



Law of rules, Aristotle and the state and the middle-class constitution



Albert Fiorino

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*Blessed are the peacemakers
for they shall be called children of God.*

Matthew 5:9

I humbly dedicate this modest monograph
to one such special peacemaker.

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Introduction

In my last volume of the Legacy Series, *Body Politic Reset: Tweaking our social and cultural dynamics for a more peaceful world order* (2018), I offer the following reflections and conclusions:

“Is there a solution to the *social question*? The answer is contingent upon whether eventually we can eradicate, reverse the socio-cultural conditions which were the cause of our original loss of innocence. In other words, can the human condition be sufficiently reversed to facilitate a total reprogramming of our mindset free of our primitive survival drives and their primal programming?

“Considering the above elaboration of our decision-making model, it follows that the *social question* has importance for only those individuals, groups, movements, political parties, governments and states that are driven by either

purely altruistic motives or by a self-interested altruism. The question is not factored into the personal, social and cultural dynamics driven by a *utility calculus* based on self-interest and pure *egotism*. It follows that the *social question* can never be sufficiently answered given the interplay of these dynamics and their role in constituting the basic structure of the human condition.

“These existential dynamics are not simply add-ons but are concomitant consequences of the loss of innocence experienced at the very dawn of human consciousness and as such are not alien to our being human, but at the end of the day contribute in some ‘quantum’ way in helping us become more of who we are—in assisting us in discovering and realizing the full range of infinite possibilities that await us.

“In view of the existential dimension of the *utility calculus* and its mix of centripetal forces of *self-interest* and pure *egotism*, I believe that a reversal is neither

necessary nor desirable since *self-interest* is not simply a motive but constitutes and thus affirms an existential dimension of our human nature and its future possibilities as a going concern. What is desirable and urgently needed is a shift in mindset in which this fundamental drive is given not merely a global purpose, but a cosmic one, encompassing a realm of infinite, quantum possibilities for human beings—a mindset that is constantly incorporating more and more altruistic elements into its choices and behaviours. It is a mindset that will assist human beings in making the kind of choices whose purpose is ever expanding and which are continually contributing in creating and sustaining the dynamics of a social and cultural super system that is Idealistic, along the lines described by Pitirim Sorokin.”¹

The above reflections and conclusions present the primal condition—loss of innocence; the mix of drivers—self-interest, egotism (extreme behaviours of greed and corruption), and their polar counterparts of self-interested altruism and pure

altruism; and the dynamic interplays between them resulting in myriad of human behaviours from the most noble and idealistic to the most self-ish and horrific. While admittedly there is a survival dimension to these dynamics, I believe that at its core there is a creative principle at work harnessing both polarities of these dynamics—all its dark/evil and positive forces—designing, crafting, forging, realizing the full potential of human existence in space and time—not unlike the *elan vital* or impulse principle treated by Henri Bergson (1859-1941) in his work, *Creative Evolution* (1907).² This process is not chaotic, although it may appear that way to us. This process has rules, algorithms. Indeed, from the very dawn of human consciousness, human beings had some inkling that this was the case, and only gradually did they come to realize that everything that happens in the universe occurs according to set rules. It is this insight that is driving modern science in its quest to formulate one unifying theory of everything. Indeed, it seems that, what I like to call the *law of rules* undergirds all principles that human reason has been able to identify, from the most fundamental metaphysical principles to those of modern science. By the *law of rules*, I mean that all created being, the universe,

the multiverse and all their dynamics and unfolding are governed by one fundamental law, namely, that there are rules that are followed. The human task, the human project has been and will always be about the discerning, identifying, explaining and applying these rules. By doing so we are also discovering who we are and what we are destined to become. As we will see shortly in this monograph, the state, as conceived by Aristotle (384-322), is a natural construct by which help human beings realize their full potential. In the ideal state, human beings freely choose to harness all aspects and resources of the state to achieve this ideal.

Law of rules

Physicists Stephen Hawking and Leonard Mlodinow devote an entire chapter in their book, *The Grand Design* (2010), to a discussion of the origins of the “rule of law”, as background to their presentation of their “theory of everything” and the laws which undergird it based on their model-dependent realism.³ It is this model which best captures the problem-solving, deciphering, discerning concerns of human intelligence in our times. It is a constant search for rules, principles, laws, codes, programs, algorithms, codes, instructions which direct and

govern the seemingly infinite ways by which all things work, everything that exists in space and time, including the dynamics of human behaviour.

Professors Hawking's and Mlodinow's model-dependent realism leads us to the conclusion that rules and some existentially grounding laws or programming existed from the very beginning to cause event singularities to happen and to occur in the ways that they did and do, resulting in the formation and constant recreation of our multiverse in which we exist.⁴ I think that it would be more correct to say that the *rule of law* can best be understood when the order in which the terms appear is reversed to the *law of rules*. In the 'grand design' described by Hawking and Mlodinow, there is one fundamental law; namely, the law that there are rules by which 'everything' comes into being, exists, changes, and continues to exist as a going concern.

With the gift of sentience, conscious existence and the capacity to make choices came the responsibility and fundamental task of deciphering this fundamental feature of existence and its rules, of figuring out how things work and bring about results that

would ensure our survival. The inception of conscious existence was the most traumatic event imaginable and would have continued to be so had it not been for the rules, algorithms that have moderated, mitigated and thus mollified its effects. Role differentiation between male and female, family formation, community building and the emergence of the state have all been the result of a primal program designed to facilitate our evolution and development. These designs did not go unnoticed as human intelligence crossed several thresholds of complexification and redesign and capacity building.

Human reason ‘free at last’ on *terra firma*

One such threshold was successfully crossed by the human mind in the 7th century B.C. Greek philosophers began to realize that the gods were not responsible for the different workings in nature.⁵ Thinkers like Thales of Miletus (ca 624 BC – ca 546 BC) were becoming aware that nature follows certain principles which human intelligence can discern and understand.⁶ This disentanglement of the workings of nature from the constant intervention of external causes like the gods marked the origin of a new mindset, of a new awareness, of a new

relation between human beings and nature, of a new relation between human intelligence and nature, and the entire universe of being.

Human intelligence, reason—*rationality* as future economists and behavioural scientists would call—was racing through a very important crossroads in its evolution and development, not unlike in many respects the crossing being traversed around the same time by the Hebrews in ancient Palestine.⁷ With the Hebrews, *rationality* achieved new heights, deliberating not only about earthly matters, but also discerning and reasoning about heavenly affairs. Indeed, this knowing resulted in a communing with the very designer and sustainer of everything that is, as described in the Hebrew Scriptures.⁸

Emergence of a natural law tradition

With the Greek philosophers, human intelligence remained earthbound. Nevertheless, many of them were also able to scale incredible summits from which they too could get a glimpse of divinity. But unlike the Hebrews, they stopped short of communing, remaining content with the joy and wisdom that the ultimate act of the human intellect

affords us, namely, contemplation, which for Aristotle constituted the supreme good, providing the greatest of joy and happiness, and representing the highest possible achievement for an individual.⁹ Accomplishing such an individual feat involved becoming more fully human, a goal which, as I will allude to later, was also the end of the ideal state as it sought to promote the collective happiness of all its citizens.

As someone who has devoted some time studying *rationality* and its various outcroppings, I can confidently assert that ancient Greek thinkers were in their philosophizing personifying and revealing the different 'faces' of *rationality* about which contemporary theoreticians have been theorizing.¹⁰ In the thinking and writings of Aristotle, we can witness human reason reaching new pinnacles, manifesting outcroppings which behavioural scientists have yet to seriously investigate. However, I expect that will change soon as the social sciences, biology, neurology, computer science and physics converge in their study of human behaviour.

This early questioning and thinking of Greek philosophers were also ushering in a natural law tradition which, simply put, espoused that nature can be

known using reason; that nature, the universe follows certain principles, laws, rules which human beings can know. While this natural law tradition did not immediately cause a scientific revolution in the modern sense, it did help foment an intellectual context which would in subsequent centuries expand, deepen and eventually facilitate future periods of enlightenment and discovery. It is not by accident that thinkers focusing their intellectual interests and efforts on scientific questions and pursuits were known, as late as the 19th century, as natural philosophers.

In search of equilibrium in the body politic and the middle-class constitution debate

What does the above discussion have to do with politics and political reform for our times? In choosing to discuss “the rule of law” and its origins in their book, Hawking and Mlodinow wanted to underscore not only the importance of the breakthrough to physics, but also to stress the existential fact that rules are behind everything we see, experience, know and do.

In this monograph, I also wish to acknowledge this tradition. However, I do so primarily to situate politics within this greater foundational context, one which existed from the very beginning as the single, primal principle, the *law of rules*, which, with the emergence of civil societies, became the “rule of law” in the resulting body politic which all modern states now share.

This discussion also gives me a fitting context within which to examine and comment briefly on the thesis and ideas put forward by Vanderbilt Law Professor Ganesh Sitaraman’s publication, *The Crisis of the Middle-Class Constitution* (2017).¹¹ The crisis that he describes refers to a legal document, the *Constitution of the United States of America* (1787), which owes much to the natural theory which received its first extensive formulation and erudite presentation in the writings of Aristotle. By the time this historic document was crafted there existed an abundance of literature on the subject documenting not only the different interpretations of this natural law tradition, but also the numerous political experiments which were carried out with its salient ideas and principles over the centuries.

In a book which has become a classic in political discourse, Walter Lippmann refers to this natural law tradition as the *public philosophy*, and goes on to entitle his work as simply *The Public Philosophy* (1955)--that commonly known and shared tradition which states that: "...there was law 'above the ruler and the sovereign people...and above the whole community of mortals'."¹² Western civil societies find their source in this *public philosophy*, and their dynamics and evolution reflect either an obstruction, a deviation or a realization of its potential for the body politic. Lippmann generously quotes Sir Ernest Barker's own book, *Traditions of Civility* (1948) to underscore this very point:

"The rational faculty of man was conceived as producing a common conception of law and order which possessed a universal validity.... This common conception included as its three great notes, the three values of Liberty, Equality and the brotherhood or Fraternity of all mankind. This common conception, and its great notes, have formed a European set of ideas for over two thousand years. It was a set of ideas which lived and moved

in the Middle Ages; and St. Thomas Aquinas cherished the idea of a sovereign law of nature imprinted in the heart and nature of man, to which kings and legislators must everywhere bow. It was a set of ideas which lived and acted with an even greater animation from the days of the Reformation to those of the French Revolution.... Spoken through the mouth of Locke [they had justified] the English Revolution of 1688 and had recently served to inspire the American Revolution of 1776.... They were ideas of the proper conduct of states and governments in the area of internal affairs. They were ideas of the natural rights of man—of liberty, political, and civic, with sovereignty residing essentially in the nation, and with the free communication of thoughts and opinions; of equality before the law, and the equal repartition of public expenses among all members of the public; of a general fraternity which tended in practice to be sadly restricted

within the nation, but which could on occasion, be extended by decree to protect all nations struggling for freedom.”¹³

Walter Lippmann goes on to tell us that these traditions of civility were expounded far and wide and “provided a standard of public and private action which promoted, facilitated and protected the institutions of freedom and the growth of democracy.”¹⁴

Over the centuries, these same traditions and *public philosophy* supplied the context and helped in nurturing the conditions within which political thinkers and legislators have deliberated about the best possible setups by which to either promote the latter noble goals or usurp and frustrate them. As alluded to by Sir Ernest Barker, this *public philosophy* was very much at play in the American Revolution of 1776 and was instrumental in the crafting of the *Constitution of the United States (1787)* and had been crucial in the creation of the Westphalian system which resulted from the Peace of Westphalia brokered to end the religious wars that had ravaged Europe between 1568 and 1648.

The Peace of Westphalia resulted in the creation of the Westphalian system, a political arrangement of principles, policies, protocols and procedures aimed for the most part at containing the belligerent proclivities of nation states and, as Professor Ganesh Sitaraman notes in his book, their “class-warfare constitutions”.¹⁵ It would not be totally inappropriate for me to observe here that continued efforts to bolster and proffer up this system in our own times reflect the quasi-institutionalized view that a Westphalian system is the best we can do, and that the ideals of Sir Ernest Barker’s traditions of civility and the natural law tradition must forever remain elusive and unreachable, thus placing permanent limits on the extent to which we can address the *social question*—limits which, I would strongly argue and insist, no future generation must accept. The *social question* refers to the ability of the existing social order to bring about social justice for all.

These traditions of civility and public philosophy were at play in the discourses of political thinker James Harrington (1611-1677) in his classic book *The Commonwealth of Oceania* (1656), wherein he explores the question about how best to achieve the kind of constitutional stability that Aristotle

had sought in his *Politics*.¹⁶ Indeed, his work is replete with copious references to the politics and key figures of ancient Greece, of the Roman Empire and of the Italian city states. His work had a wide circulation in his times and beyond and was readily accessible by individuals interested in the subject of creating an ideal commonwealth, as were the great intellectuals and craftsmen of the United States' constitutional setup.¹⁷

Both Professor Ganesh and Win McCormack, a reviewer of *The Crisis of the Middle-Class Constitution*, tell us that even though Harrington had argued in *The Commonwealth of Oceania* for a limited aristocracy as the ideal form of government—the ideal commonwealth—in support of the prevailing mindset of his times, he, not unlike Aristotle, believed that a sustainable democratic constitution was possible only when there existed a large and thus a predominant middle class.¹⁸ Like Aristotle, he maintained that the latter could never happen without the middle class accruing the requisite sufficient property and wealth to assume an influential role in the body politic, for, as the annals of history had made quite clear to all, 'power follows wealth'.¹⁹ The latter maxim is even truer today.

In his own book, Professor Sitaraman argues that James Harrington's ideas had a direct influence on the writing of the *Constitution of the United States of America*.²⁰ A highly cultured agrarian mindset combined with a heightened sense of optimism driven by a perceived abundance of available property at the time moved the Founding Fathers to craft a first middle-class constitution, based not class warfare, characteristic of all previous charters, but on economic equality which, it was hoped, would in turn result over time in political equality.²¹ As Win McCormack comments in his review of Professor Sitaraman's book: "If a majority of people owned land, they would also hold the balance of power."²² McCormack goes on to point out that the Founding Fathers were also aware that the opposite was also true, that the onset of economic inequality would have the effect of destroying this balance and toss the newly found republic into disequilibrium.²³ But, inspired by the idea shared by both Aristotle and Harrington that the political middle offered the best chance for a viable republic for the preservation of "equal liberty and virtue", the Founding Fathers went on to provide Americans with a middle-class constitution.²⁴

However, as Professor Sitaraman recounts in his book, the middle-class constitution faced overwhelming odds of succeeding from the very outset as the rise of capitalism fueled by the industrial revolution caused massive movement of labour from the fields to the rapidly emerging city centres, and a power shift and economic influence away from individual property owners to the 'movers and shakers' of industry.²⁵ Thus, the very socio-economic conditions required for a viable middle-class constitution and a sustainable democratic republic, as envisaged in the American constitution, were becoming diluted and thus compromised just as the Founding Fathers and early designers of the great American experiment had just begun to set it all up.

The history of the American experiment and of its numerous efforts at duplication worldwide reveal an incremental erosion of its ideals, its implementation and practice, as, in accordance with the well maxim, *power followed wealth*. This erosion of this great project placed the middle-class constitution in a constant state of crisis from the very beginning. Today, the crisis to which Professor Sitaraman refers in his book has simply become more critical

than it has ever been, as the income and power divide—the inequality gap between the very rich and the rest in the body politic (both the very poor and the middle class)—has become a statistical abstraction devoid of any political import. While the existence of a middle class with standards of living higher than previously enjoyed did evolve and remains a going concern, their participation in the body politic is held in check or neutralized by a political industry that is controlled by the 1-5% of the general populace who hold the most wealth and thus the most power.

Emergence and evolution of natural law theory and models of civility

The natural law theory, the traditions of civility, the *public philosophy* did not emerge suddenly ‘out of nowhere’. Issuing forth from the cosmic *law of rules*, as I stated earlier in the monograph, they and the countless principles, rules and algorithms they contain have been at work all along helping to guide and shape our socio-cultural and political evolution. For once the one became two, and two became the many, rules were needed to guide, direct, manage behaviours, be it within the context of a family, social grouping, herd, hunting party,

warring faction, village, town, city, region, or territory. On the more intimate and fundamental domain of the individual human person, we can observe that principles, laws, rules and algorithms are involved to mediate and facilitate human development and growth, personal hygiene and management, our social interactions and all modes of decision making. The need for such principles, rules and algorithms becomes even greater as the numbers increase within a social grouping and community.

The above facts did not escape the purview of the new Greek mind. In fact, it found a champion in Aristotle, *The Philosopher*, as Thomas Aquinas (1225-1274) would refer to him in his *Summa Theologiae* (1265-1274) some fifteen hundred years later. In Aristotle, we can find the new Greek mind-set refined, *rationality* working at peak efficiency, striving to discover how the *law of rules* was evident in all areas of enquiry including the field of ethical and political behaviour.

Aristotle systemized his findings and put together an enduring body of works which were to influence all western civilization. While many would argue that his strong influence over the centuries tended to arrest the advancement of empirical science, I

would maintain that his rigorously rational approach to both method and thought helped to nurture the kind of cultural context which over time became conducive to scientific questioning and investigation. Another way of stating the latter view is that his works served 'to plough the fallow grounds' on which the modern scientific mindset could take roots and grow vigorously, as it has done during the last one hundred years. The latter points notwithstanding, one needs only to examine his understanding of scientific knowledge, as he discusses it in his *Nicomachean Ethics*, to see that his notions of induction and deduction are very much in line with the kind of theorizing methods used today in the scientific community.²⁶ Moreover, a reading of the latter work and his *Politics* reveals an individual who spared no efforts at consulting his contemporaries and the literature in circulation in his time.

As mentioned earlier, the Greek mind had already started to clear the political terrain long before Aristotle came along. In the 7th century B.C., Greeks were experimenting with new ways by which to govern themselves especially as city-states started to grow, develop and proliferate. Members of these larger social groupings began to discern the

need for rules and for an upgraded status for those among them who were to become more involved in the affairs of these city-states. These sets of rules took on the form of *constitutions* or accords among themselves defining the power relations between the ruler or those in government and the ruled. Those involved in the administration of these rules assumed the role of *citizen* and over time all inhabitants who were part of these constitutions were granted citizenship status. The term *body politic* and its Latin counterpart *corpus politicus* has its roots in these developments.

It was also during this period that the democratic project or experiment--direct rule by the people--was considered by the Greeks and introduced to the world. It was a logical third alternative to the rule by kings, a *monarchy*, or elders, and to the rule by an *aristocracy* (rule by the privileged class). Experience had shown time after time that there often existed a very thin line between a king and a despot or tyrant, who in most cases dispensed with rules and his word became the one and only rule. Likewise, the privileged class often tended to want its own way and its members too were frequently inclined to make up their own rules. In both cases, once corrupting elements got the better of these

two forms of government, they turned into their opposite type.

A *democracy*, rule by the majority in the state, would involve constitutions aimed at securing justice for all citizens of the state, thus introducing another seminal idea in the history of political thought, *equality*, that all men and women were equal—a notion that was explored in a limited fashion in practice at the time and with which, twenty-seven hundred years later, we are still struggling.

Over the ensuing years, constitutions became the norm, underwent variations and amendments, and many a time suspended in accordance with the political dynamics of the era as one *monarchy* gave way to *tyranny* or an *aristocracy* morphed into an *oligarchy* (rule by the powerful few) or as the few democracies that did thrive briefly turned into *ochlocracies*, rule by mob of rebellious citizens. These dynamics were widely chronicled and in the 3rd century A.D. became the source of Polybius' theory of the cycle of government, a view that had been entertained by several Greek thinkers and historians before, including Aristotle in his *Politics*.²⁷ Nevertheless, Professor Sitaraman tells us in his book

and as previously noted, these early Greek constitutions were what he calls, “warfare-class constitutions” designed to manage conflict between the different classes in Greek city-states.²⁸ In most cases, they became instruments of the privileged class, be in the form of *aristocracy* or *oligarchy*, to control the lower classes below them. These early charters became the model of future constitutional efforts until the time arrived to draft the American constitution in 1787. The Founding Fathers decided to try something different, as Professor Sitaraman argues, and presented the world with a middle-class constitution.²⁹

From time immemorial, the struggle has always been about the identification and procurement of resources necessary for survival, be in the form of goods or property, which as Aristotle noted in his *Politics*, “...no man can live well, or indeed live at all, unless he be provided with necessaries.”³⁰ From the very beginning, human beings have never been satisfied with just acquiring the bare necessities. They banded together to acquire more and/or, if necessary, to take it from others, and in these early stages of our political development, their spoils included not only the material possessions of the vanquished, but also the defeated people

themselves who became their slaves. Even in our own times we have not yet completely shed these brutish behaviours and practices.

These new political dynamics in the city-states proved thought-provoking to the newly awakened Greek mind which had become keen on discovering itself and its relation to the world of things, and to the social and political constructs it had been creating, including the body politic of these early political setups. It had a seemingly insatiable appetite not simply to know things as they were, but also sought to identify and understand the ideal in things and in human behaviour. It is this kind of questioning that led the Greek mind to engage in dialogue with the world around it and the men and women in it to know and to realize the ideal. Greek thought, as found documented by its numerous historians and philosophers, embodied human *rationality* exploring all its own dimensions and potential producing a cornucopia of Greek intellectuals who were to contribute to a civilization that was to leave an indelible imprint on the western mind until our very own times. It provided a blueprint, a 'low-level' kind of program—to borrow from computer science—that would be instrumental in the shaping of western thought. In Lippmann's words,

the Greek mind bequeathed a *public philosophy* to us,³¹ which, no matter how much we want to deny ignore, dilute, disguise, misuse, abuse will forever remain and abide with us, constantly reminding us, not unlike conscience, not only about the individual human ideals and potential, but also about the collective ideals, the potential of human beings to create political setups which could promote happiness and justice for all.

As noted earlier, in politics, the Greek mind gave us democracy, constitutional government, citizenship and the notion of equality. The Greek experiment with democracy and constitutional government was replicated in the following centuries by the Romans, in the Italian city-states, and with the onset of the democratic revolutions of the eighteenth century, became an integral part of the new accords, the new constitutions which would be scripted to reflect the will of the people. In all these cases, it reflected, perhaps not always perfectly and at times dimly, the striving of *rationality*, human intelligence striving to realize the ideal in the body politic, a goal which we are still pursuing today.

By the time, Aristotle arrived on the scene in the early years of the 4th century B.C., the Greek city-states had gone through several centuries of experience with the different forms of governments and constitutions mentioned. These political setups were constantly the subject of philosophical discourse. As they became larger and the social dynamics more complex, the scope of ethical discourse expanded, became more inclusive of the legal structures that these nascent states were creating.

Architectonic basics Aristotle's ethics and politics

At the point when human intelligence, *rationality*, became aware of itself as sentient, as a self-existing conscious being, with all its associated contingencies and challenges, it shifted into a problem-solving mode to meet its survival needs. Once these needs were satisfied, human beings began to realize that life had much more to offer and proceeded to seek out that good as an incessant ongoing concern. For the ancient Greeks, this vital activity became the object of much public discourse. They sought to understand what constituted the good life. Once an individual knows what it is, how does he obtain it and maintain it? It seems that their

newly awakened curiosity with the laws and rules that made the known cosmos and nature operate was also busy trying to identify how best to acquire the good life.

The emphasis on the 'how' best to achieve the good life, in both in private and public life, is certainly very evident in the ethical and political thought of Aristotle. For this reason, his thinking in these areas has been characterized as being architectonic to describe the myriad of ways human intelligence takes in trying to identify the laws and rules by which to best realize the ideal in private life and in the body politic.

It is not my purpose here to present a detailed analysis of Aristotle's ethical and political thought. There are more than enough such analyses already in circulation.³² I simply want to examine his basic architectonic ideas to enable me to make a few more meaningful comments about Professor Si-rataman's thesis about the United States' middle-class constitution and its state of crisis which he describes in his book. An overview of Aristotle's ethical and political designs will also be helpful in appraising the role, if any, a redeemed middle-class constitution can play in facilitating the kind of

tweaking of our social and cultural dynamics that I proposed in my book, *Body Politic Reset*, mentioned earlier, as a means of promoting a more peaceful world order.

- **The good life**

What, then, is the good life for Aristotle?³³ For him the good life is a happy life. But a happy life is not merely a state of being for Aristotle. It is an activity pursued by an individual for its own sake. It is the most noble pursuit an individual intelligent being can undertake because through it he can strive to realize the potential of his nature as a rational creature. However, an individual must work at it, requiring him to acquire the needed insight and self-knowledge to be able to make prudent and wise choices in his life. That cannot happen without first achieving self-discipline in his life. This self-management of one's behaviour and actions does not come easy—it requires the kind of practice whereby the choices and the ensuing behaviour and actions become a habit for the individual. For Aristotle virtue consists in this habitual behaviour through which an individual strives to achieve self-knowledge whereby, in turn, he can make wise choices in the pursuit of what is good for him and

thus enjoy a happy life. Though an individual is never totally alone, his quest for the good life is unique and personal.

Where is this happiness to be found? For Aristotle it is found in the *via media*, in the “golden mean”, that state of joy that lies between the two extremes of pain and suffering on the one end and pleasure and delight on the other. He writes: “...that it is a mean between two vices, the one involving excess, the other deficiency, and it is such because its character is to aim at what is intermediate in passions and in actions....”³⁴

This “golden mean” differs from one person to the next because everyone is unique, sharing the same human nature but diverse in countless contingent ways. The latter point is important since the very existence of the state, its various constitutions with which human beings have experimented over the centuries are predicated on these contingencies and the *social question* that they posed and continue to ask in our times.

Thus, the pursuit of happiness for its own sake, the *supreme good* for Aristotle, is commensurate to the unique abilities, traits and qualities with which

an individual is born and moderated and mediated by the life-circumstances of the individual's birth. Aristotle was quite aware of the fact that men and women are born unequal, an inequality for which the family, the group, the community and the state exist to mitigate. Aristotle was quite aware that from birth, an individual needs the family, the group, the community to assist him in meeting his basic needs. Man's striving to realize himself in his being cannot be done apart from the whole of which he is part, be it in the form of the bounty of necessary resources found in nature or in the form of the community of fellow human beings. The facticity of these requirements led Aristotle to conclude that men and women are by nature political animals. In other words, they are born into a pre-existing *body politic*—a social state of rational beings engaged in an intelligent activity of how best to meet the diverse survival needs of the whole. Thus, the *body politic* was and is a natural state, a natural setup in which and through which human beings strive to answer the ever-perennial *social question* with all its rules, algorithms and needed infrastructures.

Several months ago, I had the occasion of overhearing a conversation between a young teenager

suffering from autism and his mother. The venue where I heard this observation is irrelevant, but his words uttered in dire exasperation and deep depression are most pertinent to our discussion here.

He had just had a bad social episode which seemingly had thrown his coping system into panic mode. He simply looked around the room and exclaimed in protest to his mother and to whoever was listening that, “It was all a crap shoot!” followed, in a lamenting tone, by the question, “Why me?”

These reactions to the lot into which life places us or to the ‘curve balls’ it throws our way from time to time are quite common. As in a baseball game, there are ways by which to manage them. After much practice, we learn that we can even ‘hit’ some of those ‘curve balls’ and do so to our advantage. However, with respect to the former existential predicament, we have no control. As Aristotle points out in his treatises on ethics and politics, we have no say when, where and to whom we are born. Indeed, he goes on to point out in his *Nichomachean Ethics* that we are not equally blessed with the traits, qualities and conditions which in many respects determine the kind of life

we can hope to have. He mentions that a “a good birth, good health, good looks, good luck, good reputation, good friends, good money, and goodness” can all have a determining and/or moderating influence on an individual’s quality of life.³⁵ If he were alive today, I am sure he would even go further back and include the genes of the parents and the kind of pre-natal care that was given in the above list. The important point that I wish to make here, and of which Aristotle was keenly aware, is that the good life which an individual strives to achieve is moderated by existentially given pre-existing factors over which the individual had no control resulting in natural inequities.

It was these fundamental preconditions of human existence that tended to qualify Aristotle’s thinking when considering whether all men and women can attain happiness and can strive to become fully accomplished individuals. Likewise, these primary factors also influenced his choice of what constitutes the ideal constitution for a city-state. As someone who believed that the end of the state and its laws are ultimately to assist its members to realize the good life and that the disposition of justice consists in achieving the common good, he also knew that not everyone comes so equipped by

their birth to be able to contribute to it and/or benefit equitably from it.

I recently attended the funeral of a member of the judiciary. His son gave the eulogy. During the eulogy he recounts the most important piece of advice his father had given to him while he was still alive. He shared his father's thoughts to shed more light for us on the kind of person his father had been, and on his mindset, which had guided his administration of law as a member of the judiciary. He had told his son to always bear in mind of how fortunate he was, to have been born in conditions of privilege, circumstances which only a small minority of humanity enjoyed and of the opportunities they had afforded him. For that reason, one should not rush to judgment when dealing with others in either private or public life for one can never truly know the nature of the journey they have had to travel and of the countless possible challenges, struggles, hardships and vicissitudes they had to endure. His long practice in criminal law and his ten years of experience on the bench had provided ample opportunities to corroborate personally such universally shared qualities of life. I have no doubt that for him this rich experience of the human con-

dition enabled him to administer the law fairly, prudently and kindly, qualities which also formed an integral part of his character.

In his own personal life and work on the bench, he had demonstrated what Aristotle would have expected of someone who had valued his class status as a privilege and had humbly developed a wise and just disposition in passing judgment on his fellow human beings who had come before him seeking justice and fair treatment.

- **Happiness as the supreme good in life**

In his *Nichomachean Ethics*, Aristotle concluded that for both the individual and *the* state true happiness can only be found in this middle domain of human existence, and that it consisted of a wise and virtuous life. In brief, happiness for Aristotle consisted of the pursuit of the supreme good along the *via media* by ways of striving, *virtues*, which enabled an individual to excel in all aspects of his being, a being whose very nature is to know, to reason.³⁶

The pursuit of happiness is a way of growing as a rational creature whose illuminating powers of

mind enables him to shed light on all created things, including his very own being. Happiness is experienced in the practice of those acts informed by the self-knowledge and the wisdom acquired. In behavioural terms, happiness, the supreme good, involves *rationality* striving to optimize the quality of its choices resulting in achieving good outcomes for the individual.³⁷ Aristotle's ideas appear quite current when expressed in behavioural terms. In his book, *Made for Happiness: Discovering the Meaning of Life with Aristotle* (2001), Jean Vanier tells us that for Aristotle:

“Happiness is a vital activity that brings immense joy and that is life. It is the completely joyous activity of one who is entirely, with his intelligence and his whole being, oriented towards that which is nobler and greater than himself.”³⁸

Likewise, heads of states, via wise and prudent governance, can also seek to optimize the quality of their choices with a view to maximizing the collective happiness of citizens.

Thus, the good man strives for the mean to achieve virtue, and, as Aristotle candidly admitted, it is no

easy task for anyone to be able to walk the *via media*, let alone for an individual who is handicapped by birth and circumstances. That is why in his *Politics*, he devotes a section arguing on how the ideal state can help reduce the obstacles and challenges found on this path through its laws, education and wise statesmanship. “And surely, he who wants to make, whether many or few, better by his care must try to become capable of legislating, if it is through laws that we can become good.”³⁹

- **Ideal state**

A purview of the Greek political landscape did not reveal any perfect setup to Aristotle, democratic or otherwise. Yet, knowing very well that it is just as difficult to achieve the *mean* at the collective level as it is at the individual level, Aristotle goes on to explore the question of what the ideal state could consist of in his other monumental work, *Politics*.

In his *Politics*, as he had done in his *Ethics*, Aristotle concludes that by nature human beings are political and by which the state comes into being to serve the shared interests and the good of all individuals forming it—the *common good*:

“When several villages are united in a single complete community large enough to be nearly or quite self-sufficing, the state comes into existence, originating in the bare needs of life, and continuing into existence for the sake of a good life. And therefore, if the earlier forms of society are natural, so is the state, for it is the end of them, and the nature of a thing is its end. For what each thing is when fully developed, we call its nature, whether we are speaking of a man, a horse, or family. Besides, the final cause and end of a thing is the best, and to be self-sufficing is the end and the best.

“Hence it is evident that the state is a creation of nature, and that man is by nature a political animal. And he who by nature and not by a mere accident is without a state is either a bad man or above humanity....”⁴⁰

Indeed, Aristotle goes on to argue that because the state serves to complete man, to bring about the best in him, it is naturally prior to the family and to

the individual "...since the whole is of necessity prior to the part".⁴¹ It is prior to the individual and the family in the sense that the state constitutes a set of rules and accompanying algorithms deeply embedded in the individual which enable him to make the kind of choices necessary for his survival and for satisfying and fulfilling his higher order needs, much like those identified by Abraham Maslow in *hierarchy of needs theory*.⁴² As Aristotle realized: "...it is characteristic of man that he alone has any sense of good and evil, of just and unjust, and the like, and the association of living beings who have this sense makes a family and a state."⁴³

Thus, the state is that social context within which individuals make choices and decisions between good and evil, between just or unjust courses of action which either secure or frustrate the realization of the common good. At the basic social unit of the family, the responsibility for such choices and decisions rested with the its head, usually the father. As the social arrangement became a village, such decision-making rested with the chief. And as villages came together to form large towns and cities, decision-making became the prerogative of the early kings and despots. In most cases, such setups were the results of conquests, whereby one village

raided another for resources and lands all in the name of survival. The individual had very little involvement in decision making. Choices were made for him and his family by the village elders or head. And early on in this long journey toward the establishment of civil societies, decision making was horded by these early kings and/or elders, who in many a case acted as despots, establishing rules of behaviours arbitrarily for the rest of the group, village, town or city. In these early states, the realization of the common good was very dependent the kind of individual who ruled these political arrangements, in most cases ruled absolutely and with impunity. Driven primarily by survival needs—need for food, shelter, security—these early communities had little time for the kind of thinking needed to explore alternative, more just setups.

By the time Aristotle took up the question about the ideal state, there were numerous such setups and with as many different constitutions, which in his *Politics* he classifies into three main types: monarchy, aristocracy and democracy. And, as we discovered via an examination of Polybius's cycle of government, each of these basic types has its corrupt opposite.

Aristotle struggled in his choosing an ideal state and a corresponding form of government. The inherent proclivities of each type of government toward corruption led him to aim for that mode of political life “which states in general can attain”.⁴⁴ He was convinced that “superior virtue” was attainable by the very few. This tended to make him very suspicious of the viability of even the most democratic constitution since it demanded, as in the other two types, wise and virtuous statesmanship as a precondition for its sustainability, a state which all types of government found difficult to sustain for too long. He writes:

“Thus it is manifest that the best political community is formed by citizens of the middle class, and that those states are likely to be well-administered, in which the middle class is large, and stronger if possible than both the other classes, or at any rate than either singly; for the addition of the middle class turns the scale, and prevents either of the extremes from being dominant. Great then is the good of a state in which the citizens have a moderate and sufficient property; for where some possess much, and others

nothing, there may arise an extreme democracy, or a pure oligarchy; or a tyranny may grow out of either extreme...but it is not so likely to arise out of the middle constitutions and those akin to them....”⁴⁵

“There only can be government ever be stable where the middle class exceeds one or both of the others, and in that case, there will be no fear that the rich will unite with the poor against the rulers. For neither of them will ever be willing to serve the other, and if they look for some form of government more suitable to both, they will find none better than this, for the rich and the poor will never consent to rule in turn, because they mistrust one another.... The more perfect the admixture of the political elements, the more lasting will be the constitution.”⁴⁶

The desirability of a middle-class constitution was predicated and continues to be defended in our own times on the assumption that only ‘the not-so-rich and not-so-poor’ among us can best provide

the *body politic* with a kind of governance whose main function is the creation of a just and virtuous society, which, as Aristotle would argue, is the end to be pursued in an ideal state. However, this desire for such an ideal state is not easily satisfied. The acquisition and retention of power—the attainment of control over decision making in the body politic—require physical and human resources that cannot be had without money and wealth. Aristotle knew quite well that being a man of means, of money, of property, of wealth was important in having a successful political career, of being able to participate effectively in the body politic. In other words, he knew that there was an entry cost to the ‘game’ of politics, and that successful participation in the political arena did not come cheap. As noted previously, this was the political reality that gave birth to the maxim, ‘power follows wealth’, a class status which history has attested epoch after epoch that only a very few can achieve. This created a dilemma for Aristotle to resolve, a predicament that is further complicated when coupled with Aristotle’s other view that only a few of us mortals can become accomplished, virtuous human beings.

As a means of avoiding the extremes of mob rule on the one end and despotic/oligarchical rule on the other end—what Will Durant calls “those illiberal dictatorships from above and below”, Aristotle aimed for the ‘mean’, a “mixed constitution” or a *timocracy*, a combination of *democracy* and an *aristocracy*.⁴⁷ As previously noted, this was what Professor Sitaraman calls a “class-warfare constitution”. It recognized the fact that inequality among the classes will always exist and is likely to result in conflict and thus instability in the body politic. In the proposed constitution, the not-so-poor and not-so-rich class and the very rich class were given the opportunity to rule together, stave off serious discord and conflict and thus establish stable governance in the state. The middle class was also to act as a buffer to the very poor whose interests they were best positioned to represent and defend in government.

I will not be going into much further details on both Aristotle’s description of this mixed constitution and of Professor Ganesh Sitaraman’s account of the same. I would recommend that readers who want to learn more about this subject to go directly

to these sources. As for myself, I believe I have covered their key ideas sufficiently to enable me to offer a few closing reflections and thoughts.

Final thoughts

In the beginning, the one becomes the many and the many become going concerns unto themselves. The many become conscious and they form social groupings to enhance their capacity to sustain themselves. They engage in a struggle to survive among themselves in their search for the necessities of life and in the process, they lose their original state of innocence. They become aware that some acts are good for them and that some behaviours are bad, and they start asking questions about themselves and the world of nature around them. Amid all these primeval dynamics, the *social question* is born, the *body politic* begins to form, politics emerges, and the world becomes a stage on which the human drama starts to unfold.

This human drama was driven by two prime forces: self-interest and fierce competition for land and resources. The latter morphed into a territorial imperative, underscoring that as an earth-bound creature, the protagonist must have a place, a property, to call his own and from which he could

satisfy his personal survival needs and those of his family and clan. Conditions of perceived scarcity of land, resources and opportunities formed limiting parameters on the possibilities that could be explored, realized and exploited.

Over time, different kinds of political setups began to emerge everywhere reflecting the natural predisposition on the part of human beings to compensate for the shortcomings of the individual to meet all his needs, especially his safety and security needs. The fertile, ancient mind was able appreciate this predisposition and articulate it in the philosophical and political discourses of the time. In Aristotle, a myriad of rules and wonders found in nature become systematized creating foundational sources for the gradual elaboration of a natural law tradition. As evident from our earlier reference to Stephen Hawking's and Leonard Mlodinow's *The Grand Design*, some important members of the scientific community are beginning to acknowledge this one fundamental, irrefutable premise about all the workings of the universe or multiverse; namely, that there is a *law of rules*. Everything is, functions, operates in accordance with rules, a countless number and its constant variations of which we still have only an imperfect understanding. The natural

law, which now becomes as relevant and current as ever, gave us all the constructs and intellectual tools by which to usher in, as I noted previously, what Ernest Becker called in his 1948 publication bearing the same name, *traditions of civility*, conventions which formed the intellectual context that helped shape political theory, practice and discourse until our very own times.

As we saw in Beckers' passage quoted at the beginning of this monograph, this common conception was instrumental in the formation of political ideas in the Middle Ages, constructs which placed kings and legislators under the higher sovereignty of natural law which derived its power and authority from divine law, of which the *law of rules* is a pale reflection. To refresh our memory, this shared view included "three great notes," "the three values of Liberty, Equality and the brotherhood or Fraternity of all mankind".⁴⁸

Quoting John Locke (1632-1704), Becker tells us that the "three great notes" were critical in the English Revolution of 1688, the religious revolts of the Protestant Reformation and the French Revolution; and had inspired the American Revolution of 1776. In fact, this natural law tradition was

spelled out in part in the United States Bill of Rights of 1789 and reflected in the first ten amendments of the Constitution of the United States. These same three notes resonated throughout the western world and beyond. As in one case in point, they went on to inspire and drive the revolutionary activities of individuals like Giuseppe Mazzini and Giuseppe Garibaldi in Italy.⁴⁹

We do not need any new political ideas; we do not need a new political toolbox. We already have one. However, it is one politicians seldom use in any serious deliberations about public-policy issues and parliamentary debates regarding proposed legislation except when it meets the various criteria of their *utility calculus*. A similar exploitation occurs during political campaigns during which time politicians go on to compose all kinds of beautiful scores with “the three notes” and with their appeal to the “fraternity” of humankind for assuaging and manipulating the political sensibilities of the electorate for whom the notes are alluring ‘sweet music’ to their ears.

Once this political toolbox achieves its purpose, namely, assists in realizing victory and acquire power, politicians simply place it back in the vault,

securing it for future use on a need basis. They then proceed to continue using their 'tried and true' toolbox containing the crudest instruments of *real politics*, fashioned by millennia of use with much success and, many a time, with impunity, but always handled and employed with the self-serving, oftentimes corrupt intentions of its owners uppermost in mind.

Consequently, when things go wrong, a crisis is declared, and politicians will tend to attribute blame to the current setups in place. Academics will go a step further, as does Professor Ganesh Sitaraman, and try to find the root causes in the intentions and political machinations of the originators, founders or craftsmen of these political tools. These exercises yield very few fresh insights or lasting solutions to the *social question* and thus to the political predicament posed by the crisis.

The real causes are simply denied by each generation. The challenges they pose are deemed impossible to overcome. Since our original loss of innocence, we have managed to store up quite a 'heap' of baggage filled mostly with very unsavory things. It seems that it is much easier to simply continue

amassing more seedy baggage than to start decluttering and cleaning up the grand mess it creates in the body politic.

As I reflect for one last time in this monograph on the existential dilemma in which we perennially find ourselves, first, I wish to refer to a conclusion I put forward in my book *Body Politic Reset: Tweaking our social and cultural dynamics for a more peaceful world*. In the book, I proposed the idea of developing a *quantum decision-making model* to assist us in our times in coming to grips with this existential quandary.⁵⁰ I put forward a *quantum decision-making model* to capture the notions discussed earlier relating to the facticity of a law-based universe.

In the atomic and sub-atomic world, negative forces and particles work together with their counterparts to create dynamics which, as one salient theme of this monograph suggests, follow deeply embedded quantum rules. These dynamics have resulted in the formation of the universe in which we exist and are gradually discovering, and most importantly in the creation of life, our life and all its variations, manifestations, configurations and infinitely rich possibilities. Even the political toolbox to

which I allude above must be supported by the interplay of these quantum dynamics. It would not be an exaggeration to postulate that the good and evil components of human behaviour are an external manifestation of an interior dynamics helping to steer and shape both our personal development and our further evolution as a species. Just as in an individual both negative and positive forces and life experiences combine to shape a person, the same can also be said of larger social groupings and entire communities and societies. Our history offers much evidence to confirm this view. It is imperative then that we recognize and incorporate these dynamics and its countless variables, without prejudice, in trying to improve the human condition.

This is not to condone all the evil and negative choices men and women have made in either their private or public life throughout the millennia. The suggested model is intended to underscore the existential fact that this interplay of evil and good behaviours and actions constitute the nature of a constant dynamics which drive our socio-economic, political and cultural life and by which the human species evolves. Put simply, what I am saying in proposing this model is that the bad in us is just as important as the good. Together they constitute

opposite polarities of human dynamics that seem to be necessary for us to move along seemingly foreordained timelines toward equally foreordained ends.

Second, I want to revisit the theme I developed in an article entitled, on “Galvanizing the Axis of Goodness”, also included in the volume noted above.⁵¹ In this article, I suggested that to make any progress at improving the human condition we must start galvanizing the *axis of goodness* to counteract the *axis of evil*. In that article I described an *axis of evil* to mean an imaginary line running through human motives or driving forces: as the pivot around which individual or group or collective behaviours and actions revolve striving to realize goals which exclude any consideration of the good of the individual or the welfare of the commons.⁵²

An *axis of goodness* is its opposite referring to an imaginary line running through clusters of motives and driving forces aimed at realizing what is good and true for an individual, the group and community. The former tends to result in much dysfunctionality and disorder and the latter in great functionality and order. These two axes—the *axis of evil* and the *axis of goodness*--have been an integral

part of our timelines, of our evolution as a species and our social and cultural development since the dawn of history.

Since, admittedly there is a key role for the *axis of evil*, whose purpose we do not fully understand and thus appreciate, all we can do is to explore it further so that we can try to contain it and channel its dysfunctional and potentially destructive forces toward more positive outcomes. We do so knowing quite well that this *axis of evil* assumes 'a mind of its own' in our highly complex social and cultural dynamics, which have become even more so because of both globalization and the technological revolution of our times, whose potential we are just beginning to realize.

Ultimately, the end of this seemingly chaotic process is order. In other words, *the law of rules* that supports and manages this process is creative and aims at achieving order, as is evident in the dynamics of human development involving the interplay of both negative and positive elements. To date the negative elements and forces have got the better of us, and by design of course, bringing us to this critical threshold in our evolutionary journey. We

have become more aware of who we are as a species and of the infinite possibilities we have yet to explore and actualize. I believe we have also become more aware that we can assume greater control over the direction of our future evolution. With this increase in consciousness comes the realization that we must manage the process responsibly, which takes us back to the point regarding the need to make more sense of the negative forces at play and to harness them. Galvanizing the *axis of goodness* can allow us to achieve that goal and, I believe, best complies with the cosmic exigencies of *the law of rules* which, as previously noted, seeks to realize order.

Galvanizing this axis running through our human condition can help us achieve greater control over the negative forces and energies associated with the *axis of evil*. The latter goal is consistent with the natural law tradition which we have examined in this paper. In this tradition, the principal goal is the realization of social justice, which can be conceived as an expression of goodness which we can give to one another in the social sphere. Moreover, this goodness that we can give to each other is the truest expression of love—altruism—a human behaviour associated with communities built on such

principles as solidarity and collaboration, and with states and civil societies shaped by the principles of subsidiarity, and justice.⁵³

In galvanizing the *axis of evil*, we must be wary that we do not tire of trying to achieve purity of motive in our efforts to bring about a shift from a paradigm associated with the *axis of evil*, one that is driven by self-interest, greed and corruption, to a paradigm that is altruistic and related to the *axis of goodness*. I issue this caveat because of my strong belief that any half measure, represented by the adoption of a paradigm based on a self-interested altruism, has the potential of quickly degenerating to self-interest and its soiling companions of greed and corruption, all members of the *axis of evil*. In galvanizing the *axis of goodness*, we must aim at rekindling the most altruistic forces and energies that each one of us possesses, at revitalizing the core values and principles of our religious and public institutions which, in their struggle to survive and expand over the millennia, gravely compromised them and at times even denied them.

The *law of rules* which was explored by Aristotle in his works, and particularly in his *Nicomachean Ethics* and *Politics*, and which is being recognized

by modern science and which, as we saw at the beginning of this monograph, was the starting point of Stephen's Hawking and Leonard Mlodinow's *The Grand Design* and their model-dependent realism, serves to restore credibility to the key concepts found in the natural law tradition. It also assists in reconciling this same tradition and modern science to the extent that it shows that both intellectual pursuits are outcroppings of a human rationality that is itself following the designs of the *law of rules*, which we will be forever trying to discern, understand, and apply more fully in our evolutionary journey.

In closing, I would like to simply state that I wrote this monograph without prejudice as my contribution to the ongoing social and cultural dynamics animating the human sphere. Its target audience is not the world of academia or public discourse and dialectics. Its sole and primary target audience is humanity and it is my prayer and hope that whatever analysis, thought, and ideas I have presented above will be carefully and reflectively read, and seriously weighed and considered in our striving to realize the common good and thus a more just and peaceful world order for all.

Notes

¹Albert Fiorino, *Body Politic Reset: Tweaking our social and cultural dynamics for a more peaceful world order*, Toronto: EQuadrant, 2018, pp. 447-449.

²Henri Bergson, *Creative Evolution*, Henry Holt and Company, University of America Press, 1911 (*L'Evolution creative*, 1907).

³Stephen Hawking and Leonard Mlodinow, *The Grand Design*, New York: Bantam Books, 2010, pp. 46ff.

⁴*Ibid*, p. 18.

⁵Please note that in this monograph we are limiting our brief discussion to western thought. We have no doubt that similar outcroppings of *rationality* were appearing elsewhere as well and for which there is extensive literature.

⁶Stephen Hawking and Leonard Mlodinow, *Op cit*, p. 13.

⁷Albert Fiorino, *Voice of One*, electronic ed., Toronto: EQuadrant, 2018, pp. 170-171.

⁸*Ibid*, pp. 172-173.

⁹Aristotle, *Nichomachean Ethics*, *Great Books of the Modern World*, ed by Robert Maynard Hutchins and Mortimer Adler, Vol. 9, Aristotle: II, Chicago: Encyclopedia Britannica, Inc., Book I, pp. 440-442; Book X, p. 431f.

¹⁰See my work *Rationality papers: Redirecting rational choice*, Toronto: EQuadrant, 2018, pp. 7-62.

¹¹Ganesh Sitaraman, *The Crisis of the Middle-Class Constitution: Why Economic Inequality Threatens Our Republic*, New York: Alfred A. Knopf, 2017

¹²Walter Lippmann, *The Public Philosophy*, Boston: Little Brown & Company, 1955, p. 76. Lippman takes this passage from Ernest Becker, *Traditions of Civility*, London: Cambridge University Press, 1948, pp. 10-12.

¹³*Ibid*, p. 78.

¹⁴*Ibid*, p. 79.

¹⁵Ganesh Sitaraman, *Op cit*, pp. 3ff.

¹⁶James Harrington, *The Commonwealth of Oceania (1656)*, London: George Routledge and Sons, 1887.

¹⁷ Ganesh Sitaraman, *Op cit*, pp. 67-104. Discusses the intellectual origins of the middle-class constitution.

¹⁸*Ibid*, pp. 51-58; Win McCormack, "Created Equal: How the divide between the rich and poor has undermined the Constitution," in the *New Republic*, Aug/Sept 2017, p. 74.

¹⁹*Ibid*

²⁰Ganesh Sitaraman, *Op cit*, p. 58.

²¹Win McCormack, *Op cit*, p. 74.

²²*Ibid*

²³*Ibid*

²⁴*Ibid*

²⁵Ganesh Sitaraman, *Op cit*, pp. 107-160, where the author analyses and discusses the socio-economic and political developments shattering the ideal of a middle-class constitution, at least as it was inherently conceived by its architects.

²⁶Aristotle, *Nichomachean Ethics*, *Great Books of the Modern World*, ed by Robert Maynard Hutchins and Mortimer Adler, Vol. 9, Aristotle: II, Chicago: Encyclopedia Britannica, Inc., Book VI, 3, p. 388, c 2; and in the same *Great Books of the Modern World*, Vol. 8, *Posterior Analytics*, 9-23, pp. 104-116.

²⁷Aristotle, *Politics*, *Op cit*, Vol. 9, Book III, pp. 471-487.

²⁸Ganesh Sitaraman, *Op cit*, pp. 29f.

²⁹*Ibid*, pp. 60-61.

³⁰Aristotle, *Politics*, *Great Books of the Modern World*, ed by Robert Maynard Hutchins and Mortimer Adler, Vol. 9, Aristotle: II, Chicago: Encyclopedia Britannica, Inc., Book I, p. 447.

³¹Walter Lippman, *Op cit*, p. 78.

³²For the purpose of preparing this brief treatment of Aristotle, I have relied on his writings about ethics and politics found reproduced in: Aristotle, *Nichomachean Ethics*, *Great Books of the Modern World*, ed by Robert Maynard Hutchins and Mortimer Adler, Vol. 9, Aristotle: II, Chicago: Encyclopedia Britannica, Inc., pp. 339-436; and *Politics*, pp. 445-548; In addition I have also used and consulted: Will Durant, *The Story of Civilization: Part II The Life of Greece*, Chap XXI, New York: Simon and Schuster, 1966, pp. 500-

537; and Jean Vanier, *Made for Happiness: Discovering the Meaning of Life with Aristotle*, trans. By Kathryn Spink, London: House of Anansi Press Inc., 2001. I relate Aristotle's ideas to their behavioural counterparts social scientists, especially in the field of economics, have developed during the past one hundred years.

³³What is the good for man? is the very question which consumes Aristotle in Book I of his *Nichomachean Ethics*, *Op cit*, Vol. 9, pp. 339-348.

³⁴*Ibid*, p. 354, c. 2.

³⁵Aristotle, *Nichomachean Ethics*, *Great Books of the Modern World*, Vol. 9, *Op cit*, *Rhetoric*, p. 601, c. 1. Cf *Nichomachean Ethics*, p. 344, c. 2 and p. 345, c. 1; *Politics*, p. 496, c. 2 and p. 97, c. 1.

³⁶Aristotle, *Nichomachean Ethics*, *Op cit*, p. 432, c. 2 and p. 433, c. 1f.

³⁷See Albert Fiorino, "The Optimization of Rational Choice: An Answer to the Anthropological Imperative," in *Capitalism and Democracy Revisited*, Toronto: EQuadrant, pp. 28-32, where I discuss this behaviour on the part of reason—*rationality*—toward the optimization of its choices for achieving good outcomes.

³⁸Jean Vanier, *Made for Happiness: Discovering the Meaning of Life with Aristotle*, trans. by Kathryn Spink, Toronto: House of Anansi Press Inc., 2017 (Presses de la Renaissance, 2000), p. 21.

His interest in Aristotle originates with his postgraduate studies at the Institut Catholique de Paris, where he wrote his doctoral dissertation in Philosophy on *Happiness as Principle and End of Aristotelian Ethics*, published in 1966.

Jean Vanier is the Founder of L'Arche communities for the intellectual disabled which span the globe.

³⁹Ernest Becker, *Op cit*, pp. 10-12.

⁴⁰Aristotle, *Politics*, *Op cit*, p. 446, c. 1.

⁴¹*Ibid*, c. 2.

⁴²See Abraham Maslow, *Motivation and Personality*, New York: Harper, 1954. Maslow's hierarchy of needs theory can be found elaborated in this work.

⁴³Aristotle, *Politics*, *Op cit*, p. 446, c. 2.

⁴⁴*Ibid*, p. 495, c. 1.

⁴⁵*Ibid*, p. 496, c. 1.

⁴⁶*Ibid*, p. 497, c. 1.

⁴⁷Will Durant, *Op cit*, p. 536.

⁴⁸Ernest Becker, *Op cit*, pp. 10-12.

⁴⁹Albert Fiorino, *Op cit*, in an article entitled, "Giuseppe Mazzini and Giuseppe Garibaldi: *Beacons of freedom to Italy and to the world*," pp. 226-255.

⁵⁰Albert Fiorino, *Op cit*, pp. 442-445.

⁵¹Albert Fiorino, *Op cit*, "Galvanizing the Axis of Goodness," pp. 296-307.

⁵²*Ibid*, p. 296. “In the world of politics, the word has been used to designate an imaginary line on a geopolitical map conceived to run through certain sovereign powers sharing common goals and designs on the political terrain. Such was the use made President George W. Bush in his *State of the Union Address* on January 29, 2002 when referring to the governments of Iran, Iraq and North Korea at the time suspected of sponsoring terrorism and of developing weapons of mass destruction. The latter narrative has not changed in our times. He referred to this imaginary connecting line as the *axis of evil*, a phrase which was subsequently attributed to his writer, and now current political commentator and senior editor at *The Atlantic*, David Frum.”

⁵³For a modern presentation of this social philosophy, read John W. Walgrave, *Person and Society*, Pittsburgh: Duquesne Univ. Press, 1965.