ARISTOTLE ON THE UNITY
OF THE JUST*

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Early in Book V of the Nicomachean Ethics, Aristotle lays out a taxonomy in which different virtues of justice differ by doing and wishing what is differently just. But he seems regularly to flout the taxonomy’s distinctions in his discussions of the just throughout Book V, and in the Ethics books on friendship, and in the Politics.

Most notably, in a number of places he holds that fair distribution is the general standard for acting rightly toward others. This idea arguably conflicts with the way the taxonomy distinguishes between “distributive” and “general” justice. But if we read one very subtle qualification into the taxonomy, there is no conflict; and we then find in the Ethics and Politics a consistent unified vision of the just that explains the muddles of EN V, explains how Aristotle’s Politics illuminates ethics as he promises, explains the common point of seeing the just and the virtues as means, and offers a rich picture of the justice that is the “whole of virtue.”

I. THE OFFICIAL TAXONOMY

The official taxonomy comprises two distinctions.

In the general sense, to have the virtue of justice is to be a lawful person. The just things this person is concerned with are the actions prescribed by law. Law in turn aims at the common benefit, and thereby at the happiness of the community. Hence general justice is the whole of virtue exercised toward others (1129b11-1130a13).

In the special sense, to have the virtue of justice is to be equal or fair. The just things the fair person is concerned with are equal or fair assignments or transfers of “honor or wealth or safety, or whatever single name will include all these” (1130b2f). (‘Fair’ and ‘equal’ herein each translate the same Greek term, which encompasses also equal proportion to relevant merit.) Hence special justice is but one of the many virtues (1130a14-b18), or two of them, aiming at the just in rectification and in distribution.

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Justice in *rectification* is concerned with penalties in court and perhaps fair returns in trade (1130b34-1131a9). Just rectification is a second transfer equal to the first, restoring equality between the parties (1131b25-1132b20).

*Distributive* justice distributes goods in equal proportion to relevant merit. It is concerned with "honors or wealth or anything that can be divided among members of a community who share in a constitution" (1130b31f.). Aristotle seems to think of political constitutions as the paradigmatic cases of the distributively just (1131a25-29), though in Chapter 2 he offers a kind of adultery as an activity distinctive of special and presumably distributive injustice (1130a24-32).

II. A READING OF THE TAXONOMY

Our discussion focuses on the relation between distributive and general justice. The official taxonomy says these virtues differ because while the one makes fair distributions, the other performs lawful actions, and the law in turn aims at the common benefit. "And so in one way what we call just is whatever produces and maintains happiness and its parts for a political community" (1129b17-19). Hence we might say that the lawful person aims *indirectly* at the common benefit, and thereby at the happiness of the community, even if she is guided mainly by her idea of what the law asks rather than her own idea of what would be most beneficial. As Aristotle points out in Book I, one aim can be for the sake of another and another, and we may only dimly grasp our farther aims (1094a18-26).

Each of the several virtues, so far as it is exercised toward others, must then aim at the common benefit, at least indirectly. For example, distributive justice supports the common benefit; for as Aristotle says elsewhere, to distribute the external goods in proportion to merit—roughly, rule to virtue and property to need—is to place each where it will best support the common benefit (*EN* 1137a26-30; *Pol.* 1287a14-18, 1323b40-1324a2).

The distinction between direct and indirect aims suggests a further thought about the taxonomy. Aristotle says in presenting his taxonomy that the different justices do or wish what is differently just (1129a6-9 and *ENV. 1-3 passim*). His point may be, not that the justices differ in their *aims*, but only that they differ in their *direct* aims. The direct aim of distributive justice is the fair, and the direct aim of general justice is the lawful.

This interpretation would in principle allow Aristotle to hold further that in a way, the whole aim and standard of general justice is fair distribution (and thereby the common benefit).¹ He could hold that while distributive justice aims

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¹ This idea closely resembles a proposal by Engberg-Pedersen, though he does not explore its implications for Aristotle's claims about the "just" outside of the early chapters of *ENV*. His thesis is that each virtue in general justice pursues its goods so far as is fitting or merited, hence fair, though not necessarily from the motive of fairness. His texts are the discussions of the virtues in *ENV* III and IV and virtue friendship in *ENV* IX—texts not addressed here. Engberg-Pedersen 1983, 60-93.