

Aristotle on the unity of general justice and virtue

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Abstract

Aristotle opens his much-anticipated treatment of general justice with a focused discussion of whether general justice is the same as virtue. Competing answers to this question have been offered on Aristotle's behalf, and different parts of *EN* V.1–2 appear to support alternative views. This paper offers an account of the relationship between general justice and virtue—and an explanation of Aristotle's puzzling claim that justice and virtue are “the same but different in being”—by appealing to his distinction between general justice as a state (ἔξις) and general justice as an exercise (χρήσις). General justice and virtue are the same *state*. However, justice as an exercise and virtue as an exercise stand in a part-whole relationship. This account resolves Broadie and Rowe's charge that Aristotle has no coherent conception of the relationship between *particular* justice and character virtue. It also has implications for understanding whether justice is always another's good, whether a just ruler is necessarily virtuous, and the cultivation of justice and virtue.

“Is justice virtue or *a* virtue?” Socrates asks Meno (*Meno* 73e1). He poses a similar question to Protagoras: “Are justice, courage, and moderation parts of virtue, or are they all names for one and the same thing?” (*Prt.* 329c6–d1). Implicit in these questions is a philosophical challenge:

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unless one can explain whether justice is a *part* of virtue or *the same as* virtue, one does not know what justice or virtue is. Both Meno and Protagoras answer that justice is a part of virtue (*Meno* 73d9–e8; 79b2–3; *Prt.* 329c6–d4).¹

In the context of this challenge, it is no wonder that when Aristotle finally turns to his account of justice in *EN* V, he begins with a focused investigation into how justice and virtue relate. Aristotle draws a distinction between general justice, which corresponds to lawfulness, and particular justice, which corresponds to equality. Accordingly, one of Aristotle's central aims in *EN* V.1–2 is to explain how general justice, particular justice, and virtue of character relate to one another. Our main focus will be on the relationship between general justice and virtue.

Does Aristotle maintain that general justice is a part of virtue or the same as virtue? Commentators have offered a range of competing answers. According to one group, Aristotle takes general justice to be the part or portion of virtue that stands in relation to another individual (*πρὸς ἕτερον*).² Curzer (1995, p. 209), for example, argues that general justice is a “second-order virtue” because it is “composed of portions of the other virtues.” Kraut (2002, p. 120) rejects the idea that justice could be “nothing but a composite whose components are each a slice—the other-regarding slice—of the other ethical virtues.” Kraut and others argue instead that general justice and virtue are *identical*.³ A final group maintains that general justice and virtue are coextensive but not identical.⁴ As Lee (2014, p. 115) explains this relation, although general justice and virtue are not identical, “if one has general justice, one necessarily also has all of the special character-virtues all together, and conversely, if one has the special virtues, one necessarily also has general justice.”⁵

This disagreement is partly due to the difficulty of reconciling Aristotle's own claims about general justice. At times, Aristotle does suggest that general justice is a part of virtue and, therefore, that general justice is not the same as virtue:

Justice is complete virtue, not without qualification, but complete virtue in relation to another (*πρὸς ἕτερον*). (5.1, 1129b25–27)⁶

In fact, as we will see, Aristotle later relies on the following principle to argue that particular justice is a *part* of general justice (5.2, 1130b10–16):

PARTHOOD: if everything that which is *x* is *y*, but not everything that which is *y* is *x*, then *x* is a part of *y*.

¹ For a similar question about virtue using *μέρος* instead of *μόριον*, see *Meno* 89a3–4. See Kraut (2002, Chap. 4) for a compelling argument for the importance of reading Aristotle's discussion of justice in *EN* V against the background of the *Republic*.

² Others use more ambiguous language. Johnston (2011), for instance, argues that justice is an *attribute* of virtue. Riesbeck (2016a, p. 62) maintains that justice encompasses the other-regarding aspects of virtue. Cf. Polansky (2014, p. 155), Collins (2006), and Santas (2001, p. 278).

³ Young (2006, pp. 181–182, 1989, pp. 234–235). See also Grant (1885, v.2., pp. 103–104) and Gauthier and Jolif (2002, p. 344). More ambiguously, Miller (1997, p. 69) claims that general justice “includes all of virtue.”

⁴ Lee (2014, p. 115). See also Broadie and Rowe (2002) who argue that justice and virtue are merely coextensive. Hardie (1980, pp. 185–186) argues that they are coextensive before remarking, “Aristotle's meaning here is unclear” (p. 185).

⁵ My account, which holds that justice and virtue are the same in a stronger sense of sameness than mere co-extensiveness, nevertheless supports Lee's important claim that every virtuous person is necessarily just and vice versa.

⁶ ἡ δὲ μὲν οὖν ἡ δικαιοσύνη ἀρετὴ μὲν ἐστὶ τελεία, ἀλλ' οὐχ ἁπλῶς ἀλλὰ πρὸς ἕτερον. References are to Bywater's 1962 text and translations of *EN* V (=EE IV) are my own. I consult translations by Irwin (1999), Broadie and Rowe (2002), Crisp (2005), and Reeve (2014).

According to this principle, if every case of general justice is a case of virtue, but not vice versa, then general justice and virtue stand in a part–whole relationship. Aristotle implies that every case of general justice is a case of virtue, since general justice is virtue in relation to another (*pros heteron*). But not every case of virtue is a case of justice, since there are cases of virtue, such as some cases of moderation, which need not relate to another. It is at least *prima facie* reasonable, then, to maintain with Curzer and others that Aristotle conceives of general justice as a *part* of virtue on the very notion of *parthood* leveraged in V.2.

The problem is that several lines later, Aristotle appears to maintain that general justice is the same as the whole of virtue and, therefore, that it is neither merely part of virtue nor merely coextensive with it.

Justice is not a part of virtue but virtue as a whole. (*NE* 5.1, 1130a8–10)⁷

Passages like this one have led some commentators to argue that general justice and virtue are *identical*. Finally, Aristotle seems to suggest that general justice and virtue are not, strictly speaking, identical: “Justice and virtue are the same, but the being is not the same” (1130a12). Thus, Lee and others have argued that they are coextensive.

To make matters worse, Aristotle’s own treatment of general justice is strikingly brief, especially compared to his treatment of particular justice. Some have objected that there is simply not enough information about what justice is or what it is like to have the virtue. In fact, the perceived problems with Aristotle’s account of the relationship between general justice and virtue have been thought so severe, in a recent paper, one commentator argues that to resolve these issues, Aristotle must hold that general justice is not an ethical state or virtue at all (Fossheim, 2011).⁸

Due to the limited discussion of general justice in Aristotle—accounts of the relationship between general justice and virtue are often stated briefly *en route* to a fuller treatment of another topic, such as particular justice—many do not attempt to reconcile their interpretations about the relationship between justice and virtue with the key passages of alternative views. Yet it is clear, especially against the background of Socrates’ challenge, that indeterminacy or inconsistency in this aspect of Aristotle’s theory of justice will not do. Moreover, answering this question is a crucial step toward understanding how Aristotle’s account of general justice fits within his overall scheme of character virtues. The ethical stakes are high, since Aristotle will rely on this account to explain whether justice is always another’s good, whether one who is just is always virtuous—and if so, why this should be the case—and the relationship between virtue and lawfulness.

The present aim is to offer an account of the relationship between general justice (henceforth, “justice”) and virtue. In Sections 2 and 3, I resolve the tension between Aristotle’s claim that justice is the whole of virtue and his claims indicating that justice is a part of virtue. The key interpretative move will be to distinguish between justice as a state (ἔξις) and justice as an exercise (χρῆσις)—as shorthand, justice_S and justice_E—and between virtue as a state and virtue as an exercise (virtue_S and virtue_E).⁹ As states, justice is the whole of virtue (Section 2). However, as exercises, justice and virtue stand in a part–whole relationship (Section 3).

⁷ αὕτη μὲν οὖν ἡ δικαιοσύνη οὐ μέρος ἀρετῆς ἀλλ’ ὅλη ἀρετὴ ἐστίν. . . .

⁸ Fossheim (2011, p. 274): “I have argued that Aristotle cannot really mean, and does not really say, that general justice is an ethical virtue.” Cf. (p. 254): “In relation to individuals, general justice is a characteristic of actions, and not an ethical state.”

⁹ With apologies to the reader for the admittedly clunky use of subscripts.

This will prove crucial for understanding what Aristotle has in mind when he claims that justice and virtue are “the same but different in being” (Section 4). On the account that emerges, as states, justice is *the same as* virtue in a fairly strong sense of sameness: they are the same state in the very way that the road from Thebes to Athens and the road from Athens to Thebes are the same road (call this the Sameness Reading).¹⁰ In defending the Sameness Reading, I reject the alternative positions that justice_s is a *part* of virtue_s and that justice_s is *merely coextensive* with virtue_s.¹¹ Section 5 defends an implicit commitment of this account: Aristotle accepts the possibility that numerically one and the same state can have two different exercises. Section 6 relies on the Sameness Reading of *general* justice to resolve a dilemma, posed by Broadie and Rowe (2002, p. 338), for Aristotle’s account of *particular* justice. I conclude in Section 7 by highlighting further upshots of the account: it resolves oddities commentators have noticed about the brevity and sparseness of Aristotle’s account of general justice, and it has noteworthy ethical implications concerning how one is to become just or virtuous.

1 | DISTINGUISHING BETWEEN STATES AND EXERCISES

Let me defend straightaway the key interpretive move, that in *EN* V, Aristotle sometimes uses “δικαιοσύνη” to refer to a state and, at other times, to refer to an exercise. Consider his programmatic opening remarks about justice:

[T1] ὁρῶμεν δὴ πάντας τὴν τοιαύτην ἕξιν βουλομένους λέγειν δικαιοσύνην, ἀφ’ ἧς πρακτικοὶ τῶν δικαίων εἰσὶ καὶ ἀφ’ ἧς δικαιοπραγοῦσι καὶ βούλονται τὰ δίκαια· τὸν αὐτὸν δὲ τρόπον καὶ περὶ ἀδικίας, ἀφ’ ἧς ἀδικοῦσι καὶ βούλονται τὰ ἄδικα. διὸ καὶ ἡμῖν πρῶτον ὥς ἐν τύπῳ ὑποκείσθω ταῦτα.

We see everyone meaning to say that this sort of state is justice: that from which they are fitted to doing what is just, and that from which they act justly and wish for what is just. And similarly, they say about injustice that it is that from which they act unjustly and wish for what is unjust. This is why we must first establish these points in outline. (1129a6–11)

Justice, as reported in T1, is a state. However, since states of character are dispositions *to act*, justice as a state is characterized partly in terms of the activities it disposes one to perform: acting justly and wishing for just actions or outcomes (τὰ δίκαια).¹² In the arguments to follow, Aristotle investigates the just actions that the state disposes us to perform, but we must keep in mind that the study of just *action* improves our understanding of the state that disposes one to perform these actions. In the reported *endoxa*, then, “δικαιοσύνη” refers to the state, but both the state and the exercises of that state are already conceptually in view.

Those skeptical that justice is a state have suggested that Aristotle merely reports without endorsing these *endoxa*,¹³ but it is clear from Aristotle’s defense in the lines that follow T1 (1129a11–16) that he accepts that justice is a state. He contrasts states (ἕξεις) with knowledge (ἐπιστήμη) and capacities (δυνάμεις) on the grounds that a state that is a contrary cannot make us perform contrary

¹⁰ *Phys.* 3.3, 202b10–19.

¹¹ Justice_s is coextensive with virtue_s, as Lee (2014) rightly argues, but not *merely* coextensive.

¹² This assumes καὶ in 1129a8 is epexegetic, following Irwin (1999, p. 227) and Broadie and Rowe (2002, p. 158).

¹³ This is Fossheim’s (2011, p. 260) strategy.

activities. Health, for example, is a state that is a contrary, so health cannot give rise to sickness.¹⁴ Justice, we are meant to understand, is also a state that is a contrary, so the state, justice, cannot make us perform unjust acts. We can therefore conclude with the majority of commentators that Aristotle accepts that justice is a state and that, at least at the start of *EN V*, Aristotle uses “δικαιοσύνη” to refer to the ethical *state*, justice.¹⁵

However, Aristotle does not always use “δικαιοσύνη” to refer to a state. In *EN V.2*, “δικαιοσύνη” unambiguously refers to justice as an exercise (χρήσις).

[T2] ἡ μὲν οὖν κατὰ τὴν ὅλην ἀρετὴν τεταγμένη δικαιοσύνη καὶ ἀδικία, ἡ μὲν τῆς ὅλης ἀρετῆς οὕσα χρήσις πρὸς ἄλλον ἢ δὲ τῆς κακίας, ἀφείσθω.

Let us put aside justice that is coordinated with the whole of virtue, and injustice that is coordinated with the whole of vice—justice, which is the exercise of the whole of virtue in relation to another, and injustice, which is the exercise of the whole of vice in relation to another. (5.2, 1130b18–20)

Here, Aristotle explicitly calls “justice which is coordinated with the whole of virtue” an exercise (χρήσις). We find a similar use of “justice” in 5.1 (1129b25–31) as well, when Aristotle claims that justice is “most of all, complete virtue because it is the exercise (χρήσις) of complete virtue.”

It is clear, then, that Aristotle sometimes uses “δικαιοσύνη” to refer to a state and other times to refer to an exercise.¹⁶ Once we determine which of the two uses is in play in his various claims about general justice, we will resolve the tensions above and find that Aristotle has a richer and more complex account of the relationship between justice and virtue than has been appreciated.

I will argue that Aristotle changes the referent of “δικαιοσύνη” twice in the course of *V.1*. Although Aristotle begins by focusing on justice as a state, he shifts in 1129b25–32 to treating justice as an exercise. In this context, he claims that justice is complete virtue in relation to another. In 1129b32, Aristotle turns back to justice as a state and argues that justice is virtue as a whole and that justice and virtue are the same but different in being. Since identifying the correct referent for each of Aristotle’s claims about justice and virtue will be critical for determining the correct account, an important task in the next sections will be to show that Aristotle does in fact shift referents in the way I suggest.

2 | JUSTICE_s IS THE WHOLE OF VIRTUE_s

When Aristotle claims justice is virtue as a whole, he is referring to states, not exercises:

¹⁴ Medical knowledge, by contrast, can be used to heal or harm. The contrast between states and capacities here might be puzzling, given that, as Beere argues, a state (ἔξις) is a capacity (δύναμις) that is acquired by a rational agent through practice (2009, p. 81, n. 20, cf. Irwin 1999, p. 196). Aristotle’s idea is that if we were to describe justice as a capacity (δύναμις) in general, rather than as a specific kind of capacity, namely, a state that is a contrary, we would miss the point that one cannot exercise the state, justice, by performing an unjust action (*EN* 2.5).

¹⁵ Contra Fossheim (2011). In addition to the textual problems with his position, Fossheim’s account runs into the issue that, as he acknowledges, *particular* justice must be a state and an ethical virtue. It is difficult to see how particular justice, a species of general justice, can be a state and virtue if general justice is not a state or virtue.

¹⁶ The idea that δικαιοσύνη (“justice”) can refer to an exercise of a disposition might initially strike one as odd, but notice that the semantic range of the English word “justice” also extends this far. “What you did was a wonderful example of justice” is felicitous.

[T3] αὕτη μὲν οὖν ἡ δικαιοσύνη οὐ μέρος ἀρετῆς ἀλλ' ὅλη ἀρετὴ ἐστίν, οὐδ' ἡ ἐναντία ἀδικία μέρος κακίας ἀλλ' ὅλη κακία. τί δὲ διαφέρει ἡ ἀρετὴ καὶ ἡ δικαιοσύνη αὕτη, δηλον ἐκ τῶν εἰρημένων· ἔστι μὲν γὰρ ἡ αὕτη, τὸ δ' εἶναι οὐ τὸ αὐτό . . .

Thus, this justice is not a part of virtue, but virtue as a whole, and the injustice contrary to it is not a part of vice, but vice as a whole. How virtue and this justice differ is clear from what has been said: for it is the same, but the being is not the same . . . (1130a8–12)

In the lines immediately preceding T3, Aristotle calls our attention to the best *person*, who is capable of exercising virtue toward others. Aristotle explains that exercising justice toward another is far more difficult than exercising virtue in relation to oneself, and one's ability to do this difficult work is an indication of one's excellence (1130a5–8).¹⁷ Although he mentions just activity in the immediately preceding lines, the goal is to better understand illuminate the excellent *person*. It is Aristotle's focus on the excellent person that prompts him to investigate the state this person has. He relies on a principle established at the start of the chapter, according to which we can know the *state* from the bearers of the state (1129a18–23).¹⁸ Given that T3 immediately follows the discussion of the virtuous person, it is reasonable to take “this justice” (αὕτη ἡ δικαιοσύνη) to refer to the kind of justice nearest to mind, which is the state of the best person who is capable of exercising virtue. This state is general justice.¹⁹ The upshot is that Aristotle claims that the *state*, justice, is the whole, not a part, of virtue.

What does Aristotle mean when he denies that justice is a part of virtue? The best indication of what notion of *part* and *whole* Aristotle has in mind is found in V.2.

[T4] ἐπεὶ δὲ τὸ ἄνισον καὶ τὸ παράνομον οὐ ταῦτόν ἀλλ' ἕτερον ὡς μέρος πρὸς ὅλον (τὸ μὲν γὰρ ἄνισον ἅπαν παράνομον, τὸ δὲ παράνομον οὐχ ἅπαν ἄνισον) καὶ τὸ ἄδικον καὶ ἡ ἀδικία οὐ ταῦτά ἀλλ' ἕτερα ἐκείνων, τὰ μὲν ὡς μέρη τὰ δ' ὡς ὅλα. μέρος γὰρ αὕτη ἡ ἀδικία τῆς ὅλης ἀδικίας, ὁμοίως δὲ καὶ ἡ δικαιοσύνη τῆς δικαιοσύνης.

Since the unequal and the lawless are not the same but differ, as a part relates to a whole (for everything that is unequal is lawless, but not everything lawless is unequal), so too this unjust and injustice [i.e., the unequal and injustice which corresponds to inequality] are not the same, but different, from those ones [i.e., the lawless and injustice which corresponds to lawlessness]: the former, parts and the

¹⁷ κάκιστος μὲν οὖν ὁ καὶ πρὸς αὐτὸν καὶ πρὸς τοὺς φίλους χρώμενος τῇ μοχθηρίᾳ, ἄριστος δ' οὐχ ὁ πρὸς αὐτὸν τῇ ἀρετῇ ἀλλὰ πρὸς ἕτερον· τοῦτο γὰρ ἔργον χαλεπὸν (1130a5–8). Someone sympathetic to Fossheim's position might be tempted to think that the reference to ἔργον prompts a discussion of justice as an exercise in T3, but it is clear that Aristotle is focused on the *ability* to do this work.

¹⁸ The principle establishes that a state can be made known to us by what underlies the state (τὰ ὑποκείμενα), and included among τὰ ὑποκείμενα is the person who has that state. To illustrate the point, Aristotle argues that a good state is revealed by what is to do with the good state (τὰ εὐεκτικά, including what underlies the good state), and τὰ εὐεκτικά are revealed by the state. Here, Aristotle investigates the virtuous *person*, the bearer of the state, virtue, to better understand justice, the *state* from which one acts justly.

¹⁹ As corroborating evidence that T3 focuses on states, Grant (1885, v.2, p. 104) has rightly argued that “it is the same, but the being is not the same” (5.1, 1130a10–12) refers to the same relationship found in *EN* 6.8, 1141b23–24: political science and *phronēsis* are “the same state, but the being is not the same.” In both cases, we are describing *x* and *y* that are the same state (ἕξις) but different in being, though *EN* 5.1 is more compressed and omits “*hexis*.”

latter, wholes. For this injustice [which corresponds to the unequal] is part of injustice as a whole, and similarly too this justice [which corresponds to the equal] is a part of justice as a whole. (5.2, 1130b10–16)

What is most important for our purposes is Aristotle's explanation for why the unequal and the lawless stand in a part-whole relationship (τὸ μὲν γὰρ . . .). Since anything unequal is lawless but not vice versa, the unequal is different from and a part of the lawless. In this argument, Aristotle presupposes the following:

PARTHOOD: if everything that is x is y , but not everything that is y is x , then x is a part of y .²⁰

According to Parthood, if every case of justice is a case of virtue, but not vice versa, then justice and virtue stand in a part-whole relationship and are therefore not the same. In claiming that justice *is the whole*, not a part, of virtue, then, Aristotle means that, as *states*, every case of general justice is a case of character virtue and vice versa.

This militates against the interpretations put forward by Curzer (1995, p. 209), Johnston (2011), and others, according to which the state justice is a part, portion, or aspect of virtue. According to these accounts, every case of justice will be a case of virtue, but *not* vice versa, since there will be some part or portion or aspect of virtue that *is not* a case of justice.²¹ This is precisely what Aristotle has ruled out in T3.

3 | JUSTICE IS A PART OF VIRTUE

So far, we have seen that justice_s is the *same* as virtue_s, not a *part* of virtue_s. The challenge now is to show that this is consistent with the claim that gives rise to the part-whole reading of justice and virtue: “this justice is complete virtue, not without qualification, but in relation to another” (1129b25–27).²² To see the difficulty posed by this claim, notice that this claim that justice is virtue in relation to another (πρὸς ἕτερον) implies that every case of justice is a case of virtue. We know, however, that not every case of virtue is a case of justice, because virtue need not always relate to other people (πρὸς ἕτερον).²³ It would follow from the Parthood Principle that justice is a part of virtue, which Aristotle has denied in T3.

Crucially, those who rely on this passage (1129b25–27) for their accounts of general justice have assumed that it concerns justice as a state. They therefore deny that justice and virtue are the same and argue that justice is the part, portion, aspect, or attribute of virtue that relates to other people.²⁴ In this way, Aristotle's claim that justice is complete virtue *pros heteron* (1129b25–27) and the idea that justice is the whole, not a part, of virtue (1130a8–10) have given rise to inconsistent

²⁰ It does not immediately follow from this principle that x is a *species* of y . I agree with Broadie and Rowe (2002, p. 338) in supposing that *being a species of y* is a special way of *being a part of y*, and I am focused here on the more general notion of parthood.

²¹ It does not follow from this that the particular virtues, such as courage_s or moderation_s, are each the same as general justice_s. They are, rather, a part of general justice/virtue.

²² αὕτη μὲν οὖν ἡ δικαιοσύνη ἀρετὴ μὲν ἐστὶ τελεία, ἀλλ' οὐχ ἀπλῶς ἀλλὰ πρὸς ἕτερον.

²³ Moderation in eating and drinking, for example, often does not concern anyone other than the agent.

²⁴ For example, Curzer (1995, p. 209), Santas (2001, p. 278), Johnston (2011), and Polansky (2014, p. 155).

interpretations of justice. If we read both passages as being about states or, for that matter, if we read both as being about exercises, then one might reasonably worry that the disagreement between the two of the main interpretations of general justice reflects a genuine philosophical tension in Aristotle's own account.²⁵

The key to resolving this apparent tension is to recognize that the claim that justice is virtue in relation to another (1129b25–27) is not about justice as a state but justice as an exercise. According to Aristotle, justice as an exercise always relates to another (*πρὸς ἕτερον*) and, since there are exercises of virtue that do not relate to others, by the Parthood Principle in T4, justice_E is a part of virtue_E. However, as I will argue in Section 5, it does not follow the fact that two *exercises* stand in a part–whole relation that their corresponding *states* also stand in a part–whole relationship, and Aristotle clarifies that *as states*, justice is the whole, not a part, of virtue (1130a8–10). Since the former passage concerns justice_E and the latter passage concerns justice_S, the tension above does not arise.

This interpretation assumes that Aristotle transitions from discussing justice_S (T1) at beginning of V.1 to justice_E. What motivates this shift? His focus on justice_E is prompted by an examination of the close connection between general justice and lawfulness.²⁶ In this discussion, he argues that what is lawful is also just (1129b10–14). Since lawful actions—that is, actions prescribed by the law—are just, by identifying lawful actions, we can identify at least some just actions. And since just actions illuminate the state, justice (T1), a study of lawful actions will in turn shed light on justice_S. For this reason, Aristotle attends to features of the kinds of actions prescribed by the law, which lead him to a characterization of justice_E.

What are the kinds of actions prescribed by the law? Aristotle observes that the law prescribes “doing the work” (*ἔργα ποιεῖν*) of the brave person by prohibiting the abandonment of one's post in battle and the work of the moderate person by prohibiting adultery or wanton violence (*NE* 5.1, 1129b15–32). These examples point to two features of lawful actions: first, the work (*ἔργα*) prescribed by the law are activities *of the state, virtue*. Second, in each of these examples, the *ἔργα* are *other regarding* (*πρὸς ἕτερον*).²⁷ Aristotle highlights both features of lawful actions when he turns in the next step to *just actions*.²⁸

²⁵ One might attempt to resolve the puzzle by interpreting the latter passage (1130a8–10) as meaning that justice is the whole, not a part, of virtue, *in relation to another* (supplied). The suggestion, in other words, would be to simply supply a “*πρὸς ἕτερον*.” The problem is that the importance of the “*πρὸς ἕτερον*” relation to Aristotle's argument makes it a highly unlikely candidate for being an omitted phrase, even in the compressed prose that we find here. There is no other parallel for *pros heteron* being suppressed in this way, and it is unlikely that after taking great pains to put the former claim so precisely to highlight the other-regarding nature of justice (1129b25–27), Aristotle would be inexact on precisely this crucial point here.

²⁶ For helpful, focused discussions of lawfulness in this context, see, for example, Kraut (2002), Young (2006), Lee (2014, 2021), and Guest (2017).

²⁷ Broadie and Rowe (2002) argue that the contrast between “another” and “oneself” marks the contrast between outsiders and one's own (oneself, one's family, one's close friends). This reading coheres nicely with Aristotle's contrast between the exercise of virtue in *ἐν μὲν τοῖς οἰκείοις*—“one's own” here in a broad sense—and the exercise of virtue in the matters which are *πρὸς ἕτερον* (1129b33–1130a1). According to this interpretation of the scope of *πρὸς ἕτερον*, fairly distributing food among members of one's own family is not, strictly speaking, an instance of justice as an exercise since such distributions are not *πρὸς ἕτερον* (cf. *NE* 5.6, 1134b9–13). I am sympathetic to this interpretation and prefer it to an alternative that takes the relevant contrast to be between *oneself* (narrowly construed) and all others (including family and close friends). However, the account I offer is compatible with either interpretation of the scope of *πρὸς ἕτερον*.

²⁸ Just actions in this context are clearly actions that are *from* the state, justice (not actions that are merely incidentally just).

[T5] αὕτη μὲν οὖν ἡ δικαιοσύνη ἀρετὴ μὲν ἐστὶ τελεία, ἀλλ' οὐχ ἀπλῶς ἀλλὰ πρὸς ἕτερον. καὶ διὰ τοῦτο πολλάκις κρατίστη τῶν ἀρετῶν εἶναι δοκεῖ ἡ δικαιοσύνη, καὶ οὐθ' ἔσπερος οὐθ' ἑῷς οὕτω θαυμαστός· καὶ παροιμιαζόμενοι φαμεν ἐν δὲ δικαιοσύνῃ συλλήβδην πᾶσ' ἀρετὴ ἐνι. καὶ τελεία μάλιστα ἀρετὴ, ὅτι τῆς τελείας ἀρετῆς χρῆσις ἐστίν.²⁹

[1] Well then, this justice (αὕτη ἡ δικαιοσύνη) is complete virtue, not without qualification, but in relation to another. That is why justice often seems to be supreme among the virtues, and “neither the evening star nor the morning star is so wonderful.” And we say, when speaking in proverbs, “in justice all virtue is collectively within.” [2] And it is, most of all, complete virtue because it is the exercise (χρῆσις) of complete virtue. (1129b25–31)

As expected from the context, “this justice” (αὕτη ἡ δικαιοσύνη) refers to the kind of justice exemplified in the work or actions (ἔργα, 1129b20) prescribed by the laws: *staying* in the battle line, *refraining* from wanton violence, and so on. The kind of justice in question is, of course, general justice rather than special justice, but, equally importantly for our purposes, it is an *exercise* rather than a state. This is confirmed in the final sentence of T5: justice is the *exercise* of complete virtue (τῆς τελείας ἀρετῆς χρῆσις ἐστίν). Recall that in Section 1, we saw a passage from the next chapter (T2) that presupposed familiarity with “justice which is the *exercise* of the whole of virtue in relation to another” (ἡ μὲν τῆς ὅλης ἀρετῆς οὕσα χρῆσις πρὸς ἄλλον) (5.2, 1130b18–20). It is here in T5 and its surrounding discussion that Aristotle establishes this notion of justice. The upshot is that justice_E is a part of virtue_E in the sense of parthood Aristotle presupposes in V.2, because justice_E is always other regarding, whereas virtue_E is not always other regarding. However, as states, justice is the whole of virtue.

Now, given that Aristotle takes justice and virtue to be the same state, why would he maintain that justice as an exercise is a part of, and therefore distinct from, virtue as an exercise? On the face of it, this question is about how justice fits into Aristotle's broader categorization of the different virtues and the metaphysical picture that governs this scheme. But dependent on the answer to this question are also matters of significant ethical import. How does virtuous activity differ from just activity? How does just activity relate to one's character state, virtue?

To answer these questions, we need to take into account two further facts about justice as an exercise (described in T5). The first is that justice_E is the exercise of *complete virtue*, which Aristotle infers from the fact that *lawful* actions are ἔργα of the state, virtue.³⁰ The second stems from the observation that lawful actions are *other regarding* (πρὸς ἕτερον). Aristotle infers from this that justice_E is *in relation to another* (πρὸς ἕτερον).

Let me begin with the latter point, that justice_E always stands in relation to another. Aristotle's idea is that some virtuous actions always relate to other people, such as standing one's ground during battle or refraining from unprovoked violence, whereas other virtuous actions are not related to anyone besides the virtuous agent herself. Refraining from a fifth cup of breakfast tea, for instance, would be an exercise of the virtue, moderation, but it is not other regarding.

²⁹ Irwin instead translates τῆς τελείας ἀρετῆς [τελεία] χρῆσις ἐστίν.

³⁰ Notice that Aristotle shifts from “ἔργον” in the discussion of lawfulness to “χρῆσις” in the discussion of justice. This is explained by Aristotle's view that justice, like all virtues, belongs to the class of capacities for which its exercise (χρῆσις) simply is its work or function (ἔργον). Compare this with sight: the work of sight is its exercise, seeing. This is to be contrasted with τέχναι such as housebuilding, which has its ἔργον outside of the exercise of the skill (in the finished product, the house) (*Met.* Θ.1050a24–b1, cf. *Met.* Δ.16, 1021b23–25, *NE* 10.4, 1174b14–23).

Aristotle's point is that the state, virtue, can be exercised in two different ways—it can be exercised in relation to another or not in relation to another—but while both are exercises of virtue, only the former is justice_E. Why must justice_E be other regarding? Aristotle explains that this is due to the connection between general justice and lawfulness. As Aristotle recognizes, the law is not concerned with regulating whether one is moderate in his tea consumption and other activities of this sort; what falls within the purview of the law are cases where another is involved. Like lawful actions, then, justice_E always concerns another.

In addition to capturing the close connection between just actions and lawful actions, the idea that justice_E always concerns another has some intuitive force. Consider again the activity of refraining from excessive consumption of breakfast tea in a context where nobody else is involved. This is a straightforward example of moderation in exercise, but nobody, I take it, would consider this an example of *justice* in exercise. By contrast, holding back, out of consideration of one's colleagues, from consuming all *their* tea after one's own tea has been depleted is a case of justice in exercise. Aristotle's account offers a plausible and attractive explanation of the difference between the two kinds of cases: in the latter, one is doing right by another.

This important feature of justice as an exercise captures the *endoxon* prominently voiced by Thrasymachus in the *Republic* that justice is another's good (1130a3–5).³¹ Virtuous activity may only involve doing right by oneself, but just activity must always be a sort of doing right by another. Notice, however, that one's own good does not entirely fall out of the picture, on Aristotle's account, nor does it follow from this picture that the fact that one possesses the *state*, justice, is only good for other people. Even if all exercises of justice must be *other regarding*, the cultivation of justice as an excellent condition of one's own soul is also good for the agent. In this way, Aristotle's overall account avoids some of the objections lurking behind Thrasymachus's challenge.

We can now turn to the second question: how does justice as an exercise relate to the state, virtue? Aristotle explains in T5 that justice_E is the exercise of complete virtue_S.³² The claim that justice is the exercise of complete *virtue* is striking; we expect justice_E to be the exercise of the state, *justice*. After all, Aristotle establishes in his programmatic remarks that *justice* is the state from which we perform just actions. This is readily explained by the interpretation I defend. Justice_E is the exercise of justice_S, but since justice_S is the same as the whole of virtue_S (i.e., complete virtue_S), justice_E is the exercise of complete virtue_S.

Aristotle's claim that justice_E is the exercise of *complete virtue* militates against the reading that justice and virtue are merely coextensive. On any interpretation, justice_E must be the exercise of justice_S. But on the Merely Coextensive Reading, justice_S and virtue_S are the same, only in the weak sense than if one has the former, one has the latter, and vice versa. On the plausible assumption that, if justice_S and virtue_S are distinct ethical states that merely belong to the same extension of agents, then the exercises of these two distinct states are distinct as well, it would follow that justice_E is *not*, as Aristotle claims, the exercise of virtue_S.

The Merely Coextensive Reading might take Aristotle's claim that "justice is exercise of complete virtue" to be elliptical for "justice_E is the exercise of (a state that is merely coextensive with) complete virtue."³³ In fact, this would issue in the account to which the Merely

³¹ *Resp.* I.343c.

³² The emphasis on completeness is due to Aristotle's observation that the law is focused not on only one kind of virtuous action (e.g., courageous actions alone), but on many kinds (courageous, moderate, generous, and so on). Cf. Schofield (2006, p. 315). For a similar claim, see 5.2, 1130b18–20 ("the whole of virtue").

³³ Cf. Broadie and Rowe (2002, p. 338).

Coextensive Reading is committed: justice_E is the exercise of justice_S, and justice_S is *merely coextensive* with complete virtue_S, so justice_E is the exercise of a state (i.e., justice_S) that is merely coextensive with virtue_S. But this is an unappealing interpretation of the claim in question. It is philosophically unattractive, because Aristotle concludes from the argument in T5 that justice_E is, most of all, complete virtue (1130b30–31). If we accept the Merely Coextensive Reading, then Aristotle's defense of this conclusion would be that justice is the exercise of a state that is *merely coextensive with* complete virtue. This would be a poor defense, since, surely, the exercise of *the state, virtue* would have better claim to being complete virtue than an exercise of a *different state* that is merely coextensive with virtue.³⁴ The interpretation is textually unattractive, given that when Aristotle uses the locution “the exercise of virtue” in similar contexts outside of the *EN*, he does not mean, “the exercise of something that is *merely coextensive with* virtue.”³⁵ It is unlikely, then, that Aristotle takes the states, justice and virtue, to be merely coextensive.

To take stock, I have rejected the interpretation that, as states, justice and virtue stand in a part-whole relationship and the reading that justice is not an ethical state but only an exercise. I have also argued that justice and virtue are not merely coextensive. Recall the disjuncts that Socrates presents to Protagoras: either justice a part of virtue or justice and virtue one and the same (*Prt.* 329c6–d1). Aristotle maintains that both of these options contain some truth. As exercises, justice and virtue stand in a part-whole relationship; as states, justice, and virtue are the same.

4 | THE SAME BUT DIFFERENT IN BEING

The account I have defended is reflected in Aristotle's compressed summary of the relationship between general justice and virtue:

[T6] τί δὲ διαφέρει ἡ ἀρετὴ καὶ ἡ δικαιοσύνη αὕτη, δῆλον ἐκ τῶν εἰρημένων: ἔστι μὲν γὰρ ἡ αὕτη, τὸ δ' εἶναι οὐ τὸ αὐτό, ἀλλ' ἡ μὲν πρὸς ἕτερον, δικαιοσύνη, ἡ δὲ τοιάδε ἕξις ἀπλῶς, ἀρετή.

How virtue and this justice (ἡ δικαιοσύνη αὕτη³⁶) differ is clear from what has been said: for it is the same, but the being is not the same; rather, insofar as it relates to another, it is justice, and insofar as it is this sort of state without qualification, it is virtue. (1130a10–13)

The meaning of the phrase “τὸ αὐτό, τὸ δ' εἶναι οὐ τὸ αὐτό” as it appears in Aristotle's more exact sciences is disputed, and it is not immediately clear how Aristotle's use of this phrase in those contexts relate to his use in his ethical works. My aim here is not to settle the broader disagreement about this relation. Instead, I show that my account of the relationship between justice and virtue

³⁴ The Sameness Reading does a better job. Justice_E is most of all complete virtue because it is complete virtue (the whole of virtue) in exercise, and, since a state's work (ἔργον) lies in its exercise, in being exercised, justice_E is the end (τέλος) of the state. Cf. n. 30.

³⁵ As I argued in the discussion of T3, ἡ δικαιοσύνη αὕτη in this discussion refers to justice_S.

³⁶ It means, rather straightforwardly, “the exercise of virtue.” For example, *Pol.* 1328a37–38 (ἐπεὶ δ' ἐστὶν εὐδαιμονία τὸ ἄριστον, αὕτη δὲ ἀρετῆς ἐνέργεια καὶ χρῆσις τις τέλειος . . .), *Pol.* 1332a7–9: φαμὲν δὲ (καὶ διωρίσμεθα ἐν τοῖς ἠθικοῖς, εἴ τι τῶν λόγων ἐκείνων ὀφελος) ἐνέργειαν εἶναι καὶ χρῆσιν ἀρετῆς τελείαν, καὶ ταύτην οὐκ ἐξ ὑποθέσεως ἀλλ' ἀπλῶς.

as states and exercises can accommodate both main interpretations of the the general “same but different in being” relation. I then distinguish my interpretation from both the part-whole reading and the co-extensiveness reading.

On the account I have offered, justice_S and virtue_S are one and the same state in just the way that the road from Athens to Thebes and the road from Thebes to Athens are one and the same road.³⁷ Notice that, on this picture, virtue_S and justice_S are the same state in a stronger sense than allowed for by either of the two alternatives: (a) that justice_S is a part, portion, attribute, or aspect of virtue_S and (b) that justice_S is *merely* coextensive with virtue_S. One would not say that the road from Athens to Thebes is a *part, portion, aspect, or attribute* of the road from Thebes to Athens—similarly, on my reading, justice_S is not a part, portion, or aspect of virtue_S. Moreover, the road from Athens to Thebes is not merely coextensive with the road from Thebes to Athens. As proponents of the view that justice is coextensive with virtue spell it out, “if one has general justice, one necessarily also has all of the special character-virtues all together, and conversely, if one has the special virtues, one necessarily also has general justice” (Lee, 2014, p. 115). It is true that justice and virtue are coextensive, but “coextensiveness” underspecifies the sameness in question; there is rather a single item in the ontology, which is the single state, justice or virtue.

Although justice_S and virtue_S are the same state, this state can be exercised in two ways: in relation to another or in relation to oneself or one’s own. The exercise of the state in relation to another is justice_E, but the exercise of the state either in relation to another or in relation to one’s own or oneself would be a case of virtue_E. Thus, there are two different exercises (χρήσεις) or actualities (ἐνεργείαι)—namely, justice_E and virtue_E—associated with the single state in potentiality.³⁸

This is compatible with both of the major interpretations of “τὸ αὐτό, τὸ δ’ εἶναι οὐ τὸ αὐτό.” According to Identity Theorists, when Aristotle claims that two items, A and B, are “the same but different in being,” he means that A and B are identical, but “A” and “B” have different senses. For instance, the road from Thebes to Athens and the road from Athens to Thebes are identical roads, but they have different senses.³⁹ The Identity Theorist can spell out my position as follows: justice_S and virtue_S are identical states (“the same”), but the names we use for that single state—“justice” and “virtue”—differ in sense (“the being is not the same”). The sense of “justice” is *the state whose exercise is justice_E*, whereas the sense of “virtue” is *the state whose exercise is virtue_E*. Justice_E and virtue_E are different because the former is a part of the latter, but there is a single state of character (justice_S = virtue_S) on the basis of which they are performed.⁴⁰ Crucially, my account establishes that the two different senses of “justice” and “virtue” are themselves *explained by and derived from* the two different exercises, justice_E and virtue_E. Aristotle’s claim that justice and virtue are “the same but different in being” therefore stems from his views about justice as a state and justice as an exercise.⁴¹

³⁷ *Phys.* 3.3, 202b10–19.

³⁸ Aristotle sometimes uses ἐνεργείαι in the place of χρήσεις (cf. *Pol.* 1332a9; *Rh.* 1361a24–25). He contrasts κτήσεις with χρήσεις and glosses the pair with ἔξις contrasted with ἐνεργείαι (*NE* I.8, 1098b31–33). By ἐνεργείαι in this context, I mean the activity that is the exercise of the state. Cf. Beere (2009, esp. p. 166), Menn (1994).

³⁹ Cf. Miller (1973), Code (1976), and Rosen (2012).

⁴⁰ I will have more to say about this in Section 6.

⁴¹ This may be what some have in mind in claiming that justice and virtue are “identical.” My account makes progress on these proposals by offering a principled reason why Aristotle claims justice and virtue differ in being. Moreover, it explains why Aristotle does not take justice and virtue to be identical in the way that λώπιον and ἰμάτιον are identical (*Phys.* 3.3., 202b12–13). There are several ways to unpack ἀλλ’ ἢ μὲν πρὸς ἕτερον, δικαιοσύνη, ἢ δὲ τοιάδε ἔξις ἀπλῶς, ἀρετή, on the Identity Reading. One straightforward way is as follows. Insofar as the state, justice/virtue, is exercised in relation

According to the Coincidence Reading, when Aristotle says that A and B are the same but different in being, he means that A and B are distinct objects in the ontology but that A and B coincide.⁴² The road from Athens to Thebes and the road from Thebes to Athens are distinct objects in the ontology, but they coincide in the same road. The Coincidence Reading can embrace my account as well. On this way of spelling out my view, what the Identity Theorists call two senses are in fact two different objects in the ontology: the state *qua* issuing in justice_E and the state *qua* issuing in virtue_E. But just as the road from Athens to Thebes and the road from Thebes to Athens coincide in the same road, justice_S (the state *qua* issuing in justice_E) coincides with and is, in this way, the same as virtue_S (the state *qua* issuing in virtue_E).

The metaphysical story that I defend can therefore accommodate both dominant readings of τὸ αὐτό, τὸ δ' εἶναι οὐ τὸ αὐτό.⁴³ Central to the story on either reading is the distinction between justice as a *ἕξις* and justice as an *χρησις*, which Aristotle carefully establishes in the preceding discussion.⁴⁴

5 | A SINGLE POTENTIALITY WITH TWO ACTUALITIES

My account denies that there must always be a one-to-one correspondence between a state and an exercise. This might seem counterintuitive: one might have supposed that if justice_S and virtue_S are one and the same state, then there should only be a single activity that is the exercise of that state. Thus, if justice_E and virtue_E are different exercises—even if they stand in a part-whole relationship—justice_S and virtue_S ought to be different states. However intuitive, this is not Aristotle's view. In what follows, I discuss the case of nutrition and reproduction to show that Aristotle countenances the possibility of one potentiality with two actualities.

In *DA* 2.4, Aristotle explains that in order to account for the capacities, thinking and perceiving, one must identify the characteristic activities of these capacities “for activities and actions are

to another, it—the exercise in question—is justice (*χρησις*). However, as states, justice, and virtue are identical. Thus, “insofar as it [sc. justice as a state] is a certain kind of state simpliciter [i.e., a state that issues in decision, consisting in an intermediate relative to us], it is virtue (*ἕξις*).”

⁴² What I have called the Coincidence Reading is traditionally called the “Kooky Objects” Reading. Cf. White (1971), Lewis (1982, 1991), Matthews (1982), Cohen (2008), and Katz (2022, esp. section 3.2). For a third route, see Huismann (2021).

⁴³ This account of how justice and virtue are “the same but different in being” can explain Aristotle's claim that political science and practical wisdom are the same but different in being (“Ἔστι δὲ καὶ ἡ πολιτικὴ καὶ ἡ φρόνησις ἡ αὐτὴ μὲν ἕξις, τὸ μέντοι εἶναι οὐ ταὐτὸν αὐταῖς, 1141b23–24). As others have argued, general practical wisdom and general political expertise are the same state (Broadie and Rowe, 2002, 373; Jagannathan, 2019, 404–409). But whereas practical wisdom can be exercised in relation to oneself or others, general political expertise, like general justice, always concerns other people, particularly those in one's political community (Gartner, 2021). That the picture can be extended to Aristotle's claim in 1141b23–24 corroborates the view presented here. For illuminating discussion of the relationship between practical wisdom and virtue, see Marechal 2024.

⁴⁴ To see the philosophical pay-off of the state-exercise distinction, consider a version of the Identity Reading of justice and virtue that does not make use of this distinction. As Gauthier and Jolif interpret the difference in being between justice and virtue: “la première est un état habituel du caractère et elle se définit comme telle; pour définir la justice, au contraire, il faut ajouter à cette notion d'état habituel celle de relative (πρός τι)” (Gauthier and Jolif, 2002, p. 344). The problem with this picture is that it is difficult to see how virtue and justice can be identical states given that the latter state, on their view, belongs to the category of relatives and the former does not. In the other cases of “same but different in being” that they cite, the items said to be “the same” each appear to fall within the same category. The distinction between states and exercises makes the Identity Reading available without running into this problem, because it is the exercise, rather than the state, that is *pros heteron*.

prior to capacities in account” (πρότεραι γάρ εἰσι τῶν δυνάμεων αἱ ἐνέργειαι καὶ αἱ πράξεις κατὰ τὸν λόγον, 415a14–22). When the capacities have correlative objects, these objects are still prior to the activities. Aristotle applies this principle to the nutritive soul:

[T7] ὥστε πρῶτον περὶ τροφῆς καὶ γεννήσεως λεκτέον· ἡ γὰρ θρεπτικὴ ψυχὴ καὶ τοῖς ἄλλοις ὑπάρχει, καὶ πρώτη καὶ κοινοτάτῃ δύναμις ἐστὶ ψυχῆς, καθ’ ἣν ὑπάρχει τὸ ζῆν ἅπασιν. ἥς ἐστὶν ἔργα γεννῆσαι καὶ τροφῇ χρῆσθαι·

So, we must first discuss nutrition and reproduction, for the nutritive soul belongs to the others as well, and it is the primary and most common capacity of the soul, on the basis of which living belongs to all. The functions (ἔργα) of [this capacity] are to reproduce and to use nutrition.⁴⁵ (DA 2.4, 415a22–26)

Commentators agree that, according to Aristotle, the nutritive soul (θρεπτικὴ ψυχὴ), which is later called the nutritive and generative capacity, is a single capacity with two different activities (ἐνέργειαι) or functions (ἔργα): reproducing and using nutrition.⁴⁶ We have, then, an example of a single capacity or potentiality, nutrition and reproduction, with two distinct activities, using nutrition and reproducing.

To explain why Aristotle assigns these two different functions to the same capacity, commentators have argued that a single capacity can have different ἔργα if the ἔργα are unified by being directed toward the same end (τέλος). In other words, since each of the functions are *directed toward* φ-ing (where φ specifies the τέλος of the capacity), Aristotle conceives of them as unified functions of a single capacity to φ (Gelber, 2021, p. 104). In the case of nutrition and generation, there is disagreement about what the end is. Some argue that it is self-preservation: using nutrition is the preservation of oneself, and generation is a kind of preservation (either the preservation of another like oneself or of the form of the specific parent).⁴⁷ Others hold that the end is generation, so that nutrition is a special case of generation.⁴⁸ We need not decide between these options.⁴⁹ For our purposes, what is important is the shared *strategy* for explaining Aristotle’s view that they are one and the same δύναμις with two ἔργα. The strategy is to show that the ἔργα, nutrition and generation, are unified by being directed toward the same end.⁵⁰

The underlying principle is that one and the same δύναμις can have different ἔργα if the ἔργα are directed toward the same end. Now, in claiming that justice and virtue are a single state with

⁴⁵ I follow Coates and Lennox (2020, pp. 426–428, esp. n. 21) in reading τροφῇ χρῆσθαι in the sense of exercising the *capacity* of nutrition. What is important for my purposes is the uncontroversial claim that γεννῆσαι and τροφῇ χρῆσθαι are distinct functions (ἔργα) of the single capacity.

⁴⁶ Perhaps along with growing (αὐξάνεσθαι), though Aristotle does not discuss this until DA 2.4, 416a8–9. On the relationship between ἐνέργεια and χρῆσις, see note 38.

⁴⁷ Gelber (2021), citing Hicks (1907, p. 339), Ross (1961, p. 228), and Shields (2016, p. 201).

⁴⁸ There is further disagreement here, as Gelber lays out: some hold that nutrition is concerned with reproduction of one’s form (Johansen, 2012), others that it is the remaking of one’s own organs (Menn, 2002).

⁴⁹ Nutrition and generation are especially difficult cases because it is not clear how they can be directed toward the same end, and because it is difficult to properly specify their objects so that the objects are unified. It is not clear, for instance, how the apparent object of nutrition, food, could be the object of generation.

⁵⁰ Another strategy, which is compatible with the more prevalent strategy just described, does not appeal to shared goals, but rather to the idea that each of these functions are different stages in a single, continuous physiological process (Gelber, 2021; Pellegrin, 2018).

two exercises, I am also committed to the view that justice and virtue are a single *δύναμις* with two *ἔργα*. This is because justice_S, like all virtues, is a state that is a kind of *δύναμις*,⁵¹ and as with all virtues, the *χρήσις* of justice is simply its *ἔργον*.⁵² As in the case of nutrition and reproduction, then, the single capacity, justice/virtue, can have two different activities or functions (justice_E and virtue_E) if the functions are sufficiently unified by being directed toward the same end. Quite plausibly, justice_E and virtue_E are directed toward the same end, since they stand in a part-whole relation. What is this end? Aristotle explains that justice_E is the most complete way of exercising virtue (1129b31–1130a1). Thus, justice_S and virtue_S are a single disposition to ϕ —in this case, to act virtuously—where justice_E is the best and most complete way of acting virtuously.

But why doesn't Aristotle posit a second capacity in these cases? Not every exercise of reproduction is an exercise of nutrition, yet Aristotle takes nutrition and reproduction to be the same capacity. Similarly, not every exercise of virtue is an exercise of justice, yet Aristotle accepts that justice and virtue are the same state. It is plausible that Aristotle's view stems from a more general theoretical rule:

[Non-Proliferation] Do not posit a different state if that additional state does no new explanatory work.⁵³

We see this principle at work in *DA* 3.1, where Aristotle argues that, beyond sight, hearing, smell, taste, and touch, there is no additional sense-organ and no additional special sense (*αἴσθησις*) by which we can sense the common sensibles (e.g., motion, rest, figure, magnitude, number, unity) non-incidentally. The step in the argument that is of interest here is the following:

[T8] But of the common sensibles, we already have a common sense (*αἴσθησις*), not incidentally.⁵⁴ Therefore, there is no particular [*αἴσθησις* of the common sensibles].

τῶν δὲ κοινῶν ἤδη ἔχομεν αἴσθησιν κοινήν, οὐ κατὰ συμβεβηκός· οὐκ ἄρ' ἐστὶν ἰδίαι· (*DA* 3.1, 425a27–28)

Aristotle argues that there is no particular *αἴσθησις* for the common sensibles because we already have a common *αἴσθησις*, which senses the common sensibles in a nonincidental way.⁵⁵ He resists positing a distinct *αἴσθησις* for the common sensibles by arguing that it would do no new explanatory work over and above the explanatory work done by common sense, with respect to perceiving

⁵¹ For the general point that “a *ἕξις* is a sort of determinate *δύναμις*” see, for example, Grant (1885, p. 496 and comments on *EN* 2.5). Beere (2009, p. 81, n. 20) argues that a state (*ἕξις*) is a capacity (*δύναμις*) that is acquired by a rational agent through practice. See also note 14 and Irwin (1999, p. 196).

⁵² On the relationship between *ἔργον* and *χρήσις*, see note 30.

⁵³ Non-Proliferation replaces a different principle put forward by Fossheim to motivate the idea that justice is not an ethical state at all: if *x* is an ethical state or virtue, then *x* must play a unique causal role; that is, it must have causal force over and above that of any other state or virtue (p. 257). See Johansen (2012, p. 79) for a similar principle to Non-Proliferation and a persuasive defense of the idea that Aristotle values explanatory economy when positing capacities.

⁵⁴ Two options here for construing οὐ κατὰ συμβεβηκός: (a) it modifies the *ἔχομεν*, indicating that our possession of common *αἴσθησις* is not incidental, or (b) supply in thought ἢ ἡσθάνομεθα from the line of reasoning above, so that we understand “by which we sense the common sensibles non-incidentally.” Whichever construal one prefers, it is still true that common *αἴσθησις* senses the common sensibles non-incidentally.

⁵⁵ As Emily Kress helpfully pointed out to me, this may relate to Aristotle's view that nature does nothing in vain. (Cf. *III.12* 434a30ff; Leunissen, 2010).

the common sensibles. There is good reason to think, then, that Non-Proliferation or a similar principle is in play here.⁵⁶

If we can attribute Non-Proliferation to Aristotle, as I think we can, then we have a partial explanation as to why justice and virtue are the same state. It is reasonable to think that, as a state in potentiality, justice does no new explanatory work that is not done by virtue and vice versa. Many interpreters of Book V attribute to Aristotle the view that in acquiring or undermining one's character state, justice, an individual acquires or undermines her virtue, and vice versa.⁵⁷ Others have objected (Fossheim, 2011, pp. 256–259) that there is no intermediacy (μεσότης) in feeling or in action specific to general justice, and that justice does not seem to offer any explanation of, for example, a courageous act, over and above what is explained by courage. Some take these to be problems for or oddities of Aristotle's view, as they understand it. But there is nothing odd here at all. Aristotle's view captures the intuition driving Non-Proliferation: since justice in potentiality does no new work from virtue in potentiality (and vice versa), justice is not a different state in potentiality from virtue. Given that justice is a state of character, it ends up being *the same state* as virtue.⁵⁸

By contrast, the distinction between the exercises, justice and virtue, does do important explanatory work. Acting virtuously *in relation to others*—for example, by standing one's ground in battle or by refraining from wanton violence—is importantly different from acting virtuously in contexts where nobody else is involved, such as by refraining from a fifth cup of tea. Aristotle acknowledges this difference when he stresses that exercising virtue toward another is a more impressive achievement than exercising virtue toward one's own (1130a5–8).⁵⁹ The distinction does explanatory work in the realm of politics as well. As I noted earlier, the scope of justice_E, virtuous actions which are *other-relating*, is the appropriate scope for legal prescriptions. Aristotle argues that the law does not prescribe courageous actions in areas where nobody else is involved, but it does prescribe courageous actions in domains where others are implicated, such as the prescription to stand one's ground in battle. Finally, Aristotle appeals to this distinction to explain the *endoxon* that justice is another person's good. Exercises of virtue in relation to other people have better claim to the title “justice” than exercises of virtue in relation to oneself.

6 | PARTICULAR JUSTICE AND VIRTUE

The central task of the paper has now been completed. My goal up to this point has been to offer an account of the relationship between general justice and virtue that resolves Aristotle's puzzling claims about them. As we have seen, justice_S is the same as virtue_S, but justice_E is a part of virtue_E. I now want to show that this account of *general* justice helps resolve a dilemma advanced by Broadie and Rowe regarding the relationship between *particular* justice and virtue.

⁵⁶ In the background may also be the idea that exercises are delineated in a finer-grained way than states or capacities.

⁵⁷ Broadie and Rowe (2002, p. 337): “to cultivate or undermine one is *ipso facto* to cultivate or undermine the other.” Cf. Grant (1885, pp. 96–104), Hardie (1968, p. 185), and Lee (2014, p. 115). These interpretations understand the sameness claim as a coextensiveness, mutual entailment, or co-instantiation, whereas I understand sameness as identity.

⁵⁸ The Identity Reading would conclude that they are identical states. The Coincidence Reading would argue that justice_S and virtue_S therefore coincide.

⁵⁹ As Broadie and Rowe argue, justice is a more difficult achievement because it involves people outside of one's own, who are the sorts of people with whom one does not naturally identify (Broadie and Rowe, 2002, p. 337; cf. Polansky, 2014, p. 156).

Broadie and Rowe accept the Merely Coextensive Reading, according to which general justice (our “justice_s”) and virtue (virtue_s) are the same in that they are merely coextensive and not identical. In response to Aristotle’s claim that particular justice is a part of general justice (1130b14–16), they raise the following dilemma:

This is not a coherent conception, given that he still wants to say that justice as a whole is coextensive with excellence [i.e., virtue] as a whole, but differs by being the activation of the latter in relation to other people (p. 18–20). For it follows either that particular justice is coextensive with a part of excellence as a whole, or that particular justice is a part of excellence as a whole (cf. 1130a14). The latter is the natural thing to say, since a species is part of its genus, and it is natural to think of justice as a species of excellence coordinate with courage, moderation, and the rest. But this alternative implies that particular justice, which is already defined as relating to others (1130b1–2) is a disposition that can, but may not be, activated in relation to others. If, instead, particular justice is coextensive with a part of excellence as a whole, then presumably the latter is a special excellence that has to do with profit and so on, but is not defined as relating to others—but what is this special excellence? It nowhere appears. (Broadie & Rowe, 2002, p. 338)

As Broadie and Rowe argue, if particular justice *is* a part and species of virtue, then particular justice would be a state that can but need not be exercised in relation to another, since virtue can but need not be exercised in relation to another.⁶⁰ They reject this result because the following text indicates that particular justice *must* be πρὸς ἕτερον:

[T9] For both [general injustice and particular injustice] have their power in relation to another (πρὸς ἕτερον), but the one [particular injustice] is about (περὶ) honor or wealth or safety (or whatever single name we might have to encompass all these) and is because of the pleasure that comes from profit, whereas the other [i.e., general injustice] is about (περὶ) all the things with which the excellent person is concerned. (5.2, 1130b1–5)⁶¹

They conclude that particular justice cannot *be* a part of virtue. They then rule out the possibility that particular justice is *merely coextensive* with a part of virtue on the grounds that Aristotle nowhere describes this part of virtue with which particular justice would be coextensive. Since neither option is tenable, they argue, Aristotle’s account is incoherent.

We can resolve the dilemma by adopting the account of general justice I have defended and by applying the state-exercise distinction to Aristotle’s account of particular justice. General justice is the same state as complete virtue; they are not, as Broadie and Rowe maintain, merely coextensive. To spell out the relationship between *particular* justice and virtue, we must first distinguish between particular justice as a state and as an exercise. Let us start with the states.

⁶⁰ Broadie and Rowe do not defend this premise here, but it may follow from background assumptions about the differentiation conditions of virtues, or they may be making an inference based on other parts of virtue, such as courage and moderation. Courage and moderation are indeed states that can but need not be exercised in relation to another.

⁶¹ ἄμφω γὰρ ἐν τῷ πρὸς ἕτερον ἔχουσι τὴν δύναμιν, ἀλλ’ ἡ μὲν περὶ τιμὴν ἢ χρήματα ἢ σωτηρίαν, ἡ εἴ τι ἐχομεν ἐνὶ ὀνόματι περιλαβεῖν ταῦτα πάντα, καὶ δι’ ἡδονὴν τὴν ἀπὸ τοῦ κέρδους, ἡ δὲ περὶ ἅπαντα περὶ ὅσα ὁ σπουδαῖος. See Curzer (1995, pp. 208–209) for discussion of the domain of justice.

To distinguish particular injustice from general injustice, Aristotle argues that although they are synonymous because “their definitions are in the same genus” (1130a33–b1), particular justice only concerns honor, wealth, safety, and the like (περί τιμὴν ἢ χρήματα ἢ σωτηρίαν; 1130a32–b2). General justice is not restricted to these domains. Thus, particular justice *is* a part of general justice. Now, recall that general justice, on my account, is the same as virtue as a whole. It follows, then, that particular justice *is* a part of virtue as a whole, coordinate with courage, moderation, and the rest. This is precisely the relationship between justice and virtue that Broadie and Rowe find most natural.

This leaves open the possibility that particular justice, like virtue, is a state that can, but need not, be exercised in relation to others. Broadie and Rowe object to this result and argue that particular justice “must be defined as relating to others” because Aristotle claims (in T9) that general injustice and particular injustice “have their power in relation to another (πρὸς ἕτερον).” But here, as before, we must ask whether this claim is about states—as Broadie and Rowe assume—or exercises. The evidence favors the latter. T9’s description of *general* injustice should be read in parallel with the claim which comes shortly afterward:

[T2] ἡ μὲν οὖν κατὰ τὴν ὅλην ἀρετὴν τεταγμένη δικαιοσύνη καὶ ἀδικία, ἡ μὲν τῆς ὅλης ἀρετῆς οὐσα χρήσις πρὸς ἄλλον ἢ δὲ τῆς κακίας, ἀφείσθω.

Let us put aside the justice that is coordinated with the whole of virtue and injustice, justice which is the exercise of the whole of virtue, in relation to another,⁶² and injustice the exercise of the whole of vice, in relation to another. (5.2, 1130b18–20)

Aristotle characterizes injustice as the *exercise* of vice in relation to another (πρὸς ἄλλον), and justice as the *exercise* of virtue πρὸς ἄλλον. It is general justice and injustice *as exercises* that are described as being πρὸς ἄλλον.⁶³ T9, then, which claims that general and particular injustice have their power in relation to another, is also about exercises. What T9 indicates is that particular justice_E, like general justice_E, must be πρὸς ἕτερον, and particular injustice_E, like general injustice_E, must be πρὸς ἕτερον. This poses no problem for the view that the *state* identified by “particular justice” (like general justice) can but need not be exercised in relation to another.⁶⁴

That particular justice_E is the exercise of virtue in relation to another shows that particular justice_E is different from and a part of virtue_E—at least in the sense of “part” implied just a few lines later, according to which if everything that is *x* is *y*, but not everything that is *y* is *x*, then *x* and *y* are not the same, but *x* is a part of *y* (5.2, 1130b10–13).

Candidate definitions may help to make clear the relationship between these exercises. According to T9: (a) both general justice_E and particular justice_E relate to other people, but (b) particular justice_E concerns (περί) honor or wealth or safety, whereas general justice_E concerns (περί) what virtue concerns.⁶⁵ Thus:

⁶² It is the *exercise* that is in relation to another.

⁶³ This is corroborated by T5, which characterizes general justice_E as the *exercise* of complete virtue in relation to another.

⁶⁴ This is especially attractive if one endorses the view, as Broadie and Rowe do, that actions toward one’s own—such as actions toward one’s family—are *not* πρὸς ἕτερον. Particular justice as a *state* is responsible for, for example, distributing the appropriate amount of food between oneself and one’s family members, but this *exercise* is not best described as particular justice.

⁶⁵ See Curzer (1995, pp. 208–209) for a discussion of the domain of justice.

Virtue_E consists in the activity that is making decisions in the right way, on the basis of correct deliberation, with correct feelings and being primed to act correctly, in accord with the intermediate relative to us.

General Justice_E consists in the activity that is making decisions in relation to another person (πρὸς ἕτερον) in the right way, on the basis of correct deliberation, with correct feelings and being primed to act correctly, in accord with the intermediate relative to us.

Particular justice_E consists in the activity that is making decisions in relation to another person (πρὸς ἕτερον) in the right way, on the basis of correct deliberation, with correct feelings and being primed to act correctly, in accord with the intermediate relative to us concerning (περὶ) honor, wealth, or safety.

As exercises, particular justice is more restricted than virtue both because it is always exercised in relation to another person (πρὸς ἕτερον) and because it is concerned with honor, wealth, or safety. Since every case of particular justice_E will be a case of virtue_E but not vice versa, particular justice_E is part of virtue_E in the sense of parthood outlined in this chapter (5.2, 1130b10–15).⁶⁶ As states, particular justice is a part of—in fact, a species of—general justice, and since general justice and virtue are identical states, particular justice is also a part (and species) of virtue, coordinate with the other particular virtues of character. We have, then, a coherent account of the relationship between *particular* justice and virtue of character.

7 | CONCLUSION

Giving due weight to Aristotle's distinction between states and exercises makes available a principled, coherent, and philosophically rich conception of the relation between general justice, particular justice, and virtue of character as a whole. By attending to this distinction, we arrive at the following overall interpretation of *EN* V.1–2. As states, *general* justice_S is the same as virtue_S, whereas *particular* justice_S is a species of virtue_S. However, as exercises, *particular* justice_E is a part of *general* justice_E—in the sense that every case of particular justice_E is a case of general justice_E but not vice versa—and *general* justice_E is a part of virtue_E.

The fact that justice and virtue are the same state—neither part-whole nor merely coextensive—helps to explain a host of oddities that commentators have noticed about Aristotle's discussion of justice. Compared to his discussion of virtue and especially compared to his discussion of particular justice, Aristotle's treatment of general justice is strikingly *brief*: he sets aside general justice after a single chapter. Commentators have also objected that whereas Aristotle describes the motivational profile of someone with particular injustice—he argues, for example,

⁶⁶ It is important to distinguish (a) what feature makes particular justice_E a *part* of virtue_E from (b) what differentiae make particular justice_E a *species* of virtue_E. Broadie and Rowe often speak of *species*, but in this context, Aristotle primarily uses language of *parthood* (μέρος) (1130b8–16). To answer (b), we must determine whether Aristotle thinks justice and virtue as exercises stand in species-genus relationships and, if so, what differentiates them, and Aristotle does not raise these questions here. It is highly plausible that Aristotle uses the *περὶ* relation to mark species from genera in the case of exercises, so that particular justice_E is a species of general justice_E and a species of virtue_E. Less clear is whether general justice_E is a *species* of virtue_E, even if it is a part of it. I agree with Broadie and Rowe (2002, p. 338) in supposing that species-hood is a kind of parthood. See also Zingano (2013, 2020) and O'Connor (1991).

that such a person seeks the pleasure that comes from profit (κέρδος)⁶⁷—he offers no such discussion of the motivational profile of someone with general injustice. As Fossheim (2011, p. 255) puts it, Aristotle never answers the question, “What is it like to have general injustice?” Moreover, after specifying the intermediacy that constitutes virtue of character as a whole and the particular virtues of courage, moderation, and so on in Book II.7, Aristotle asks what intermediacy justice is. He defers the discussion for a later point (1108b7–10) and begins Book V by raising this very question, “we must examine . . . what sort of intermediacy justice is” (1129a3–5). Yet Aristotle seems never to explicitly answer the question that introduces his discussion, and some commentators have worried that his account of justice cannot fit his doctrine of the mean.⁶⁸

The account I have offered helps to explain these apparent oddities. By the end of *EN* II, we are already equipped with a detailed account of the state, virtue. Since *EN* V.1 establishes that general justice and virtue are the same state, the features so far attributed to virtue also belong to general justice.⁶⁹ This helps to explain the brevity of Aristotle’s discussion of general justice, since a specification of the features of justice would to a significant extent replicate the specification of features carefully attributed to virtue in earlier books. Aristotle also implicitly answers what intermediacy justice is: it is the same intermediacy as virtue. There is, then, no special problem with explaining how general justice fits the doctrine of the mean, since it is the same mean as virtue.⁷⁰ Finally, Aristotle does not say more about the internal state or motivational profile afforded by the state, justice, because it is the very same state or motivational profile afforded by virtue.

We also learn more about what Aristotle aims to achieve in Book V’s discussion of general justice. A central contribution of Aristotle’s discussion is the establishment of the sameness of general justice and virtue, and it is by arguing for this relationship that Aristotle implicitly answers a host of questions about the former. At the same time, Aristotle is aware of the need to explain how this commitment addresses various *endoxa* about justice, such as the impression that justice is always another’s good (1130a3–5) and that the whole of virtue is in justice (1129b29–30). The account must also cohere with his accounts of virtue as a whole, virtues such as courage and moderation, and particular justice. As I hope to have shown, Aristotle’s account in Book V meets these demands.

The resulting conception of general justice commits Aristotle to several noteworthy ethical views, which in turn explain the remainder of the *endoxa* he lists about justice and its relationship to virtue. Since justice and virtue are the same state, *in* having justice, one has virtue and vice versa. Thus, as Aristotle indicates, a ruler who exercises justice—that is, a ruler who performs just actions from the state, justice—is also exercising virtue. In this way, Aristotle notes, the account captures the *endoxon* that “ruling will reveal the man” (1130a1–2). Moreover, it follows from Aristotle’s account that in cultivating virtue as a whole, one necessarily cultivates justice, and vice

⁶⁷ 1130b1–5; cf. 1130a24–31.

⁶⁸ Curzer (1995, p. 207) raises this objection and offers a different solution.

⁶⁹ If one accepts the Identity Reading, then all of the features attributed to the state, virtue, will be straightforwardly attributed to the state, justice, because they are identical states. The Coincidence Reading can say that justice and virtue share many features as well, just as the road from Athens to Thebes and the road from Thebes to Athens share many of the same features.

⁷⁰ This differs from Curzer’s strategy for resolving the problem (2012, pp. 231–232), and the difference stems from our divergent accounts of general justice. Curzer argues: “Since general justice consists of those aspects of the first order virtues pertaining to the distribution of the goods of fortune to others, general justice fits the doctrine of the mean no worse than the first order virtues.” For additional discussion of the intermediacy of general and particular justice, see Kraut (2002, pp. 98–99), Curzer (2012), and Polansky (2014, pp. 152–153).

versa (Broadie & Rowe, 2002, p. 337). Therefore, in cultivating courage when one is faced with heights (cultivating virtue), one also cultivates, to some extent, the *state* that makes one stand one's ground in battle (cultivating justice).⁷¹ In developing the ability to act virtuously toward another, one also cultivates, to some extent, the capacity that enables one to act virtuously in relation to oneself or one's own. These are significant contributions to one of Aristotle's central aims in the *Ethics*, which is to offer guidance for becoming a just and virtuous person.

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⁷¹ Does performing acts of moderation toward oneself or one's own also cultivate the disposition, justice? Aristotle's answer is “yes,” although the ability to perform virtuous actions in relation to oneself is not *sufficient* for being a just person. In order to have general justice, one must also be able to perform virtuous actions toward others.

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