I. DEDICATION AND PROJECTION

Javier Hervada is one of the scholars who first opened my eyes to the secrets of the philosophy of law. Afterwards I have step by step worked my way back to the original sources: from John Finnis and Alasdair Macintyre to Aquinas, from Aquinas to Aristotle, from Aristotle to Plato. Without Professor Hervada and a few other colleagues I might never have found that way back to the roots of Europe and had instead remained engulfed in the vagaries of vain modernity. This piece, be it called an essay, or more likely un esbozo, pays homage to his work which has served as a source of inspiration to many a young lawyer, canonist and philosopher.

I intend to go back to the roots of Europe once more, viz., to the fundamental European conception of the state as an institution for freedom: the state, for us, is not merely an economic arrangement or a method of organized exploitation, but a moral enterprise for the purpose of making men good citizens and thereby setting them free. I shall examine Aristotle's philosophy of the state in order to provide the basic background for later attempts at elucidating the criteria for good government. The catholic social doctrine is largely based on Aristotelian ideas, with the principle
of subsidiarity as an obvious application. Nevertheless, if we compare some aspects of the principle to Aristotle's explicit thoughts about civil freedom, a potential conflict emerges: it seems difficult to maintain with Aristotle that a leisurely life is a necessary prerequisite for civil freedom and at the same time claim, as the principle of subsidiarity would seem to suggest, that economic self-reliance is necessary for freedom. I will argue that the conflict is in principle merely apparent and depends on a misled libertarianish interpretation of subsidiarity.

Aristotle also holds that civil freedom will in fact require a division of society to a leisurely class and a working class, so that the former can be free while the latter provide them with a living. The social welfare state has set out to overcome this division in order to set everyone free so that all could be citizens on an equal standing. So far it has failed. This raises the question whether the task is feasible at all. Practical reasons seem to indicate the unlikelihood of it ever being possible to provide everyone with such a leisurely life as Aristotle requires for full civil freedom. The catholic doctrine of the primacy of family to the state, an application of the principle of subsidiarity, is a potential solution to the problem: where it may not bring about absolute civil freedom, it may ensure that the second-best thing be achieved: even if all do not actually get to govern themselves and each other politically, they will at least gain a freedom from being manipulated by the state because they have a life and a personality which is independent from it. The social welfare state ideology must therefore be criticised for its agenda -hidden or explicit- for liberating the citizens from their families in order to incorporate them as dependent clients to the brave new household comprising the entire state\(^1\). Thereby we can lose the state as a
moral institution for freedom, and be left with an economic arrangement for greater efficiency of production.

II. THE PRINCIPLE OF SUBSIDIARITY AND A POSSIBLE CRITICISM OF THE WELFARE STATE

Since it was first explicitly formulated in *Quadragesimo anno*, the principle of subsidiarity has been a cornerstone of the catholic social doctrine. According to it, the state is a subsidiary institution which exists for the citizens (and not the citizens for the state): the *raison d'être* of the state is to help the citizens to achieve their goals, to carry out their tasks, and to assume full responsibility for their lives. The state ought on the one hand to extend the citizens whatever support they need in order to assume that responsibility, but on the other hand it ought to refrain from assuming responsibilities from the citizens by doing for them things and making for them choices which would properly be theirs to do and make.

The key word is *responsibility*: subsidiarity assigns to the citizens primary responsibility for their own ends both individual and common, and recognizes the responsibility of the state for the citizens' lives as subsidiary, or secondary. Thus it is possible to analyze the principle into two subprinciples: a *principle of subsidy* would require the state to provide for the necessary help to the citizens when they cannot carry out their lives on their own; and a *principle of second resort* would require the state to refrain from interfering with the citizens' lives in a way which would unduly prevent them from assuming responsibility and/or reduce their capacity for self-reliance and self-control. All government interference, including public aid under the principle

of subsidy, ought to be directed at making the citizens more independent and more capable of exercising control over their destinies. Functioning in this way the state will be a genuine institution for the personal freedom of the citizens—and not just a utilitarian arrangement for an effective exploitation of human material for maximum welfare.

For an enlightened reader the Aristotelian roots of the principle of subsidiarity ought to be obvious. Let me therefore only sketch a general outline of the argument which provides the essential link between Aristotle and *Quadragesimo anno*. It begins with ontology: according to Aristotle everything that exists has its own end towards which it tends. Existence, as it were, consists in a movement which brings the thing closer and closer to the fulfilment which belongs to it according to its specific nature. The end of a thing is perfection, and the nature of each thing is defined by the kind of perfection it seeks and by the material conditions under which that search is to take place. Now the human nature is according to Aristotle that of a speaking animal. This includes two aspects: with inward speech, man is rational; with outward speech, man is social by nature. Hence his task in life is to actualize his rational and social potential to the utmost so as to reach the perfection that is natural to his species. A fully human being is fully rational and fully social, and to become such is the end of each and every human individual.

To be fully rational is to act according to reason. A rational person is thereby a well-functioning human being. To function


4. Note that Aristotle is keen on the idea that perfection must in principle be accessible to everyone, for were it not so, it would make little sense to maintain that it is human nature to seek perfection: should all too many men fail to attain perfection, it would show that the human nature is inadequate to itself and thereby inappropriately designed—and this would be contrary to the very concept of nature which always provides its representatives with all the necessary means to their perfection and never includes anything which is superfluous to that end. *Vide I Eth. Nic.* 9 (1099b 17-25).
well is to perform one's function in an excellent way. Thus a good person is one who excels in his task. He is also virtuous in that he has a constant and perpetual tendency to act excellently. The natural end of man is, then, to become a man of virtue. Such a person shall be fully capable of governing his actions, desires and aversions with reason, which is the most excellent part of man. He shall have rational possession of his will, appetite, senses and body, being both willing and capable to restrain all and any inordinate impulses which may come over him from the sensible world and to subordinate them to the right mean of virtue. Rational self-reliance and moral self-possession — essential aspects of subsidiarity — constitute the Aristotelian ideal of personal autonomy.

To be fully rational in a fully social manner requires full membership in a perfect human community. The household, according to Aristotle, is the most natural human community in the order of genesis: it is the primary community over which all other communities are edified, but it is not perfect. It is not even natural in the most important sense of "natural": the most natural community in the last analysis is the one which reflects the human nature most perfectly. Therefore it must be the community which is the last one in the order of genesis, even if it is the first one in the order of ends. It is the political community, which is perfect not only demographically, geographically, historically, and economically, but also morally: it covers in every way all the aspects of the good of all its members from every viewpoint. It brings together under its providence all the individual ends of the members and makes them common by incorporating them into its own end, viz. the common good of all.

5. Vide I Polit. 2 (1252b 27 - 1253a 40).
6. I.e., inclusive of all the inhabitants both past, present and future in the entire territory in question, and capable of providing for its own continued and independent existence.
7. Vide VIII Eth. Nic. 9 (1160a 9-30); etiam I Polit. 1 (1252a 1-6).
In it, individual pursuits are transformed into a common pursuit for the happiness of everyone. This takes place when the members acquire rational virtue and exercise it, too, not only for self-control but also for mutual government over each other. The perfect man governs not only himself but also his peers with his reason, and the perfect community is the one which makes this possible for its members. It is the state, and citizens are its members.

Aristotle's state is educational. So is the spirit of subsidiarity: according to both, the state is to make the citizens more capable of exercising control over their lives. But a crucial point is that it is not possible for the state to make the citizens virtuous by acting for them: Virtue is a matter of personal habit and character. Aristotle calls it one's second nature, to be acquired by habituation, in order to distinguish it from one's first nature, which is the specific human nature common to all as members of the human species. Aristotle holds that the role of the school is crucial: it gives the pupils the habit of rational discipline, which is a *sine qua non* for any further learning. Yet it is not the school or the teacher who grows habits in the soul of the pupil or puts them there: it is the pupil who acquires them there: it is the pupil who acquires them by practicing. Each person is potentially virtuous according to his specific nature, but he can only become actually virtuous by exercising virtue with a constant effort to bring his actions under the rule of reason. Thus virtue is not only the goal of human life but also the method by which that goal can be reached. As such, it is a practice which consists in making morally relevant choices under the disciplined guidance of reason.

No one can make morally relevant choices for anyone but himself. Therefore virtue can only be acquired by oneself. In the same way no one can make another person vicious, either. Not

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even the state can in any way directly add to the virtue of the citizens. All it can do is provide these with an education which helps them to orient themselves towards virtue and away from vice, and create a social environment which facilitates their exercise of virtue and makes it possible for them to make their own morally relevant choices. For this reason it must be so organized that citizens can in fact control their lives: there is no way of acquiring self-control but practicing it, even under the risk of an occasional failure. This is clearly the source of the principle of second resort: the state should secure the citizens a considerable sphere of freedom from government interference in order to let them practice: if they are not allowed to achieve personal successes as well as to suffer personal backlashes on their own initiative and on their own reasonable risk, they do not even have a chance of genuinely actualizing their natural human potential.

Responsibility for one's own growth towards a full actuality of human nature rests on one's own shoulders. Virtue is self-acquired, and the natural human happiness which comes about in a well-functioning state which consists of well-functioning citizens is self-made10. The state cannot acquire civil virtue and distribute it to the citizens: it is for the citizens to achieve. The citizens are the true political community, and the visible conventional state is just a tool which can help the citizens on their way towards that community. The citizens do not exist for the visible state, it exists for them. On the other hand, the citizens belong to the ideal state as to their most natural community. This is the essential Aristotelian background which lends the principle of subsidiarity the moral sense that makes it politically appealing.

As a result of the recent economic recession which led all governments to seek ways of saving funds, the social welfare states have also begun to respond to the appeal of subsidiarity:

10. Vide III Polit. 9 (1280a 31-34) where it is indicated that a good life is self-chosen, and III Eth. Nic. 5 (1114a 32 - 1115a 2) where the responsibility of a person for what he becomes is discussed.
the principle appears obviously susceptible of being used as a means for justifying a démise or at least a downgrading of the rather expensive welfare state.

A leading idea of the social welfare state is that it is the task of the government to secure a reasonable material welfare for everyone. The government collects taxes from those who can pay and reallocates the funds according to need. A portion is used for the purpose of maintaining public education, health care and similar things, another for the purpose of maintaining a public pension system, yet another for the purpose of helping different groups of needy people in special situations, like students, single parents, the unemployed, the handicapped, etc. It can be argued that if the general coverage of welfare arrangements gets to be too inclusive and if government support in the form of welfare aid arrangements becomes too widely and easily accessible, it will eventually delapidate the citizens' moral backbone: the enterprising spirit will wane, laziness will win terrain, fewer will want to make an effort to make their own living when they can manage even on welfare. In the long run, people will acquire the habit of asking the government for help when they meet any loss, obstacle or adversity which would require a disciplined effort were they to try to overcome it on their own. A habit of reliance on public welfare will grow, fostering widespread dependence on the government. In the end, no one will even be capable of earning his own living any more. Excessive social welfare will have led to a general state of civil unfreedom. For this reason the welfare system ought to be revised so as to encourage private enterprise and individual initiative.

The argument may appear sound. Intuitively compelling examples could easily be brought to its support, but it would be equally easy to counter it by pointing out that empirical evidence is at the

11. Of course the idea is anything but new: e.g. Aristotle recounts that two daily oboles were distributed in his days to the "useless" Athenians for their upkeeping; vide Resp. atheniens (49,4).
very least inconclusive\textsuperscript{12}. In any case we are primarily interested in whether the idea itself stands closer scrutiny. We shall first discuss the problem in the light of a likely counterargument to be presented by the supporters of the social welfare state. As both arguments revolve intimately around the concept of freedom, we must initiate our discussion with an excursion to Aristotle's notions about civil freedom. Then we shall look at the welfare state as an ambitious arrangement plausibly intended for the very purpose of maximizing the scope of civil freedom rather than diminishing it.

III. LEISURE AND ECONOMIC SELF-SUPPORT

For Aristotle the state is the institution which makes possible human perfection\textsuperscript{13}. In it, the human nature comes to full bloom when the citizens learn to exercise a comprehensive and mutual self-governance. But for Aristotle it is a fact that this was not something for every inhabitant of the state: even if in principle it ought to be possible for each member of the human species to acquire the perfection which belongs to its nature, in actual practice it is impossible. This is due to a set of overlapping reasons. Some of them have to do with the moral requirements Aristotle gives for citizenship, whereas others relate to the practical requirements for the same. The common denominator for all of these is the concept of independence.

\textsuperscript{12} Recent empirical studies in Finland suggest that one's choice between being unemployed and employed tends to be determined by factors relatively unrelated with the welfare system.

\textsuperscript{13} \textit{i.e.}, the perfection relative to the practical necessities of life which consists in perfect virtue. We shall for the present purposes leave aside the absolute human perfection which for Aristotle consists in theoretical contemplation.\textemdash\textit{Vide III Polit. 1-2}, where Aristotle points out that in a state people can live the life which is as happy as can be, given their real circumstances.
The moral and practical requirements for citizenship refer to the notion that citizenship is twofold much in the same way as virtue. Citizenship in its full ideal sense is like perfect virtue: a citizen *simpliciter* is fully capable of rational governance over himself and over his peers. He can both govern and be governed\(^\text{14}\). Such a citizenship is the end of the state. Yet while the state is still on its way to this ultimate perfection it consists of citizens *secundum quid*, practicing mutual self-government in a way relative to the stage of development in which they and the state find themselves. These imperfect citizens are inhabitants of the state practicing in order to reach citizenship *simpliciter*, or citizens *in spe* in their process of learning civil skills. If they are to become citizens in the full sense they must practice the civil skills even if they are not yet in their full command\(^\text{15}\). Citizenship *secundum quid* is in this way like a method for acquiring citizenship *simpliciter*.

The key requirement for citizenship is freedom, equivalent to autonomy, independence and self-reliance: only a free person capable of self-control can be a citizen, and a dependent reliance on others is incompatible with freedom. Only free persons can be equal, too, as equality requires mutual independence. Dependence makes thus equality impossible. But only equals can have a mutual relationship "with no strings attached", i.e. a relationship which is not private but public. Private relationships are governed by particular considerations related to the individuals in question, whereas public relationships are between individuals in their abstract capacity of citizen. Therefore they are universal and susceptible of being governed by generally applicable laws. An analogy to the modern concept of sovereignty is close: in their mutual relationships, citizens are like sovereign kings over their

15. *Vide III Polit.* 9 (1281a 1-8), where "more" and "less" citizens are explicitly distinguished.
own spheres of life and in that sense on a free and equal standing vis-à-vis each other.

Now some people are excluded from citizenship because they are morally incapable of the rational self-governance in which freedom consists. Most notable among these are slavelike and mentally adolescent people, children, and women. The slavelike are slaves of their passions and therefore incapable of rational self-control. The mentally adolescent are short-sighted, easily excited, easily bored, pleasure-seeking braggards who have never grown up past adolescence and are therefore unreliable and unsuited for citizenship. Children are potential future citizens, given that they receive a suitable education, but as long as they are not adult they are incapable of rational self-control and dependent on adult guidance. One of the most important tasks of the state is to provide for their education. Women are in principle equally rational with men, but Aristotle thinks that they have a different constitution which somehow deprives the reason of its supreme position of command: even if women know what is the right thing to do they do not necessarily do it because in them the reason lacks sufficient authority over the will. Hence they are morally dependent on their husbands or fathers.

16. Vide III Eth. Nic. 11 (1118b 15-28); I Polit. 5-6; etiam I Polit. 13 (1260a 11).
17. For the definition, vide I Eth. Nic. 32 (1095a 2-10).
18. Vide I Polit. 13 (1260a 12-13).
19. Vide ibidem (1260a 11-12); Perhaps Aristotle is thinking of the mental instability which comes with the menstrual period, or of the general experience that women tend to be less "men of principle", i.e. morally and politically more flexible and pragmatic than men.
20. It is impossible here to engage in a further discussion on Aristotle's view of women. The difference between the sexes seems to turn on whether the female akrasia is qualitatively different from the weakness of the will which can affect men, too. The latter is in principle avoidable and remediable by education. In his account of the relationship between husband and wife, Aristotle comes as close as a hair's breadth away from conceding that within the household it might be possible to educate women, too, to rational self-
Women and children are excluded from citizenship also because they are economically dependent on the head of the household. The same goes for slaves, hired servants and clients. But even anyone who works for a salary or performs manual labour\textsuperscript{21}, quite regardless of whether he is dependent on a given household, should ideally be excluded, partly because such people are economically dependent on others willing to pay them for their work, but even more so because they are dependent on their own labour: having to earn their living with their work, they do not have the spare time or the leisure\textsuperscript{22} necessary for practicing civil skills in order to be able to take active part in politics. Therefore they cannot be citizens in the full sense, either.

Aristotle’s \textit{polis} is thus divided into citizens who are free and equal, and to noncitizens who are unfree and incapable of being equal. It is also clear that the citizens’ freedom and mutual independence is to a large extent made possible by the working effort of those who are not citizens: when the dependent members of the household –wife, servants, slaves, clients, hired hands– provide the head of the household with whatever he may need to satisfy his daily necessities so that he need not worry overly much about his material welfare– he is set free to leave the privacy of the household for the public place in order to talk politics with his peers. In this way, \textit{leisure} turns out to be the essential source of freedom and thus an absolute prerequisite for citizenship, too. For these reasons it is also very clear that in order for the state even to exist and function in a meaningful way it must be composed of mutually independent households, the heads of which form the corps of citizens. Without self-supporting households there can be no independent citizens, and control by assigning them tasks which prepare them for a position of responsibility. \textit{Vide I Polit. 12}; \textit{cf. I CEcon. 4 and III Econ. 1-3}.

\begin{itemize}
\item \textit{Vide I Polit. 13} (1260b 1-2); \textit{III}, 5 (1278a 8-25).
\item \textit{Vide II Polit. 11} (1273a 21-35).
\end{itemize}
without independent citizens there can be no civil government. All this presupposes that a large part of the population be in fact excluded from citizenship: in order for anyone to be a citizen, others must provide him with the leisure necessary for participating in politics by freeing him from earning his living with his own work.

Aristotle's political ideal is in an apparent conflict with the idea purportedly derivable from the principle of subsidiarity that everyone has primary responsibility for earning his own living: if so, one can hardly have a leisurely life. Nevertheless, I will argue that subsidiarity will not require that everyone earn his own living working with his own hands. The idea that the principle can yield such a requirement is based on an overstatement of the importance of economic independence. Subsidiarity is primarily a moral notion, and only secondarily an economic one. Therefore the claim that everyone should earn his living with his own hands cannot be treated as a matter of economics alone. Economic independence is an important part of the self-control sought by the principle of subsidiarity, but in the last analysis it is important only inasmuch as it has moral relevance as a potential means or obstacle to moral independence. Economic self-support can be required by the principle of subsidiarity only insofar as it facilitates not only the economic but also the moral self-control of the person in question. To which degree someone ought to be personally responsible for his own living will thereby vary according to the relevant conditions.

It is crucial that the principle of subsidiarity has a pedagogical function: to teach people to assume self-control. In this way it

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23. For an enlightening discussion of these aspects, *vide* Juan CRUZ CRUZ, *op. supra cit.*

24. For a near explicit statement of this, *vide* VIII Polit. 2 (1337b 5-20).

25. From an economic point of view private enterprise and private ownership will create a greater net welfare, as Aristotle knew well, too; *vide* II Polit. 5 (1262b 38 - 1263 b 29).
differs radically from libertarianism, which sees the relationship between individual working effort and material welfare as a matter of reciprocal justice. From the point of view of subsidiarity, demands placed on a person concerning his self-support ought ultimately to be tailored according to his moral need and capacity, rather than material need: whether he needs the kind of education which a timely and generous public welfare aid can facilitate, or whether he needs the kind of education which being left on his own at the right moment can give him, or anything between the two extremes. It is equally possible to gain morally from material welfare as it is from the lack of it, and it is equally possible to suffer moral damage due to a deficit in one's material welfare as it is due to excessive material welfare. On these grounds the principle of subsidiarity will not rightly yield any sweeping statement to the effect that he who works not, shall not eat bread. On the contrary, an optimal allocation of work and leisure should be based on how they benefit the moral character of everyone concerned, and welfare aid is justified in order to—but only in order to—help a person to (re)gain control over his life.

IV. THE WELFARE STATE AS AN INTENDED IMPROVEMENT ON ARISTOTLE

One might phrase the fundamental idea of the principle of subsidiarity with regard to welfare as follows: Welfare is good, but it is not necessarily for the moral good of a person. Moral good can only accrue from a responsible exercise of personal command over one's own life. Therefore the state should not frustrate anyone's chances at a genuine self-authorship by unduly

26. Self-control can master a material shortage as well as abundance. The quality of one's life depends on one's ability to live well, given the amount of welfare one has.
changing his material condition: everyone ought to be allowed to have a go at his own difficulties and adversities on his own, and the state should extend a helping hand only secondarily and with careful discretion. When help is offered by the government it ought absolutely to be intended and designed to render the person in question more independent from public interference. The welfare state would seem to share the main goal with the subsidiary state inasmuch as it can be regarded as an institution which seeks to increase the freedom of the citizens. If we place it against the Aristotelian background of European political thought, it clearly appears as an attempt at setting free all alike in a political community without a division between free citizens and unfree producers. A major difference between the two emerges in method: the subsidiary state seeks to foster freedom by encouraging people to self-help, but the welfare state promotes freedom by actively interfering in order to satisfy everyone's reasonable material needs so as to free them from the predicament of worrying about survival. In this way the welfare state thinks it can unleash the capacity of citizens for a better life.

The welfare state can be criticized from a moral viewpoint by pointing out that while it clearly increases freedom and welfare in the liberal utilitarian sense that more people can in fact do more of the things they want to do and get more of the goods they want to have, it may dilapidate the moral freedom of citizens by making them more dependent on the public support mechanism, on unnecessary excesses of material welfare, on external influences dictated by commercial markets of commodities, pleasure, and desire satisfaction—in short, less in rational command of their lives and more like slaves under their passions. This is a large matter which cannot be addressed here in its totality. At the

27. Interestingly enough, Aristotle mentions the possibility in question in IV Polit. 7 (1293a 1-9).
28. For a statement of the right and false kinds of freedom at stake, vide V Polit. 9 (1310a 25-36).
end of this essay we shall approach the problem by way of examining the fate of the family in the welfare state. In the meanwhile we shall look at some practical problems the welfare project will unavoidably meet on its way to the lofty ideal of liberating all.

The objective of the welfare state would be, upon our interpretation, to redistribute wealth among the citizens so as to make everyone so well-off materially that all have an equal opportunity to freedom. Aristotle's exclusion of productive workers from full citizenship gives us reason to ask whether this task is feasible at all: is it possible, given the real world and its limited resources, to set everyone free in a genuine republic of all where each and every member of society is a full citizen with access to mutual self-control over common matters? The answer would more likely seem to be no than yes: at least so far the welfare states have not succeeded in creating a universal self-governing body of citizens. We also have reason to doubt that they ever will, due to the economic constraints under which such an enterprise must succumb: A welfare state will necessarily require a large public economy in order to provide the desired high level of social welfare and security. A large public economy will require large tax revenues. Large tax revenues will require a large and successful national economy. That again will require constant economic growth with maximum productivity and a high rate of employment. In one word, the welfare state will require a huge productive and economic input from the citizens: practically everyone will have to spend most of his waking time to either the production of goods or to their consumption in a way which is most beneficial for the economy. As a result, little time

29. The welfare state seems also to destroy the old aristocracies the members of which used to be able to devote themselves in their free time to politics as a matter of vocation: the high tax burden forces everyone to work for his living, and in every case an idle life would give a bad impression on the public. At the same time, the free time at the disposal of the "ordinary" citizen
for active leisure remains: after spending twelve hours a day working, travelling to and from work, buying groceries and doing the necessary chores at home, there is not much time left over for self-government, let alone for an active participation in politics. The welfare state has failed, and seems to have a tendency to fail, to provide its citizens with the leisure they would need in order to be truly free authors of truly noble lives and to assume a genuine political responsibility for the common good.

The utilitarian undertones of the welfare society affect the relationship between work and leisure in other ways, too. One factor is a mutual instrumentalization of free time and work: On the one hand, free time trends to be conceived of as an instrument for work in that it exists mainly for the purpose of restoring and increasing one's productivity. Hence it is also so proportioned that it is enough for purposes of recuperation but not enough for anyone to grow independent of the daily schedule required by the market economy. On the other hand, work tends to be conceived of as an instrument for one's free time: one works in order to have a few days off every now and then to spend on enjoyable diversions and recreational activities with a high desire satisfaction. Free time is also seen as a reward for performed work.

does not seem to increase enough to give him even a semblance of leisurely life. The distinction between the leisurely and the working class is thus destroyed by reducing all to the working class, thereby making it practically impossible for anyone to engage in politics in the manner of the Aristotelian ideal. Equality may increase, but not freedom. In the place of a government of free self-governing aristocrats there is a government of professional politicians. They can hardly be free inasmuch as their future lives depend on the continued favour of the voting masses. The situation resembles to a surprising degree Plato's characterization of the most degenerate form of government, viz. democracy, as he presents it in *The Republic* (555B-562A): a wealthy minority seek to safeguard their privileges by giving concessions and more freedom to the masses, which again try to make the best of the situation by extorting from the wealthy as many benefits as they possibly can. Politics is no longer a forum of reasoned deliberation but a market place of commodities where desire satisfactions are the medium of exchange.
Along comes the idea that it must be spent in a way which is at the sharpest possible contrast with work: undisciplined enjoyment and fun just for its own sake is what one must fill one's free time with if one is to use it "well". One rests in order to work usefully, and one works in order to be able to waste one's free time in the most enjoyable manner. The word "vacation" is revealing: free time is "empty time", i.e. time vacated from work, which one is supposed to spend on "nothing" as in "nothing of consequence". Perhaps the modern welfare policy is to-day's equivalent to the Roman policy of bread and circuses? In every case it is patently clear that where for Aristotle the ultimate objective of work, performed mainly within the household, was to set the head of the household free to leave the privacy of the home for the public place in order to talk politics with his peers, for the member of a modern welfare society the objective of work is to set him free to leave the public workplace for a while in order to enjoy the privacy of his home or whatever diversion may appeal to his taste. Such an attitude can hardly encourage political participation – even if one had time for it.

It is sometimes claimed that the future "information society" will solve the shortage of leisure as it cuts down the input of time and physical manpower into production. Jobs requiring manual labour become obsolete, others can be performed in a shorter time with fewer workers, and new jobs depend less on the availability of manpower. As a result, the present level of welfare can in the future be maintained with a smaller total amount of work than to-day. The labour markets after the recession of the late '80s and the early '90s may show some evidence of something like this already happening: productivity has climbed above the pre-recession level again without a matching increase in the rate of employment. In Finland (with approximately 5

30. Aristotle states in *VII Polit.* 15 (1334a 15-16) that the end of work is free time, just as the end of war is peace, but he has a completely different conception of how the free time should be used in a noble manner.
million inhabitants) we have roughly the same standard of living now as we had in the late 1980's, but we need about 300,000 workers less in order to maintain it. Curiously enough, very few seem to be happy about it: the main worry seems to be the high rate of unemployment. The assumption must be that if one is unemployed and improdutive for the economy one is somehow less a citizen: life as unemployed is inferior because it is not useful. No one seems to notice the other side of the coin: that unemployment could open a possibility for gaining independence from time-consuming labour, facilitate self-development and self-possession, and even give the citizens in question a genuine chance to devote their free time to the noblest of the noble pastimes according to Aristotle, viz. to participation in politics\(^{31}\).

Why not redistribute the smaller amount of work that is necessary for maintaining welfare so that all would have significantly more free time at their disposal? A radical change in attitudes is necessary if anything like that is to take place\(^{32}\): the utilitarian ideal of usefulness as the measure for a person's social worth must be discarded, the goal of full employment revised, the general preference for full-time work given up, and -above all-the sacrosanct principle of modern "politics", viz. that it is necessary to foster constant economic growth at any cost in order to secure international competitiveness, must be left behind. As long as we just want more and more affluence there is no hope of redistributing work in a way which would give due appreciation to the value of leisure for a meaningful life and a fuller


\(^{32}\) Proposals of the kind have been made in Finland, too, but the employers do not want reduced working hours because they are afraid it would increase their costs and/or diminish productivity, and the employees do not want reduced working hours because they are afraid their income will diminish. The unemployed would welcome reduced working hours in the hope that it would give them a chance to gain employment. All parties are mainly concerned for their own economic gain and little else.
actualization of the human potential\textsuperscript{33}. But how can we stop wanting more and more?

Aristotle's answer is \textit{school}, or education. The very word "school" originates in the Greek \textit{skholē}, the primary meaning of which is "leisure", "spare time", "ease", "rest" or "idleness". A derivative meaning for \textit{skholē} is "a work of leisure", with special reference to such leisurely activities as scholarly discussions and learned disputations. Finally, the word came to be used to denote the place where the leisurely activities of scholarship often took place, i.e. the school. One aspect of leisureliness at school is of course that learned discussions can only take place during one's free time, and only those who have idle time can participate in them. But Aristotle, in a certain contrast to Plato whose school was intended to make the pupils \textit{useful} citizens\textsuperscript{34}, adds a deeper dimension to the relationship of school and leisure when he suggests that leisure is not only a necessary prerequisite for being educated but also the very essence and final end of education: school exists for the purpose of teaching the young scholars to use their free time in a noble manner. For this reason they should be taught gymnastics in order to gain strength; reading and writing, arithmetics and geometry, not because they might be useful in the market place but because they make one more capable of acquiring more learning; drawing not for any reason of usefulness but in order to make one appreciate the beauty of the proportions of the human body; and music in order to teach the youngsters the difference between noble and uplifting pastimes.

\textsuperscript{33} Here is another parallel between Plato's pessimistic ideas about the degeneration of the state and to-day's reality: for Plato the root of all evil in political life is the desire of enrichment, and the state ought to be so organized as to preclude the accumulation of unnecessary wealth. \textit{Vide} books II, IV and VIII of \textit{The Republic} (372D-374E, 419A-427D, 543C-569C); and book V of \textit{The Laws} (729A, 740A-745B).

\textsuperscript{34} \textit{Vide} book VII of \textit{The Republic} where the education of the philosophers and the guardians of the state is outlined, and book VII of \textit{The Laws} where the education of the productive citizens is sketched.
and mean and base diversions unbecoming a free citizen\textsuperscript{35}. Indeed the whole point of education for Aristotle is to ingrain in the pupils a discipline by which they learn to choose noble and meaningful ways of spending their spare time—and the noblest and most meaningful of these is taking part in politics—in preference to the ugly and unfree pleasures which can only gratify slavelike and adolescent minds. In short, school is to train the future citizens in the most important skill they needed in order to become good citizens, viz. to use their free time well.

The Romans captured school in their ambiguous \textit{vitae non scholae discimus} which has, unfortunately, come down to us in its more practical interpretation: school is preparation for real life, far from \textit{otiose}. Modern school trains useful producers and consumers. It conveys pieces of knowledge and teaches skills for the purpose of practical utility. If only we could return to the roots of Europe at school and begin to teach our young to spend their time well and not merely usefully, maybe then it would be possible as a matter of a few generations to achieve that change in attitudes which is necessary for breaking the present bonds of political serfdom under the forces of the market. I wonder if the political establishment can bring itself to such a sharp break with the gospel of economics, or if an eventual intervention by an enlightened tyrant cast in Plato's pessimistic mould is our best chance\textsuperscript{36}.

\section*{V. A SECOND-BEST ALTERNATIVE: THE FAMILY PRINCIPLE?}

Europe carries within her fols the twin heritage of Plato's

\textsuperscript{35} Vide VIII Polit., especially 2-3 (1337a 33 - 1338b 8).

\textsuperscript{36} Vide book IV of \textit{The Laws} (709C-712A) where Plato explains how the best way of reforming a state is that a strong enlightened tyrant destroy the old structures all at a strike, making a clean sweep of all the remnants of the old degeneration and rubbish in order to be able to make a fresh start.
pessimistic belief in the blessings of state totalitarianism and Aristotle's optimistic faith in the human capacity to flourish in a civil state as self-governing free citizens. The two aspects of the tradition, so different in their applications, share nevertheless the ideal of human perfection and the notion that the point of the state is to facilitate that perfection. The aristocratic solution of Aristotle was that in order to make freedom possible for a political élite of citizens other inhabitants of the state must be excluded from citizenship. The monocratic solution of Plato was that all men and women can be citizens but only for the purpose of fulfilling the vital functions of the state as its servants: the state should be governed by political experts: a single philosopher king, or a small avant-garde of specially educated guardians.

Europe has experimented with both solutions: Aristotle's fell finally to disuse with the rise of the representative democracies of this century, Plato's experienced a short revival which began in 1917 and ended some 70 years later in a complete disaster. The social welfare state is also about to fall short of its ideal of everyone's equal freedom, an ideal greater than Plato or Aristotle ever conceived. But we should understand that not even Plato had any illusions about the practicability of his political ideas: many a time in his dialogues he states how things ought to be but soon makes very clear that it would be impracticable in real life. Aristotle, again, had a pronouncedly pragmatic attitude to politics: if the perfect alternative was bound to fail, one could always adopt a more practicable second-best solution actualizable in the given conditions. We should follow their example and look for a

37. To the good fortune of the Syracusans, Plato's own recorded attempts at putting his ideas into practica were aborted already before they began to take effect.

38. That Aristotle was no preacher can be seen in the offhand manner in which he gives practical advice to Greek governors concerning how the ordinary citizens can best be kept away from meddling with politics, or to tyrants concerning how they can best remain in power as long as possible. Vide e.g. IV Politics II (1295a 25-30) and V, II.
solution which, while it may fall short of actualizing at once the ultimate ideal of everyone's human perfection, still facilitates the growth of as many as possible to the freedom and independence that is within their reach, given the conditions of real life.

The principle of subsidiarity may provide a second-best solution like that if we apply it as a trilateral affair between individual, family and state. The catholic church is perhaps the major proponent of such an approach when she constantly underlines the rôle of the family as the basic human community. It has several essential functions: It gives new human beings life and maintains it by providing daily sustenance and shelter. It is also the basic educational institution, the primary task of which is to teach the children to become responsible persons as they grow up. The key to the nature of this education is the fundamental obligation of the family to let go of the children, to set them free when they are ready. The children are not the parents' property: they are different individuals with their own lives and their own destinies. For a while they are incapable of leading their lives and seeking their ends on their own, and they must depend on their family on help. As they grow up they gain independence step by step, and finally they grow entirely free, reaching a position of equality with their parents. In short, the family is on this view radically an institution for freedom. The freedom one can reach growing up in one's family consists, for one thing, in being in full possession of oneself, in self-control: The child learns that he is someone different from everyone else and with an own standing and an own fate which it is for himself to live out on his own. To signify this, the family gives him a name which is his alone and identifies him completely. At the same time the child learns that he belongs to something of which he is a part: the family, the lineage, the tradition, that he shares a background and a set of

39. About the different aspects of the educational function of the family, vide e.g. Oliveros F. OTERO, "La dimensión educativa de la familia", Persona y Derecho 10 (1983), pp. 327-352.
goals with others, that he has a history and a baggage of values and moral standards as a result of that history. Taking his parents' example, the child can also learn to give himself as a gift to others, learning thereby the basics of friendship and reaching the highest independence of all, viz. being able to give oneself away without thought for what it will yield in return. In one word, the child learns to know who he is, individually and socially, and to live accordingly. This aspect of the family can be called its person-making function: the family exists in order to make persons out of their offspring, not only in a material sense of producing new individuals but in the moral sense of leading them to take full charge of their lives freely and intelligently.

The catholic doctrine accepts basically the Aristotelian ideal of the state as a political community of free and equal citizens, but it also acknowledges the practical difficulties such an ideal will inevitably meet. As a second-best solution it suggests that perhaps it would be a good idea to concentrate on personhood rather than citizenship. Instead of engaging in a futile attempt at making all fully free and independent citizens in the sense of full participation in mutual self-government, one should secure everyone at least the freedom one can enjoy having the possession of self which is necessary for one's personal self-government. Among the minimum requirements of such a self-possession are that one knows who one is, that one knows one is someone even independently of the state, that one knows one is a person in charge of one's own fate and no-one's property. An essential criterion is that the source of one's self-knowledge, of one's personhood, must be independent from the state: only if one can derive one's personal status from a source which does not owe its own existence and status to the state can one occupy a position of equal standing towards the state. Persons who know who they are irrespective of the state are strong enough to withstand government manipulation and need to be approached by the state on polite (sic) negotiation terms. The resulting
principle can be formulated as follows: the political community ought to guarantee the families of which it consists sufficient freedom to raise and educate their offspring on their own responsibility and independently of any state interference which would reduce their ability to fully assume and carry out this task. Let us call it the family principle.

Independent families create a healthy balance of power between the state and the citizens. The citizens will know that the state exists for them, no the citizens for the state. The state will know that the citizens know this, and that there are therefore limits to what it can do to them. This consideration turns out to be the locus of one of the most critical problems of the social welfare state: it has been the more or less explicit goal of the welfare state precisely to liberate the individual citizens, children and women in particular, from "family dependence" in order to place all individuals in a direct bilateral relationship to the state without the mediation of family or any other institution. It is said that such a liberation will increase individual freedom and equality of opportunity, which is probably true if we think that the essential freedom is liberty to do and to get whatever one may wish at will. But from an Aristotelian viewpoint it may diminish moral and political freedom as it surreptitiously deprives the citizens of a genuine possibility to rely on the family as a stable and reliable source of material and spiritual sustenance.

The mechanism of depriving the family of its substance is threefold in a welfare state. One way is to make the household economy an insufficient source of material sustenance. Her the state cooperates with the market economy and lures all family members to sell their time on the labour market. High tax levels, consumerism, concentration of the work force to cities, and easy availability of public day care for young children contribute to

a society in which work performed within the household has only marginal significance for the welfare of the family. The household economy will not any more depend on the skill of householding but on the flows of external income. At the same time the state guarantees a reasonable level of welfare also to those who fail to earn a living for one reason or another: the pension system, inability payments, unemployment benefits, etc. are all so designed as to encourage everyone to adopt a carefree attitude: no one is to feel a need to strive for householding self-sufficiently, for there will always be a friend in the social welfare bureau.  

Another way is for the state to assume authority over the children, which makes the family an insufficient source of education. Semi-obligatory contacts between advisory clinics and pregnant women and parents with young children make inexperienced parents believe that they are incapable of managing child care and education by relying on their own intelligence. Child-rearing is medicalized and brought under public control under the camouflage of help. Parents are encouraged to put their children away in public day care even as early as in their first or second year, where they will be under the standardized guidance of professional child-rearing experts. Observant professional pedagogues can find that a family lifestyle, educational approach or living conditions deviate from the norm and initiate a procedure of taking the child into public custody for its purported protection. Parents have little say about school: both primary and secondary education is, in the name of equality, and almost exclusive domain of public schools which in principle all follow the same plan of education. At home, parents to not stand a chance to counter the street education of their offspring as both parents are usually at work away from home when their educative

41. It is a notorious fact that e.g. the Finnish pension system was first introduced in the 1930's largely in order to invite people to leave subsistent farming for industrial employment.
input would be needed, or if they are at home they are busy or tired or both. As a result it is increasingly difficult for the family to transmit to its offspring own values and an own lifestyle strong enough to resist the standardizing influences which flood over the young from the street, from the market, and from the public educational system.

A third way, which not only deprives the families of the necessary prerequisites for performing their person-making function independently but also deprives many people of their families altogether, is to make families readily dissoluble. The citizens are taught that matrimony is a love affair between individual contracting parties rather than a community for a lifelong enterprise with a common good in view. In the name of freedom and equality divorce is facilitated so as to deprive the matrimony of a binding character: as a result, instead of holding it a mutual obligation which remains in effect even in the absence of pleurability and individual gain, spouses think of it as a means to individual pleasure and well-being which can be discarded as soon as it ceases to give the desired satisfaction. An intellectual climate which underlines the importance of erotic love instead of willed predilection, and a general public policy of divorcing sexual intercourse from its natural and moral consequences and reducing it to a mere matter of pleasurable play between "consenting parties", contribute to the phasing out of matrimony as a cornerstone of society.

As a consequence it becomes difficult for anyone to rely on the stability of one's own marriage: spouses can hardly be willing to commit themselves wholeheartedly to their common ends if

43. Aside from being an excellent introduction to the essential nature of matrimony at large, J. HERVADA, "Reflexiones en torno al matrimonio a la luz del derecho natural", Persona y Derecho I (1974), pp. 27-149, includes a lucid discussion of this problematic, too.
they can never be sure that the other party will also live up to his part of the deal. As the spouses enter marriage with an implicit reservation which makes their commitment unilaterally retractable at will, they cannot reliably depend on each other for support. The state steps in and offers the spouses its help in order to facilitate the economic and other difficulties which may come about as a result of divorce. An "enjoy and discard"—mentality of the parents gives the children a rôle model which can hardly make it easier for them to regard marriage and family as persistent communities based on mutual commitment and respect. More likely they will learn to use their future spouses, too, as just another disposable means to the gratification of their individual desires. An easy dissolubility of families also opens way to a diminishing rôle of parental authority over the children: rearing children is a long term project which takes at least 20 years, and its outcome depends on the same persons remaining in charge all through that time. Only if that is the case can a family give a child a clear and genuine identity.

We find ourselves at a crossroads with a choice between Plato and Aristotle. The welfare state is like a Platonic community with weak private families under strict control and with a heavily circumscribed authority over their members and resources. The

44. It could be argued even from an Aristotle viewpoint that meeting personal difficulties as a child may contribute to one's future excellence as a person. On the other hand, failures in life can also be greater as a result of difficulties which the child in question is unable to overcome. But this is not our concern here: we are interested in whether a child can acquire a stable and strong identity to provide him with sufficient resistance against political manipulation if the composition of his family does not remain constant over his forming years. A child with several sets of family affiliations will plausibly be less sure of who he is and where he belongs and thus more open to outside influence.

45. Plato's family ideal was no family: women and children were to be commonly shared as he argues in book V of The Republic (457E-469B). In The Laws he has given up the idea and develops a family institution in which families are organized as little more than subordinate parts of the state machi-
family principle again calls for a subsidiary Aristotelian state with relatively independent families with decisive authority over themselves and their offspring. The welfare state looks at the family as a producer of new human individuals who are alone and on their own against the state without a strong family community to rely on in times of adversity. Therefore they can be less resistant to state interference in their lives and more susceptible of public control, external moral influence, and economic manipulation. The subsidiary state looks at the family as a procreator of new persons who are in possession of themselves and conscious of their human excellence. Therefore they can be able to withstand control, influence and manipulation, being capable of the freedom which consists in being the main, if not sole, authors of their destinies. Let this general and tentative conclusion suffice to show that the preoccupation of the catholic church for the family in modern society is not just a rigid expression for papist bigotry, for outdated reactionary conservatism or for a hopeless inability to accept social change. It is a concern for freedom, and that in they very sense which makes Europe what she is: a long-standing project of political and moral self-government.

nery, with a view to raising the right amount of new citizens and giving them the right kind of education to satisfy the needs of the state and to make sure at the same time that no family acquire too much wealth. Vide books V, VI, VII, and XI (734E-738B, 772E-776C, 781A-798E, 922A-932E).