# "HE WHO IS UNABLE TO LIVE IN SOCIETY . . . MUST EITHER BE A BEAST OR A GOD": SITUATING THE "INHUMAN" IN ARISTOTLE'S POLITICAL THOUGHT

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At least since Aristotle, the Western philosophical tradition has accepted the linking of

the categories of the "human" and the "political." As such, these categories have enjoyed a long

history of mutual implication. Such an implication, however, constrains the semantic field by

which one comes to imagine the human, the political and ultimately the political community. A

clear line of distinction has been upheld between what is human and naturally belongs in a

political community and what is inhuman and destined to be marginalized to the isolated fringe.

In the last century or so, theory, broadly defined, has challenged the essentialism of the human as

a category. A diffusion of novel conceptual formations has taken place. Such concepts as the

"inhuman," the "posthuman," the "antihuman," the "transhuman," etc., have been developed for

the explicit purpose of undermining the clear and distinct category of the human. However, it

remains essential, this paper argues, that theorists maintain one foot in the canonical trust by

which the category of the human has come to be defined. Or, it is essential for theorists to recall

what it is that the prefixes "in," "post," "anti," "trans," etc., are in fact opposing, overcoming,

denying, sublating and/or transcending. In order to recall the human, this paper returns to

Aristotle in whom one finds perhaps the definitive canonical expression of the human as

political. For, in Aristotle's *Politics* one reads "humans are by nature political animals"

(1.2.1253a2),[1] and "a social instinct is implanted in all humans by nature" (ibid, a29-30). And, in

*Nicomachean Ethics* one reads "humanity is born for citizenship" (1.7.1097b12-13). Essential to

humanity, then, is the necessity of composition, or political constitution. The human, for

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[1] All pagination references for Aristotle will be to the Bekker edition allowing the reader to find passages regardless of the edition and translation in use. The following abbreviations will be used for each book: *C. Ath.* = *Constitution of Athens*; *De A.* = *De Anima*; *Met.* = *Metaphysics*; *E. Eth.* = *Eudemian Ethics*; *N. Eth.* = *Nicomachean Ethics*; *Phy.* = *Physics*; *Pol.* = *Politics*.

Aristotle, however, is hardly a clear-cut matter. In fact, Aristotle also claims for humanity a part that is divine, eternal and separable from composition/constitution. This part is *nous*, or "mind." The divinity of mind stands apart from the necessity that forces political community. As such, this paper argues that mind is something inhuman. The human, for Aristotle, therefore, is something of a paradox. In order to lay bare this paradox, this paper unpacks the key Aristotelian themes of essence, humanity, community and wisdom. It focuses primarily upon Aristotle's *De Anima*, *Metaphysics*, *Nicomachean Ethics*, and *Politics*.

In order to arrive at Aristotle's definition of the human, one must first account for the manner of his thought. Aristotle tends to the essence of things. Crucial, to an understanding of what any given thing's essence might be, is an understanding of what it is to have an essence. In *Metaphysics* we are told the essence, or nature, of a thing is its 'formula.' Each thing is what it is 'by virtue of itself' (5.18). Thus, Aristotle consistently uses the phrase *auto-legomenon*. Often translated as "in virtue of itself," or "self-subsistent," *auto-legomenon* combines "self" (*auto*) with the notion of "laying, or gathered, at rest" (*legomenon*). *Legomenon*, related to *legein* and *logos*, is also a matter of "logic," "reason" and "speech." With this in mind, we can say that *laying, gathered in itself, it is of the essence of a thing to subsist in its self-expression, or, in the saying of itself*. "What, then, you are by your very nature," Aristotle says, "is your essence" (7.4.1029b15). Or, simply put, something *is* its essence (7.4.1030a1-2). There is an identity between a thing, its essence and the expression of its formula: they are one (7.6.1031b33-1032a2). In this, Aristotle dismisses Platonic *methexis*, participation. A self-subsistent thing does not participate in a radically external form. For example, a "good" thing lays gathered in the self-expression of "goodness." It is not fundamentally different from some prior "good in itself." In itself, *it is*. It *primarily* expresses its goodness (7.5). A formula is thus the primary and self-

subsistent definition of a thing's essence. Such is "the formula in its generality," or the *proton ousia*, primary substance (7.14.1039b22). Primary substance, insofar as it defines the essence of each thing as it is, provides the support upon which all of Aristotle's investigations take place. However, the scope and explanatory power of a thinking concerned solely with primary substance is somewhat limited. It does not account for the composite manner in which things concretely exist. In order to account for such phenomena, Aristotle articulates a secondary definition of a thing—i.e., a thing under the aspect of *synolon ousia*, "composite substance" (ibid, b20). This secondary definition describes the manner in which the general formula of a thing (the *proton ousia*) inheres, or inspires, *synolon ousia*.

A composite thing is a complex of matter and form (7.3.1029a5, 8.1.1042a30). *Hyle,* matter, never exists separately. It is never gathered in itself. Only potentially is it gathered and expressed by some *morphe*, form or shape (*Phy.* 2.1). *Dynamis*, potentiality, indicates the *capacity* to become actual, i.e., bronze is potentially a coin. As potential, matter can only ever be secondary to *energeia*, actuality (*Met.* 9.8.1049b5). Mere matter does not make a thing. That is, bronze *qua* bronze is not a coin; only bronze *qua* coin is a coin. Thus, actuality takes priority insofar as the "action is the end" (9.8.1050a9-22). The action is the actuality of a thing expressing its form. That is, the final cause of a thing (that *for the sake* of which a thing is, its *telos*, or "end") is its actuality. Simply put, a thing's form is its activity, or the expression of its essence. Viewed under the aspect of composition, however, this activity is constrained by potentiality and matter. This distinction, between primary and composite substance, will be crucial to unlocking the paradox of the (in)human. Moving forward, then, this paper will consider both humanity as mind (i.e., humanity considered under its *primary* aspect) and humanity as politically composed in a city (i.e., humanity considered under its *composite* aspect).

Now, what is the formula that shapes humanity? And, what is its action and end? As a living being, what defines humanity is *psyche*, soul (*De A.* 1.1.402a6-7; *Met.* 7.10.1035b14-15). All "life" is "ensouled" or "animated." Animated beings are not merely *capable* of life. They *actually* possess it (*De A.* 2.1.412a23). Thus, soul is the essence of living things (2.4.415b8-14). It animates the body, making it actually what it is. Or, simply put, "[soul] is substance," Aristotle says, "in the sense which corresponds to the definitive formula of a [living] thing's essence" (2.1.412b11-12). By and large, however, it "cannot be without a body" (2.2. 414a20). It is "inseparable" (2.1.413a3-4). An animate body is the "unity" of material bearing the in-formation of an active shape. Such is a "composite animate thing." An animate body, however, is not strictly "by virtue of itself." For, composite things "are capable of destruction " (*Met.* 7.15.1039b20-23). Decay and decline wear down the animated body as its grip on the actuality of life wanes (*De A.* 1.4.408b18-30). A part of the human, however, is "incapable of being destroyed" (ibid, b19). This part is *nous*, or mind. Mind is "something more divine and impassible" than the composite unity of a particular human (ibid, b29). Mind is "separable, impassible, umixed, since it is in its essential nature activity" (3.5.430a17-18). As such, it is "an independent substance implanted within the soul" (1.4.408b18). This leads Aristotle to argue, "it seems to be a widely different kind of soul, differing as what is eternal from what is perishable" (2.2.413b25-26). How is it that mind is separate, impassible and eternal?

Mind is separable because it is one, or uncomposed. It is one because it is identical to its object. Aristotle says, "what thinks and what is thought are identical" (3.4.430a3). Mind thinks itself (3.4.429b9). Interestingly, Aristotle defines both ontological reality and divinity by the same characteristic: thought thinking itself. For, the unmoved, or prime, mover lays at rest in its eternal activity (*Met.* 12.6.1071b15-26). Moreover, Aristotle explicitly makes this movement the activity

of God's thought. "[F]or the actuality of thought is life," Aristotle says, "and God is that actuality; and God's self-dependent actuality is life most good and eternal" (12.7.1072b26-28). Mind, as independent, divine thought, is "the most excellent of things": "a thinking on thinking" (12.9.1074b34). As a thinking on thinking, the essence of thought is the "chief good" and the "final end." This end, however, is not spatially or temporally distinct from mind. For, mind as eternal activity has its end in itself. Activity is its own *final* resting place. It is that to which action aims "as being loved" (12.7.1072b3-4). Love, in this instance, is expressed by the classical formula of identity, i.e., of lover and beloved. Thus, mind, "which is best in itself" (ibid, b19) is the identity of love and its object (love), thought and its object (thought).

Mind, essential to the definition of the human, is paradoxically attended by a confluence of inhuman notions including divinity, independence and eternal activity. How are we to come to grips with this apparent anomaly? The answer, this paper suggests, lies in the perspectivism Aristotle encourages concerning substance. Each thing may be considered under two distinct aspects: 1) as it is primarily defined—or, under the aspect of *proton ousia*; and 2) as it concretely exists—or, under the aspect of *synolon ousia*. Taking up our familiar form humanity, then, we should note that we are dealing with two distinct perspectives. On the one hand, there is humanity the composite thing. On the other hand, there is the self-expression and action of humanity—that is, its formula (soul), which at its best is essentially mind *for the sake* of itself as the chief good. This latter perspective is hinted at twice in *Politics* by the familiar expression: *zoön logon echon* (1.2.1253a10, 7.13.1332b5; *N. Eth.* 1.7.1098a3-17). *Zoön* means a "living being," or an "animal." *Echon* means "to have, or to hold." And *logon*, recall, means "logic," "rationality" and "speech." Usually "animal possessing speech," or "animal possessing rationality" translates this phrase. We should, however, not neglect what we have established regarding the essence of a thing as *auto-*

*legomenon*. Considering this and recalling that the essence of humanity, as living, lies in soul, we could perhaps venture this: *the actual life of the mind consists in possessing itself in the saying of itself for itself.* Such is, perhaps, the formula for mind, which is primary, separable, eternal and self-subsistent. What, however, of humanity the composite thing?

As if it were the mere inversion of humanity as mind, composite humanity is posterior, inseparable and expressed "by virtue of something else." Because composite humanity neither subsists in itself, depends on itself, nor suffices by itself, it requires the aid of an inessential and artificial conception. Such a conception (i.e., familial, tribal, linguistic, national, cultural, racial, etc.) transcends particular composite humans in the fashioning of a greater unified composition of humans. Composite humans share in this conception as an external point around which a community may coalesce. As such, it is not insignificant that the question of "autarky," or "self-sufficiency," has a prominent role in the first books of both *Nicomachean Ethics* (1.7) and *Politics* (1.2). In each instance, the question arises in the context of ends or chief goods. A distinction is made between that which is "for the sake of something else . . . [and] that which is always desirable in itself" (*N. Eth.* 1.7.1097a23-35). The latter "end" Aristotle calls "final without qualification" (ibid, a35). He identifies this final good as both happiness and autarky (ibid, b15). He says, "to be self-sufficing is the end and the best" (*Pol.* 1.2.1253a1). *Joy, then, lies gathered in that which rules itself, acting in identity with its end*. Now, this "final end," autarky, is not *actually lived* by composite humans. "The individual," Aristotle says, "when isolated, is not self-sufficing" (1.2.1253a27). Recall, composite humanity is posterior to the primary formula *soul*. Composite humanity does not subsist in itself. Mixed with potential, it has the ability not to be. Indeed, "this or that" composite human is insufficient and perishable. To partake of the eternity of actual life, it must reproduce itself (*De A.* 2.4.415b1-3). "There must be a union of those who

cannot exist without each other," Aristotle says (*Pol.* 1.2.1252a26). From the perspective of composition, then, Aristotle offers a revised definition of autarky. As a composite, the individual human is *zoön politicon*, a "political animal." The insufficient composite must further compose itself. It is forced to seek its end *in something else*. It must form a community, a "synarchy," so to speak. This qualified "good," toward which composite humanity acts, or composes, Aristotle names the "common good" (*N. Eth.* 8.9.1160a12, *Pol.* 3.6-7). Opposed to the chief good, which has its end in itself, then, Aristotle poses the common good, which has its end in something else. Community, as such, mitigates the insufficiency of an individual composite. The nature of an insufficient composite to seek synarchy in the common good is complementary to "the nature of a state [being] a plurality" (*Pol.* 2.2.1261a17). Therefore, a state, as a somewhat sufficient composite, will be that *something else* in which insufficient composites (humans) are composed toward a common good. What, however, is common for the community?

At the very least, a community will share "a common place" (2.1.1261a1). "One city," Aristotle says, "will be in one place and the citizens are those who share in that one city" (ibid, a1-2). This common place provides not only a political but also a physical boundary. For Aristotle, physical place is a "boundary," or container, that is coincident with the body it contains (*Phy.* 4.4.212a28-31). As the physical boundary coincides with the bounded, so the constituted political community, or city, coincides with its citizens. The city is a community of containment both physical and political. The city, therefore, seeks to define and secure the community in common sufficiency. It doing so, however, it implicitly demarcates what cannot or should not be contained by the community. For, whereas under the aspect of primary substance each thing expresses only itself, unconcerned with otherness, under the aspect of composite substance each thing is, in part, defined by virtue of something else and greatly concerned with otherness. By

partaking of this something else, composite substance adopts an artificial common conception. This common conception, in turn, remains common only to those others contained within the political and physical boundaries of the city. What remains outside such a common conception is merely foreign. However, what remains without the need for and concern with an otherness (i.e., what is self-sufficient) is, in some measure, inhuman. Before examining further the question of the inhuman and its relation to the city, however, we must arrive at a more thorough understanding of the city on its own terms. Such an understanding will subtend any understanding of Aristotle's notion of humanity under the aspect of composite substance.

A city, in part, secures and defines itself by the containment afforded by a common conception. A mere community of containment, however, does not make for the common good. In order to adequately account for the manner by which a community can either flourish or diminish in its sufficiency, Aristotle distinguishes between good constitutions, "true forms of government," and corrupt constitutions. Whereas a good constitution provides a stable basis upon which a community can flourish, a corrupt constitution provides an unstable basis upon which a community receives diminishing returns of sufficiency. With this in mind, Aristotle provides a well-known typology of constitutions, distinguishing between those that act for the sake of the common good and those that act for the sake of private interests (*Pol.* 3.6-7). The measure, so to speak, by which one distinguishes the good from the corrupt is "political justice." Justice "is the bond of humans in states" (1.2.1253a37). Natural and divine justice is the eternal way of things "and does not exist by people's thinking this or that" (*N. Eth.* 5.7.1134b19). Political justice, however, is "essentially something human" (5.9.1137a30). For, "it is a characteristic of humanity that it alone has any sense of good and evil, or just and unjust" (*Pol.* 1.2.1253a15-16). Aristotle calls this human characteristic *phronesis*, practical wisdom. *Phronesis* acts and commands

regarding "what ought to be done or not to be done" (*N. Eth.* 6.10.1143a8). Its ends are "moral virtues" and its action is judgment. As such, "the nature of the judge is to be a sort of animate justice" (5.4.1132a21). Thus, Aristotle notes the etymological relation of "justice," *dike*, with "judge." For, "the judge (*dicastes*) is the one who bisects (*dichastes*)" (ibid, a33). Political justice, then, is explicitly concerned with humanity under the aspect of composite substance. That is, it is concerned with the commingling of others under the sway of an artificial common conception. It asks after the nature of a city's common conception and the distribution (the bisection of a judge) of goods and power amongst those sharing in, or constituted by, a common conception.

By *phronesis*, the statesman divides the community, politically and physically, according to the principle of *isos*, equality. Equality, like justice, is not a matter of *physis*, nature, but rather of *nomos*, law. Justice is indifferent to moral virtues in the absence of political law (5.7.1134b20). This is, Aristotle says, because "matters concerned with conduct and questions of what is good for us have no fixity" (2.2.1104a4-5). An insufficient composite individual is without a natural, essential fixity. Thus, *Physics* reads "art partly completes what nature cannot bring to a finish" (2.8.199a16). Nature subsists. It is indifferent to the demands of moral virtue and to 'common ends.' It has only the final end without qualification. For the sake of human community, therefore, artifice is necessary. The statesman, by *phronesis*, legislates. That is, provides an insufficient, common fixity by way of the law. In this, it is duty bound, Aristotle says, "to order the things which nature supplies" (*Pol.* 1.10.1258a21-25). The duty of the statesman lies in the equal distribution and ordering of things without the benefit of a natural, unique fixity. Following the principle "similars do not constitute a state" (2.2.1261a25), the statesman must divide the community and set its boundaries for the sake of the common good.

A good constitution (be it a monarchy, aristocracy, or constitutional democracy) divides itself by *isonomia*, the equality of law. "Justice," Aristotle says, "is… equality, not, however, for all, but only for equals" (3.9.1280a11-12). Justice lies in the equality of a meritorious distribution (*N. Eth.* 5.2.1131a26). "The only stable principle of government," Aristotle says, "is equality according to proportion and for every human to enjoy its own" (*Pol.* 5.7.1307a25-6). Receiving one's due and performing one's duties is just (*N. Eth.* 10.8.1178a10-14). A good constitution distributes to each its share according to its due. Citizens are equals insofar as they share proportionally in the constitution according to their capacity. The archetypical statesman of *isonomy* is Solon, who acted and commanded in Athens circa the early sixth century BCE. Aristotle quotes his poetry in *Constitution of Athens*, where we read:

> To the people I gave as much privilege as was sufficient for them, neither reducing nor exceeding what was their due. (12.1)
> It does not please me to act with the violence of a tyrant nor to give equal shares of our rich country to worthless and noble alike. (12.3)
> I drafted ordinances equally for bad and good, with upright justice for each. (12.4)

In his poetry, Solon demonstrates a concern for the common good understood as the equal distribution of power and goods within a city. As such, he provides an empirical example of what Aristotle has in mind for a city flourishing in artificial sufficiency.

Good constitutions, then, act and command an artificial fixity for the common good on the basis of *isonomy*. In this, each receives and performs its due. As we have discovered, however, composite substances, being a party to potentiality and matter, suffer the waxing and waning of concrete existence. Even good constitutions, therefore, are subject to potential diminution. A full elaboration of composite humanity is therefore incomplete if it fails to mention the corruption of composition, especially in the case of political constitutions. Corrupt constitutions act and command an artificial fixity for a private interest on the basis of *anisonomy*, inequality. A corrupt

constitution (be it a tyranny, oligarchy, or democracy) divides itself unequally. In this case, authority, concentrated in one, few, or many, oversteps the bounds of the common good. Democracy, then, is no better than tyranny. It offends the common good by an unequal and unjust distribution. The archetypal statesman of *anisonomy*, as democracy, is Cleisthenes.

Circa 508 BCE Cleisthenes authored laws instituting Athenian democracy. There are two key reforms to be examined—redistricting and ostracism. Both of these reforms reveal what Aristotle considers to be the corruption of equality. Thus, they demonstrate the tenuous nature of the sufficiency available to composite humanity. Or, they reveal the threat of destabilization inherent in human community.

Prior to the reforms, Athens consisted of four *genos*, families or tribes. These tribes stood on equal footing despite their bitter and violent rivalries (Lévêque and Vidal-Naquet 1996: 21-22). In *Constitution of Athens* we are told, "[Cleisthenes] divided all the citizens into ten tribes instead of the earlier four, with the aim of mixing them together so that more might share control of the state" (21.2). Cleisthenes "mingled" the community and "g[ot] rid of old connections" (*Pol.* 6.4.1319b25). Indeed, it was mandated that citizens no longer be addressed by family *genos* but rather by civic *genos* (*C. Ath.* 21.4). Former religious and familial intimacies were artificially leveled down. In effect, this integrated the population at large and created a civic space and identity, whereby the *demos*, the people, could meet on the same level and police a rule of the same.

The second reform was the practice of ostracism.[2] This is complicated measure about which much can be said. A limited summary of its practice, however, is all that is necessary for the purpose of this paper. Ostracism gets its name from *ostraka*, the potsherds on which the

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[2] For an excellent discussion of the history and politics of ostracism see: Sara Forsdyke. *Exile, Ostracism and Democracy: The Politics of Expulsion in Ancient Greece* (New Jersey: Princeton University Press, 2005).

names of potentially ostracized persons were written. If ostracized, a person would be banished

from Athens for ten years. There was no trial, defense, appeal or formal deliberation. The purpose

of ostracism is a matter of great dispute. Some common interpretations include: removing those

attempting to set up a tyranny, those appeasing or colluding with foreign interests, and those

considered morally corrupt. It is, however, Aristotle's interpretation that is of interest. It will give

us a perspective on his opposition to democracy in particular and corrupt constitutions in general.

The target of ostracism, according to Aristotle, is persons possessing "superabundant

power" (De Ste. Croix 2004: 194-196). In a democracy, if the "great" and "powerful" refuse their

leveled position amongst the *demos*, they will be forced out of the community. In this, the *demos*

asserts its authority over the composition of political space and identity. For Aristotle's part, this

practice is corrupt. He equates it with tyranny through the story of the tyrants "Periander and

Thrasybulus."

> Periander, when the herald was sent to ask counsel of him, said nothing, but only cut off
> the tallest ears of corn till he had brought the field to a level . . . Thrasybulus . . .
> understood that he was to cut off the principle persons in the state . . . that he must always
> put out of the way the citizens who overtop the rest. (*Pol.* 3.13.1284a26-36;
> 5.10.1311a21-23)

It is unjust and unequal to command that each receive and perform at the same level. Such a

practice lacks proportion, *isonomy* and justice. Indeed, political community, Aristotle argues, is

threatened with instability by the unequal distribution of justice. The tentative sufficiency of

human composition, in fact, is conditional upon such stability.

In the case of both good and corrupt constitutions we are dealing with artificial fixity.

Neither subsists, nor suffices in itself. Each has its end *in something else*: either the common

good, or a private interest. By way of conclusion, then, we return to the question of the "final end

without qualification." Rather than pursue practical measures to mitigate corruption and enhance the artificial fixity of the common good, we will discuss wisdom for its own sake.

In *Nicomachean Ethics*, Aristotle sets up a typology. There are three types of life: vulgar pleasure-seeking life; practical life; and philosophical life (1.5). The first type is "slavish," "preferring a life suitable to beasts" (1.5.1095b20). The second type is honorable and morally virtuous (ibid, b23-29). The third type is wise and divine (10.7.1177b27). Turning to *Politics*, we read "he who is unable to live in society or who has no need because he is sufficient for himself, must be either a beast or a god: his is no part of a state" (1.2.1253a28-30). The bestial pleasure-seeker, a dog or cynic, and the divine philosopher offend society with their inhuman sufficiency.

Wisdom is an end in itself (*N. Eth.* 10.71177b20, *Met.* 1.2.982a15-17). Philosophy, the love of wisdom, is identical to its object. As such, it does not concern itself with "the necessities of [practical] life" (*Met.* 1.1.981b20-21). It has no and serves no "utilitarian end" (1.2.982b22). It is "free" (1.2.982b25), joyful (*N. Eth.* 10.7.1177b20-23, 10.8.1178b27-31) and self-sufficient (10.7.1177b21). "This is why," Aristotle says, "we say Anaxagoras [and] Thales . . . have philosophic but not practical wisdom, and why we say that they know things that are remarkable, admirable, difficult, and divine, but useless… because it is not human goods that they seek" (6.7.1141b4-8). Separate, like mind from composition, the sage stands apart from society in independent contemplation. What, then, is society to do with the sage? Moreover, what does the relation that obtains between society and the sage tell us about humanity?

One, perhaps, gains an insight into the relation Aristotle envisions between society and the sage by returning to what he has to say concerning societal exclusions, particularly ostracism. For, ostracism provides an empirical test case of the tension underlying Aristotle's definition of

humanity. It lays humanity bare in its two aspects (primary and composite) and seeks a solution, by way of exclusion, to the question of the inhuman within humanity.

As mentioned, Aristotle considered ostracism to be a largely unjust practice used by democratic cities to artificially level down, or equalize, its citizenry. Moreover, in one particular case Aristotle considers ostracism to especially egregious. Such is the case when the person ostracized is pre-eminent "in virtue and in political power[3]" (3.13.1284a10). For, while legitimate questions of justice arise when ostracism is applied to correct "excess in strength, wealth, popularity and the like," Aristotle argues, "there would be great doubts" about ostracism "when used against someone who is pre-eminent in virtue" (ibid, b25-28). Interestingly enough, Aristotle associates this figure of pre-eminent virtue with several of the traits common to mind as epitomized by the sage. They both share the attributes of self-sufficiency and divinity. Moreover, in *Nicomachean Ethics*, Aristotle explicitly argues for the pre-eminence of philosophical virtue (that is contemplative, akin to the mind) over moral and practical virtue (10.7.1177b29-30). For, insofar as "something divine is present in [humanity]," that divinity is expressed, or activated, by philosophical virtue, not moral and practical virtue (ibid, b27-28). And, it is "by so much as this" expression of divinity that Aristotle claims philosophy "is superior to [humanity's] composite nature" (ibid).

Returning, then, to the egregious case of the ostracism of "men of pre-eminent virtue," Aristotle claims, for such persons "there is no law—they are themselves a law" (*Pol.* 3.13.1284a13). Thus, "legislation" will have no bearing upon them and "one would be ridiculous who attempted to make laws for them" (ibid, a11-15). Recall that, for Aristotle, there are two

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[3] The Greek word Aristotle uses is *dynamis*. *Dynamis* embraces a wide semantic field. It means "power," "ability," "capacity," and "potentiality." In *Physics* the word is mostly used to express the potential (*dynamis*) a thing has to become actual (*energeia*). In the context of *Politics*, however, the word is used to express not a physical process of becoming but rather a political force, either held in reserve or expended at will. Benjamin Jowett translates it here as "capacity." I prefer the translation "power," as I feel it expresses the political context (as distinct from physical processes) better.

forms of justice: natural/divine and legal. Moreover, Aristotle claims that legal justice is "originally indifferent" and has no presence or effect prior to being "laid down" (*N. Eth.* 5.7. 1134b18-21). Clearly, one pre-eminent in virtue and political power resides at the margins of society and its legal strictures. They are closer to natural and divine justice. Indeed, such a figure, Aristotle says, "can be no longer regarded as part of a state . . . Such a one may truly be deemed a God among humans" (*Pol.* 3.13.1284a3-11). Moreover, Aristotle says

> [Humanity] will not say that such a one is to be expelled and exiled; on the other hand, [this one] ought not to be a subject—that would be as if [humanity] should claim to rule over Zeus, dividing his office among them. The only alternative is that all should joyfully obey such a ruler, according to what seems to be the order of nature. (ibid, b25-35)

Aristotle's claims notwithstanding, it is clear that the prospect of joyful obedience to a divine ruler did not rest well with the Athenian people. It is not irrelevant, in this context, to recall that the first recorded Athenian law, the so-called "Tyranny Law" laid down circa the mid 7th century BCE, outlaws tyranny (Cf. *C. Ath*. 16.10; Forsdyke 2005: 80-83). Both the Tyranny Law and the practice of ostracism testify to the measures taken by the Athenians against the very real threat of instability brought on by a tyrant's unequal distribution of justice. However, a close reading of Aristotle brings into question whether what is being described here under the aspect of "one pre-eminent in virtue" constitutes a tyrant, or for that matter a monarch. Because we are dealing with a self-sufficient being, indifferent to societal laws and restrictions and unconcerned with moral and practical virtues and ends, there is a serious question to be asked regarding the threat such a being poses. For, in the case of either tyranny or monarchy one is dealing with *phronesis*. That is, tyrants and monarchs are statesmen dealing with moral virtues and vices attempting to correct for the insufficiency of human composition by virtue of something else, i.e. a good or corrupt composition/constitution. In the case of the sage, or one pre-eminent in virtue (assuming this paper is correct to argue that this means philosophic virtue), however, one is

dealing with *philosophia* [the identity of love (*philo-*) and its object, wisdom (*sophia*)]. The sage, recall, is simple, autarkic, self-subsistent and eternal in its changeless activity. It is identical with mind and divinity. From the perspective of practical wisdom and composite things, however, such a one appears strange and inhuman. Aristotle notes this with an anecdote: "Anaxagoras . . . being asked, 'Who was the happiest of humans?' answered, 'None of those you suppose, but one who would appear a strange being to you'" (*E. Eth.* 1.4.1215b6-10). Indeed, we are not dealing with a practical statesman, or with practical ends. Such are beings and ends typical of composite humanity. We are, rather, dealing with the eternal identity of love and its object, wisdom. We are dealing with a strange, inhuman and divine being. It would appear, then, that Nietzsche follows Aristotle's own intimation when he amends Aristotle's famous statement to read: "To live alone one must be a beast or a god, says Aristotle. Leaving out the third case: one must be both—a philosopher" (1968: 467).

One can hardly say of the self-sufficient, lone philosopher that it poses a threat to the stability of human compositions/constitutions. Rather, such a marginal being is better conceived as troubling the very definition, or essence, of humanity and by extension political community. It does so by exposing the "divine" aspect, the "inhuman" aspect, at the core of humanity—mind. The presence of strange, autarchic elements within a human composition, whether good or corrupt, calls into question concrete, insufficient humanity through the expression of a mode of life "too high for humanity" (10.7. 1177b26). Paradoxically, however, such a mode of life is also essentially human. For, mind is that part of the soul (soul defining humanity), which differentiates humans from other animate beings. The paradoxical tension at the core of humanity is left unresolved by the mutual exclusion that obtains between social humanity and asocial beasts and gods. It is for this reason, perhaps, that Aristotle argues against "those who

advise us, being humans, to think of human things" (*N. Eth*. 10.7.1177b32-33). Rather, Aristotle,

suggests humanity should "strain every nerve to live in accordance with the best thing in us [i.e.,

mind]" (ibid, b34). In this, Aristotle proposes what one today might call the "transhuman."

Humanity, then, is defined in transition—strung up between composite insufficiency and primary

sufficiency. This does not, of course, resolve the paradox of humanity either. However, it does

have the advantage of confronting humanity's paradoxicality without thereby sacrificing either

divinity or composition. Rather, it exposes the tension within humanity.

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