so called with justice and to this kind it is due that there is thought to be no limit to riches and property.” (Politics I, 1256b, Harvard UP 1944)

Productive labor and bartering goods is sufficient for wealth; riches (fake wealth) arise from money and trade.

“So when currency had been now invented as an outcome of the necessary interchange of goods, there came into existence the other form of wealth-getting, trade, which at first no doubt went on in a simple form, but later became more highly organized as experience discovered the sources and methods of exchange that would cause most profit. Hence arises the idea that the art of wealth-getting deals specially with money, and that its function is to be able to discern from what source a large supply can be procured, as this art is supposed to be creative of riches and wealth; indeed riches are often assumed to consist of a quantity of money, because money is the thing with which the art of business and of trade deals. But at other times, on the contrary, it is thought that money is nonsense, and nothing by nature but entirely a convention, because when those who use it have changed the currency it is worth nothing, and because it is of no use for any of the necessary needs of life and a man well supplied with

money may often<sup>1</sup> be destitute of the bare necessities of subsistence, yet it is anomalous that wealth should be of such a kind that a man may be well supplied with it and yet die of hunger, like the famous Midas in the legend, when owing to the insatiable covetousness of his prayer all the viands served up to him turned into gold. Hence people seek for a different definition of riches and the art of getting wealth, and rightly; for natural wealth-getting and natural riches are different: natural wealth-getting belongs to household management, whereas the other kind belongs to trade, producing goods not in every way but only by the method of exchanging goods. It is this art of wealth-getting that is thought to be concerned with money, for money is the first principle and limit of commerce. And these riches, that are derived from this art of wealth-getting, are truly unlimited..." (1257b)

Wealth means actual human usage and enjoyment of goods for the needs of life. Such utility is about living the good life. Monetary riches are not about living the good life, or living in the good community.

"Consequently some people suppose that it is the function of household management to increase property, and they are continually under the idea that it is their duty to be either safeguarding their substance in money or increasing it to an unlimited amount. The cause of this state of mind is that their interests are set upon life but not upon the good life; as therefore the desire for life is unlimited, they also desire without limit the means productive of life. And even those who fix their aim on the good life seek the good life as measured by bodily enjoyments, so that inasmuch as this also seems to be found in the possession of property, all their energies are occupied in the business of getting wealth; and owing to this the second kind of the art of wealth-getting has arisen. For as their enjoyment is in excess, they try to discover the art that is productive of enjoyable excess; and if they cannot procure it by the art of wealth-getting, they try to do so by some other means, employing each of the faculties in an unnatural way." (1257b-1258a)

Because riches are not wealth nor useful goods, they are both unnaturally acquired and unnaturally possessed, to the detriment of those unnaturally pursuing them. It is an economic mystery and a psychological puzzle how a person looking at a pile of silver money could be "enjoyable excess" which is just a contradiction in terms: what is excess cannot be used or enjoyed. Hence, the human "arts" aiming at money accumulation are misuses of human capabilities, and the key human art aiming simply at accumulating money is commercial trade. The Greeks in general, and Plato and Aristotle in particular, thought that no honest and just man would be in a trading business. Hence, there should be restrictions on trade and limits placed on accumulating riches: such matters are deleterious to the community and denigrating to human nature.

The practice of usury by traders is especially pernicious. The "business" of obtaining a living from nature has, in cities, branched apart:

"...this art is twofold, one branch being of the nature of trade while the other belongs to the household art; and the latter branch is necessary and in good esteem, but the branch connected with exchange is justly discredited (for it is not in accordance with nature, but involves men's taking things from one another). As this is so, usury is most reasonably hated, because its gain comes from money itself and not from that for the sake of which money was invented. For money was brought into existence for the purpose of exchange, but interest increases the amount of the money itself and this is the actual origin of the Greek word: offspring resembles parent, and interest is money born of money; consequently this form of the business of getting wealth is of all forms the most contrary to nature." (1258a-1258b)

Aristotle equates lending at interest with theft based on deception, for money in itself has no value and only nothing can come from nothing; no value can come from money by itself, so the interest paid isn't exchanged for anything of additional value, which thus is fraud.

Aristotle bases economics on certain principles, one of which is an objective view of money's value: value is a property inherent in money only because it is equivalent in value to other existing things that have value. Exchanging equal value for equal value satisfies fairness and justice, and hence households using money to purchase mundane goods for use makes a fit with justice. Engaging only in commercial trade for accumulating money to then lend at interest brings together contemptible activities for disreputable men. Athens was indeed a city of merchants, but they were mostly from foreign lands and hence beneath Athenian citizenship.

Aristotle's philosophy of money brings together money's exchange value (acquisition use), numerical value (accounting use), and storage value (delayed use). Ultimately, money's value only inheres in the labor of productivity, which objectively inheres in a good's value. The one value no money could have is productivity by itself, since by itself a coin is nothing (with nothing being bought, it lacks value) and the duration of time that a coin is held by a borrower isn't anything substantial either (for mere time cannot be enjoyed). These two principles, that (a) currency's value is objectively tied to goods, and (b) time itself has no value for productivity, would be challenged by modern economic thinkers. As for Aristotle, his harsh judgment upon usury is inevitable. The lender is getting paid an extra amount for doing nothing about nothing that yields nothing. Lending at interest effectively takes valuable money out of the communal money supply and deposits it in the riches of the one person involved who is doing nothing about noting valuable. Since labor alone imbues goods with value, the rich lender is only performing fraudulent theft and practicing injustice against the community.

The medieval world's great scholar of Aristotle, Thomas Aquinas, pondered these economic matters through a larger lens upon a somewhat more complex commercial scene. Aquinas discredited usury after distinguishing among kinds of exchanges. Eg., goods for goods to be consumed (bartering), purchasing goods for the household (consumption), buying goods for one's private enjoyment and perhaps selling later (owning luxuries), buying goods for storage/transport to then sell to consumers (the work of tradesmen), and acquiring money to sell as loans with interest to borrowers (loaning with usury). Aquinas starts with unfair profit, assuming that the "real worth" of an item has an objective existence apart from whatever a buyer is willing to pay.

"It is altogether sinful to have recourse to deceit in order to sell a thing for more than its just price, because this is to deceive one's neighbor so as to injure him. Hence Tully says (*De Offic.* iii, 15): Contracts should be entirely free from double-dealing: the seller must not impose upon the bidder, nor the buyer upon one that bids against him. ... But, apart from fraud, we may speak of buying and selling in two ways. First, as considered in themselves, and from this point of view, buying and selling seem to be established for the common advantage of both parties, one of whom requires that which belongs to the other, and vice versa, as the Philosopher states (*Polit.* i, 3). Now whatever is established for the common advantage, should not be more of a burden to one party than to another, and consequently all contracts between them should observe equality of thing and thing. Again, the quality of a thing that comes into human use is measured by the price given for it, for which purpose money was invented, as stated in *Ethic.* v, 5. Therefore if either the price exceed the quantity of the thing's worth, or, conversely, the thing exceed the price, there is no longer the equality of justice: and consequently, to sell a thing for more than its worth, or to buy it for less than its worth, is in itself unjust and unlawful." (*Summa II-II.Q77.a1*)

In all transactions, the question of justice is paramount. Aquinas denounced as sinful any unfair exchange.

“Second we may speak of buying and selling, considered as accidentally tending to the advantage of one party, and to the disadvantage of the other: for instance, when a man has great need of a certain thing, while another man will suffer if he be without it. In such a case the just price will depend not only on the thing sold, but on the loss which the sale brings on the seller. And thus it will be lawful to sell a thing for more than it is worth in itself, though the price paid be not more than it is worth to the owner. Yet if the one man derive a great advantage by becoming possessed of the other man’s property, and the seller be not at a loss through being without that thing, the latter ought not to raise the price, because the advantage accruing to the buyer, is not due to the seller, but to a circumstance affecting the buyer.” (Summa II-II.Q77.a1)

“[H]uman law is given to the people among whom there are many lacking virtue, and it is not given to the virtuous alone. Hence human law was unable to forbid all that is contrary to virtue; and it suffices for it to prohibit whatever is destructive of human intercourse, while it treats other matters as though they were lawful, not by approving of them, but by not punishing them. Accordingly, if without employing deceit the seller disposes of his goods for more than their worth, or the buyer obtain them for less than their worth, the law looks upon this as licit, and provides no punishment for so doing, unless the excess be too great, because then even human law demands restitution to be made” (Summa II-II.Q77.a1)

Aquinas then addresses kinds of illicit and unlawful fraud, such as known defects, deficiencies, or dangers in the goods sold. He then reaches the question of trading for profit, which can be just so long as the trader’s gains are like wages for labors.

“A tradesman is one whose business consists in the exchange of things. According to the Philosopher (Polit. i, 3), exchange of things is twofold; one, natural as it were, and necessary, whereby one commodity is exchanged for another, or money taken in exchange for a commodity, in order to satisfy the needs of life. Such like trading, properly speaking, does not belong to tradesmen, but rather to housekeepers or civil servants who have to provide the household or the state with the necessaries of life. The other kind of exchange is either that of money for money, or of any commodity for money, not on account of the necessities of life, but for profit, and this kind of exchange, properly speaking, regards tradesmen, according to the Philosopher (Polit. i, 3). The former kind of exchange is commendable because it supplies a natural need: but the latter is justly deserving of blame, because, considered in itself, it satisfies the greed for gain, which knows no limit and tends to infinity. Hence trading, considered in itself, has a certain debasement attaching thereto, insofar as, by its very nature, it does not imply a virtuous or necessary end. Nevertheless gain which is the end of trading, though not implying, by its nature, anything virtuous or necessary, does not, in itself, connote anything sinful or contrary to virtue: wherefore nothing prevents gain from being directed to some necessary or even virtuous end, and thus trading becomes lawful. Thus, for instance, a man may intend the moderate gain which he seeks to acquire by trading for the upkeep of his household, or for the assistance of the needy: or again, a man may take to trade for some public advantage, for instance, lest his country lack the necessaries of life, and seek gain, not as an end, but as payment for his labor.” (Summa II-II.Q77.a4)

On the issue of lending money at interest, Aquinas cannot conceive how something non-existent has any pure exchange value. The currency itself exists even though it is not a commodity insofar as it

participates in exchanges, but the additional amount of “interest” lacks reality for it stands in for, or represents, nothing – other than the lender’s greedy exploitation of the borrower’s need, with is unjust. Regarding money in itself as a material commodity was beyond Aquinas’s way of thinking about economics.

“To take usury for money lent is unjust in itself, because this is to sell what does not exist, and this evidently leads to inequality which is contrary to justice. ... Now money, according to the Philosopher (Ethic. v, 5; Polit. i, 3) was invented chiefly for the purpose of exchange: and consequently the proper and principal use of money is its consumption or alienation whereby it is sunk in exchange. Hence it is by its very nature unlawful to take payment for the use of money lent, which payment is known as usury: and just as a man is bound to restore other ill-gotten goods, so is he bound to restore the money which he has taken in usury. ... He that is not bound to lend, may accept repayment for what he has done, but he must not exact more. Now he is repaid according to equality of justice if he is repaid as much as he lent. Wherefore if he exacts more for the usufruct of a thing which has no other use but the consumption of its substance, he exacts a price of something non-existent: and so his exaction is unjust.” (Summa II-IIQ78.a1)

On Thomistic principles, the idea of the “real value” of currency itself makes little sense; only items of property – lands, commodities, manufactures, services, etc. – have an existence and a real value. The instrument of exchange only has a notational and conventional “existence” insofar as it participates in exchanges of real things. To regard money itself as a way to make monetary profit seemed to be two degrees removed from reality. (Speculating in fluctuations in the values of financial instruments such as stock derivatives at the speed of computer electronics in ones and zeros can seem equally ghostly.)

After Aquinas, a few theologians undertook more refined examinations into the ethics of trade. Duns Scotus (1265–1308) and his *Sententiae* (1295) pointed out that “the just price” depends on the perspectives of sellers and buyers given that makes and traders expect profit from labor and finding markets. The practical difference between a currency’s stated value and the worth of goods it can purchase in markets was noted by Jean Buridan (c.1300-1360). Nicolas d’Oresme (1320-1382) in his *De origine, natura, jure et mutationibus monetarum* (1356) offered a complex analysis of money and monetary policy that was later associated with the “metallism” theory of currency value set in markets rather than set by governments (as with paper money according to “chartalism”). Martín de Azpilcueta Navarrus (1491-1586) and then Jean Bodin (c.1530-1596) pointed out how prices of goods will change in proportional correlation with the money supply in circulation, an observation later called the quantity theory of money that permitted an explanation of inflation. Azpilcueta is also credited with noticing the greater “time value” of money at hand rather than promised at a future date.

The functioning of what were effectively “money markets” during the Renaissance as banking expanding its commercial enterprises across national borders were operations that continued to exercise thinkers trained in moral theology and canon law. Thomas de Vio, or Cardinal Cajetan (1469-1534) returned to Thomistic and Catholic orthodoxy on economic matters, but his proximity to Italian commerce through Rome underwrote his theories. He brought a more nuanced treatment to usury, only condemning evident contractual loans with higher repayments. His tract *De Cambiis* (On Money Exchange, 1499) gathered his theoretical views. The exchanges of monetary instruments such as bills of exchange (later becoming promissory bank notes) that get traded for foreign currencies are not loans with usury, and such money trading (called *cambium* in Latin) was itself a sort of fair commodity trading. After all, local money has firmer local value, whereas foreign currency has lesser and variable value until it gets exchanged across borders where it can function well again. Cajetan’s overall clarifications for types of

market and finance operations did much to lower theological objections to the accumulation of riches held by banking and trading families.

The Jesuit theologian Luis de Molina (1535-1600) was, along with Saurez, among the most liberal-minded theologians of the Salamanca School and late Scholasticism in Spain. Molina's affirmation of a substantial free will in each individual represented the Jesuit departure from Thomism (and Calvinism). His views on individual justice also attracted much attention, because he combined free will with an affirmation of natural individual right, yielding what would later be called "negative rights": an individual has the 'active' natural right (*jus*) to willfully use one's own property without unjust interference (within the bounds of criminal law). The poor have a right to beg, but not to receive. The desperate have the right to sell themselves in slavery, which (curiously) confirms the natural right to ownership of one's bodily property. Only those sentenced to death or captured in war are also justly placed in slavery. His elaborate views on the ethics of economics are found in his multi-volume *De Justitia et Jure* (On Justice and Right; 1593, 1597, 1600, more volumes posthumously). Molina's endorsed the trading in monetary markets and situated interest rates at the center of legitimate calculations of financial risk.

One of Saurez's students was the Jesuit theologian Leonardus Lessius (1554–1623) who was also well-stationed in the Low Countries (then partly a province of Spain) at the University of Louvain to observe the great Spanish empire in action. He produced a lengthy commentary, nominally on Aquinas, but mostly about his own ethical, social, and economic theories: *De Iustitia et Iure* (On Justice and Law, 1605). It was widely consulted for over a century for its penetrating studies into the social and political ethics of economics, made all the more impressive from the author's personal research among Antwerp's bankers and financiers. Lessius may have been the first European to played the role of economic policy advisor to political leaders. Following Molina, Lessius enlarged theories of interest rates and insurance rates as incorporating unknowns and temporal variables that are only dimly predictable. Finance economics now had a reasonable and ethical foundation after its liberation from household and civic economics, where a "just price" for any commodity (including money) emerged from market activity itself. Money itself bears a fluctuating and fair market price, tracking supply and demand like any commodity. Usury is no longer unethical, but quite just to all parties. After taking into account the "value added" from dealing with variable factors and possible losses into an uncertain future, the profit from money lending, currency exchange, and venture insurance became rationalizable and justifiable because in effect financiers and investors were putting their money "to work." Time can become money, if money's own generativity from investment can be timed. Lessius also described how wages reflected the employer's valuation of the laborer's productivity, accounting for the way that skilled labor earned higher wages and explaining the inventive entrepreneur's command of the highest wages.

Political economy in the hands of the Jesuit scholastics was hardly distinguishable from what could be labeled as professional business ethics. The expertise of the Jesuits on moral theology continued until their suppression in the mid-1700s, but their influence on ethical and political economy diminished, as the fortunes of early modern Spain and Italy declined. Natural law ethics remained a specialty of Catholicism, but the field of "business ethics" would not revive until the twentieth century. Political justifications for a nascent capitalism occupied that academic space as wealthy investors worried less about their souls and more about their portfolios. By the 1700s Venice, Madrid, and Antwerp were displaced by Lisbon, Amsterdam, Paris, and London as commercial centers and hubs for colonialist empires spanning the globe. The "joint-stock" trading companies sought reliable trade routes and near-monopolies on commodities and then fought to possess the faraway regions yielding those resources (including slaves).

Not coincidentally, across Europe the political theory of absolute monarchy rose to prominence, unrestrained by natural law or Papal mediations between Christ and mankind. Having survived religious wars, civil wars, peasant revolts, and regicides during the Catholic-Protestant upheavals of the early to mid-1500s, England, France, Spain, and Germany pursued nationalistic unifications under dynastic monarchies (e.g. Tudors, Stuarts, Bourbons, Habsburgs) ruling by divine fiat and their own kingly wills. With supreme government power came the means of heavily interceding in all aspects of economic activity. Mercantilism helped to justify the burdensome levels of regulation, intervention, protectionism, and taxation that were necessary for national and kingly glory. In France, this statist view of political economy was represented in Jean-Baptiste Colbert (1619-1683) who served as Minister of State for King Louis XIV. England's Navigations Acts during the 1660s pursued similar statist agendas.

Republicanism as a political and economic ideal was still where Machiavelli had left it, three hundred years earlier. He had hoped for a revival of that Roman (and Aristotelian) republic that bound the oligarchic and democratic sectors of society together in a free constitutional Commonwealth of self-rule that could withstand autocracy and tyranny. For the rest of the Renaissance, Europe had instead witnessed the flourishing of principalities and nations ruled by a monarchist-oligarchic State that kept wealthy elite families entrenched in their elite and powerful status above 80% of the rest of the population mired in laborious poverty and servile peasantry. An urban "bourgeoisie" of independent middle-class professionals, artisans, and merchants was wedged in between, with scarce opportunities to secure much political potency for another century.

That singular middle-class opportunity before the late 1700s arrived first in England, in dramatic fashion, in concert with a revolt against monarchic oligarchy emerging from the countryside. That alliance between the lower gentry, the middle class, and the laboring poor, barely conceivable (but not approvable) by Aristotle and Cicero, lent much energy to the English Civil War and the course of Cromwell's government. The vulnerable middle class and lower nobility wanted greater security from arbitrary tyranny, and the oft-starving rural farmers wanted to eat most of what they grew. Prior to the 1600s, surges of communalism among the rural peasantry had more to do with antinomianism (the saved need obey no human law) and anti-nobility resentment, usually resulting in violent anarchy. The middle class wanted the very opposite of anarchy in a stable rule of law. These two classes didn't see "liberty" in the same manner, but they found a common enemy in the feudalistic obstinacy of the Crown.

In theory, communalism could cast off lordly control over productive farmland and liberate field labor from destitution, thus equalizing peasants for accessing farmland and keeping their own produce. Yeoman farmers were somewhat better off, but landless agricultural labor sought land while no more was legally to be had, so gaining more equality of opportunity was paramount. The idea of small-scale agrarianism with miniature self-governance can trace back to this "levelling" of life and liberty. The so-called "Levellers" (or "Diggers" as another faction was labeled) in England were provoked into action by the political storms unleashed during the Puritan Revolution of Parliament versus the Crown during the 1640s. Nearly 150 years before the proclamations of human liberty and equal rights were heard from John Locke, a radical liberalism announced in the name of all the people was ringing throughout England. Richard Overton was a prolific author of anti-monarchist tracts which appealed to axiomatic principles about individual liberties, political freedoms, and the rule of law. His "An Arrow against all Tyrants" (1646) began in that manner:

"To every individual in nature is given an individual property by nature not to be invaded or usurped by any. For every one, as he is himself, so he has a self-propriety, else could he not be himself; and of this

no second may presume to deprive any of without manifest violation and affront to the very principles of nature and of the rules of equity and justice between man and man. Mine and thine cannot be, except this be. No man has power over my rights and liberties, and I over no man's. I may be but an individual, enjoy my self and my self-proprietie and may right myself no more than my self, or presume any further; if I do, I am an encroacher and an invader upon another man's right — to which I have no right. For by natural birth all men are equally and alike born to like propriety, liberty and freedom; and as we are delivered of God by the hand of nature into this world, every one with a natural, innate freedom and propriety — as it were writ in the table of every man's heart, never to be obliterated — even so are we to live, everyone equally and alike to enjoy his birthright and privilege; even all whereof God by nature has made him free.”

A year before Charles I's execution by Parliament, in this tract Overton looks forward to a constitutional and representative republic, where all political power comes from the people and entrusted to the Parliament. A king would thereby be reduced to a chief executive serving at the will of the government.

“... the legislative power is not in the king himself but only in the kingdom and body representative, who has power to make or to abrogate laws, statutes etc. even without the king's consent. For by law he has not a negative voice either in making or reversing, but by his own coronation oath he is sworn to 'grant, fulfil, and defend all rightful laws, which the commons of the realm shall choose, and to strengthen and maintain them after his power'; by which clause of the oath is evident that the Commons (not the king or Lords) have power to choose what laws themselves shall judge meetest, and thereto of necessity the king must assent. ... it cannot be denied but that the king is subordinate and inferior to the whole kingdom and body representative. ... So that seeing the sovereign power is not originally in the king, or personally terminated in him, then the king at most can be but chief officer or supreme executioner of the laws...”

The political demands from the Levellers read like proto-versions of basic civil rights and liberties, of the sort that any middle class element would want. Sympathizers with the plight of poor commoners was the specialization of the Diggers, of whom Gerrard Winstanley (1609-1676) was representative. Besides separating their movement far away from the anarchy of the “Ranters,” the justification for their farming communalism resonated with pacifism and labor's virtues. His pamphlet “A Vindication of those, Called Diggers” (1649) gets to the precise point:

“[L]et every one that intends to live in peace, set themselves with dilligent labour to Till, Digge, and Plow, the Common and barren Land, to get their bread with righteous moderat working, among a moderat minded people, this prevents the evill of Idlenesse, and the danger of the Ranting power.” (original spelling, in Complete Works of Gerrard Winstanley vol. 2, Oxford 2009, p. 238)

His tract, co-signed with many signatories, making “A Declaration from the Poor Oppressed People of England” (1649) resounds with as much radicalism as anything later composed by Jean-Jacques Rousseau.

“WE whose names are subscribed, do in the name of all the poor oppressed people in England, declare unto you, that call your selves Lords of Manors, and Lords of the Land, That in regard the King of Righteousness, our Maker, hath inlightened our hearts so far, as to see, That the earth was not made purposely for you, to be Lords of it, and we to be your Slaves, Servants, and Beggars; but it was made to be a common Livelihood to all, without respect of persons: And that your buying and selling of Land, and the Fruits of it, one to another, is The cursed thing, and was brought in by War; which hath, and still

does establish murder, and theft, in the hands of some branches of Mankind over others, which is the greatest outward burden, and unrighteous power, that the Creation groans under: For the power of inclosing Land, and owning Propriety, was brought into the Creation by your Ancestors by the Sword; which first did murder their fellow Creatures, Men, and after plunder or steal away their Land, and left this Land successively to you, their Children. And therefore, though you did not kill or theeve, yet you hold that cursed thing in your hand, by the power of the Sword; and so you justify the wicked deeds of your Fathers..." (original spelling, in Complete Works of Gerrard Winstanley, pp. 31-32)

Winstanley goes on to denounce the use of gold and silver for riches and speculation with condemnations so sharp that even an Aquinas might not concur. A philosopher would have to go back to Plato's Republic Book 2 for a "golden age" scene of rustic life so innocent of money and luxuries. Tragedy was to be the dramatic fate in England, as the Levellers were dispersed and a new king came to the throne. Only James Harrington's *Commonwealth of Oceana* (1656) and John Milton's epic poetry continued to laud liberty and equality for all. The French Enlightenment would pick up the issue of property equality with the work of Gabriel Bonnot de Mably, Jean-Jacques Rousseau, and Charles Fourier.

By the 1650-60s, absolute monarchism was again the European fashion. On the Continent, the Peace of Westphalia treaties ended the Thirty Years' War in 1648.. Leopold I became Holy Roman Emperor in 1658 to reign in Central Europe for over forty years. King Charles II of England took the throne in 1660, Louis XIV took personal rule over France in 1661, and Charles II of Spain became King in 1665. Even the merchant oligarchs of the Dutch Republic were ruling without political opposition.

Between the twinned regimes of Statism and Commercialism, there appeared to be little theological or philosophical space for canon law or natural law theory anymore. As the dawning Enlightenment began to illuminate dusty academic fields and new scientific fields were emerging, nature was again worthy of intellectual investigation in its own right apart from its designed Creation by God. No impactful thinker failed to credit eternal God for ingraining morality into humanity (or for endorsing monarchy) but legal theory, jurisprudence, and political theory were seeking principled foundations here in the earthly world. Plenty of theorists still appealed to natural law when necessary, but most everything about the early modern world after feudalism had evidently been instituted by human command and convention. Aquinas's requirement that human law and godly law are effectively one law was an unrecognizable fiction to the modern mind. Between imperative laws dictated by sovereigns and legislative laws from assemblies, there seemed little need to ultimately appeal to Biblical passages or antiquated Patriarchs. Again, aside from a few proto-secularists such as Thomas Hobbes and Baruch Spinoza, authors gilded their cold observations on human society with golden rules *revealed* by God. All the same, by the latter decades of the seventeenth century the study of "positive law" *affirmed* by human authorities over legal, political, and economic matters was undertaken for elaboration and improvement.

Positive political theory leaped to the forefront of philosophical agendas in the debate between Thomas Hobbes (1588-1679) and John Locke (1632-1704). They witnessed the dramas of uncivil political clashes and the conduct of a civil war while drawing opposed conclusions—Hobbes trusted the monarchy while Locke trusted Parliament. They agreed on many principles. In their hands, natural law acquired a new meaning: what is lawfully natural concerns what all of humanity has a naturally reason to live by. Living by one's own labors, forming civic societies to protect property, and expecting a government to secure their lives, were set as foundational principles for political theory. Looking to a past "state of nature" without government, Hobbes and Locke recapitulated Plato's imaginary founding of the state and agreed that people will reasonably consent to erect a government for communal security and justice.

Although individual people surrender their natural power to enforce law (unwise vigilante injustice), the people retain the right to depose a tyrannical government. The original “social contract” among a people and the convention to obey a ruler were contingent in history and remain contingent down to present times: the people retain the ultimate authority to re-make their government in conformity with natural law.

Hobbes and Locke disagreed over the best form of government that wisdom and experience should be held as most reasonable. Hobbes dismissed the “divine right” theory of kings as unrealistic, and emphasized pessimistic features of humanity in *De Cive* (1642) and *Leviathan* (1651). Fearing insecurity from both nature and society (where human vice and avarice prevail) is the motivation that makes monarchy look reasonable, supplying a powerfully intimidating authority able to guarantee civic order. For Hobbes, once a rightful ruler holds complete delegated authority, that unchallengeable ruler can justly do *anything* to citizens for maintaining lawful order. For Locke, that absolute power (whether divinely or humanly approved) went too far, becoming indistinguishable in practice from slavery and tyranny. Later Enlightenment theorists looked to Locke’s *Second Treatise on Civil Government* (1689) for needed grounds of civil rights and civil liberties that restrain sovereign power. Fundamental “natural rights” to the liberty of one’s own body and the ownership of property from one’s labor cannot be transferred by “contract” to a sovereign, rendering bodily and property liberty untouchable by government. (Exceptions are necessities such as military drafts, taxation, and law enforcement.)

Hobbes notoriously depicted primitive humans in their state of nature as “nasty, brutish, and short” to place them as far beneath civilized humanity as Aristotle did. Locke preferred to emphasize humanity’s mutual equality, liberty, and rationality.

“To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man. A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.” (Chap. 2, sect. 4)

The many inconveniences of primitive life, and the contemporary absence of divinely appointed monarchs (Locke wouldn’t quarrel with Biblical kings), makes civil society far preferable to the reasonable person. That remains so down to present times. The “state of nature” still persists in Locke’s view wherever people aren’t living in duly constituted nations (such as nomads and tribes) or where people of two communities are in need of one commonwealth to secure their rights. (One may, as Locke easily could, envision warring factions or fighting nations.) That is why chapters 2 and 3 of the *Second Treatise* explain, that although Hobbes was wrong to say that the state of nature is simply a state of war, people by themselves would be unreasonable to try to enforce justice by themselves. Civil society requires civil law, and governing law enforcement.

Locke places supreme sovereignty in the law-making legislative part of government, and not the law-enforcing executive part. (Locke’s neglect of the juridical part was imitated by later theorists, including U.S. Constitution founders who said little about the Supreme Court).

“The great end of men’s entering into society, being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the common-wealth, but sacred and unalterable in the hands where the community have once placed it; nor can any edict of any body else, in what form soever conceived, or by what power soever backed, have the force and obligation of a law, which has not its sanction from that legislative which the public has chosen and appointed...” (*Second Treatise of Civil Government*, chap. 11, sect. 134)

Government can pass no law depriving an innocent citizen of their life or liberty.

“Though the legislative, whether placed in one or more, whether it be always in being, or only by intervals, though it be the supreme power in every common-wealth; yet, First, It is not, nor can possibly be absolutely arbitrary over the lives and fortunes of the people: for it being but the joint power of every member of the society given up to that person, or assembly, which is legislator; it can be no more than those persons had in a state of nature before they entered into society, and gave up to the community: for no body can transfer to another more power than he has in himself; and no body has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another. A man, as has been proved, cannot subject himself to the arbitrary power of another; and having in the state of nature no arbitrary power over the life, liberty, or possession of another, but only so much as the law of nature gave him for the preservation of himself, and the rest of mankind; this is all he cloth, or can give up to the common-wealth, and by it to the legislative power, so that the legislative can have no more than this. Their power, in the utmost bounds of it, is limited to the public good of the society. It is a power, that hath no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects. The obligations of the law of nature cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them, to inforce their observation. Thus the law of nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men’s actions, must, as well as their own and other men’s actions, be conformable to the law of nature, i.e. to the will of God, of which that is a declaration, and the fundamental law of nature being the preservation of mankind, no human sanction can be good, or valid against it.” (*Second Treatise of Civil Government*, chap. 11, sect. 135)

The government must make, uphold, and enforce one body of known public law upon all inhabitants. The alternative, ruling by willful and arbitrary decree, violates natural law as unjust tyranny.

“The legislative, or supreme authority, cannot assume to its self a power to rule by extemporary arbitrary decrees, but is bound to dispense justice, and decide the rights of the subject by promulgated standing laws, and known authorized judges: for the law of nature being unwritten, and so no where to be found but in the minds of men, they who through passion or interest shall miscite, or misapply it, cannot so easily be convinced of their mistake where there is no established judge: and so it serves not, as it ought, to determine the rights, and fence the properties of those that live under it, especially where every one is judge, interpreter, and executioner of it too, and that in his own case: and he that has right on his side, having ordinarily but his own single strength, hath not force enough to defend himself from injuries, or to punish delinquents. To avoid these inconveniences, which disorder men’s properties in the

state of nature, men unite into societies, that they may have the united strength of the whole society to secure and defend their properties, and may have standing rules to bound it, by which every one may know what is his. To this end it is that men give up all their natural power to the society which they enter into, and the community put the legislative power into such hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty, as it was in the state of nature." (*Second Treatise of Civil Government*, chap. 11, sect. 136)

Locke continues to argue that regulations, policies, and trials must be grounded in standing law and exemplify legitimate governing authority. This argument underwrites the contemporary legal theory that no government agency or court can exceed its mandate and responsibility without a lawful basis.

"Absolute arbitrary power, or governing without settled standing laws, can neither of them consist with the ends of society and government, which men would not quit the freedom of the state of nature for, and tie themselves up under, were it not to preserve their lives, liberties and fortunes, and by stated rules of right and property to secure their peace and quiet. It cannot be supposed that they should intend, had they a power so to do, to give to any one, or more, an absolute arbitrary power over their persons and estates, and put a force into the magistrate's hand to execute his unlimited will arbitrarily upon them. This were to put themselves into a worse condition than the state of nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man, or many in combination. ... And therefore, whatever form the common-wealth is under, the ruling power ought to govern by declared and received laws, and not by extemporary dictates and undetermined resolutions: for then mankind will be in a far worse condition than in the state of nature, if they shall have armed one, or a few men with the joint power of a multitude, to force them to obey at pleasure the exorbitant and unlimited decrees of their sudden thoughts, or unrestrained, and till that moment unknown wills, without having any measures set down which may guide and justify their actions: for all the power the government has, being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws; that both the people may know their duty, and be safe and secure within the limits of the law; and the rulers too kept within their bounds, and not be tempted, by the power they have in their hands, to employ it to such purposes, and by such measures, as they would not have known, and own not willingly." (*Second Treatise of Civil Government*, chap. 11, sect. 137)

Locke next comes to property, which he hardly ranks below bodily liberty and security as necessary to a person's preservation. Taxation by consent (through legislative representation) is the next cornerstone of Locke's theory of government.

"Thirdly, The supreme power cannot take from any man any part of his property without his own consent: for the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires, that the people should have property, without which they must be supposed to lose that, by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own. Men therefore in society having property, they have such a right to the goods, which by the law of the community are theirs, that no body hath a right to take their substance or any part of it from them, without their own consent: without this they have no property at all; for I have truly no property in that, which another can by right take from me, when he pleases, against my consent." (*Second Treatise of Civil Government*, chap. 11, sect. 138.)

Locke had to explain how property is justly acquired and held, after ruling out slavery and theft. He began with the state of nature.

“God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniencies of life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational, (and labour was to be his title to it;) not to the fancy or covetousness of the quarrelsome and contentious. He that had as good left for his improvement, as was already taken up, needed not complain, ought not to meddle with what was already improved by another’s labour: if he did, it is plain he desired the benefit of another’s pains, which he had no right to, and not the ground which God had given him in common with others to labour on, and whereof there was as good left, as that already possessed, and more than he knew what to do with, or his industry could reach to.” (sect 34)

Although nature is held in common, improved land is not. Locke had no Leveller sympathies. Taking another’s land, or communal land, for one’s own property is still unjust theft. Only unused and unowned land is open for fresh labors, just as God intended.

“It is true, in land that is common in England, or any other country, where there is plenty of people under government, who have money and commerce, no one can inclose or appropriate any part, without the consent of all his fellowcommoners; because this is left common by compact, i.e. by the law of the land, which is not to be violated. And though it be common, in respect of some men, it is not so to all mankind; but is the joint property of this country, or this parish. Besides, the remainder, after such enclosure, would not be as good to the rest of the commoners, as the whole was when they could all make use of the whole; whereas in the beginning and first peopling of the great common of the world, it was quite otherwise. The law man was under, was rather for appropriating. God commanded, and his wants forced him to labour. That was his property which could not be taken from him where-ever he had fixed it. And hence subduing or cultivating the earth, and having dominion, we see are joined together. The one gave title to the other. So that God, by commanding to subdue, gave authority so far to appropriate: and the condition of human life, which requires labour and materials to work on, necessarily introduces private possessions.” (sect. 35)

Property and owned land (what Aristotle classified as wealth) would naturally be distributed quite equally and moderately. Those without land need to colonize other lands, such as America; Locke cannot conceive of a future day when all usable land was occupied.

“The measure of property nature has well set by the extent of men’s labour and the conveniencies of life: no man’s labour could subdue, or appropriate all; nor could his enjoyment consume more than a small part; so that it was impossible for any man, this way, to intrench upon the right of another, or acquire to himself a property, to the prejudice of his neighbour, who would still have room for as good, and as large a possession (after the other had taken out his) as before it was appropriated. This measure did confine every man’s possession to a very moderate proportion, and such as he might appropriate to himself, without injury to any body, in the first ages of the world, when men were more in danger to be lost, by wandering from their company, in the then vast wilderness of the earth, than to be straitened for want of room to plant in. And the same measure may be allowed still without prejudice to any body, as full as the world seems: for supposing a man, or family, in the state they were at first peopling of the world by the children of Adam, or Noah; let him plant in some inland, vacant places of America, we shall find that the possessions he could make himself, upon the measures we have given, would not be very large, nor, even to this day, prejudice the rest of mankind, or give them reason to complain, or think

themselves injured by this man's incroachment, though the race of men have now spread themselves to all the corners of the world, and do infinitely exceed the small number was at the beginning." (sect. 36)

This passage would appear to satisfy the most devout Leveller or Digger who insisted that one man merits only as much land ownership as that man could by oneself till and harvest. Not even God (in the beginning) could envision a world where one lord owns as much land as would take 100 or 1000 men to use. However, humanity is no longer living in that state of nature with only natural implements and instruments. Humans invented money.

"I dare boldly affirm, that the same rule of propriety, (viz.) that every man should have as much as he could make use of, would hold still in the world, without straitening any body; since there is land enough in the world to suffice double the inhabitants, had not the invention of money, and the tacit agreement of men to put a value on it, introduced (by consent) larger possessions, and a right to them..." (Chap. 5)

Here, the Levellers and communalists and agrarians and socialists (etc.) would halt in staunch disagreement. Locke, like Cicero and other friends of oligarchy, saw no moral or political objection to unlimited riches. That stance did not come from a deep understanding of the economic nature of money itself. Todd Oakley recalls Locke's incompetence on currency:

The Secretary of the Treasury, William Lowndes, who possessed at the time unsurpassed knowledge of the English banking system and its monetary history, was asked to deliver a report and proposal to Parliament on re-coinage. In 1695, Lowndes delivered his proposal to reset the mint prices by reducing the silver content of reminted coins by approximately twenty percent. Less silver content fixed to the newer market value of bullion would effectively eliminate the incentive to clip, file, or otherwise debase coins, for the penalty of being caught would far outweigh any financial gain. The solution is straightforward: reset the mint price to the market price for silver and debase the actual content commensurately. Coins with no visible evidence of clipping or filing will once again be trusted by bearer and recipient alike. The principle underlying Lowndes's proposal is that money and coinage are different: coins are losing their value not because they are losing their silver, they are losing their silver because silver is a coveted commodity.

Shortly after the issuance of his report, Parliament asked John Locke, the *éminence grise* on all matters of constitutional government, to respond. He did so with a scathing critique of Lowndes's proposal. The problem was with the dastardly coin-clippers, for money is silver, full stop. There is no difference whatsoever between currency and its constituent metal. In his words,

"[Money] is the instrument of commerce by its intrinsick value. The intrinsick value of Silver consider'd as Money, is that estimate which common consent has placed on it, whereby it is made Equivalent to all other things, and consequently is the universal Barter or Exchange which Men give and receive for other things they would purchase or part with for a valuable consideration: And thus as the Wise Man tells us, Money answers all things. Silver is the Measure of Commerce by its quantity."

For Locke, Money is merely an evolved system of barter—or contract—between two or more persons; adulterating the silver content of money was tantamount to violating the contract. In the end, Locke's overweening reputation won out. Parliament adopted a complicated mechanism for new coinage based on the same proportion of silver. The details are intricate, but the result was a catastrophic economic depression, complete with debt deflation, loss of business confidence, and a considerable contraction in trade. In short, Locke won the debate in Parliament but at the price of bottoming out all monetary trust. (Oakley, *Rhetorical Minds*, Berghahn 2020, pp. 11-12)

Locke took a rigidly substantialist view of wealth as an ontological reality, accumulating in bulk like the area of land on an estate can be objectively measured. When financial wealth accumulates to the point of purchasing land in voluntary transactions, no injustice results from a few families eventually owning entire counties, even if that leaves no land left for next generations. Nor does Locke's respect for wealth apply to lands acquired from lordly conquests of by-gone centuries. Like any aristocrat of those times, war is a highly convenient justification – Might Makes Right – for property ownership, including ownership of slaves. Slavery was disappearing within England during Locke's lifetime, but unrestrained commerce and conquest, along with slavery, continued unabated around the British Empire as the Americas, India, and the Far East were coming under its dominion.

Locke was a personal advocate and beneficiary of that colonialist system. During his service to the Crown, he held key positions with government boards and councils overseeing the colonies. His intimate familiarity with the southern colonies of America had to do with his involvement with the Fundamental Constitutions of Carolina. The opening lines of this political document convey the aristocratic and anti-democratic nature of the plantation enterprise.

"[F]or the better settlement of the Government of the said Place, and establishing the Interest of the Lords Proprietors with Equality, and without Confusion, and that the Government of this Province may be made most agreeable to the Monarchy under which we live, and of which this Province is a part; and that we may avoid erecting a numerous Democracy, we the Lords and Proprietors of the Province aforesaid, have agreed to this following Form of Government, to be perpetually established amongst us, unto which we do oblige our selves, our Heirs and Successors, in the most binding ways that can be devised."

Article 110 explicitly legalized slavery: "Every freeman of Carolina shall have absolute power and authority over his negro slaves, of what opinion or religion soever."

Locke held no veto over such a constitution, as just a secretary, His ability to contradict himself on slavery is evident by comparing chapter 3 against combatants trying to enslave each other with chapter 7 approving on slavery from victory.

"*Master and servant* are names as old as history, but given to those of far different condition; for a freeman makes himself a servant to another, by selling him, for a certain time, the service he undertakes to do, in exchange for wages he is to receive: and though this commonly puts him into the family of his master, and under the ordinary discipline thereof; yet it gives the master but a temporary power over him, and no greater than what is contained in the contract between them. But there is another sort of servants, which by a peculiar name we call slaves, who being captives taken in a just war, are by the right of nature subjected to the absolute dominion and arbitrary power of their masters. These men having, as I say, forfeited their lives, and with it their liberties, and lost their estates; and being in the state of *slavery*, not capable of any property, cannot in that state be considered as any part of *civil society*; the chief end whereof is the preservation of property." (Chap. 7, sect. 85)

Locke gets classified with early modern liberalism, but it appears that there is little more liberalism here than in Aristotle, Cicero, Aquinas, or Sepúlveda. The reasoning here is again circular: slavery is wrong in civil society where liberty is protected, but enslavement is right since slaves as property aren't in civil society.

However, Locke's theory of just war didn't extend to the capture of innocents simply for defying arbitrary power, such as that of a Pope or a King. Accordingly, Locke did take a side on slavery, the side against it. He divested from slave trading within a couple of years of getting paid in stock, and, along with his patron Lord Anthony Ashley Cooper, 1st earl of Shaftesbury, criticized James II's colonialist promotion of slavery and further tyrannies. Locke had to be living in exile in Holland out of the Crown's reach until the Glorious Revolution of 1688 against James II, returning soon afterwards to England to publish his *Treatises on Government*. In that same year of 1689, the new monarchs William and Mary accepted the throne under conditions set forth by Parliament, establishing a new British constitution under Parliament's sovereignty while a king or queen only serves as Head of State.

"English Bill of Rights": An Act Declaring the Rights and Liberties of the Subject and Settling the Succession of the Crown (1689)

Whereas the Lords Spiritual and Temporal and Commons assembled at Westminster, lawfully, fully and freely representing all the estates of the people of this realm, did upon the thirteenth day of February in the year of our Lord one thousand six hundred eighty-eight [old style date] present unto their Majesties, then called and known by the names and style of William and Mary, prince and princess of Orange, being present in their proper persons, a certain declaration in writing made by the said Lords and Commons in the words following, viz.:

Whereas the late King James the Second, by the assistance of divers evil counsellors, judges and ministers employed by him, did endeavour to subvert and extirpate the Protestant religion and the laws and liberties of this kingdom;

By assuming and exercising a power of dispensing with and suspending of laws and the execution of laws without consent of Parliament;

By committing and prosecuting divers worthy prelates for humbly petitioning to be excused from concurring to the said assumed power;

By issuing and causing to be executed a commission under the great seal for erecting a court called the Court of Commissioners for Ecclesiastical Causes;

By levying money for and to the use of the Crown by pretence of prerogative for other time and in other manner than the same was granted by Parliament;

By raising and keeping a standing army within this kingdom in time of peace without consent of Parliament, and quartering soldiers contrary to law;

By causing several good subjects being Protestants to be disarmed at the same time when papists were both armed and employed contrary to law;

By violating the freedom of election of members to serve in Parliament;

By prosecutions in the Court of King's Bench for matters and causes cognizable only in Parliament, and by divers other arbitrary and illegal courses;

And whereas of late years partial corrupt and unqualified persons have been returned and served on juries in trials, and particularly divers jurors in trials for high treason which were not freeholders;

And excessive bail hath been required of persons committed in criminal cases to elude the benefit of the laws made for the liberty of the subjects;

And excessive fines have been imposed;

And illegal and cruel punishments inflicted;

And several grants and promises made of fines and forfeitures before any conviction or judgment against the persons upon whom the same were to be levied;

All which are utterly and directly contrary to the known laws and statutes and freedom of this realm;

And whereas the said late King James the Second having abdicated the government and the throne being thereby vacant, his Highness the prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did (by the advice

of the Lords Spiritual and Temporal and divers principal persons of the Commons) cause letters to be written to the Lords Spiritual and Temporal being Protestants, and other letters to the several counties, cities, universities, boroughs and cinque ports, for the choosing of such persons to represent them as were of right to be sent to Parliament, to meet and sit at Westminster upon the two and twentieth day of January in this year one thousand six hundred eighty and eight [old style date], in order to such an establishment as that their religion, laws and liberties might not again be in danger of being subverted, upon which letters elections having been accordingly made;

And thereupon the said Lords Spiritual and Temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representative of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done) for the vindicating and asserting their ancient rights and liberties declare

That the pretended power of suspending the laws or the execution of laws by regal authority without consent of Parliament is illegal;

That the pretended power of dispensing with laws or the execution of laws by regal authority, as it hath been assumed and exercised of late, is illegal;

That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious;

That levying money for or to the use of the Crown by pretence of prerogative, without grant of Parliament, for longer time, or in other manner than the same is or shall be granted, is illegal;

That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal;

That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of Parliament, is against law;

That the subjects which are Protestants may have arms for their defence suitable to their conditions and as allowed by law;

That election of members of Parliament ought to be free;

That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament;

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted;

That jurors ought to be duly impanelled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders;

That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void;

And that for redress of all grievances, and for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently.

And they do claim, demand and insist upon all and singular the premises as their undoubted rights and liberties, and that no declarations, judgments, doings or proceedings to the prejudice of the people in any of the said premises ought in any wise to be drawn hereafter into consequence or example; to which demand of their rights they are particularly encouraged by the declaration of his Highness the prince of Orange as being the only means for obtaining a full redress and remedy therein. Having therefore an entire confidence that his said Highness the prince of Orange will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights which they have here asserted, and from all other attempts upon their religion, rights and liberties, the said Lords Spiritual and Temporal and Commons assembled at Westminster do resolve that William and Mary, prince and princess of Orange, be and be declared king and queen of England...

This English Bill of Rights was a model for future declarations of sovereignty for the people against kings, such as Thomas Jefferson's Declaration of Independence (1776) and the U.S. Constitution's own Bill of Rights (1791). Ironically, it was not until after that same U.S. Constitution permitted slavery that England began to free slaves in its country. The ownership of slaves in overseas British territories was not made illegal until 1833. The next year an unknown frontier lawyer won his first election, to the Illinois state legislature, as Abraham Lincoln's political career began in 1834.

The debate over slavery in America revolved around property rights: shall the U.S. Constitution protect and extend the slaveholder's property right in a human being? Or, put in terms of justice, does the greater justice lie in the right to hold human property or the human right to not be property? Unfortunately for the issue of slavery of that pre-Civil War era, the right of property were absolute while the right of liberty was relative. By positive law and economics, a human being reduced to unfree property is a contingent misfortune, just as the Romans believed, while a human being deprived of lawful property is necessarily an unnatural evil.

That elevation of the absolute rights of property, and the complete sovereignty of the wealthy, represented the victory of Ciceronian Roman justice in seventeenth century Europe. This was not a movement in the direction of true liberalism or democracy. Nations of Europe would continue to be a monarchical oligarchy or a republican oligarchy until the early 20th century. In England, the House of Commons was "representatively" elected by a small percentage of relatively wealthy men. Only the short-lived republican government of Corsica (1755–1769) witnessed free elections by most men and some women. During the 1600s, 1700s, and most of the 1800s, property meant political liberty, and a share in political power. Even in the United States, only "freeholders" – adult men owning a few dozen acres of land and a house – could vote until the 1820s. The British Reform Act of 1832 lowered the property requirement enough to permit around seven percent of adult men to vote. Not until 1856 did every adult white male in America have the suffrage right to vote. Finland granted universal male and female suffrage in 1906. In 1918 England became democratic, granting suffrage to all men and most women. Although America soon followed with universal white suffrage in 1920, the long tradition of denying the vote to most blacks continued. The United States did not become fully democratic until the 1965 Voting Rights Act protecting the African American vote.

The course of academic economic theory from the 1660s to the 1960s cannot be properly understood unless that oligarchic political context is kept in mind. Economics is far from the story of democracy; quite the opposite. Capitalism had always found its enemy in socialism and communism, but they were *too democratic* for economics during the eighteenth and nineteenth centuries. Capitalism was for *republics* growing wealth, not democracies redistributing wealth. The notion that capitalism was inherently more democratic was a newly imagined ideology, not an established economic theory, that had to be manufactured in Austria, London, and Chicago after the rise of the Soviet Union in the 1920s.

Capitalism's enthronement of property was in place by the 1660s. For Locke, along with other Protestant economic theorists, the absolute rights of property must stay, even if absolute kings must go. Liberated from worries over sin or morality and free from political restraint, the power of wealth gained dictatorial powers beyond the dreams of terrible tyrants.

"Modern" economics is demarcated from pre-Modern economics by proceeding from the study of the properties, behaviors, and powers of wealth in its own right, independently of concerns about fair acquisition, accumulation, or distribution. "Moral economics" sounded nonsensical as wealth became an end-in-itself, not purposed to other ends to be judged by good values. Currency has its value as a means,

the means to the power of wealth. The norms of natural law theories, so favored by Catholicism, was replaced by the decrees of “laws of nature” that only describe and do not guide material matters. In imitation of the new Newtonian physics about the transfer of energy, the transfer of wealth became paramount: material economics had to become entirely transactional, only cognizant of rational and fair exchange and investment. Money won’t be held accountable in rights and wrongs, just counted and accounted in ups and downs. The justice of money lay in the equivalent balancing of moving goods and funds, so that the accounting of everything eventually “adds up.” What gets exchanged, or why, or with whom, would not be any business of economics as it constructed the economics of business.

The first so-called “scientific” economists of the late 1600s and early 1700s, all of them Protestants and pro-oligarchists, brought mathematization and rationalization to the study of commercial enterprise. The household, while nominally still the center of economics as it was for Aristotle, was no longer the sole unit of wealth use, as the polling of investments in corporate venture magnified in importance and State enterprises grew more influential over national finance than private consumption. “Macro” economics was getting detached from “micro” economics. Mercantilism and colonialism dominated the thinking of early modern economists, as they sought efficient ways to fund aspirations of combative monarchies. Against kingly overreach into monopolies, trade barriers, and taxes, this new generation of economists urged less regulation upon economic activity, both domestic and international. That “laissez-faire” approach had already been recommendable in these early modern theories of political economy, with English thinkers leading the way.

William Petty (1623-1687) was inspired by the empiricism and naturalism of Francis Bacon and Thomas Hobbes to attempt large-scale measurements of property and to calculate national wealth in terms of land, goods, and money. With tabulated data came statistics, averages, and estimates, as his books *Treatise of Taxes and Contributions* (1662), *Verbum Sapienti* (1665) and *Quantulumcunque concerning Money* (1682) applied what he called political arithmetic. Macroeconomics traces its origins to these calculating efforts. Economic liberalism (not, to repeat, political liberalism) also finds its progenitors in this era. Petty’s Latin mantra “vadere sicut vult” means “let things go as they will” which later became “laissez faire” in French. The debt of mercantilist colonialism to racism is also evident. Petty fastidiously includes the monetary value of slaves on American plantations right alongside tabulations for such things as salt-peter, pepper, calicoes, diamonds, drugs and silks. There was nothing mathematical about Petty’s explicit racism, no more enlightened than Aristotle’s, as expressed in short essays for sympathetic colleagues such as “The Scale of Creatures” (1676).

“That of man itself there seems to be several species, To say nothing of Giants & Pygmies or of that sort of small men who have little speech and feed chiefly upon fish called uries. For of these sorts of men, I venture to say nothing, but that ‘tis very possible there may be Races and generations of such. I say there may be Races and generations of such Men, whereof we know the individuals; as we see vast differences in the magnitude of several other Animals... And what difference is between the bulk of one man and another, seems to me, to be also in their memories, wits, judgments, and withal in their external senses... Nor do I doubt, but rather affirm to have observed, the same differences even in the memories and intellects of several brute creatures... Besides these differences between Man & man, there be others more considerable, that is, between the Guiny Negroes & the Middle Europeans; & of Negroes between those of Guiny and those who live about the Cape of Good Hope, which last are the most beastlike of all the sorts of Men with whom our travelers are well acquainted. I say that the Europeans do not only differ from the aforementioned Africans in Color ... They differ also in their Natural Manners, & in the internal Qualities of their Minds.” (spelling modernized from *The Petty Papers*, London 1927, vol. 2, p. 30-31)

Not much changed for mercantilism's toleration for slavery and poverty over the next century. The Scottish Enlightenment revived attention to the ethical grounds for an economics of justice. The question of whether the rich must reduce labor to poverty, or the laboring class must suppress concentrated wealth, remained a key political issue without resolution. Aristocracy looked as permanent as poverty, pulling politics in opposite directions, requiring political thinkers to postulate reconciliations between oligarchic and democratic factions. What could be natural basis for their mutual co-existence?

James Steuart (1713-1780) gets the credit for first placing "political economy" in a book title with *An Inquiry into the Principles of Political Oeconomy* (1767), which was a complete work of macroeconomics but practically the last mercantilist treatise. His countryman Adam Smith would soon change the course of political economy more towards liberalism, but the words of Steuert sustained an ominously realistic tenor.

"... slavery in former times had the same effect in peopling the world that trade and industry have now. Men were then forced to labour because they were slaves to others; men are now forced to labour because they are slaves to their own wants." (vol. 1, chap. 7, p. 40)

There will always be slaves, in political or economic form. The example of Sparta as a long-lasting republic is greeted with his highest economic approval: "The republic of Lycurgus represents the most perfect plan of political oeconomy, in my humble opinion, anywhere to be met with, either in antient or modern times." (vol. chap 14, p. 250) In his modern times, Steuert argued that the mutual dependency between the rich who consume and the industrious who produce represents the culmination of economic justice. This mutual dependency, made possible by the circulation of money, sustains the tight bonds of civil society, and it must not be violated by any government. The Ciceronian ideal of oligarchy-democracy politics is thereby reproduced in those paired economic classes. Any degree of "independence" remains relative and derivative: dependence economically implies dependency politically. That "modern liberty" of labor, as Steuert calls it, renders it forever submissive to the authority of the wealthy.

"Dependence is the only bond of society; and I have observed, in the fourth chapter of the first book, that the dependence of one man upon another for food, is a very natural introduction to slavery. This was the first contrivance mankind fell upon, in order to become useful to one another.

Upon the abolishing of slavery, from a principle of Christianity, the next step taken, was the establishment of an extraordinary subordination between the different classes of the people; this was the principle of the feudal government.

The last refinement, and that which has brought liberty to be generally extended to the lowest denominations of a people, without destroying that dependence necessary to serve as a band of society, was the introduction of industry: by this is implied, the circulation of an adequate equivalent for every service, which procures to the rich, every advantage they could expect to reap, either from the servitude or dependence of the poor; and to these again, every comfort they could wish to enjoy under the mildest slavery, or most gentle subordination.

From this exposition, I divide dependence into three kinds. The first natural, between parents and children; the second political, between masters and servants, lords and vassals, Princes and subjects; the third commercial, between the rich and the industrious.

May I be allowed to transgress the limits of my subject for a few lines, and to dip so far into the principles of the law of nature, as to enquire, how far subordination among men is thereby authorized? I think I may decide, that in so far as the subordination is in proportion to the dependence, in so far it is

reasonable and just. This represents an even balance. If the scale of subordination is found too weighty, tyranny ensues, and licentiousness is implied, in proportion as it rises above the level. From this let me draw some conclusions.

1mo. He who depended upon another, for the preservation of a life justly forfeited, and at all times in the power of him who spared it, was, by the civil law, called a slave. This surely is the highest degree of dependence.

2do. He who depends upon another for every thing necessary for his subsistence, seems to be in the second degree; this is the dependence of children upon their parents.

3tio. He who depends upon another for the means of procuring subsistence to himself by his own labour, stands in the third degree: this I take to have been the case between the feudal lords, and the lowest classes of their vassals, the labourers of the ground.

4to. He who depends totally upon the sale of his own industry, stands in the fourth degree: this is the case of tradesmen and manufacturers, with respect to those who employ them.

These I take to be the different degrees of subordination between man and man, considered as members of the same society.

In proportion, therefore, as certain classes, or certain individuals become more dependent than formerly, in the same proportion ought their just subordination to increase: and in proportion as they become less dependent than formerly, in the same proportion ought this just subordination to diminish. This seems to be a rational principle: next for the application.

I deduce the origin of the great subordination under the feudal government, from the necessary dependence of the lower classes for their subsistence. They consumed the produce of the land, as the price of their subordination, not as the reward of their industry in making it produce.

I deduce modern liberty from the independence of the same classes, by the introduction of industry, and circulation of an adequate equivalent for every service.

If this doctrine be applied in order to resolve the famous question so much debated, concerning the origin of supreme authority, in so far as it is a question of the law of nature, I do not find the decision so very difficult: All authority is in proportion to dependence, and must vary according to circumstances. (vol. 1, chap. 13, p. 238-240)

French intellectuals were enamored with Scottish thinkers and their interest in democracy was no greater. The “physiocrats” such as François Quesnay (1694-1774) and A.R.J. Turgot (1727-1781) justified the landed nobility and their political dominion under a monarch just as enthusiastically as any nationalistic mercantilist. Yet there were Scottish and English philosophers leaning in the contrary direction of utilitarianism, such as Bernard Mandeville (1670-1733), Anthony Ashley Cooper, 3rd Earl of Shaftesbury (1671-1713), Francis Hutcheson (1694-1746), and David Hume (1711-1776). None of them relied on rationalism: the view that moral duties are reasonable because they can be rationally comprehended or at least derived from knowledge. (The argument for God from nature’s design had a similar structure.) The legacy of natural law as commensurate with reason itself was losing its hold. In its place, Protestant intellectuals were looking to some natural endowment within all humans (more or less) besides rationality that gets cultivated into moral responsibility. If not reason, what could be the basis for moral duties among all people? Immanuel Kant’s attempt to ground morality in pure rationality came towards the end of the eighteenth century. Non-cognitive grounds were looking available to the pre-Kantian thinker, such as simple intuition (e.g. wrongs), self-interestedness (pleasure, envy pride, shame), typical emotions (caring, pity), aroused sentiments (piety, vanity, etc.), conventional norms (such as customs), and other sorts of psychological motivators.

Hobbes was the most notorious figure who had denied that humans are naturally virtuous, expecting only self-interested motivations to explain our behavior. This amoral egoism, although it was the secular

counterpart of Calvinism's low regard for human sinfulness, was too scandalous in philosophy. Egoism and its self-interested 'virtues' were heard again in Bernard Mandeville, one of the most strikingly modern thinkers about politics and economics before the nineteenth century utilitarians. Of Dutch origin and education, his literary fame was made in England *The Fable of the Bees: or, Private Vices, Publick Benefits* (1714). During an era when private and public virtue was demanded from all social classes high and low in order to align political and economic interests, Mandeville praised self-interest and greed. He scandalized the elites by pointing out how they have less virtue than the poor, who only need to be employed to live moderately, while the rich neither labor or produce.

While enjoying that controversy, Mandeville went into deeper philosophical grounds than merely talking about the scandal of wealth's hypocrisy. Mandeville was an heir to French Epicureanism more than Protestant self-denialism, accepting that pleasure is the proper end of human life. Shaftesbury was then claiming that pro-social virtues in all people are endowed by nature. Hutcheson next claimed that a motivation of benevolence and charity can mostly motivate our public conduct. Hume admitted sympathy as a natural moral motive, but much morality consists of conventional virtues for the common good (such as justice). Mandeville saw little use for such sentimental factors other than as disguises to hide our truly selfish motives. Idleness and dishonesty are rampant where people can't simply indulge their pleasures and exhibit their greeds. If Christianity must call that vice, then vice makes the economy work hard for everyone. Money changing hands, hands grasping at fancies and fineries, is all that matters economically. When the great mass of society conducts their interactions economically – transactions where parties openly seek their own individual advantage – then vast productivities and efficiencies are unleashed. He appeals to his homeland's great prosperity:

"The Dutch may ascribe their present grandeur to the virtue and frugality of their ancestors as they please; but what made that contemptible spot of ground so considerable among the principal powers of Europe, has been their political wisdom in postponing every thing to merchandise and navigation, the unlimited liberty of conscience that is enjoyed among them, and the unwearied application with which they have always made use of the most effectual means to encourage and increase trade in general." (Oxford 1924, vol. 1, p. 185)

He next recounts how Spain wasted its rivers of gold and silver, spreading money so widely without reinvestment that it all flowed into other countries, never to come back. Mandeville draws his main conclusion of political economy:

"The great art then to make a nation happy, and what we call flourishing, consists in giving every body an opportunity of being employed; which to compass, let a government's first care be to promote as great a variety of manufactures, arts, and handicrafts, as human wit can invent; and the second, to encourage agriculture and fishery in all their branches, that the whole earth may be forced to exert itself as well as man; for as the one is an infallible maxim to draw vast multitudes of people into a nation, so the other is the only method to maintain them." (Oxford 1924, vol. 1, p. 197)

Among the multitudes of people in a prosperous nation, a large proportion will be poorly-paid laborers and people in poverty who must quickly spend every cent they can get. These classes should not get any relief from the government, aside from the governing objective to keep everyone employed at something. It is necessary that the poor must stay poor, for the good of the whole economy.

"Every body knows that there is a vast number of journeymen weavers, tailors, clothworkers, and twenty other handicrafts, who, if by four days labour in a week they can maintain themselves, will hardly

be persuaded to work the fifth; and that there are thousands of labouring men of all sorts, who will, though they can hardly subsist, put themselves to fifty inconveniences, disoblige their masters, pinch their bellies, and run in debt to make holidays. When men show such an extraordinary proclivity to idleness and pleasure, what reason have we to think that they would ever work, unless they were obliged to it by immediate necessity? When we see an artificer that cannot be drove to his work before Tuesday, because the Monday morning he has two shillings left of his last week's pay; why should we imagine he would go to it at all, if he had fifteen or twenty pounds in his pocket?

“What would, at this rate, become of our manufactures? If the merchant would send cloth abroad, he must make it himself, for the clothier cannot get one man out of twelve that used to work for him. If what I speak of was only to befall the journeymen shoemakers, and nobody else, in less than a twelvemonth, half of us would go barefoot. The chief and most pressing use there is for money in a nation, is to pay the labour of the poor, and when there is a real scarcity of it, those who have a great many workmen to pay, will always feel it first; yet notwithstanding this great necessity of coin, it would be easier, where property was well secured, to live without money, than without poor; for who would do the work? For this reason the quantity of circulating coin in a country, ought always to be proportioned to the number of hands that are employed; and the wages of labourers to the price of provisions. From whence it is demonstrable, that whatever procures plenty, makes labourers cheap, where the poor are well managed; who as they ought to be kept from starving, so they should receive nothing worth saving. If here and there one of the lowest class by uncommon industry, and pinching his belly, lifts himself above the condition he was brought up in, nobody ought to hinder him; nay, it is undeniably the wisest course for every person in the society, and for every private family to be frugal; but it is the interest of all rich nations, that the greatest part of the poor should almost never be idle, and yet continually spend what they get.”

A country only needs a portion of its society to frugally invest and rise in income levels. Too much frugality and savings slows the economy too much; better that the working poor stay poor by spending everything they manage to receive for their work. The circulation of money, not the distribution of money, is vital to the growth of the economy. Moralism has no place in economics: consensual exchanges between people satisfying desires are moving good money, and the quantity of moving money is what matter far more than the 'quality' of desires or relationships involved. Capitalism has no place for moralism or ethics. Moralizing about who has more money makes no sense in economics, either, for Mandeville. The numerous poor must stay poor so that they produce goods cheaply, work harder constantly, and spend wages immediately. The poor can stay envious of the rich (for envy should make people avaricious) but there is nothing to do about poverty. As for the rich, the rich have no duty to be charitable (that lowers the motive to work) but they do have the duty to rule rigidly and spend liberally while merchant enterprises profit the country.

In Mandeville's system, liberty is distributed equally even if wealth is not. The pursuit of vice and egoism is true freedom, as one is doing what one actually wants to do, just as Hobbes and Hume defined “free will” as acting without external restraint. The complete subjectivity of both value *and* motive seemed to go to far. That frightening portrait of willful egotism left Mandeville with no public admirers (though many private readers) – not even Adam Smith (1723-1790), who agreed that self-interests can yield collective benefits – because that picture seemed to confirm what many early moderns feared: amoral freedom in economics would spread into the rest of society, rendering all relationships exploitative and transactional.

Mandeville didn't approve of democracy. No one perceived any relationship between economic freedom and political liberty embodied here in Mandeville's egoism, least of all Mandeville himself.

Greed left to itself is not good, as Adam Smith soon pointed out. An unrestrained individualism would let democratic forces tear society apart. Taking reasonable politics out of subjective economics would be disastrous for both, since economic libertines would soon be political anarchists too.

Neither Mandeville, David Hume, nor Adam Smith were political liberals in favor of greater representation in the House of Commons, which was then elected by less than ten percent of the male (wealthy) population. During the eighteenth century, England's Parliament was oligarchic, not democratic, and often matched the interests of the monarch. The Dutch Republic, the next most capitalist nation, was thoroughly oligarchic. The rest of Europe was dominated by monarchs, lords, and princes of every variety. Nevertheless, a more revolutionary thinker arose from the soil of France's absolute monarchy: Montesquieu.

Charles Montesquieu (1689-1755) and his book *The Spirit of Law* (1748) was enormously influential for its praise bestowed on the 1689 English constitution that separated executive (monarchical) and legislative (representative) powers while encouraging independence for the judiciary. The most important feature of this constitution, which finally departed from Aristotle's categorization for kinds of government, was the way it distinguished sovereign power (the whole people of a nation) from administrative power (the government and its three branches). If a government assumes sovereign power by itself, then it becomes tyrannical and despotic without any legitimacy.

A genuine Monarchy, Aristocracy, or Democracy recognizes the supreme sovereignty of the People. With that distinction, even a country like England with its Monarch and Aristocratic Parliament could be a constitutional republic representing the people's delegated power. It didn't matter that the House of Commons had modest control over affairs of State or that most House members were elected only by wealthier citizens. Democracy was far from the point to enshrining the People with supreme sovereignty. Citizenship did not mean voting in elections. Citizenship meant being ruled under Law administered by elites who govern well for the People's best interests. Asking the people was not part of the political formula. The spirit of Plato is hovering over this theorizing, as Montesquieu emphasized how each branch of government must restrain itself to only its proper governing task:

"When in the same person or in the same body of magistracy the legislative authority is combined with the executive authority, there is no freedom, because one can fear lest the same monarch or the same senate make tyrannical laws in order to carry them out tyrannically. Again there is no freedom if the authority to judge is not separated from the legislative and executive authorities. If it were combined with the legislative authority, power over the life and liberty of the citizens would be arbitrary, for the judge would be the legislator. If it were combined with the executive authority, the judge could have the strength of an oppressor. All would be lost if the same man or the same body of principals, or of nobles, or of the people, exercised these three powers: that of making laws, that of executing public resolutions, and that of judging crimes or disputes between individuals." (The Spirit of Law, Book 11, chap. 6)

In Montesquieu's ideal constitution, a stable government includes monarchic, aristocratic, and democratic aspects, just as Aristotle had recommended. Among the U.S. Founders, James Madison was especially impressed, opening a way to design an American government that did not depart far from England's model. The crucial problem that then remained was the issue of how much of the democratic element should be included. The ancients and the moderns up until the 1700s all asserted that popular assemblies, whether composed of all citizens or only an elected portion of citizens, could only work for quite small city-states or tiny nations. The problem was one of scale: where the citizens are too numerous, they cannot meet in assembly often, or their delegates divide into factions and then into

uncivil warring camps, destroying the country. It looked like a simple problem of mathematics, even more than a problem of human avarice and envy: no reasonable decisions can be made democratically in larger polities. The Founders wanted one branch of the government, the legislative, to more representative of all the people through large elections. But history and math (and a little human psychology) said that too much democracy always irrationally de-stabilizes government. Montesquieu recommended that the legislative branch could be fairly representative because the other two branches would provide the checks and balances needed to prevent the commoners from getting what they wanted instead of what they needed.

Montesquieu opened up hopes for the People's sovereignty to be delegated through some (limited and checked) democracy. However, there is little in *The Spirit of Law* to encourage any confidence in democracy. The popular vote should not be by secret ballot: how one votes should be public and hence open to censure, so that anonymity cannot keep self-interest secret. However, voting within an elected chamber should be kept secret so representatives don't have to reveal their votes.

"The people's suffrages ought doubtless to be public; and this should be considered as a fundamental law of democracy. The lower class ought to be directed by those of higher rank, and restrained within bounds by the gravity of eminent personages. Hence, by rendering the suffrages secret in the Roman republic, all was lost: it was no longer possible to direct a populace that sought its own destruction. But, when the body of the nobles are to vote in an aristocracy, or in a democracy the senate, as the business is then only to prevent intrigues, the suffrages cannot be too secret." (Book 2, chap. 2)

Modern democracies invert these tenets, keeping ballots by citizens secret and exposing the votes of officials to the public. Restraining the vice of the masses and promoting virtue among citizens must remain the priority for a government tolerating a degree of democracy. If democracy is balanced by wealthier Elites and restrained by settled Law, then hopes must be placed in the "middle class" as it was later called, just as Aristotle predicted. However, the virtues of this "middle" class and its "mediocrity" must revolve around humble equality, frugality, and moderation (lacked by both the upper and lower classes).

"The love of equality, in a democracy, limits ambition to the sole desire, to the sole happiness, of doing greater services to our country than the rest of our fellow-citizens. They cannot all render her equal services, but they all ought to serve her with equal alacrity. ... The love of frugality limits the desire of having, to the study of procuring, necessities to our family, and superfluities to our country. Thus well-regulated democracies, by establishing domestic frugality, made way, at the same time, for public expenses; as was the case at Rome and Athens, when magnificence and profusion arose from the very fund of frugality. And, as religion commands us to have pure and unspotted hands, when we make our offerings to the gods, the laws required a frugality of life, to enable them to be liberal to our country. The good sense and happiness of individuals depend greatly on the mediocrity of their abilities and fortunes. Therefore, as a republic, where the laws have placed many in a middling station, is composed of wise men, it will be wisely governed; as it is composed of happy men, it will be extremely happy." (Book 5, chap. 3)

Montesquieu expects a democracy to lawfully redistribute wealth from the rich to the poor, with the middle class again supplying the mean and center.

"Though real equality be the very soul of a democracy, it is so difficult to establish, that an extreme exactness in this respect would not be always convenient. Sufficient it is to establish a census, which

should reduce or fix the differences to a certain point: it is afterwards the business of particular laws to level, as it were, the inequalities, by the duties laid upon the rich, and by the ease afforded to the poor. It is moderate riches alone that can give or suffer this sort of compensations; for, as to men of overgrown estates, every thing which does not contribute to advance their power and honour is considered by them as an injury. All inequality in democracies ought to be derived from the nature of the government, and even from the principle of equality. For example, it may be apprehended that people, who are obliged to live by their labour, would be too much impoverished by a public employment, or neglect the duties attending it; that artisans would grow insolent; and that too great a number of freemen would overpower the ancient citizens. In this case the equality in a democracy may be suppressed, for the good of the state.” (Book 5, chap. 5)

He goes on to recommend an equal distribution of land for farming in agricultural countries, and the elimination of primogeniture in commercial countries to prevent hereditary aristocracies. Despite such precautions, democracies tend to dissolve into excessive freedom and immorality and then disintegrate into war, just as Plato had sketched in *The Republic*.

“The principle of democracy is corrupted, not only when the spirit of equality is extinct, but likewise when they fall into a spirit of extreme equality, and when each citizen would fain be upon a level with those whom he has chosen to command him. Then the people, incapable of bearing the very power they have delegated, want to manage every thing themselves, to debate for the senate, to execute for the magistrate, and to decide for the judges. When this is the case virtue can no longer subsist in the republic. The people are desirous of exercising the functions of the magistrates; who cease to be revered. The deliberations of the senate are slighted: all respect is then laid aside for the senators, and consequently for old age. If there is no more respect for old age, there will be none presently for parents: deference to husbands will be likewise thrown off, and submission to masters. This licentiousness will soon become general, and the trouble of command be as fatiguing as that of obedience. Wives, children, slaves, will shake off all subjection. No longer will there be any such things as manners, order, or virtue.” (Book 8, chap. 2)

With such dystopian terrors about unrestrained democracy still resounding during the 1700s, what Enlightenment political theorist would encourage a democratic form of government? Democracy and reason are still philosophically as far apart as ever. Montesquieu did deeply impress James Madison and other Founders, aiding their reasoned hopes that a free and stable foundation for their new national government rested upon a defined and balanced separation of political powers.

The question of what politics should do about the sphere of commercial economics still eluded mid-1700s thinkers. The evidence prosperity of the English and the Dutch, looking all the more impressive by their effective rivalry with the other Great Powers of Spain and France, was easily, too easily, “explained” by theories of empire and mercantile colonialism: heavy-handed economic intervention extracted wealth for Crown and Country. What was gradually becoming “capitalistic commerce” during that era (recall that “capitalism” as a term was coined in 1850 by a socialist) only dimly entered the light of economic theory after 1750. Montesquieu, for example, easily grasped how mercantile commerce functioned, but he cannot be accounted among political thinkers on the side of liberal markets and liberal politics.

Seeking any intellectual combining capitalist economics with liberal democracy would be fruitless before the 1800s. Three potential exceptions to that generalization, who published their main works during 1750-1800, deserve mention. These three – Rousseau, Condorcet, and Wollstonecraft – were notable

social and political theorists, yet their economic views were little developed and less favorable towards commerce and capitalism.

Jean-Jacques Rousseau (1712-1778), if he were accorded the status of a significant political economist, would have combined political economy with radical democracy as a first among Europeans. His key early writings were *A Discourse on the Origin of Inequality* (1755) and *A Discourse on Political Economy* (1755), followed by *The Social Contract* (1762). The French Revolution was indebted to his radicalism. However, Rousseau had little originality for economics, scorned commerce and capitalism. He lauded tiny agrarian communities, launching many rural utopian visions about citizen political liberty, and elevating a “general will” of the People to a spiritual level. All the same, he pragmatically admitted that the upper class must represent a large democratic population.

Montesquieu and Rousseau only yielded pessimistic verdicts about the viability of democracy. No matter how a political theory tries to combine sovereignty, representation, and democracy, any pairing of two has to forbid the third:

Where democracy is maximal sovereignty of the People, the government will not be representative.

Where representatives are effectively sovereign, the government will not be democratic.

Where a democratic People shall be sovereign, government will be aristocratically representative.

On this trilemma, a political theory must settle for two out of three, but no government can have all three.

Nicolas de Condorcet (1743-1794) made some mathematical progress with this trilemma. His *Essay on the Application of Analysis to the Probability of Majority Decisions* (1785) unfortunately confirmed the overall dead-end to this paradox because any People who are voting could easily get to majority votes where (as an example) A wins over B, B wins over C, but C wins over A, leaving none of them with a clear popular victory. However, on his math (the jury system), the pairwise champion or beats-all winner in a series of all possible paired contests can be the “Condorcet winner” with a reasonable claim to being the greatest preference of the voters. (A simpler version has a series of run-offs until one candidate attains 50.1%.) A single-stage method, not Condorcet’s favorite, asks voters to rank candidates (eg. first, second, third choice) and then calculates the candidate with the highest sum over all voters. No method mathematically guarantees a uniquely preferable result. Still, Condorcet offered hope to political theorists (such as Madison) trying to understand the behavior of legislatures, where a series of large-scale elections may in the long run converge on a more reasonable result than any number of “A or B” one-off votes. Representative legislatures may, over time, heed a series of elections to gradually shape the direction of new law-making over time in the direction of popular approval, even if no single election could express the mythical “will of the People.” This mathematical-empirical “turn” suggested to later generations that legislation is more experimental than just imperative.

Condorcet is much better known his posthumous *Sketch for a Historical Picture of the Human Mind* (1795), but he had already gained notoriety for his abolitionism in *Reflections on Negro Slavery* (1781) and his support for women’s suffrage in *De l’admission des femmes au droit de cité* (For the Admission to the Rights of Citizenship For Women, 1790). The French Revolution’s chaos tragically caught up with him, but his enthusiasm for liberty was never forgotten. Nor was his antipathy against landed nobility and commercial titans.

“Survey the history of our settlements and commercial undertakings Africa or in Asia and you will see how our trade monopolies, our our murderous contempt for men of another colour or creed, of our usurpations, the intrigues or the exaggerated proselytic priests, have destroyed the respect and goodwill that the superiority knowledge and the benefits of our commerce at first won for of the inhabitants.” (Condorcet, *Sketch for a Historical Picture of the Human Mind*, London 1955, pp. 175-176)

Condorcet produced no economics treatise and cannot be viewed as a proto-capitalism thinker. Like Montesquieu, he advocated for redistributing wealth to the poor and restraining commercial wealth, perhaps placing him among a small number of eighteenth century proto-socialists instead.

If Mary Wollstonecraft (1759-1797) had written more substantially on economics, she would have been the first to combine political economy with radical democracy. All the same, her powerful writings such as *Vindication of the Rights of Men* (1790) and *Vindication of the Rights of Woman* (1792) advanced democracy's cause.

In fact, no theorist of political economy in Europe would combine an economics of capitalism and a justification of mass democracy until James Mill in the early 1800s. That's about the time that rival liberal thinkers proposed combining democracy with socialism instead.

Before 1800, the paradoxes of intersecting politics with economics couldn't be plainer. Philosophers still expected politics to be grounded in core virtues, such as beneficence and justice. Political theorists agreed, placing political power in the hands of the virtuous (wealthy) class of society. However, economists were realizing how the wealthy are the least competent to entrust with economic agendas. Letting employment and commerce proceed from individual motivation generates the currents of money that make markets so profitable for everyone involved. Philosophy had always applauded prosperity, when distributed to the truly worthy. The way that laboring classes only gain modestly while the rich get much richer was barely noticed but always applauded, since workers *should* work harder while *moderating* their desires. Labor needs no right to vote. Democracy was viewed as libertine and profligate, and certainly not profitable.

## The Moderns: Philosophy, Politics, and Economics to 1900

The year 1776, the year of Hume's death, witnessed the publication of a remarkable set of literary works.

Edward Gibbon, *The Decline and Fall of the Roman Empire* (1776), Chap. 1, part 2: "That public virtue, which among the ancients was denominated patriotism, is derived from a strong sense of our own interest in the preservation and prosperity of the free government of which we are members."

Jeremy Bentham's *Fragment on Government* (1776), Preface, giving the first published definition of the utilitarian principle: "it is the greatest happiness of the greatest number that is the measure of right and wrong."

Adam Smith's *The Wealth of Nations* (1776), Introduction: "Among civilized and thriving nations ... though a great number of people do not labour at all, many of whom consume the produce of ten times, frequently of a hundred times, more labour than the greater part of those who work; yet the produce of the whole labour of the society is so great, that all are often abundantly supplied; and a workman, even of the lowest and poorest order, if he is frugal and industrious, may enjoy a greater share of the necessaries and conveniencies of life than it is possible for any savage to acquire."

Thomas Jefferson's *Declaration of Independence* (1776), Preamble: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

John Adams's *Thoughts on Government, Applicable to the Present State of the American Colonies* (1776), On the Assembly: "I think a people cannot be long free, nor ever happy, whose government is in one Assembly. ... 1. A single Assembly is liable to all the vices, follies and frailties of an individual. Subject to fits of humour, starts of passion, flights of enthusiasm, partialities of prejudice, and consequently productive of hasty results and absurd judgments: And all these errors ought to be corrected and defects supplied by some controuling power. 2. A single Assembly is apt to be avaricious... 3. A single Assembly is apt to grow ambitious, and after a time will not hesitate to vote itself perpetual."

Of great inconvenience to intellectual historians, seeking some coherence among philosophy, politics, and economics, is the way that these five 'revolutionary' thinkers disagreed about fundamental principles.

Gibbon's admiration for republicanism, such as Rome's, was limited to its oligarchic version. Freedom for the nation, not any individual, was paramount; participating to any small degree in national prosperity should be enough political satisfaction. That view of collective prosperity without distributive wealth was condemned by Bentham's utilitarian demand that the happiness of the large laboring and poor classes should count for more than the small number of the rich. We would think that this tenet sounds democratic— wouldn't democratic rights shift prosperity towards the masses? Upon reading Jefferson's Declaration, Bentham immediately protested in defiance of Locke that "natural rights" were unreal and unrealistic. At least Bentham did approve of America's independence, finding colonialism to be bad politics and worse economics. As an economist, Smith didn't accept "natural rights" either and he couldn't see how colonies were economically viable, while he expected slavery to continue in the world forever. So, Smith said little about slavery's wrongness except to complain of its inefficiencies. Far

more efficient is the capitalist system's distribution of the most wealth to elites while laborers are at least better off than living as "savages." This racism of Smith towards all foreign lands is just as denigrating as anything said by Aristotle or Sepúlveda. Jefferson devoutly believed in natural rights from a divine Creator (Smith was agnostic and Bentham was an atheist). Yet Jefferson espoused racism and owned hundreds of slaves over his life, while pursuing territorial expansionism across the American continent. It is true that Jefferson was the most radical democratic thinker of his age until Wollstonecraft by seeking the vote for all men, instead of the oligarchic representationalism then acceptable to Gibbon, Smith, and Bentham. (Bentham only joined democracy's radicalism by the 1820s.) As for Adams, he praised voting (but not for women) while recommending that a democratic assembly be balanced against a second "council" of elites less corruptible by the masses; this idea later became the U.S. Senate to balance against the House of Representatives.

Ever since America's Revolution, the phrase "A Republic of Laws, not Men," in echo of John Adams's speech favoring Independence, was oft-heard to distinguish the center of political liberty from despotism on the one side and democracy on the other. A true republic yields a government that derives its power from the people, without actually handing power to the people. Protecting the liberty of economic wealth from democratic predation was no less a priority to elite intellectuals than keeping liberty safe from political slavery – although during that Revolutionary Age, too few saw evil in the propertied enslavement of "inferior" human beings.

At least some Founders can be exempted from complicity with slavery. The remarkable legal rejection of slavery in the northern states of America was in large part due to John Adams himself. The Massachusetts Constitution began with a Declaration of Rights penned by Adams:

"All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness." (1780)

This Constitution is the oldest operative written constitution in the world. In it, Adams composed the philosophical foundations for abolishing slavery (and so it was by 1783 in his state) – four years after Jefferson proclaimed in 1776 that all men are created equal and seven years before the new U.S. Constitution in 1787 praised liberty but legalized slavery. Today this all sounds paradoxical, but it must be understood that during that era "slavery" and "democracy" were terms scarcely imagined to have anything to do with each other. Indeed, for the Founders, the most democratic aspect of the new nation was the universal protection of private property, as enshrined in the Constitution, a document which legalized the ownership of slaves. This connection between democratic rights and slave property was so tight that the Southern states became willing to rebelliously abandon the Union over slavery.

Virtually none of the Framers of the U.S. Constitution thought that their primary work was establishing a democracy. The word "democracy" does not appear anywhere in the Declaration of Independence, the U.S. Constitution, or the Bill of Rights. The idea of democracy makes no appearance in a Presidential inaugural speech until the address of John Quincy Adams in 1825, nearly fifty years after the Declaration of Independence.

The nation's constitutional structure obstructs democracy's majority rule in several ways. The House of Representatives is not nationally elected, but divided among hundreds of districts to compete for influence, and continually checked by the less democratic Senate. The Electoral College also reflects the

hope that the masses and their majorities could never dominate politics through the single nationally elected office, the Presidency. Early Presidents never praised democracy for its own sake. James Madison already stated in his 1787 letter “The Federalist No. 10” that “democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.” President John Adams once said in 1817, “Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet, that did not commit suicide.” Preventing democratic majorities (larger than the size of a town) from collapsing into tyranny (as predicted by every political theorist since Plato) required aristocratic intervention (as Plato, Aristotle, and Cicero urged). Rather than the aristocrats representing monarchical interests, which was the main solution for political stability during the earlier ages of Feudalism and Empire, American Founders and Framers expected the aristocratic class to represent what is best for the masses. Madison explains clearly in Federalist 10 why the America Republic will be representative, not democratic:

“[T]he same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic,— is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.”

Those “enlightened views and virtuous sentiments” are possessed by the wealthy class, while the masses are just an “unjust and interested majority.” The lower classes are too self-interested and prejudiced to be entrusted with real political power responsible for the commonwealth. Representationalism for the Enlightenment generation meant republicanism: the Aristocrats would represent the nation’s best interests and overpower any majoritarian factions. Jefferson, Adams, and Madison were entirely agreed. To this day, the U.S. President is not elected by popular vote across the nation, but by a majority of states as apportioned by population.

Adams was much more of a political realist than nearly any other Founder, and as conservative in many ways as anti-nationalists preferring State sovereignty. He was less democratic than James Madison even, the main architect of the Constitution. Adams knew a Republic when he saw one, by its time-honored definition. Samuel Johnson’s *A Dictionary of the English Language* (1755) defined a republic as “government of more than one.” We have Adams’s more detailed understanding of republican government from an open letter to Roger Sherman of July 17, 1789 as they discussed the merits of the new federal Constitution. In answer to the question, “what is your definition of a Republic?” Adams made this reply:

“Mine is this, A Government, whose Sovereignty is vested in more than one Person. Governments are divided into Despotisms, Monarchies, and Republics. A Despotism is a Government, in which the three Divisions of Power, the Legislative, Executive and Judicial are all vested in one Man. A Monarchy is a Government, where the Legislative and Executive Powers are vested in one Man; but the Judicial, in other Men. in all Governments the Sovereignty is vested in that Man or Body of Men, who have the Legislative Power. in Despotisms and Monarchies therefore, the Legislative Authority being in one Man,

the Sovereignty is in one Man. in Republicks, as the Sovereignty that is the Legislative Power is always vested in more than one, it may be vested in as many more as you please. in the United States, it might be vested in two Persons, or in three Millions or in any intermediate Number, and in every Such Supposeable Case, the Government would be a Republic. in conformity to these Ideas Republics have been divided into three different Species, monarchical, Aristocratical and Democratical Republics. England is a Republic: a monarchical Republic it is true: but a Republic Still: because the Sovereignty, which is the Legislative Power, is vested in more than one Man: it is equally divided indeed between the one, the few, and the many: or in other Words between the three natural Divisions of Mankind in every Society; the monarchical, the Aristocratical and the Democratical.”

As for Adams, the new Constitution aligns with his preferred form of government: the Democratical Republic. Madison had publicly aligned with that nationalistic plan (as opposed to a looser confederation of States) in an open letter on “The conformity of the Plan to Republican Principles” in 1788: a republic was “a government which derives all its powers directly or indirectly from the great body of the people; and is administered by persons holding their offices during pleasure, for a limited period, or during good behaviour.” (Federalist No. 39) His Federalist No. 39 may look different from his earlier Federalist No. 10, but his nationalistic vision for a “democratic republic” stays consistent, and consistent with Adams.

Until the 1820s most states required property qualifications and/or poll taxes to deter men with little property from voting. The election of 1800 between Adams and Jefferson was contentious, but not because of democracy. The national population in the 1800 census was 5,308,483 people; yet there were no popular voters for President, because the states’ legislators decided their electors in the Electoral College and the House of Representatives settled electoral ties. Complaints about the lack of democracy were not aired, nor was the fact that around 900,000 inhabitants were slaves.

Becoming President in 1801, Jefferson’s Inaugural Address stated his principles. After thanking Providence, he asked, “what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow-citizens—a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned.” (March 4, 1801) He might have added, “and won’t take from the grip of masters the bread that slaves had made.” Abraham Lincoln, perhaps in conscious echo of that Jeffersonian omission, later stated: “the Negro ... in the right to put into his mouth the bread that his own hands have earned, he is the equal of every other man, white or black.” (Springfield, Illinois, on July 17, 1858).

Jefferson understood as well as anyone the economics of agriculture, although he didn’t compose any economics treatise. He was aware of Adam Smith’s wholesale rejection of mercantilism and monopoly. All the same, Smith’s thinking had to be pre-industrial, no less than Jefferson’s. Smith recognized that the agrarian “natural” order was getting supplemented, and somewhat subverted, by rampant urban capitalism, but he regarded that commercial aberration as unnatural and the fault of mercantilist empire-building. Jefferson entirely agreed with Smith that English Mercantilists and French Physiocrats were mistaken about the economic advantages of large-scale agricultural monopolies. After his death, Jefferson became the hero of the plantation aristocrats in the South, but he really always sided with freehold small farms across the nation. Jefferson repeatedly proposed granting fifty acres of open land to anyone who would plow or ranch it (since the natives weren’t really using it).

Jefferson's *Notes on the State of Virginia* (1782) offers a blessed vision of the natural order (not including slaves or native Indians) for Americans and all humanity.

"[W]e have an immensity of land courting the industry of the husbandman. Is it best then that all our citizens should be employed in its improvement, or that half should be called off from that to exercise manufactures and handicraft arts for the other? Those who labor in the earth are the chosen people of God, if ever He had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue. It is the focus in which He keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators is a phenomenon of which no age nor nation has furnished an example. It is the mark set upon those, who, not looking up to heaven, to their own soil and industry, as does the husbandman, for their subsistence, depend for it on casualties and caprice of customers. Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. This, the natural progress and consequence of the arts, has sometimes perhaps been retarded by accidental circumstances; but, generally speaking, the proportion which the aggregate of the other classes of citizens bears in any State to that of its husbandmen, is the proportion of its unsound to its healthy parts, and is a good enough barometer whereby to measure its degree of corruption. While we have land to labor, then, let us never wish to see our citizens occupied at a workbench, or twirling a distaff. Carpenters, masons, smiths, are wanting in husbandry; but, for the general operation of manufacture, let our workshops remain in Europe." (Query 19 on Manufactures)

Compare Jefferson's agrarian raptures with Adam Smith's equally generous praise of agriculture.

"According to the natural course of things, therefore, the greater part of the capital of every growing society is, first, directed to agriculture, afterwards to manufactures, and last of all to foreign commerce. This order of things is so very natural that in every society that had any territory it has always, I believe, been in some degree observed. Some of their lands must have been cultivated before any considerable towns could be established, and some sort of coarse industry of the manufacturing kind must have been carried on in those towns, before they could well think of employing themselves in foreign commerce. But though this natural order of things must have taken place in some degree in every such society, it has, in all the modern states of Europe, been, in many respects, entirely inverted. The foreign commerce of some of their cities has introduced all their finer manufactures, or such as were fit for distant sale; and manufactures and foreign commerce together have given birth to the principal improvements of agriculture. The manners and customs which the nature of their original government introduced, and which remained after that government was greatly altered, necessarily forced them into this unnatural and retrograde order." (The Wealth of Nations, Book 3, chap. 1)

Smith's warnings against merchant monopolies had little impact on economic or political policies, not surprisingly, given the oligarchic grip over all European nations. He also warned against artificial monopolies – worker "combinations" or unions – that collected labor into an economic force. He also wryly noted how the "masters" of commerce are quicker to call for the punishment of labor than they are to complain about their own combinations, also called "trusts."

"We rarely hear, it has been said, of the combinations of masters, though frequently of those of workmen. But whoever imagines, upon this account, that masters rarely combine, is as ignorant of the world as of the subject. Masters are always and everywhere in a sort of tacit, but constant and uniform, combination, not to raise the wages of labour above their actual rate... Masters, too, sometimes enter into particular combinations to sink the wages of labour even below this rate. These are always

conducted with the utmost silence and secrecy till the moment of execution; and when the workmen yield, as they sometimes do without resistance, though severely felt by them, they are never heard of by other people... [T]he masters ... never cease to call aloud for the assistance of the civil magistrate, and the rigorous execution of those laws which have been enacted with so much severity against the combination of servants, labourers, and journeymen.” (The Wealth of Nations, Book 1, chap. 8)

Trust-busting was never a popular political agenda, but union-busting has been perennially popular among all except labor. Higher prices (from higher wages) seem to be a bigger concern for more people than higher profits for capitalists, despite counter-arguments from socialists and utilitarians. Laborers only intend their own gain, as Smith tediously repeats, but his conclusion doesn't logically follow, that the laboring class actually gains much, while capitalists invisibly take most of the profit while depressing wages. Smith's "invisible hand" notion is worth reading in its larger context.

“As every individual, therefore, endeavours as much as he can, both to employ his capital in the support of domestic industry, and so to direct that industry that its produce maybe of the greatest value; every individual necessarily labours to render the annual revenue of the society as great as he can. He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it. By preferring the support of domestic to that of foreign industry, he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain; and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention. Nor is it always the worse for the society that it was no part of it. By pursuing his own interest, he frequently promotes that of the society more effectually than when he really intends to promote it. I have never known much good done by those who affected to trade for the public good. It is an affectation, indeed, not very common among merchants, and very few words need be employed in dissuading them from it.

What is the species of domestic industry which his capital can employ, and of which the produce is likely to be of the greatest value, every individual, it is evident, can in his local situation judge much better than any statesman or lawgiver can do for him. The statesman, who should attempt to direct private people in what manner they ought to employ their capitals, would not only load himself with a most unnecessary attention, but assume an authority which could safely be trusted, not only to no single person, but to no council or senate whatever, and which would nowhere be so dangerous as in the hands of a man who had folly and presumption enough to fancy himself fit to exercise it.” (*The Wealth of Nations*, Book 4, chap. 2)

That liberty of trade and markets surely benefits society as a whole, invisibly but steadily. Whether that freedom to be employed (or not) truly benefits an individual laborer was a question that Smith never empirically researched, but later communist political economists such as Engels and Marx would investigate. (For example, Engels's *The Condition of the Working Class in England in 1844*, 1845.)

Smith praises the free market but he didn't trust this "virtue" of laboring from self-interest to hold society together. In his earlier work on moral philosophy, *The Theory of Moral Sentiments* (1759), Smith instead looked to the innate capacity for compassion:

“How selfish soever man may be supposed, there are evidently some principles in his nature, which interest him in the fortune of others, and render their happiness necessary to him, though he derives nothing from it except the pleasure of seeing it. Of this kind is pity or compassion, the emotion which we feel for the misery of others, when we either see it, or are made to conceive it in a very lively manner. That we often derive sorrow from the sorrow of others, is a matter of fact too obvious to require any

instances to prove it; for this sentiment, like all the other original passions of human nature, is by no means confined to the virtuous and humane, though they perhaps may feel it with the most exquisite sensibility. The greatest ruffian, the most hardened violator of the laws of society, is not altogether without it." (*The Theory of Moral Sentiments*, Cambridge 2002, p. 265-266)

Smith separates economics, where competitive self-interest operates, apart from society where compassionate consideration prevails. As for politics, the political sphere is rightly dominated by the superior wealthy class, rightly commanding the respect of lower classes.

"After the persons who are recommended to our beneficence, either by their connection with ourselves, by their personal qualities, or by their past services, come those who are pointed out, not indeed to, what is called, our friendship, but to our benevolent attention and good offices; those who are distinguished by their extraordinary situation; the greatly fortunate and the greatly unfortunate, the rich and the powerful, the poor and the wretched. The distinction of ranks, the peace and order of society, are, in a great measure, founded upon the respect which we naturally conceive for the former. The relief and consolation of human misery depend altogether upon our compassion for the latter. The peace and order of society, is of more importance than even the relief of the miserable. Our respect for the great, accordingly, is most apt to offend by its excess; our fellow-feeling for the miserable, by its defect. Moralists exhort us to charity and compassion. They warn us against the fascination of greatness. This fascination, indeed, is so powerful, that the rich and the great are too often preferred to the wise and the virtuous. Nature has wisely judged that the distinction of ranks, the peace and order of society, would rest more securely upon the plain and palpable difference of birth and fortune, than upon the invisible and often uncertain difference of wisdom and virtue. The undistinguishing eyes of the great mob of mankind can well enough perceive the former: it is with difficulty that the nice discernment of the wise and the virtuous can sometimes distinguish the latter. In the order of all those recommendations, the benevolent wisdom of nature is equally evident." (*The Theory of Moral Sentiments*, Cambridge 2002, p. 265-266)

Smith's political economy is predicated on the hereditary dominion of the upper class, whose worthy privilege can be easily seen and respected by the poor, who know little of wisdom or virtue anyways. Maintaining aristocratic wealth is far more important for civic order than relieving public misery, but such charity is unnatural. Neither labor nor democracy had a friend in Smith; the freedom of free markets and free trade left most people at liberty to stay in poverty or servitude without power. The heirs of Smith's classical economics continued to depict labor's low worth as practically a law of nature and Creation. Thomas Robert Malthus (1766-1834) and his *An Essay on the Principle of Population* (1798) and *Principles of Political Economy* (1820) held only pessimistic forecasts for the working class as population would always increase to match and exceed available sustenance. David Ricardo (1772-1823) and his *Principles of Political Economy and Taxation* (1817) along with other writings promulgated such rigid ideas as the "iron law of wages" that drives wages to the lowest practicable level. Capitalists were eager to appreciate how their poor treatment of labor was fitting with the natural way of all things, long after the Industrial Revolution left classical economics far behind.

The political economist who first announced an allegiance to broad democracy and liberal political economy was James Mill (1773-1836), the father of John Stuart Mill. Bentham's early optimism about the empowerment of employees to change employers faded into cold realism that capitalists always colluded to keep wages low. Bentham was eventually pulled towards radical democracy by the elder Mill, setting utilitarianism on its pro-democratic course thereafter. Mill published his *Elements of Political Economy* in 1821, but his essay about *Government* (1820) received far more critical attention.

He concluded over the relative advantages and disadvantages of various forms of government by selecting representative and meritocratic democracy as the best. His justification for the leadership of the middle class – the middle “rank” for its many merits – within a republic was as firm as Aristotle’s preference for that “polity” of majority rule under law. All adult men should be voting, and the middle class should get elected to office more than aristocrats as well as make up most (with the poor) of the voters.

“It is to be observed, that the class which is universally described as both the most wise and the most virtuous part of the community, the middle rank, are wholly included in that part of the community which is not the Aristocratical. It is also not disputed, that in Great Britain the middle rank are numerous, and form a large proportion of the whole body of the people. Another proposition may be stated, with a perfect confidence of the concurrence of all those men who have attentively considered the formation of opinions in the great body of society, or, indeed, the principles of human nature in general. It is, that the opinions of that class of the people, who are below the middle rank, are formed, and their minds are directed by that intelligent and virtuous rank, who come the most immediately in contact with them, who are in the constant habit of intimate communication with them, to whom they fly for advice and assistance in all their numerous difficulties, upon whom they feel an immediate and daily dependence, in health and in sickness, in infancy and in old age; to whom their children look up as models for their imitation, whose opinions they hear daily repeated, and account it their honour to adopt. There can be no doubt that the middle rank, which gives to science, to art, and to legislation itself, their most distinguished ornaments, the chief source of all that has exalted and refined human nature, is that portion of the community of which, if the basis of Representation were ever so far extended, the opinion would ultimately decide. Of the people beneath them, a vast majority would be sure to be guided by their advice and example. It is altogether futile with regard to the foundation of good government to say that this or the other portion of the people, may at this, or the other time, depart from the wisdom of the middle rank. It is enough that the great majority of the people never cease to be guided by that rank; and we may, with some confidence, challenge the adversaries of the people to produce a single instance to the contrary in the history of the world. (*Political Writings*, Cambridge 1992, pp. 41-42)

During the late 1700s, few countries had a robust middle class, and it was largely confined to cities. In more prosperous nations, perhaps 10% could be classed as “middling” (to say “middle class” is anachronistic) in income, as educated professionals tasked with operating commerce, conducting business for the wealthy, or occupying “learned professions” as ministers, lawyers, teachers, doctors, etc. The lower commoners, around 85% of a country’s population, was laboring as women in homes, farmers in fields, workmen at jobs, artisans at crafts, hired hands in trade, or similarly laborious occupations. The upper class was small, but typically took in over 50% of all income for themselves.

By the 1850s, the size of the “middle class” wasn’t much larger. Commerce was evolving quickly in northern Europe and northern American states under nascent industrial capitalism. Political economists divided into four categories, some individualist and some collectivist, with pro-capitalists on the collectivist side as businesses and corporations came to dominate economic activity in many nations such as England and America.

the priority is __	Individualistic	Collectivistic
The Liberty of Property	Agrarianism	Corporate Capitalism

The Liberty of Persons	Egalitarianism	Communal Socialism

Capitalist political economy branded itself as essential to political “liberalism” but the liberty of property (and owners), not individuals in general, remained paramount. The protectors of liberty, safety, and security of labor were socialists over the next century as they advocated for safer workplaces, fairer wages, fewer work hours, schools to replace child labor, union bargaining, and many other measures incorporated into progressive liberalism agendas from the 1880s to the 1940s.

That capitalist collectivism did not go unnoticed by economic socialists such as Karl Marx, who postulated that the collective power of organized labor is necessary to counter-balance and then replace the business combinations of capitalism. (Theoretical protests against monopoly were louder the more it went ignored by legislators.) Caught in the cross-fire between those two collectivist paradigms, two individualistic liberalisms, agrarianism and rural anarchism, looked more and more utopian if not fantastic. Despite the fervent enthusiasm energizing several dozen utopian communities and communes across many nations, the economic future lay with the contest between capitalism and communism, each claiming to be more liberal and liberating than the other.

Key individualistic liberalisms were inspired by such prominent figures as Fourier, Saint-Simon, Owen, and Proudhon. Key writings that launched their socialist theorizing are:

Charles Fourier (1772-1837): *Théorie des quatre mouvements et des destinées générales* (Theory of the four movements and the general destinies, 1808).

Robert Owen (1771-1858): *A New View of Society, or Essays on the Principle of the Formation of the Human Character* (1813).

Henri Saint-Simon (1760-1825): *L’Industrie* (1817) and *L’Organisateur* (1819).

Pierre-Joseph Proudhon (1809-1865): *What Is Property? Or, an Inquiry into the Principle of Right and Government* (1840) and *The Philosophy of Poverty* (1840). (Another democratic radical, Abraham Lincoln, was born in 1809 and died in 1865.)

The political drift of utopian liberalism tended towards egalitarianism and democratic radicalism, if not outright anarchism lacking legal structures. Where no one possesses more property than anyone else, no one has coercive influence or a means of domination. Needless to say, such communalist plans usually reduced trade to bartering without money, preventing commerce and capitalism.

As for agrarianism, modern advocates could look to Romans such as Cato, Cicero, and Horace who lauded the virtuous life associated with living close the land. James Harrington (1611-1677), François Quesnay (1694-1774), and A.-R.-J. Turgot (1727-1781) inspired admiration for the economic and political advantages of placing respect for agriculture foremost. Rousseau’s and Jefferson’s fervent agrarianism has been mentioned. Small-scale farming and small-scale democracy was also favored by Ralph Waldo Emerson (1803-1882) and Henry David Thoreau (1817-1862).

Individualistic liberalism, in both its main forms, had earned its label of “socialism.” Social and ethical theory, centering on core human relationships and basic natural institutions, did not proceed from political principles about meritorious rankings of classes, definitions of legal justice, or artificed rights from ‘reason’. The human world comes first, and this liberalism attempted to keep it human and humane, isolated from corruptions of cities and currencies. The arts of erecting and maintaining large governments were not needed.

Since the early 1840s Karl Marx (1818-1883) and Frederick Engels (1820-1895) sought the future of liberalism in urban settings. They pointed out how capitalism as an political ideology praised the liberty of individuals (as if workers gets justly equalized pursuing wages) while capitalism as an economic system practiced the collectivization of capital (in coordinated businesses, joint-stock companies, private and public corporations, multi-company ownerships, etc.). The early “communists” were quite aware of how they had to distance their movement from socialism. The Preface by Frederick Engels to the 1888 English edition pointedly explains how socialism had been attached to utopian “sects.” His 1847 “Principles of Communism” also faulted pseudo-socialisms: reactionaries retreating to feudalism, bourgeois reformers calling for welfare schemes, and democratic socialists trying to work within current political orders. Engels is dismissive; calling for negotiations or revolutions is one thing, while organizing an effective labor movement as a lasting political force is very much another. Socialism, unlike communism, is characterized by inadequate economic theories and unrealistic political agendas.

Marx and Engels published their pamphlet *Manifest der kommunistischen Partei* (The Communist Manifesto) in 1848. The previous year, Engels had written up a draft for a communist Confession of Faith that clarifies the significance of the laboring class, the proletariat, as compared to older forms of servitude such as slavery and serfdom which were better off than the proletariat. With a surplus of low-skilled labor, jobs are precarious and wage competition races to the bottom towards unemployment and starvation.

“Question 9: How did the proletariat arise?”

The proletariat came into being as a result of the introduction of the machines which have been invented since the middle of the last century and the most important of which are: the steam-engine, the spinning machine and the power loom. These machines, which were very expensive and could therefore only be purchased by rich people, supplanted the workers of the time, because by the use of machinery it was possible to produce commodities more quickly and cheaply than could the workers with their imperfect spinning wheels and hand-loom. The machines thus delivered industry entirely into the hands of the big capitalists and rendered the workers’ scanty property which consisted mainly of their tools, looms, etc., quite worthless, so that the capitalist was left with everything, the worker with nothing. In this way the factory system was introduced. Once the capitalists saw how advantageous this was for them, they sought to extend it to more and more branches of labour. They divided work more and more between the workers so that workers who formerly had made a whole article now produced only a part of it. Labour simplified in this way produced goods more quickly and therefore more cheaply and only now was it found in almost every branch of labour that here also machines could be used. As soon as any branch of labour went over to factory production it ended up, just as in the case of spinning and weaving, in the hands of the big capitalists, and the workers were deprived of the last remnants of their independence. We have gradually arrived at the position where almost all branches of labour are run on a factory basis. This has increasingly brought about the ruin of the previously existing middle class, especially of the small master craftsmen, completely transformed the previous position of the workers, and two new classes which are gradually swallowing up all other classes have come into being, namely:

I. The class of the big capitalists, who in all advanced countries are in almost exclusive possession of the means of subsistence and those means (machines, factories, workshops, etc.) by which these means of subsistence are produced. This is the bourgeois class, or the bourgeoisie.

II. The class of the completely propertyless, who are compelled to sell their labour to the first class, the bourgeois, simply to obtain from them in return their means of subsistence. Since the parties to this trading in labour are not equal, but the bourgeois have the advantage, the propertyless must submit to the bad conditions laid down by the bourgeois. This class, dependent on the bourgeois, is called the class of the proletarians or the proletariat.

Question 10: In what way does the proletarian differ from the slave?

Answer: The slave is sold once and for all, the proletarian has to sell himself by the day and by the hour. The slave is the property of one master and for that very reason has a guaranteed subsistence, however wretched it may be. The proletarian is, so to speak, the slave of the entire bourgeois class, not of one master, and therefore has no guaranteed subsistence, since nobody buys his labour if he does not need it. The slave is accounted a thing and not a member of civil society. The proletarian is recognised as a person, as a member of civil society. The slave may, therefore, have a better subsistence than the proletarian but the latter stands at a higher stage of development. The slave frees himself by becoming a proletarian, abolishing from the totality of property relationships only the relationship of slavery. The proletarian can free himself only by abolishing property in general.

Question 11: In what way does the proletarian differ from the serf?

Answer: The serf has the use of a piece of land, that is, of an instrument of production, in return for handing over a greater or lesser portion of the yield. The proletarian works with instruments of production which belong to someone else who, in return for his labour, hands over to him a portion, determined by competition, of the products. In the case of the serf, the share of the labourer is determined by his own labour, that is, by himself. In the case of the proletarian it is determined by competition, therefore in the first place by the bourgeois. The serf has guaranteed subsistence, the proletarian has not. The serf frees himself by driving out his feudal lord and becoming a property owner himself, thus entering into competition and joining for the time being the possessing class, the privileged class. The proletarian frees himself by doing away with property, competition, and all class differences. (*The Communist Manifesto*, Yale 2002, pp. 48-49 )

Marx's voice dominates in the *The Communist Manifesto*, where he sets out key principles to the communist version of political economy.

"The history of all hitherto existing society is the history of class struggles. Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another, carried on an uninterrupted, now hidden, now open fight, a fight that each time ended, either in a revolutionary reconstitution of society at large, or in the common ruin of the contending classes. In the earlier epochs of history, we find almost everywhere a complicated arrangement of society into various orders, a manifold gradation of social rank. In ancient Rome we have patricians, knights, plebeians, slaves; in the Middle Ages, feudal lords, vassals, guild-masters, journeymen, apprentices, serfs; in almost all of these classes, again, subordinate gradations. The modern bourgeois society that has sprouted from the ruins of feudal society has not done away with class antagonisms. It has but established new classes, new conditions of oppression, new forms of struggle in place of the old ones.

Our epoch, the epoch of the bourgeoisie, possesses, however, this distinct feature: it has simplified class antagonisms. Society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other—Bourgeoisie and Proletariat." (*The Communist Manifesto*, Yale 2002, pp. 74-75)

As the class earning income from capital rather than labor, the bourgeoisie capitalists transfer the self-interested transactionalism of economic commerce over to transmute all social relationships and institutions.

“The bourgeoisie, wherever it has got the upper hand, has put an end to all feudal, patriarchal, idyllic relations. It has pitilessly torn asunder the motley feudal ties that bound man to his “natural superiors,” and has left remaining no other nexus between man and man than naked self-interest, than callous “cash payment.” It has drowned the most heavenly ecstasies of religious fervour, of chivalrous enthusiasm, of philistine sentimentalism, in the icy water of egotistical calculation. It has resolved personal worth into exchange value, and in place of the numberless indefeasible chartered freedoms, has set up that single, unconscionable freedom—Free Trade. In one word, for exploitation, veiled by religious and political illusions, it has substituted naked, shameless, direct, brutal exploitation. The bourgeoisie has stripped of its halo every occupation hitherto honoured and looked up to with reverent awe. It has converted the physician, the lawyer, the priest, the poet, the man of science, into its paid wage labourers.” (*The Communist Manifesto*, Yale 2002, pp. 74-75)

The capitalist class, interestingly, does not reduce politics to transactionalism. Rather than admitting that capital’s status should be proportional to its social contribution, capitalism argues that a special privilege inheres in capital but not in labor. Capital keeps creating at jobs and labor makes more capital, but most of the profit is appropriated by the capitalist displaying the superior virtue of prudent investment. Like the Divine Creator to whom our lives are indebted, labor’s livelihood is indebted to the Job Creator. The pseudo-liberalism of collectivist Capitalism can’t see any special virtues in the laboring class and no important role for a middle class’s political buffer between the rich and poor. Oligarchs never respects a middle class.

Rather than offer a perpetuation of capitalist categories, the elimination of all economic classes is communism’s longer-term goal. That agenda is about the liberation of individuals over the liberty of property.

“In bourgeois society capital is independent and has individuality, while the living person is dependent and has no individuality. And the abolition of this state of things is called by the bourgeois, abolition of individuality and freedom! And rightly so. The abolition of bourgeois individuality, bourgeois independence, and bourgeois freedom is undoubtedly aimed at.” (*The Communist Manifesto*, Yale 2002, pp. 86-87)

The future of liberalism, both economic and democratic, was at stake during the latter half of the 1800s as socialist, communist, and unionization movements gathered strength in European and American cities. However, the greatest political contest over the rights of property vs. the rights of persons would play out in the western state. In 1848, as copies of *The Communist Manifesto* were reaching European capitals, a legal case about the fate of Dred Scott, a black slave, had reached the Missouri Supreme Court.

## Philosophy, Politics, and Economics of Property and Liberty in the 1800s

The U.S. Supreme Court decision in *Dred Scott v. Sandford* (60 U.S. 393, 1856) was rendered in 1857 by Chief Justice Roger Brooke Taney. After languishing in Missouri courts, the federal courts took it up, and the Chief Justice perceived its momentous character. Taney (1777-1864) was a native of Maryland, then a slave state, and the first Roman Catholic on the Supreme Court. Dred Scott, a slave traveled with his owner to the free state of Illinois, and his lawsuit argued that the freedom of that state permanently left him free in the United States. This argument was entirely rejected. A survey of key points of Constitutional jurisprudence reveal how Taney's decision was argumentatively reached.

First, on the question of whether Scott has standing before a court of the Federal Government, the answer was No.

"4. A free negro of the African race, whose ancestors were brought to this country and sold as slaves, is not a "citizen" within the meaning of the Constitution of the United States.

5. When the Constitution was adopted, they were not regarded in any of the States as members of the community which constituted the State, and were not numbered among its "people or citizens."

Consequently, the special rights and immunities guaranteed to citizens do not apply to them. And not being "citizens" within the meaning of the Constitution, they are not entitled to sue in that character in a court of the United States, and the Circuit Court has not jurisdiction in such a suit.

6. The only two clauses in the Constitution which point to this race treat them as persons whom it was morally lawfully to deal in as articles of property and to hold as slaves.

7. Since the adoption of the Constitution of the United States, no State can by any subsequent law make a foreigner or any other description of persons citizens of the United States, nor entitle them to the rights and privileges secured to citizens by that instrument.

8. A State, by its laws passed since the adoption of the Constitution, may put a foreigner or any other description of persons upon a footing with its own citizens as to all the rights and privileges enjoyed by them within its dominion and by its laws. But that will not make him a citizen of the United States, nor entitle him to sue in its courts, nor to any of the privileges and immunities of a citizen in another State.

9. The change in public opinion and feeling in relation to the African race which has taken place since the adoption of the Constitution cannot change its construction and meaning, and it must be construed and administered now according to its true meaning and intention when it was formed and adopted.

10. The plaintiff having admitted, by his demurrer to the plea in abatement, that his ancestors were imported from Africa and sold as slaves, he is not a citizen of the State of Missouri according to the Constitution of the United States, and was not entitled to sue in that character in the Circuit Court."

With these premises, Taney disposed of any right of a black inhabitant, free or unfree, in a slave or free state, to sue for rights at the Federal level. Nothing about the Constitution, the Bills of Rights, or Federal statutes can recognize blacks as citizens, no matter whether a particular State grants state rights and liberties (such as the right to vote in state elections).

Taney could have stopped there. An issue like this could have been classifiable as a "State's Rights" matter, leaving each State to decide the legality of slavery within its borders. That doctrine had been the basis for the 1820 Missouri Compromise and the Compromise of 1850. However, Taney's pro-slavery political activism carried him far from the narrow but regrettable decision that Scott cannot be freed in Missouri. Taney proceeded to argue that no matter where a slave was taken anywhere in a U.S. state or territory, that status as enslaved property cannot change. His opportunity to get into that legal matter

was opened by Scott's journey to Wisconsin Territory (Iowa Territory after 1838). Did his residence in a free territory (north of the 36°30' parallel) mean that he was legally free? Taney rejected that position as well.

"1. But if the plea in abatement is not brought up by this writ of error, the objection to the citizenship of the plaintiff is still apparent on the record, as he himself, in making out his case, states that he is of African descent, was born a slave, and claims that he and his family became entitled to freedom by being taken by their owner to reside in a Territory where slavery is prohibited by act of Congress, and that, in addition to this claim, he himself became entitled to freedom by being taken to Rock Island, in the State of Illinois, and being free when he was brought back to Missouri, he was, by the laws of that State, a citizen.

...

3. The United States, under the present Constitution, cannot acquire territory to be held as a colony, to be governed at its will and pleasure. But it may acquire territory which, at the time, has not a population that fits it to become a State, and may govern it as a Territory until it has a population which, in the judgment of Congress, entitled it to be admitted as a State of the Union.

4. During the time it remains a Territory, Congress may legislate over it within the scope of its constitutional powers in relation to citizens of the United States, and may establish a Territorial Government, and the form of the local Government must be regulated by the discretion of Congress, but with powers not exceeding those which Congress itself, by the Constitution, is authorized to exercise over citizens of the United States in respect to the rights of persons or rights of property.

The "rights of persons" meant, for Taney, the Constitutional rights of white U.S. citizens, and the rights of property meant the rights of masters to keep their enslaved property anywhere in America.

"Thus the rights of property are united with the rights of person, and placed on the same ground by the fifth amendment to the Constitution, which provides that no person shall be deprived of life, liberty, and property, without due process of law. And an act of Congress which deprives a citizen of the United States of his liberty or property, merely because he came himself or brought his property into a particular Territory of the United States, and who had committed no offence against the laws, could hardly be dignified with the name of due process of law."

Taney accordingly argued that Congress cannot restrict slavery anywhere in America, including territories.

"1. The territory thus acquired is acquired by the people of the United States for their common and equal benefit through their agent and trustee, the Federal Government. Congress can exercise no power over the rights of persons or property of a citizen in the Territory which is prohibited by the Constitution. The Government and the citizen, whenever the Territory is open to settlement, both enter it with their respective rights defined and limited by the Constitution.

2. Congress have no right to prohibit the citizens of any particular State or States from taking up their home there while it permits citizens of other States to do so. Nor has it a right to give privileges to one class of citizens which it refuses to another. The territory is acquired for their equal and common benefit, and if open to any, it must be open to all upon equal and the same terms.

3. Every citizen has a right to take with him into the Territory any article of property which the Constitution of the United States recognises as property.

4. The Constitution of the United States recognises slaves as property, and pledges the Federal Government to protect it. And Congress cannot exercise any more authority over property of that description than it may constitutionally exercise over property of any other kind.

5. The act of Congress, therefore, prohibiting a citizen of the United States from taking with him his slaves when he removes to the Territory in question to reside is an exercise of authority over private property which is not warranted by the Constitution, and the removal of the plaintiff by his owner to that Territory gave him no title to freedom.”

The “act of Congress” mentioned by Taney was the Missouri Compromise that kept slavery out of territories above the 36<sup>th</sup> parallel. The Kansas-Nebraska Act of 1854, championed by Illinois senator Stephen A. Douglas, overrode that line of compromise. Now, by declaring that part of the Missouri Compromise to be unconstitutional, Taney effectively legalized slavery everywhere in America.

Taney went on to enlarge upon his position by attempting to refute the abolitionist viewpoint that the nation’s founding documents intended to include all blacks as U.S. citizens.

“[Blacks] are not included, and were not intended to be included, under the word “citizens” in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States. On the contrary, they were at that time considered as a subordinate and inferior class of beings who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the Government might choose to grant them. It is not the province of the court to decide upon the justice or injustice, the policy or impolicy, of these laws.”

What about the original intentions of the Founders?

“In the opinion of the court, the legislation and histories of the times, and the language used in the Declaration of Independence, show that neither the class of persons who had been imported as slaves nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, nor intended to be included in the general words used in that memorable instrument. It is difficult at this day to realize the state of public opinion in relation to that unfortunate race which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence and when the Constitution of the United States was framed and adopted. But the public history of every European nation displays it in a manner too plain to be mistaken. They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect, and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic whenever a profit could be made by it. This opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics which no one thought of disputing or supposed to be open to dispute, and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as well as in matters of public concern, without doubting for a moment the correctness of this opinion.”

Couldn’t the Founders and Framers have hoped for freedom and perhaps citizenship for the enslaved population? Taney couldn’t see any sense to that speculation. Strangely, he points to colonial laws of Massachusetts and Maryland prohibiting interracial marriage as evidence of black’s political inferiority.

“We give both of these laws in the words used by the respective legislative bodies because the language in which they are framed, as well as the provisions contained in them, show, too plainly to be misunderstood the degraded condition of this unhappy race. They were still in force when the Revolution began, and are a faithful index to the state of feeling towards the class of persons of whom they speak, and of the position they occupied throughout the thirteen colonies, in the eyes and thoughts of the men who framed the Declaration of Independence and established the State Constitutions and Governments. They show that a perpetual and impassable barrier was intended to be erected between the white race and the one which they had reduced to slavery, and governed as subjects with absolute and despotic power, and which they then looked upon as so far below them in the scale of created beings, that intermarriages between white persons and negroes or mulattoes were regarded as unnatural and immoral, and punished as crimes, not only in the parties, but in the person who joined them in marriage. And no distinction in this respect was made between the free negro or mulatto and the slave, but this stigma of the deepest degradation was fixed upon the whole race.”

What about Jefferson’s Declaration of Independence?

“The language of the Declaration of Independence is equally conclusive:

It begins by declaring that, “[w]hen in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and nature’s God entitle them, a decent respect for the opinions of mankind requires that they should declare the causes which impel them to the separation.”

It then proceeds to say:

“We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among them is life, liberty, and the pursuit of happiness; that to secure these rights, Governments are instituted, deriving their just powers from the consent of the governed.”

The general words above quoted would seem to embrace the whole human family, and if they were used in a similar instrument at this day would be so understood. But it is too clear for dispute that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration, for if the language, as understood in that day, would embrace them, the conduct of the distinguished men who framed the Declaration of Independence would have been utterly and flagrantly inconsistent with the principles they asserted, and instead of the sympathy of mankind to which they so confidently appealed, they would have deserved and received universal rebuke and reprobation. Yet the men who framed this declaration were great men – high in literary acquirements, high in their sense of honor, and incapable of asserting principles inconsistent with those on which they were acting. They perfectly understood the meaning of the language they used, and how it would be understood by others, and they knew that it would not in any part of the civilized world be supposed to embrace the negro race, which, by common consent, had been excluded from civilized Governments and the family of nations, and doomed to slavery. They spoke and acted according to the then established doctrines and principles, and in the ordinary language of the day, and no one misunderstood them. The unhappy black race were separated from the white by indelible marks, and laws long before established, and were never thought of or spoken of except as property, and when the claims of the owner or the profit of the trader were supposed to need protection. This state of public opinion had undergone no change when the Constitution was adopted, as is equally evident from its provisions and language.”

This enshrinement of ineradicable racism as an absolute principle to interpret the nation's Founders and founding documents was shocking, even to many conservative minds across the nation. Pro-slavery advocates were delighted at this turn of political fortunes, as the violence of "Bleeding Kansas" was continuing to be a visible national shame. No longer so shamed, the pro-slavery faction proudly repeated Taney's tenets as the nation headed into the 1858 elections.

In Illinois, the recently formed Republican Party, uniting many former Whigs and northern Democrats, found an eager candidate to run against Senate incumbent Stephen Douglas: Abraham Lincoln. Upon accepting his nomination, Lincoln delivered his famous "House Divided" speech in Springfield on June 16, 1858. He must have anticipated how his opening lines would capture his crowd, by first quoting a Biblical passage, Mark 3:25:

"A house divided against itself cannot stand. I believe this government cannot endure, permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the states, old as well as new—North as well as South." (Lincoln, Springfield, 1858)

The opening address made by Douglas at the first debate with Lincoln pointedly questioned this "it will become all one thing or all the other" prediction. Was Lincoln just trying to elevate the hopes of his new party? Was Lincoln playing on fears of abolitionists to heighten the urgency to their cause? Douglas took on the matter as a political thesis about whether the U.S. government can hold to a long-standing compromise on slavery, a compact made with the Constitution itself. Douglas sees no Constitutional path towards freeing those now enslaved:

"Mr. Lincoln ... says that this Government cannot endure permanently in the same condition in which it was made by its framers-divided into free and slave States. He says that it has existed for about seventy years thus divided, and yet he tells you that it cannot endure permanently on the same principles and in the same relative condition in which our fathers made it. Why can it not exist divided into free and slave States? Washington, Jefferson, Franklin, Madison, Hamilton, Jay, and the great men of that day, made this Government divided into free States and slave States, and left each State perfectly free to do as it pleased on the subject of slavery." (Douglas in the First Debate: Ottawa, Illinois, August 21, 1858)

Next, Douglas protests against extending citizenship to "the negro":

"We are told by Lincoln that he is utterly opposed to the Dred Scott decision, and will not submit to it, for the reason that he says it deprives the negro of the rights and privileges of citizenship. ... I ask you, are you in favor of conferring upon the negro the rights and privileges of citizenship? Do you desire to strike out of our State Constitution that clause which keeps slaves and free negroes out of the State, and allow the free negroes to flow in, and cover your prairies with black settlements? Do you desire to turn this beautiful State into a free negro colony, in order that when Missouri abolishes slavery she can send one hundred thousand emancipated slaves into Illinois, to become citizens and voters, on an equality with yourselves? If you desire negro citizenship, if you desire to allow them to come into the State and settle with the white man, if you desire them to vote on an equality with yourselves, and to make them eligible to office, to serve on juries, and to adjudge your rights, then support Mr. Lincoln and the Black Republican party, who are in favor of the citizenship of the negro. For one, I am opposed to negro citizenship in any and every form. I believe this Government was made on the white basis. I believe it

was made by white men for the benefit of white men and their posterity for ever, and I am in favor of confining citizenship to white men, men of European birth and descent, instead of conferring it upon negroes, Indians, and other inferior races.” (Douglas in the First Debate: Ottawa, Illinois, August 21, 1858)

Douglas proceeds to deny negro equality, and affirms the right of each State to determine the status of “our inferior and dependent beings”.

“I do not question Mr. Lincoln’s conscientious belief that the negro was made his equal, and hence is his brother, but for my own part, I do not regard the negro as my equal, and positively deny that he is my brother or any kin to me whatever. ... He holds that the negro was born his equal and yours, and that he was endowed with equality by the Almighty, and that no human law can deprive him of these rights which were guaranteed to him by the Supreme ruler of the Universe. Now, I do not believe that the Almighty ever intended the negro to be the equal of the white man. ... For thousands of years the negro has been a race upon the earth, and during all that time, in all latitudes and climates, wherever he has wandered or been taken, he has been inferior to the race which he has there met. He belongs to an inferior race, and must always occupy an inferior position. I do not hold that because the negro is our inferior that therefore he ought to be a slave. By no means can such a conclusion be drawn from what I have said. On the contrary, I hold that humanity and Christianity both require that the negro shall have and enjoy every right, every privilege, and every immunity consistent with the safety of the society in which he lives. On that point, I presume, there can be no diversity of opinion. You and I are bound to extend to our inferior and dependent beings every right, every privilege, every facility and immunity consistent with the public good. (Douglas in the First Debate: Ottawa, Illinois, August 21, 1858)

Douglas pointedly says that negroes do not merit enslavement because of racial inferiority, which hadn’t been asserted since Medieval times. However, Douglas does assert that any State is empowered to assign civic statuses to its peoples as it deems necessary for its sovereign pursuit of the public safety and welfare. Naturally, for Douglas, as for Taney, “the people” only designated free whites because only they were citizens.

“The question then arises, what rights and privileges are consistent with the public good? This is a question which each State and each Territory must decide for itself— Illinois has decided it for herself. We have provided that the negro shall not be a slave, and we have also provided that he shall not be a citizen, but protect him in his civil rights, in his life, his person and his property, only depriving him of all political rights whatsoever, and refusing to put him on an equality with the white man. That policy of Illinois is satisfactory to the Democratic party and to me, and if it were to the Republicans, there would then be no question upon the subject; but the Republicans say that he ought to be made a citizen, and when he becomes a citizen he becomes your equal, with all your rights and privileges. They assert the Dred Scott decision to be monstrous because it denies that the negro is or can be a citizen under the Constitution. Now, I hold that Illinois had a right to abolish and prohibit slavery as she did, and I hold that Kentucky has the same right to continue and protect slavery that Illinois had to abolish it. I hold that New York had as much right to abolish slavery as Virginia has to continue it, and that each and every State of this Union is a sovereign power, with the right to do as it pleases upon this question of slavery, and upon all its domestic institutions.” (Douglas in the First Debate: Ottawa, Illinois, August 21, 1858)

Douglas kept returning to this principle of State sovereignty and “sovereignty of the People” in all of the debates. His main arguments either presuppose this principle’s intrinsic justice or they take rhetorical

advantage of its Constitutional tradition. Abolitionists overturning that tradition are the dangerous radicals starting a “sectional war”.

“Now, my friends, if we will only act conscientiously and rigidly upon this great principle of popular sovereignty, which guaranties to each State and Territory the right to do as it pleases on all things, local and domestic, instead of Congress interfering, we will continue at peace one with another. Why should Illinois be at war with Missouri, or Kentucky with Ohio, or Virginia with New York, merely because their institutions differ? Our fathers intended that our institutions should differ. They knew that the North and the South, having different climates, productions and interests, required different institutions. This doctrine of Mr. Lincoln, of uniformity among the institutions of the different States, is a new doctrine, never dreamed of by Washington, Madison, or the framers of this Government. Mr. Lincoln and the Republican party set themselves up as wiser than these men who made this Government, which has flourished for seventy years under the principle of popular sovereignty, recognizing the right of each State to do as it pleased. Under that principle, we have grown from a nation of three or four millions to a nation of about thirty millions of people; we have crossed the Allegheny mountains and filled up the whole North-west, turning the prairie into a garden, and building up churches and schools, thus spreading civilization and Christianity where before there was nothing but savage barbarism. Under that principle we have become, from a feeble nation, the most powerful on the face of the earth, and if we only adhere to that principle, we can go forward increasing in territory, in power, in strength and in glory until the Republic of America shall be the North Star that shall guide the friends of freedom throughout the civilized world. And why can we not adhere to the great principle of self-government, upon which our institutions were originally based. I believe that this new doctrine preached by Mr. Lincoln and his party will dissolve the Union if it succeeds. They are trying to array all the Northern States in one body against the South, to excite a sectional war between the free States and the slave States, in order that the one or the other may be driven to the wall.” (Douglas in the First Debate: Ottawa, Illinois, August 21, 1858)

Lincoln was surely the one candidate who truly believed himself to be the devoted advocate of freedom. It must have been difficult for Lincoln to hear Douglas champion freedom in the name of a nation with slavery. In Lincoln’s first opportunity at counter-argument, he clarifies that his position does not agitate for full political and social equality, but only to halt the expansion of slavery.

“When Southern people tell us they are no more responsible for the origin of slavery than we, I acknowledge the fact. When it is said that the institution exists, and that it is very difficult to get rid of it, in any satisfactory way, I can understand and appreciate the saying. I surely will not blame them for not doing what I should not know how to do myself. If all earthly power were given me, I should not know what to do, as to the existing institution. My first impulse would be to free all the slaves, and send them to Liberia,— to their own native land. But a moment’s reflection would convince me, that whatever of high hope, (as I think there is) there may be in this, in the long run, its sudden execution is impossible. If they were all landed there in a day, they would all perish in the next ten days; and there are not surplus shipping and surplus money enough in the world to carry them there in many times ten days. What then? Free them all, and keep them among us as underlings? Is it quite certain that this betters their condition? I think I would not hold one in slavery at any rate; yet the point is not clear enough to me to denounce people upon. What next? Free them, and make them politically and socially our equals? My own feelings will not admit of this; and if mine would, we well know that those of the great mass of white people will not. Whether this feeling accords with justice and sound judgment, is not the sole question, if, indeed, it is any part of it. A universal feeling, whether well or ill-founded, cannot be safely disregarded. We cannot, then, make them equals. It does seem to me that systems of gradual

emancipation might be adopted; but for their tardiness in this, I will not undertake to judge our brethren of the South.” (Lincoln in the First Debate: Ottawa, Illinois, August 21, 1858)

Despite having no plan or provision for the condition of freed slaves, Lincoln asserts that the superiority of his own race doesn’t justify any amount of slavery anywhere.

“I will say here, while upon this subject, that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. I have no purpose to introduce political and social equality between the white and the black races. There is a physical difference between the two, which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality, and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position. I have never said anything to the contrary, but I hold that, notwithstanding all this, there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independence, the right to life, liberty, and the pursuit of happiness. I hold that he is as much entitled to these as the white man. I agree with Judge Douglas he is not my equal in many respects – certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without the leave of anybody else, which his own hand earns, *he is my equal and the equal of Judge Douglas, and the equal of every living man.*” (Lincoln in the First Debate: Ottawa, Illinois, August 21, 1858)

Lincoln’s stand on this supremely moral principle, the natural human liberty to pursue one’s own life and liberty to pursue happiness, would be a debating point for the rest of the debates. He claims that the primary Founding Fathers had the moral conviction that this liberty would eventually prevail for the whole nation.

“I leave it to you to say whether, in the history of our Government, this institution of slavery has not always failed to be a bond of union, and, on the contrary, been an apple of discord, and an element of division in the house. I ask you to consider whether, so long as the moral constitution of men’s minds shall continue to be the same, after this generation and assemblage shall sink into the grave, and another race shall arise, with the same moral and intellectual development we have-whether, if that institution is standing in the same irritating position in which it now is, it will not continue an element of division? If so, then I have a right to say that, in regard to this question, the Union is a house divided against itself; and when the Judge reminds me that I have often said to him that the institution of slavery has existed for eighty years in some States, and yet it does not exist in some others, I agree to the fact, and I account for it by looking at the position in which our fathers originally placed it—restricting it from the new Territories where it had not gone, and legislating to cut off its source by the abrogation of the slave-trade thus putting the seal of legislation against its spread. The public mind did rest in the belief that it was in the course of ultimate extinction. But lately, I think – and in this I charge nothing on the Judge’s motives – lately, I think, that he, and those acting with him, have placed that institution on a new basis, which looks to the perpetuity and nationalization of slavery. And while it is placed upon this new basis, I say, and I have said, that I believe we shall not have peace upon the question until the opponents of slavery arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or, on the other hand, that its advocates will push it forward until it shall become alike lawful in all the States, old as well as new, North as well as South. Now, I believe if we could arrest the spread, and place it where Washington, and Jefferson, and Madison placed it, it would be in the course of ultimate extinction, and the public mind would, as for eighty years past, believe that it was in the course of ultimate extinction. The crisis would

be past and the institution might be let alone for a hundred years, if it should live so long, in the States where it exists, yet it would be going out of existence in the way best for both the black and the white races.” (Lincoln in the First Debate: Ottawa, Illinois, August 21, 1858)

Lincoln appeals to the idea of slavery’s “ultimate extinction,” which may have seemed realistic in the early 1800, looked somewhat unrealistic by 1858. A political economist would have then pointed out that the agricultural value of slavery was dropping and its extinction was demographically guaranteed, except that the slave population was growing (due to babies born into slavery) and the expansion of slavery further West was propping up slavery’s profitability. It was the expansion of slavery that was delaying slavery’s extinction into an indefinite future. The commercial viability of slavery was at stake, and the South understood that better than the North. Lincoln at least observed in this debate, as well as other debates, how the South’s defensiveness over its “peculiar institution” and its determination to extend slavery everywhere are conjoined and conspiring to disrupt the Union’s civic harmony.

Lincoln then pointed to Taney’s Dred Scott decision and to Douglas’s firm approval of that decision as evidence that it would only take one more Supreme Court decision

“Then what is necessary for the nationalization of slavery? It is simply the next Dred Scott decision. It is merely for the Supreme Court to decide that no State under the Constitution can exclude it, just as they have already decided that under the Constitution neither Congress nor the Territorial Legislature can do it. When that is decided and acquiesced in, the whole thing is done. This being true, and this being the way, as I think, that slavery is to be made national, let us consider what Judge Douglas is doing every day to that end.” (Lincoln in the First Debate: Ottawa, Illinois, August 21, 1858)

Lincoln wraps up his rejoinder by reminding the audience of Douglas’s complicity with Congressional measures easing slavery’s expansion Westward. So long as slave owners can rush into any territory to maintain a numerical majority (the very tactic then disrupting Kansas) and manage to enter the Union as a slave state, then most future states could be Slave states, reducing the northern Free States to a minority that gets outvoted forever.

“We have in this nation this element of domestic slavery. It is a matter of absolute certainty that it is a disturbing element. It is the opinion of all the great men who have expressed an opinion upon it, that it is a dangerous element. We keep up a controversy in regard to it. That controversy necessarily springs from difference of opinion, and if we can learn exactly – can reduce to the lowest elements – what that difference of opinion is, we perhaps shall be better prepared for discussing the different systems of policy that we would propose in regard to that disturbing element. I suggest that the difference of opinion, reduced to its lowest terms, is no other than the difference between the men who think slavery a wrong and those who do not think it wrong. The Republican party think it wrong – we think it is a moral, a social and a political wrong. We think it as a wrong not confining itself merely to the persons or the States where it exists, but that it is a wrong in its tendency, to say the least, that extends itself to the existence of the whole nation. Because we think it wrong, we propose a course of policy that shall deal with it as a wrong. We deal with it as with any other wrong, in so far as we can prevent its growing any larger, and so deal with it that in the run of time there may be some promise of an end to it. ... Where we suppose we have the Constitutional right, we restrain ourselves in reference to the actual existence of the institution and the difficulties thrown about it. We also oppose it as an evil so far as it seeks to spread itself. We insist on the policy that shall restrict it to its present limits. We don’t suppose that in

doing this we violate any thing due to the actual presence of the institution, or any thing due to the Constitutional guaranties thrown around it.” (Lincoln in the Sixth Debate: Quincy, Illinois, October 13, 1858)

As for that supposed principle of State sovereignty, or the sovereignty “of the people” as a supreme ideal of political justice, Lincoln ultimately appeals to the highest injustice of slavery itself.

“When Judge Douglas says that whoever or whatever community wants slaves, they have a right to have them, he is perfectly logical if there is nothing wrong in the institution; but if you admit that it is wrong, he cannot logically say that any body has a right to do wrong. When he says that slave property and horse and hog property are, alike, to be allowed to go into the Territories, upon the principles of equality, he is reasoning truly, if there is no difference between them as property; but if the one is property, held rightfully, and the other is wrong, then there is no equality between the right and wrong; so that, turn it in any way you can, in all the arguments sustaining the Democratic policy, and in that policy itself, there is a careful, studied exclusion of the idea that there is any thing wrong in slavery.” (Lincoln in the Sixth Debate: Quincy, Illinois, October 13, 1858)

On that superior moral principle, the justice of universal liberty, Lincoln interprets the Declaration of Independence, not as a conventional compromise among white elites for the sake of one Union, but rather as natural doctrine among righteous people for the sake of one Humanity.

In his address during the final seventh debate, Lincoln returns to the accusation that his agenda was citizenship for negroes, which he denies, and turns to his actual anxiety over the future of slavery in America.

“I will thank him or any of his friends to show where I said that a negro should be a citizen, and complained especially of the Dred Scott decision because it declared he could not be one. I have done no such thing, and Judge Douglas so persistently insisting that I have done so, has strongly impressed me with the belief of a predetermination on his part to misrepresent me. He could not get his foundation for insisting that I was in favor of this negro equality any where else as well he could by assuming that untrue proposition. Let me tell this audience what is true in regard to that matter; and the means by which they may correct me if I do not tell them truly is by a recurrence to the speech itself. I spoke of the Dred Scott decision in my Springfield speech, and I was then endeavoring to prove that the Dred Scott decision was a portion of a system or scheme to make slavery national in this country.” (Lincoln in the Seventh Debate: Alton, Illinois, October 15, 1858)

A corporeal metaphor about the “body politic” conveys Lincoln’s position that the persistence of human property eventually threatens the freedom of everyone.

“On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has any thing ever threatened the existence of this Union save and except this very institution of Slavery? What is it that we hold most dear amongst us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of Slavery? If this is true, how do you propose to improve the condition of things by enlarging Slavery-by spreading it out and making it bigger? You may have a wen or cancer upon your person and not be able to cut it out lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong-restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way,

the old-fashioned way, the way in which the fathers themselves set us the example.” (Lincoln in the Seventh Debate: Alton, Illinois, October 15, 1858)

Lincoln completes his argument by pointing out that ominous historical parallel between masters and slaves with absolute kings and subjects.

“[Douglas] contends that whatever community wants slaves has a right to have them. So they have if it is not a wrong. But if it is a wrong, he cannot say people have a right to do wrong. He says that upon the score of equality, slaves should be allowed to go in a new Territory, like other property. This is strictly logical if there is no difference between it and other property. If it and other property are equal, his argument is entirely logical. But if you insist that one is wrong and the other right, there is no use to institute a comparison between right and wrong. ... That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are the two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, “You work and toil and earn bread, and I’ll eat it.” No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle.” (Lincoln in the Seventh Debate: Alton, Illinois, October 15, 1858)

If the United States stands for anything, it stands for the universal right of human liberty against any and all enslavement by whatever name. The rights of persons are forever superior to the rights of property, and no right to property overrules the fundamental right to liberty.

Lincoln was assassinated on April 15, 1865. His Republican party soon abolished slavery, guaranteed citizenship, and protected the right to vote.

13th Amendment (1865). “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

14th Amendment (1868). “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

15<sup>th</sup> Amendment (1870). “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”

The “House” of America was no longer divided over the political question of whether persons shall be property. Agrarian slavery was extinguished, but collectivist capitalism carried on. As the Industrial Age continued to accelerate through the late 1800s into the early 1900s, the economic issue dividing America, and other industrializing nations, was the reduction of labor to the status of capital and treatment like any commodity by capitalists.

Capitalism was then transitioning towards the management of manufacturing with two related ends: increasing skill specialization by “division of labor” and dividing labor into less-skilled tasks. Mechanizing productivity had the result of lowering wages, since the replacement cost for any single worker was kept as low as possible. The law of “supply and demand” was applied by capitalists to the “human capital” kept in stock as substitutable and expendable, like any commodity. Where the supply of workers for a simplistic job was kept high, the wage for any single worker was kept low, and overall wage costs were minimized. Low-skilled labor became the norm and not the exception, as routinization and mechanization came to dominate, and employers paid little to no cost for damage done to “disposable” human stock. Unsafe workplaces, poor health care, and discriminatory firing allowed the economics of capitalism to treat human worker degradation as an externality (a social problem outside the market) having much less financial impact than physical capital depreciation (a financial cost within business).

The rallying-cry that “Labour is not a commodity” was heard in the 1880s from labor organizers and later became a motto of the International Labour Organization (founded in 1919). The rise of labor organizations in the late 1800s in response to collectivistic capitalism signaled how the field of “political economy” was breaking apart. Political economy since the late 1600s assumed that government would be heavily responsible for the operation and protection of merchant and commerce systems for national ends. That role for government was largely unwanted by capitalism after the early 1800s, except where government could subsidize capital investment, such as saving slavery or supplying infrastructure like railroads. Politics would henceforth only address funding for the business world (corporate welfare), the trained workforce (education welfare), and the discarded workers (social welfare), while economics would study economic systems as they should independently operate under minimal governance. What the common masses should think about capitalism’s liberation from materialistic pains was none of their political business. Capitalist economics henceforth became idealistic, modeling capital flows among rational actors in frictionless systems, because it could.

Economic liberalism, the priority of capitalism, elevated the liberty of property (and property owners) to operate in markets over the liberty of persons to control politics. Political liberalism, the priority of democracy, continued to try to increase the political power of all citizens regardless of economic status. For social, political, and economic theory during the second half of nineteenth century in England, political liberalism only slowly approached a comfort level with the equality of democracy. Even the progressive utilitarian John Stuart Mill (1806-1873), like the moderate Walter Bagehot (1826-1877), suggested proportional representation in his book *Considerations on Representative Government* (1861) so that the better educated portion of society should effectively get double or triple the vote in House of Commons to counterbalance ignorant masses.

Critics of equal democracy for all adult men were found among conservatives and liberals – Liberalism then meant the protection of privilege and property rights that a populist majority would disrespect and erode away. Mill tried to shift “liberalism” in the direction of equal social and political liberty in his book *On Liberty* (1859), but he was opposed on all sides. Political theorists maintained an aversion to democracy, such as James Fitzjames Stephen (1829-1894) and his *Liberty, Equality, Fraternity* (1873) and Henry Maine (1822-1888) and his book *Popular Government* (1885). Popular government was not politically popular due to its excessive equality of liberty. The disaster of the French Revolution was still fresh in academic minds. Majorities respect few rights and they often elect dictators, as the history of democracy displays. Historian and political theorist William Lecky (1838-1903) pointed out what seemed obvious to elites across Europe:

“As we have, I think, abundantly seen, a tendency to democracy does not mean a tendency to parliamentary government, or even a tendency towards greater liberty. On the contrary, strong arguments may be adduced, both from history and from the nature of things, to show that democracy may often prove the direct opposite of liberty. In ancient Rome the old aristocratic republic was gradually transformed into a democracy, and it then passed speedily into an imperial despotism. In France a corresponding change has more than once taken place. A despotism resting on a plebiscite is quite as natural a form of democracy as a republic, and some of the strongest democratic tendencies are distinctly adverse to liberty. Equality is the idol of democracy, but, with the infinitely various capacities and energies of men, this can only be attained by a constant, systematic, stringent repression of their natural development. Whenever natural forces have unrestricted play, inequality is certain to ensue. Democracy destroys the balance of opinions, interests, and classes, on which constitutional liberty mainly depends, and its constant tendency is to impair the efficiency and authority of parliaments, which have hitherto proved the chief organs of political liberty. (*Democracy and Liberty*, vol. 2, 1896, p. 212)

Conservative aristocrats were defending “Liberalism” as much as radical egalitarians. Unlike the term “republican” during the eighteenth century, which unambiguously stood for representation from the people to replace monarchy, the nineteenth century heard nothing so dangerous in “liberalism” unless it meant more democracy. Fervently radical democrats were classified as socialists with similar revolutionaries, fulfilling the worst suspicions of Liberals. A younger generation of pro-democracy social reformers such as L. T. Hobhouse (1864-1929) – akin to the role of John Dewey (1859-1952) in America – got labeled as “collectivists” in a proto-communist sense. As “liberalism” thus got pulled in opposite directions and reduced to empty terms to which anyone could subscribe, capitalist economics on both sides of the Atlantic was happy to view liberalism as the paramount protection of individual property rights and the civil rights and liberties required to reinforce property rights for the propertied class, just as pro-slavery advocates had demanded from their democracy. After slavery’s demise, the subjection of labor remained crucial, so that package of property rights and propertied rights was deceptively counted as the sum of democracy itself. That capitalist ideology was the foundation of neoclassical economics, now liberated from political foundations, by the 1890s.

The Mill-Bentham democratic version of political economics received some utilitarian elaboration by John Stuart Mill, but capitalist economics was advanced by avowed utilitarians who applied “utility” to turn value into a denumerable quantity and thus mathematize all exchange relationships into calculable formulas. William Stanley Jevons (1835-1882) published *The Theory of Political Economy* (1871), which is still regarded as a milestone of mathematical economics. Castigating earlier economists such as Ricardo for taking labor as a uniform and objective metric of value, Jevons did not resort to a subjective theory of value either. Jevons replaced “value” as a sensible quality with “ratio of exchange” as a transactional but measurable quantity. The prevalence of free markets is presumed throughout, with government action limited to regulations against unjust labor practices such as unionization. Political prejudgments upon the laboring class and thorough-going racism are not disguised.

“Persons of an energetic disposition feel labour less painful than they otherwise would, and, if they happen to be endowed with various and acute sensibilities, their desire of further acquisition never ceases. A man of lower race, a negro for instance, enjoys possession less, and loathes labour more; his exertions, therefore, soon stop. A poor savage would be content to gather the almost gratuitous fruits of nature, if they were sufficient to give sustenance; a decrease of the produce of labour, since less of the necessaries of life can be acquired. We may conclude, then, that English labourers enjoying little

more than the necessities of life, will work harder the less the produce; or, which is the same, will work less hard as the produce increases.” (p. 177-178)

Jevons saved his disparagement of labor movements for his subsequent textbook titled *Political Economy* (1878).

“[N]ow there is a kind of ignorant dislike and impatience of political economy. People wish to follow their own impulses and prejudices, and are vexed when told that they are doing just what will have the opposite effect to that which they intend. Take the case of *so-called charity*. There are many good-hearted people who think that it is virtuous to give alms to poor people who ask for them, without considering the effect produced upon the people. They see the pleasure of the beggar on getting the alms, but they do not see the after effects, namely, that beggars become more numerous than before. Much of the poverty and crime which now exist have been caused by mistaken charity in past times, which has caused a large part of the population to grow up careless, and improvident, and idle. Political economy proves that, instead of giving casual ill-considered alms, we should educate people, teach them to work and earn their own livings, and save up something to live upon in old age. If they continue idle and improvident, they must suffer the results of it. But as this seems hard-hearted treatment, political economists are condemned by soft-hearted and mistaken people. The science is said to be a dismal, cold-blooded one, and it is implied that the object of the science is to make the rich richer, and to leave the poor to perish. All this is quite mistaken.” (*Political Economy*, p. 9)

Notice that Jevons appeals to civics and politics to handle a problem created economically: those unable to work enough are society’s problem to solve, but “educating” older and injured people obviously comes to late. Jevons finds their poverty quite just; they should have been more prudent. Like Herbert Spencer’s “social Darwinism” that saw poverty as proof of unworthy unfitness to live, Jevons finds fairness in all economic consequences if they result from unrestrained competition. The greatest competition for any laborer comes from other laborers, reducing wages fairly to their lowest possible level.

“It is a favourite saying that a man should have a fair day’s wages for a fair day’s work; but this is a fallacious saying. Nothing, at first sight, can seem more reasonable and just; but when you examine its meaning, you soon find that there is no real meaning at all. It amounts merely to saying, that a man ought to have what he ought to have. There is no way of deciding what is a fair day’s wages. ... So, any workman does quite right in selling his labour for the highest rate of wages he can get, provided that he does not interfere with the similar right of other workmen to sell their labour as they like.” (*Political Economy*, pp. 60-61)

“There is no reason whatever to think that trades unions have had any permanent effect in raising wages in the majority of trades.” (*Political Economy*, p. 64)

“Those who strike work have no right to prevent other workmen from coming and taking their places . If there are unemployed people, able and willing to work at the lower wages, it is for the benefit of everybody, excepting the strikers, that they should be employed. It is a question of supply and demand. The employer, generally speaking, is right in getting work done at the lowest possible cost; and, if there is a supply of labour forthcoming at lower rates of wages, it would not be wise of him to pay higher rates. Men are free to refuse to labour, but it is absolutely necessary to maintain at the same time the freedom of other men to labour if they like.” (*Political Economy*, p. 67)

“It is probable that, where a trade is a small one, and the union powerful, there may be some success. The trade becomes a monopoly, and gets higher wages by making other people pay dearer for the goods they produce. They raise a tax from the rest of the nation, including all the workmen of other trades. This is a thoroughly selfish and injurious thing, and the laws ought by all reasonable means to discourage such monopolies. Moreover, monopoly is extremely hurtful in the long run to the working classes, because all the trades try to imitate those which are successful. Finding that the hatters have a strong union, the shoemakers, the tailors, and the seamstresses try to make similar unions, and to restrict the numbers employed. If they could succeed in doing so, the result would be absurd; they would all be trying to grow richer by beggaring each other. As I have pointed out in the *Logic Primer* (section 177, p. 117 ), this is a logical fallacy, arising from the confusion between a general and a collective term. Because any trade separately considered may grow richer by taxing other trades, it does not follow that all trades taken together, and doing the same thing, can grow richer.” (*Political Economy*, p. 69)

“One youth is stout, healthy and energetic; another puny and weak; one bright and intelligent; another dull and slow. Over these differences of body and mind the laws have no power. An Act of Parliament cannot make a weak frame strong. It follows that in after life some men must be capable of earning more than others. Out of every thousand men and women, too, there will be a few who are distinguished by remarkable talents or inventive genius. Every man ... who is incited to work, and study, and invent to the utmost of his powers, not only earns welfare for himself, but confers welfare upon other people. He shows how wealth may be created abundantly, and how toil may be lessened.” (*Political Economy*, p. 76)

“Every man then should not only be allowed, but should be encouraged to do and to earn all that he can; we must then allow the greatest inequalities of wealth; for a man who has once begun to grow rich, acquires capital, and experience, and means which enable him to earn more and more.” (*Political Economy*, p. 76)

The natural justice in the unequal distribution of talent, intelligence, and genius must be matched by capitalism’s justly unequal distribution of gains and wealth. Capitalism, for Jevons, violates no natural or political principle of justice, and neither does wealth. Vast wealth inequality was no theory but plain fact – the top 10% owned around 95% of all wealth in England by 1900 – but the question of that distribution’s social justice is no longer part of capitalist political economy. Even economics should have known that income can be measured in absolute terms (one person makes \$10,000 a year, another makes \$100,000 that year) but *wealth* is far more relative: the power of my money drops after many millionaires are consuming around me. (Prices rise where the rich can pay them, reducing real spending power for the rest.) That economic coercive power distorts social and political relationships in turn, so that individual rights are worth less, and human beings are thereby worth less.

Capitalism does care greatly about injustices, when done to itself. Injustices to capitalism, where property has its superior rights, deserve swift political correction, and Jevons notes several kinds of injustices. Deviations and deformations of capitalism that constrain pure competition and self-interest, such as unfair restraints on labor’s freedom to work (caused by interfering unions, lowering work hours, forbidding child labor, and the like) lead to injustices and hence require legal remedies. He sets up trade-unions as the shining examples of attempted monopolies; capitalist monopolies are unheard of in his economics. His mildest reproof against professions limiting practitioners is promptly withdrawn since admission standards benefit the public. The term ‘monopoly’ makes no appearance in his larger *The Theory of Political Economy*, where ethics-free innocence abounds. As many investors were then

profiting from “speculation and swindling” (as Marx put it in *Das Kapital*) as from earning from business ownership, but Jevons takes no notice.

Chapter 15 on “The Functions of Government” asks for sound currency, low taxes, and no competition: government should never do what private business can do, which is practically everything, and Jevons can only think to recommend a national post office. What government might positively do about the free market economy, Jevons has no idea, and never suggests any stern measures except to punish workers trying to raise wages. Capitalists never act unjustly, as far as Jevons and his economic mathematics could tell. The way that factories were destroying lives and stunting children, and purveyors were selling poisons and fake products, all quite economically and often legally too, never stains his pages of formulaic dictums.

There was different story, a more realistic story, gaining attention from the public. By the 1870s, Charles Dickens and his novels’ characters had plenty of company observing how wealth inequality and class warfare was still impoverishing and killing generation after generation. The Communist Manifest had stated, in the wake of the disappearance of the yeomanry and independent artisans, that “Private property has been abolished for nine-tenths of the population; it exists only because these nine-tenths have none of it.” In 1848, that estimate may have been roughly accurate; by 1880 it would be an over-estimate. (Antoninus Samy, “‘Every Man His Own Landlord’: Building Societies and Home Ownership, c.1880–1913” in *The Building Society Promise*, Oxford, 2016).

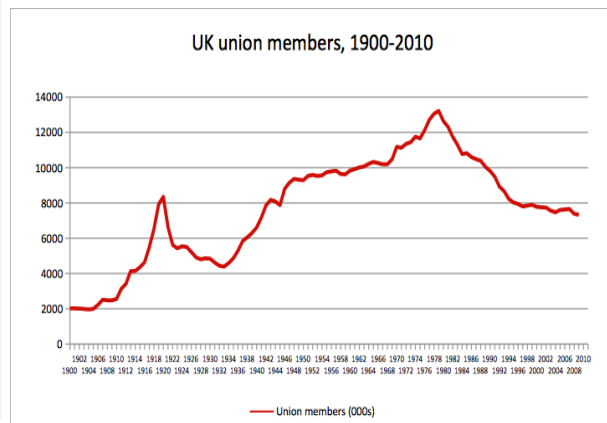
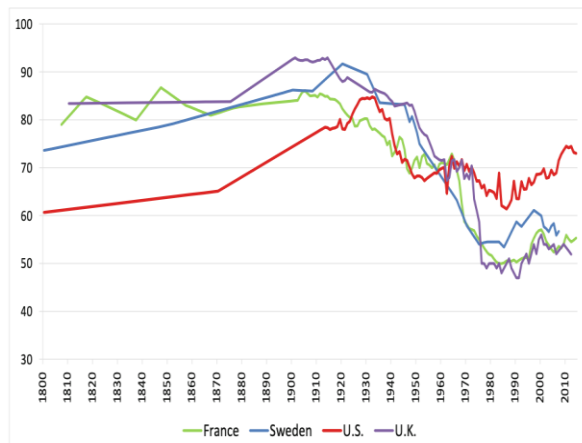
The plight of children, whose labor and lives were the property of parents, had long been dire. Eventually, democratic liberalism began catching up to capitalist collectivism. Only by 1878 did it become illegal in England to employ young children under 10 years old, but older children and adults were getting diseased, mangled, and killed by factory labor at appalling rates. The 1880 Employer’s Liability Act brought the issue to England’s political conscience. According to Jevons and that generation of economists, capitalism needed no conscience nor control. A professor of law sets the scene for capitalist opposition:

“[P]olitical economy also condoned replacing home-based charitable relief with degrading workhouses as an incentive to cure poverty, and embracing Thomas Malthus’s dour determination that starvation was the inevitable and appropriate consequence of overpopulation. That practical application of these beliefs adversely affected the most socially and economically vulnerable members of society was either unknown or beside the point: individuals were solely responsible for their own fate. Victorian notions of political economy in relation to workers were nicely summed up in a letter published by the redoubtable Baron Bramwell. Having held steadfastly to laissez-faire principles for more than half a century, Lord Bramwell railed openly against what he held to be the abominable creation of limited workers’ rights through promulgation of the 1880 Employer’s Liability Act: “No one could doubt that the dangers of an employment are taken into account in its wages,” he wrote with complete assurance; moreover, creating liability for workplace injuries engendered by fellow servants was so “contrary to principle, unjust, unreasonable,” that he “cannot suppose anything so outrageous.” Rather, it would be far better “to make servants liable to their masters for the damage caused” through their negligence. It was against this tide of intellectual, social, and judicial belief that injured workmen or their survivors sought to establish employer/employee liability over the course of Victoria’s reign.” (Michael Stein, “Victorian Tort Liability for Workplace Injuries” *University of Illinois Law Review*, 2008 U. Ill. L. Rev. 933, at p. 935).

The social justice of workplace safety was an issue for liberal democracy. Instead of burdening innocent society, burdening manufacturers with liability over what the owner can mitigate or neglect, namely

workplace safety, prevents capitalism from unjustly shifting costs of inefficient production over to the public. Of course, within capitalist economics, reducing costs by neglecting worker harm looked quite efficient, and upon identifying its own good with the public good, capitalist ideology was praising both its efficiency and beneficence. The counter-balance came from the organized labor movement, which not only brought justice to worker injury, but powerfully reduced wealth inequality between 1910 and 1980. After 1980, as union membership declined and taxes on the rich dropped, wealth inequality again rose. (The same pattern occurs across other European countries and America where unions declined.)

a. Wealth share of the top 10%



Much of the motivational vitality behind unionization movements during 1850-1920 was owed to socialist ideals of human goodness and mutual cooperation able to govern social and political affairs. That duplicated the agenda of Renaissance and early modern political theory, expecting good government to be based on the civil virtues and civic-mindedness. One reversal: no longer shall the elite wealthy be the only class endowed with those characters, especially after the vast injustices and corruptions of inhuman wealth have been exposed to public view.

As for the intellectual validity to socialist/labor movements, Karl Marx stood out for his confrontation against capitalist political economy to expose its core values, contradictions, and crises. His major work was *Das Kapital, Kritik der politischen Ökonomie* (Capital: A Critique of Political Economy in 3 vols. 1867, 1885, and 1894). In short, capitalism ensures that workers own little or no means for its own productivity (beyond a brain and body) so that all non-human capital is coercively withheld from workers unless they agree to the lowest possible wage like any other commodity subject to the economic law of supply and demand (the more lower-skilled labor, the lower go wages). The human demand to not die compels a worker to supply labor cheaply (or get replaced by worker who will work for less) and hence get a “wage” at coercive and confiscatory levels. Overall, capitalism is the exploitation of the genuine source of all capital (labor), causing class warfare between the capitalist class (not laboring) and the proletariat class (all labor). On the reasonable assumption that human labor is more valuable than not working, most of the surplus value from labor must be viewed as stolen by the capitalist class to be its “private property” which is then more politically valued and governmentally protected than the worth (now just a dollar figure) of any amount of human life.

Marx’s critique of capitalist political economy is one thing, his own alternative collectivist economic model is another thing, and a political system designed for that collectivist alternative is yet a third

different thing. Labels for those things vary, but “critical theory” did become a label for the academic dimension of his theorizing.

Marx called for the vast organization of labor into not just economically powerful unions but also political powerful movements able to not just out-vote but replace elite capitalist governments. Only then could human rights to liberty and property (not humans-as-property) be realized and equally distributed. Actual political revolutions were small, fleeting, and, until the Russian Revolution of 1917, fairly ineffective. Increased suffrage for men and then women also, along with pro-labor reforms, took off much of the pressure in industrializing countries; communism found its 20th century successes where serfdom, peasantry, mercantilism and/or colonialism had lasted. Many different political system claims an inheritance from Marx and Engels. Actual governments that have called themselves “Marxist” or “Communist” are still yet other things besides, not to be confused with Marx’s own academic theories. Marx himself isn’t very Marxist. (Most of what got called “Darwinian” can’t be found in Darwin’s own writings, either.)

Marx’s prediction that political theory, economic theory, and social ethics would proceed separately rather than jointly was slowly but surely realized during the final decades of the nineteenth century into the twentieth century. Although progressive figures such as Bernard Bosanquet in England and John Dewey in America were blending politics, economics, and philosophy with idealistic designs for democracy, those academic fields looked far apart by the 1920s. The sign of the times was Alfred Marshall (1842–1924) and his *Principles of Economics* (1890), which set the stage for neoclassical economics.

The last vestige of political economy’s basis in justice gets relegated to a few sections at the book’s ending, with a sharp comparison between the man of business using talent wisely and the laborer profiting less from skill no less natural.

“The wage-receiver is likely to suffer much when out of work; but that is because he has no reserve, not because he is a wage-receiver. That part of a man’s income which he owes to the possession of extraordinary natural abilities is a free boon to him; and from an abstract point of view bears some resemblance to the rent of other free gifts of nature, such as the inherent properties of land. But in reference to normal prices, it is to be classed rather with the profits derived by free settlers from the cultivation of new land, or again with the find of the pearl-fisher. The plot of one settler turns out better and that of another worse than was expected; the good find of one dive of the pearl-fisher compensates for many others that are fruitless: and the high income which one barrister, or engineer, or trader earns by his natural genius has to be counted with the comparative failures of many others; who perhaps appeared of no less promise when young and received as costly an education and start in life, but whose services to production were less than his in proportion to their cost. The ablest business men are generally those who get the highest profits, and at the same time do their work most cheaply; and it would be as wasteful if society were to give their work to inferior people who would undertake to do it more cheaply, as it would be to give a valuable diamond to be cut by a low waged but unskilled cutter.” (*Principles of Economics*, Book 6, chap. 11, sect. 3)

At this late stage, capitalism’s artificial breakdown of craft into skill into drudgery (division of labor) is all forgotten; the workman gets the small wage he exactly deserves. How is this known? Well, if he put his talent into being a capitalist then his wealth would come quite naturally. Intelligence apparently lies on the capitalist side of the ledger. What the class of capitalists can accomplish together in the capitalist system is more marvelous than a far vaster number of drudges working all on their own. And work as

single units the workers must ! lest the basic unit of wage exchange, the paycheck, gets unpredictable and incalculable to formulaic economics. The mechanization of work and metrical accounting of wages allows the capitalist to calculate how to be efficiently profitable. Competition among laborers is essential, both “vertically” and “horizontally,” restrained by the absence of class mobility, as Marshall expects children of laborers to be nothing but laborers themselves.

“Generally to the public benefit, but sometimes in opposition to it, business men are constantly comparing the services of machinery, and of labour, and again of unskilled and skilled labour, and of extra foremen and managers; they are constantly devising and experimenting with new arrangements which involve the use of different factors of production, and selecting those most profitable for themselves. The efficiency as compared with the cost of almost every class of labour, is thus continually being weighed in the balance in one or more branches of production against some other classes of labour: and each of these in its turn against others. This competition is primarily “vertical”: it is a struggle for the field of employment between groups of labour belonging to different grades, but engaged in the same branch of production, and inclosed, as it were, between the same vertical walls. But meanwhile “horizontal” competition is always at work, and by simpler methods: for, firstly, there is great freedom of movement of adults from one business to another within each trade; and secondly, parents can generally introduce their children into almost any other trade of the same grade with their own in their neighbourhood. By means of this combined vertical and horizontal competition there is an effective and closely adjusted balance of payments to services as between labour in different grades; in spite of the fact that the labour in any one grade is mostly recruited even now from the children of those in the same grade.” (*Principles of Economics*, Book 6, chap. 11, sect. 2)

So long as the laboring class reliably reproduces itself, and competition of each against all remain the rule, the economic machinery rolls on. By definition, as far as this neo-classical economics can see, only competition reigns among businesses in a free market; the great threat to fair competition mainly comes from collectivist labor. Free trade as a capitalist ideal required as a corollary that each worker is free from bonds to other workers in order to be treatable as an isolatable unit.

### **How Can Slavery Be Recognized?**

Glee (FoxTV 2009) - S02E10 “A Very Glee Christmas”

Brittany is a character on this show with the reputation for being naïve and a little dumb, but very sincere. In this episode, she has been saying things that shows how she believes that Santa Claus is real.



Brittany lends some advice to Artie: “Artie, the roads to the North Pole are getting treacherous. You need to write your letter to Santa really fast and get it in the mail today.”

Brittany then adds a light warning: “Remember, even the small envelope is heavy for an elf.”

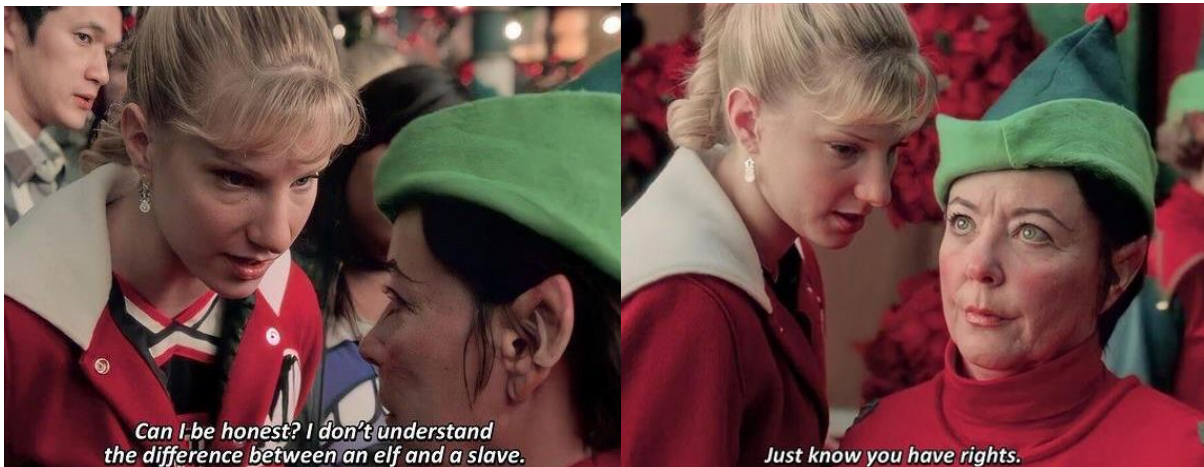
Artie then explains to other characters that Brittany really has a belief in Santa Claus, a belief stronger than just an opinion. They don’t have that belief too, so they would treat her as someone keeping up a foolish false opinion. To say to someone, “That’s just your opinion,” is a gentler way to say that the other person is wrong.

But Artie feels protective towards Brittany, and he insists that everyone needs to maintain a superficial air of agreement about Santa so that she doesn’t lose her Christmas conviction. The plan? They have to go to the local mall and tell the mall Santa what they each want for Christmas.



Before meeting the mall Santa, Brittany approaches an elf in costume to say, “Can I be honest? I don’t understand the difference between an elf and a slave.”

She leans in to add, “Just know you have rights.”



Brittany is openly sincere about most things, including her self-awareness that she is not well-informed about most anything. But that doesn't mean that she isn't thinking about things that matter to her, and it does not mean that she is stupid. Her humble approach to life will help her rise from the level of mere belief to genuine thinking and then into the arena of reasoning.

Honest doubt is the beginning of wisdom, and learning. Never doubting what you already believe, and always thinking just what you are "supposed" to think, would be a truly stupid way to live.

Expressing a doubt is an effective way to ask for information. Being open about a doubt about something is also a gentle way to suggest that others could question it too. "Do you believe that? Well, I doubt it, myself." It is a principle of human psychology that direct confrontation of disagreement doesn't work as well as a gentle confession of doubt. Hearing of someone else's doubt or dissent is practically the only way to open up a crack of doubt in a solid conviction. The magic mirror of self-justification and self-rationalization can be shattered by the dubious questioning of another person, forcing someone to look at things differently.

Brittany says, "I don't understand the difference between an elf and a slave." On the surface, this sounds like nothing more than a humble admission of ignorant doubt, with an emphasis on foolish ignorance. We smile at her simple-minded opinion about elves looking like slaves, her advice to a costumed elf about rights, and her doubt about how elves are freer than slaves. Why is she talking like this? Brittany evidently believes that the mall Santa is the real Santa, and the costumed elves with this Santa are real elves from the North Pole. We could dismiss this expression of doubt as doubly stupid, so we can laugh at Brittany along with the viewing audience. But we cannot be laughing *with* Brittany, because she is not trying to be funny, and slavery isn't a topic for comedy.

With a simple expression of doubt, Brittany's line in this scene has already displayed her thinking on the matter, and exposed our thinking, too. Now we must reflect, "Is Brittany just dumb?" She may be ignorant about the elf-slave difference, but are we any smarter? We are provoked into starting to really think for ourselves. How would we seriously make a reply to Brittany? What is she really capable of saying here, as she reminds the elf about having rights?

We can't read Brittany's mind from this brief scene. But we could follow her train of thoughts as a sequence of observations that could make us do some thinking, too.

A doubt: "I don't understand the difference between an elf and a slave." (Maybe others don't either.)

A belief: "Being an elf appears to be like being a slave." (Others can observe that apparent similarity too.)

An affirmation: "An elf should not be like a slave." (Who would disagree with that standpoint?)

A judgment: "Being an elf should be different from being a slave." (No matter if children could notice yet.)

A prediction: "An elf who is like a slave is an elf who will need freedom." (That does sound right, right?)

From this chain of thinking, we can see how she could then be thinking about rights.

A conditional statement: “If an elf needs freedom, then any elf has rights including freedom.”

An assertive statement: “Any elf should know about having rights.”

Do elves have rights? Although Brittany makes her claim about rights indirectly – “you have rights” – she could have directly asserted her conviction that all people (and elves) have rights. In fact, she has done most of the thinking needed to construct a logical argument with premises and her conclusion:

1. A North Pole elf looks to be living the life of a slave.
2. Any slave is still someone with rights.

So, A North Pole elf can assert the right to freedom.

Our thinking so far has followed Brittany’s thoughts about “Elf Freedom” more or less the way that she had to be thinking, to account for the way that she tells the costumed mall elf about rights. At this stage, we could halt thinking with a couple of simplistic observations.

“Elves at the North Pole don’t exist to be like actual slaves.”

“The fictional lives of North Pole elves are not like lives of slaves.”

However, neither of these observations should sound satisfactory. The first observation is correct but it misses the point. Even if Santa’s elves don’t exist, we humans tell popular stories about them, and adults could be conveying pleasant stories about slavery to children. The second observation could be incorrect. Maybe Brittany doesn’t know enough about Santa’s elves to tell the difference, yet we might not be better informed. Before we laugh at her, we must make sure that we know why a North Pole elf is, or is not, like a slave.

We had better think harder with some reasoning, to make sure we don’t drift into heartlessness or thoughtlessness. Brittany won’t. She has already displayed more caring and thinking than any of us.

Brittany’s argument has two premises.

1. A North Pole elf looks to be living the life of a slave.
  2. Any slave is still someone with rights.
- So, A North Pole elf can assert the right to freedom.

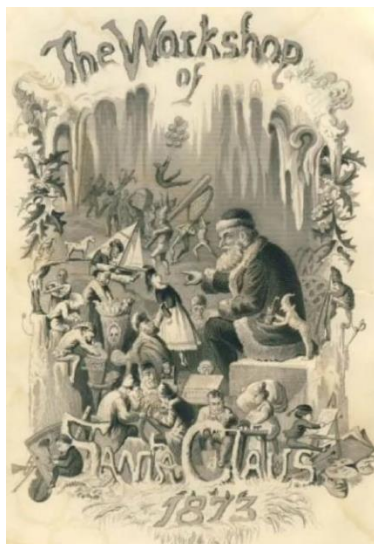
Unless we want to agree with Brittany that the whole world should edit its Santa Claus narratives to remove that permanent elf labor, we need to either question premise 1 or premise 2 in her argument. Either North Pole elves can’t be accurately classified as elves in (fictional) slavery, or anyone who is a slave truly lacks basic rights. The first option sends us in the direction of literary exposition and critique: what has been really going on in all those stories about Santa’s workshop? The second option takes us into academic fields of history, politics, and ethics to examine the nature of slavery.

To inquire into our assigned projects, looking into North Pole elves and understanding the nature of slavery, we can gather relevant information by way of illustrations, reports, exposition, and explanation. After we are well-informed, we can consider how to approach Brittany’s “Elf Freedom” argument.

Elves, Illustrated

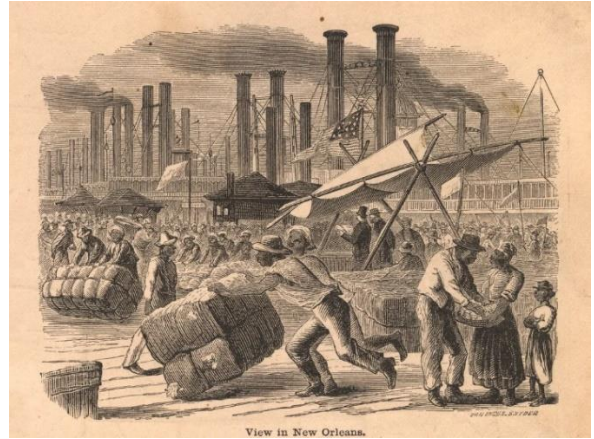
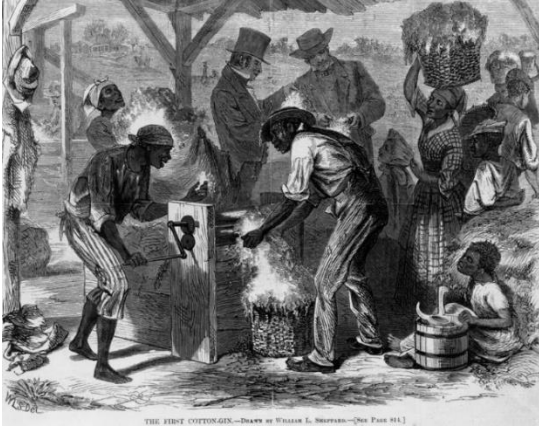
The modern Santa Claus was born in New York City, from imaginations of Dutch and German immigrants. In 1822 a New Yorker, Clement Clarke Moore, wrote his poem "Twas the Night Before Christmas" about St. Nicholas, "a right jolly old elf" of small stature. More elves got added to the tales, accounting for so many toys for good little girls and boys. "The Wonders of Santa Claus" (1857, Harper's Weekly): "In his house upon the top of a hill, And almost out of sight, He keeps a great many elves at work, All working with all their might, To make a million of pretty things, Cakes, sugar-plums, and toys, To fill the stockings, hung up you know, By the little girls and boys." After the Civil War, Santa stayed recognizable human (hence needing more magic to fit into houses) while elves remained diminutive. What didn't stay small was the scale of North Pole manufacturing.

"The Workshop of Santa Claus" in the 1873 Christmas issue of Godey's Lady's Book (then America's most popular magazine) was captioned by: "Here we have an idea of the preparations that are made to supply the young folks with toys at Christmas time." By 2007, the hit movie "Fred Claus" showed the audience a small industrial city complete with factories and standardized housing.



Elves, like fairies and dwarves, were legacies of Celtic and German lore going back into antiquity. Their characteristics were illustrated by certain features: they inhabited out-of-the-way natural abodes, they were crafty and clever, they had unnatural or magical powers, and they had proclivities peculiar to their "race." Santa's elves were sturdier than fairies and more like dwarves: inexhaustible energy for work, superior tooling and craftworking skills, single-minded fixations about material goods, an enthusiasm for identical costuming, and a distinctive clannishness. They started in a cozy workshop and ended up in a mass-production factory, becoming just what Santa Claus would need as organized and uniformed immigrant labor to supply millions of toys each year on schedule. Separating the quasi-religious myth from the capitalist fantasy became impossible by the twentieth century.

### Illustrations of Slavery



Illustrations and reports of slavery frequently emphasize the terrible, torturous, and murderous treatment of those enslaved.

By contrast, there are no reports about elves getting whipped or hanged for sloth or disobedience. Before thinking that no elf could be a slave because no elf gets mistreated, rethinking what it means to be a slave is necessary. Are any of these views accurate?

“Slaves are the laborers who get treated badly.” That’s not accurate; free laborers might get mistreated.

“A laborer treated well cannot be a slave.” That’s not accurate; some slaves may get treated well.

“A slave obeys a master using the slave labor.” That’s more accurate; slaves don’t own their work.

“An elf doesn’t call Santa ‘master’.” That’s accurate but not relevant; a master doesn’t need an obvious label.

“An elf enjoys being a toy laborer.” That’s accurate but irrelevant; enjoying one’s labor doesn’t make one free.

More information is needed to develop relevant comparisons between the lives of elves and the lives of slaves.

According to fictional accounts of the North Pole, elves have simple comforts of living: a high-sugar diet of food, modest housing, utilitarian but colorful clothing, a trained occupation, and no need for leisure time. We never hear about elves spending money on vacations, luxuries, or frivolities. They have nowhere else to go, to all appearances. It looks like a communalist and property-less economy, except for Santa’s appropriation of elf productivity to give to humans. The typical explanation for this peculiar arrangement revolves around Santa’s obsession with gifting toys and the elven devotion to making them without pay.

According to realistic accounts of slavery, slaves have little more than life’s basics: food, shelter, clothing, training, and work schedules. They rarely obtain any money for themselves and have nowhere to go without permission. Their masters appropriate whatever their slaves produce without paying for those products. The typical explanation for this peculiar institution revolves around the greed of masters to accumulate wealth at a very low cost for labor.

Thinking about these sorts of parallels allows a person to assemble thoughtful comparisons. Along the way, some unimportant factors may get included; some crucial factors may get omitted. Refining comparisons is an opportunity to develop analogies that are more rational than emotional or subjective. Elves are cute, friendly, and make toys (this isn't sounding like any slave!) – but rationality asks for more essential factors to the issue.

Analogy A: “An elf works for an owner of what gets produced without pay, like a slave.”

Analogy B: “An elf is devoted to tedious work without career options, like a slave.”

Analogy C: “Elves are viewed as a race subservient to superior humans, like slaves.”

At this stage, saying more about elves won't carry the argument, for or against, much further. We get the picture with Santa's elves. Brittany's way of thinking suggested that a North Pole elf looks to be living the life of a slave. Do we have a clear picture of what it means to be a slave? Until a clear and complete definition of “slave” or “slavery” has been settled, critical statements about elves and about slaves stay too loose or ambiguous. For example, this reasoning comes close to conclusive, but it cannot be successful:

3. If a laborer can't own their work and lacks job options, that laborer is a slave.

4. An elf is a laborer who doesn't own their work and has no other career.

So, an elf is a slave.

Offering only two criteria (unowned productivity, job fixity) for slavery may identify a couple of important factors for starting to identifying slaves. Someone investigating where slavery has existed (in our times, or in the past) could begin by looking for laborers fitting those conditions. However, those criteria probably include laborers who aren't slaves, and those criteria may overlook laborers who are slaves. Refining and adding criteria requires further reasoning about essential criteria. Not all interesting criteria are truly essential. For example:

“Elves admire Santa, so an elf can't be a slave.” Sure, but a slave admiring a master isn't a slave anymore?

“Santa is morally good, so a slave can't be an elf.” Well, Santa has to be *good* to good human children.

“Elves eagerly serve Santa, so slavery is out.” Can we read elven minds? Are complacent servants never slaves?

Rational thinking has to be extremely careful with the task of defining “slavery.” An unclear definition can easily encourage misleading reporting, exposition, and explanation, as the slavery abolition movement discovered during the 1820s–1860s in America. Thus:

“Require unhappy suffering to be a slave.” Faked reports about “happy” and well-treated slaves are invented to make them seem more like servants.

“Require hatred towards masters to be a slave.” False narratives about slaves admiring and loving some of their masters are manufactured to make them look like complacent servants.

“Require cruelty from masters to be a slave.” Forged tales of beneficent masters are composed to make them sound like nice employers.

“Require involuntary servitude to identify slavery.” Fraudulent explanations about placid orderly plantations are crafted to make laborers look like they chose slavery.

“Require near-poverty conditions to identify slavery.” Fabricated explications about Southern slave economics are constructed to make it seem better than worker poverty in Northern states.

A clear and complete definition for slavery won't be any easy matter. A logical definition can try to get precise to specific a particular kind of slavery, or a definition can try to cover every possible case without any counter-examples.

As slavery was outlawed, capitalism was already new modes of servitude. Preventing labor from organizing became a capitalist obsession after the 1880s, as economics theorists paid little attention to the collusions and combinations among businesses and large corporations.

The U.S. Congress had a progressive phase in the late 1880s which yielded the Sherman Act of 1890:

1. Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. 2. Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony.

In just a couple of years the Sherman Act was speedily applied to criminalize trade unions, such as *United States v. Workingmen's Amalgamated Council of New Orleans* (1893). In 1894 the dramatic Pullman Strike of 125,000 railroad workers not only brought down out the force of two thousand Army troops, but also the legal force of the Sherman Anti-Trust Act to rule the whole strike as illegal. One of the labor leaders, Eugene Debs (1855-1926), was jailed long enough by a Supreme Court decision to find the time to read socialist and Marxist literature, launching his potent political career.

*Loewe v. Lawlor* (208 U.S. 274 1908) then solidified the rule of antitrust laws over all labor unions by forbidding them to support each other. The right of property over persons was now established in American law, under the guise of protecting “freedom of contract.” For example, political and capitalist conservatism in America applauded *Lochner v. New York* (198 U.S. 45 1905) which forbid limits on working hours in a day. Ironically, this Supreme Court decision appealed to the Fourteenth Amendment to the U.S. Constitution, written to guarantee freedom from servitude, in order to protect a worker's “right” to work slavishly.

## **Justice**

The quest for justice, and the question, “what is justice,” carries on. Slavery was vanishing but servitude and poverty continued. Different kinds of societies, and various groups within societies, debated justice as they debated laws and argued over wealth distribution.

*Justice* basically demands harmonization among those treating each other as equals. No one among equals should get less, or more, than they deserve. But, who exactly should be regarded as among the “equals” in the first place?

Plato defined justice as “what is good for each, and also good for all.” Aristotle defined the core conception to justice as “treating equals equally and un-equals unequally.” Plato never said, “Who shall count among the ‘Each’ and ‘All’?” Aristotle didn’t explain, “How are equals to be determined?” Plato and Aristotle both assumed that their kinds of justice only applied to Greeks, and especially Greek men. Non-Greeks cannot be included, since they are “beyond” the sphere of justice and politics, as they lack liberty under kings and empires. The question, “But who should have liberty?” didn’t really occur as a serious question to the Greeks, or the Romans after them. “Those who can struggle and maintain their liberty” would have been their honest answer. Nature has no guarantees about life, and life makes no promises about liberty.

Multiple specific definitions of justice were heard and applied by the start of the 20<sup>th</sup> century.

Justice can face in two directions, being either “synchronic” or “diachronic”. Synchronic justice only considers matters as they stand at present. Diachronic considers matters past and future as well. Synchronic justice asks, “What can be promptly more equalized, for those less-than-equally treated now?” Diachronic justice asks, “How can greater equalities be secured, for those treated less equally in the past?”

Six modes of justice have distinctive aims and methods.

- A. Retributive justice is quite diachronic, with its violator-centered aim to promptly deliver proportionate harm to the violator.
- B. Reciprocity justice is mildly diachronic, with its bargain-centered aim to see that those benefitting from a transaction are those who are proportionally contributing.
- C. Restorative justice is also diachronic, with its victim-centered aim to re-integrate both victim and violator to their former social status.
- D. Distributive justice is more synchronic, with its community-centered redistribution of benefits and burdens towards the advantage of those who are presently disadvantaged.
- E. Social justice blends B, C, and D to be highly diachronic, with its whole-society redistribution of economic, social, and civic opportunities to remedy past inequalities towards future equities.
- F. Procedural justice is most synchronic, with its consensus-centered model of deliberations to ascertain veracity, validity, and legitimacy.
- G. Civil justice combines features of A-E, with its aim to guarantee that:
  - (a) law and policy gets community-wide consultation, without vetoing from local or private interests;
  - (b) law and policy is democratically decided, rather than bureaucratically imposed;
  - (c) law and policy respects all relevant civil rights and civil liberties.

After 1850, it was obvious that, at least for the industrializing nations, national wealth and per capita income should continue to rise every decade – despite wars, economic crises, and short-sighted governments.

What should be done about the rich, and super-rich? What should be done about the permanence of poverty? Why should some segments of society be deprived of opportunities for advancement?

Modern capitalism kept on mutating. Without a steady principle of social and political justice, economics can drift back into servitude and even slavery.