Civic Friendship

Our friendship, wrote Montaigne about his relationship with Étienne de La Boétie, "has no other model than itself, and can be compared only with itself." The concept of romantic friendship that appears here for the first time in early modernity, a good two centuries before it would turn into a sentimental movement, is "rousing," "perfect," "indivisible," a self-referentially closed relationship between two people that does not tolerate a third and declares itself to be a state of exception, without equal and with no model. The immediate, sovereign unity of one soul in two bodies appears to friends so incomparably "rare," "that certainly you will hardly read of the like, and among men of today you see no trace of it in practice." It is friendship as a closed, self-producing system.4 The "secret" of sovereign friendship is anticivic: a rift in the bond of the ancient, friendly solidarity that—from Aristotle up to Lorenzetti's famous Allegory of the Good Government in the city hall of Siena—united the citizenry. Montaigne lets the secret out. Friends are "friends more than citizens, friends [with each other] more than friends or enemies of their country or friends of ambition and disturbance." 5 The break with premodern political thought occurs in one sentence: "Friendship dissolves all other obligations."6

In contrast, within the republican tradition of European antiquity, the highest and first definition (telos) of all friendship was to make these political-ethical "obligations" of communal life discernible and recognizable within intimate friendships, as their innermost bond. That is entirely different from Montaigne's bold anticipation of the ideal of romantic friendship. Romantic friendship "is kept together by nothing but a single point of contact," and on

this point the secluded ways of the exclusive and identitarian relationship between two people part with the well-trodden path of a community of virtuoso citizens. Montaigne's concept of friendship is already as "worldless" as the later romantic love. The model is not the heroic virtuosos, the "citizen pair" (Derrida) whose soldierly friendship rescues the fatherland, but more like Bonnie and Clyde, the criminal lovers who set the entire community against them: friendship not as unity, but as a rupture in communal ethics. While "love as passion" defined the relationship between Shakespeare's Romeo and Juliet in an entirely modern and anti-civic manner, the life of the protagonists is nonetheless destroyed by the insurmountable walls of a still-ancient morality (in the northern Italian republics of the Renaissance), which permits no love or friendship outside the world of the city: "There is no world without Verona's walls." When it comes to the oath, Romeo must bitterly recognize the impossibility of fleeing. This permission, which discloses for love a single world "outside Verona's walls," is precisely what is missing for the "citizen of the polis." It will only be there for the "man of rights" of the modern, functionally differentiated society.8

While, in modern times, friendship and love distance themselves from the ethical community of citizens, such distance, the break between friendship and community, is foreign and undesirable to the ancients. It violates the nature of things. "Where there's no [comprehensive-political—H.B.] community," claims Plato, "there's no [individual—H.B.] friendship." Man is—according to his (true) nature—a political animal (zoon politikon). Friendship as an end in itself is part of performatively carrying out the political life (bios politicos). According to Aristotle, "Friendship would seem to hold cities together." For pagan antiquity, the highest form of living together in the city community, structured toward "completion" and "self-sufficiency," is "the result of friendship." 12

Philia—friendship—is defined by Aristotle as a freely chosen relationship between free citizens and distinguished from the domestic bonds of clan and family: "For we pass our days with our family or relations or comrades, children, parents or wife. And our private right conduct towards our friends depends only on ourselves, whereas right actions in relation to the rest of men are established by law and do not depend on us." The small community of friends, just like the large polis-community, is based on "the deliberative choice of living together." In friendship and in politics, the citizens must, in a double sense, be free. They must find one another of their own free will, and

they must be just as free from the cares of daily survival—thus, from labor—as they are from the will and commands of a master. Therefore, they can be neither slaves nor women. Only on the basis of manhood, affection, and property is a "complete," "good," and "self-sufficient life" possible. ¹⁵

Free friendship among friends is—even as an intimate relationship—a public matter: It represents only one thing, and that is the individual elementary form of the collective harmony of a citizenry. While harmony within the community unites all citizens, "no one can have complete friendship for many people." ¹⁶ But there are many networks, and through closely meshed networks, the various individual friendships make the bond of harmony among all citizens more and more resistant to being torn. The field of possible friendships is extremely wide, does not exclude sexual relations, and is by no means restricted to the relationship of two persons that was already a model for Aristotle. Love, camaraderie, neighborliness, childhood friendship, personal intimacy, acquaintances made while traveling, hospitality, associations and clubs, political friendship (but also friendship with oneself) and selfacceptance: All fall under the concept of philia, which first took on this new significance in the city-states of ancient Greece. 17 Harmony (homonoia) and friendship (philia) are supposed to remove the "hostile discord" from the polis and from the soul of the individual—"each part pulls in a different direction, as though they were tearing [the vicious person] apart."18 Harmony is generalized friendship, extended to the polis as a whole: "Concord [or harmony], then, is apparently political friendship (philia politike), as indeed it is said to be; for it is concerned with advantage and with what affects life [as a whole]."19

Networked, individual, and overlapping generalized civic friendship is the Aristotelian solution to the Platonic problem of social integration. How can the city, the *polis*, or the political community be held together harmoniously without having to fall back on the bonds of blood and tribal relations? Tragic literature refers to some extremely bad experiences with such relations. The orgies of revenge between hostile clans devastated and divided the life of the community.²⁰ No altogether good life was to be made with blood relations and familial bonds—despite the strengths of the social bond. Plato's proposal, which he submitted in *The Republic*, stemmed from irresistible revolutionary logic. If children are taken away from their parents immediately after birth, made unrecognizable to them, and brought up publicly, no one knows in the end whether the hand he raises against a fellow citizen might be hitting his

own child or his own brother.²¹ Making family relations anonymous generalizes the familial bonding. But that was, as Plato himself knew, too revolutionary and not feasible. Instead, in the realistic and reformist version of the polis-community in Plato's later work, the friendship of free citizens replaces the state's authoritarian generalization of relations. But this is spelled out politically only by his master pupil, Aristotle.

Networks of civic friendship among men, as it is aesthetically reflected by Aeschylus in the sequence from the Orestes to the Eumenides, are supposed to neutralize the mafialike bonds of clan and family, secure the peace, and promote the common good. Friendship decenters the family-centered selfinterest of the oikos-despot—the master of the household. So Aristotle defines "being a friend" as commitment to the friend "not for your own sake but for his."22 Not even the family can separate one from a true friend. The gods of vengeance, who turn familial bonds against one another, are criminalized, socially downgraded, and removed from the center of public life. Henceforth, Athena resides there, the goddess of the new city ethos of civic harmony and justice.²³ Far removed, its normative obligations cancelled—as in Montaigne—individual friendship produces the very first ethical community. "Holy chains of friendship" (Fries/Hegel) hold together the premodern "civic association" (Rousseau/Kant) and carry the ethos of city life.²⁴ All of the model friendships of classic republican antiquity are "citizen couples whose virile virtue . . . tends . . . to the harmonization of the measure of friendship—unconditional union or affection—with the equally imperative reason of state."25 Even Montaigne recoils from the "indefinite prodigiousness" (Marx) of his own subversive definition of friendship, quickly adding, "there never was a better citizen" than the deceased de La Boétie, whose uncivic friendship with the author of the essay, however, was romantically transfigured into an absolute that would no longer submit to the imperatives of reason of state.²⁶ But, in its old meaning, philia was a political, public, and legal concept.

In ancient thinking, friendship had an eminently epistemic function.²⁷ The friend with whom one shares everything is, as Aristotle says, "another one-self," in whom one can objectively recognize, viewing from the outside, what is good and right for oneself.²⁸ Friends are strictly reciprocal models [Vor-Bilder] for each other. They represent one's own self-ideal in a form that is, while highly intimate, still separated from one's own body and person and therefore visible, objectively perceivable.²⁹ Of course, the other recognizes the

ethical good in the friend only if the friend also has the features of an ethically virtuous character. But then one sees, as in a mirror, the value and the dignity of one's own life, which one could never really perceive in oneself alone because one is too close to oneself and could not see oneself objectively without the mirror of the *alter ego*. For the people of ancient Greece, a gaze inward was still just as unimaginable as an object of pure knowledge separated from a subject or a soul separated from the material world.³⁰ To see something is to come in contact with something to which one is always already related. As Vernant puts it, "it was always by looking, not within one's soul, but outside it, at another being related to it, that one's soul could know itself."³¹

What is so very fascinating about the good and virtuous friend is the affirmation of one's own excellence. In modern terms, the self-consciousness of the ancient citizen is formed in the medium of engaged knowledge of another selfconsciousness, which is observed in its perfection and is directed toward the self-consciousness facing him with the same feelings and epistemic curiosity. It is the excellence of the friend—only recognizable from the standpoint of the respective other—which the one loves and admires in the other for the sake of the excellence of the other and not merely for the sake of usefulness or pleasure. That is, however, in the view of the Greek and Roman philosophers, no different than the good and useful as such, for the citizenry as a whole—what one calls in English the common good. A negative integration through conflict, something after the pattern of the Hegelian struggle to the death for recognition, was foreign to pagan-republican antiquity. The life and death struggle (war) did not lead—for instance, via a complex dialectic of lordship and servitude as with Hegel—to a reciprocally equalized recognition, but at best into slavery. For the loser that was the path, instead of death, into the legally exclusive status of a living death or a "living instrument" (Aristotle). This going from the relation to a thing (res in Roman law), did not result in a problem of reciprocal recognition for the winner.³²

To recognize and to love the common good in the perfect form of male friendship is precisely what virtue is (Gr. arête, Lat. virtus). That is the final end (telos) toward which every human striving for pleasure and utility, for a good and satisfied existence, is directed.³³ Virtue is not just some good, but the unparalleled best that one can achieve—as a man and a prosperous citizen. Because, as Cicero writes, there is "nothing more lovable than virtue," in the friend, the friend loves his country.³⁴ The best friend is also the best citizen. Because the good for which friends strive is ultimately identical to the good for

the polis, there can be no perfect form of friendship that would be, as in Montaigne and in Romanticism, contrary to the civic world and the ethos of civic life. When the subjectively experienced good is not yet in "agreement" with the objective good, then, according to the circumstances, soft or hard political and pedagogical tricks are required in order to "bring about" the true good "in cases where it does not yet exist." In ancient Greece and in Rome, the public, virtuous upbringing of citizens was a repressive everyday matter and was directed with particular suspicion toward curbing private conduct.

Slaves, of course, had no rights. Because they lacked any legal personality, they could not testify in court. They were, however, most welcome by the political community as informers on their masters—as instrumentum vocale having such privileged access to their "private" domestic morals. Slaves were the perfect informal collaborators with the "virtue police" in all of the domestic affairs of the oikos-despots. When collaborators did not volunteer, torture was a proven means of legal redress, to which not only slaves, but even the wife—under stricter conditions than with slaves—could be submitted.³⁶ For the everyday social control of private life, however, "talk" was the best means. Gossip, chatter, and permanent, seething, rumormongering are certainly protodemocratic, but in a society without mass media and legal citizenship, they are indistinguishable from the daily "terrorism of virtue" by the neighborhood horde. One must always bear in mind that in the ancient city-republics it was a short path from rumor to the legal power executed by the neighborhood (and not "the state"). Short proceedings circumventing politically institutionalized judicial authority were common-law practice. The death penalty permitted a husband who convicted his neighbor of adultery to carry it out immediately.³⁷

In the polis, according to Plato, the "prize for virtue" is due to the one who "makes every effort to assist the authorities in checking" the inappropriate conduct of his fellow citizens.³⁸ Athens did not differ in this respect from Rome. Paul Veyne writes:

Public censure of private conduct was heard everywhere, and reminders of the rules of conduct were ubiquitous. The air was heavy with calls to order, with an insistence on respect for the rules. . . . The Romans burned enough incense to virtue to kill an ox. . . . Skeletons were eagerly let out of the closets. When it came to countering vice with virtue, the slogan was, "anything goes." . . . The collective conscience commented, as shamelessly as it pleased, on anyone's life. . . . No one was exempt from justifying his private life before the bar of public opinion.³⁹

There was as little private life separate from the public sphere as there was friendship separate from civicmindedness.

In this society, the friendship of men was both a medium of the ubiquitous censor and a safeguard of individuals against their sudden access. Friendship protected the friend through half-public precensorship against public hostilities. In the old families of the Roman upper class, the council of friends, which Cicero pathetically invoked, "had something of a formal quality," which saved one in all private decisions from putting one's foot in one's mouth. ⁴⁰ If suicide—an eminently public matter in Athens and Rome—was approved by friends, it could not then be construed as cowardice. The identification of friendly affection and attachment with the imperatives of raison d'état showed the classic republic to be a didactic dictatorship. ⁴¹ A friendship that regards the friend as more than the citizen remained as unthinkable as a friendship that could be emancipated from social stratification and class.

"Friendship," as Aristotle begins his famous treatment in Book Eight of *The Nicomachean Ethics*, "is a virtue, or involves virtue." And it is "most necessary for our life. For no one would choose to live without friends even if he had all the other goods. Indeed rich people and holders of powerful positions, even more than other people, seem to need friends." Moreover, friendship is "not only necessary, but also fine."

As a virtue ("excellence"), the concept of friendship is tightly integrated into the precisely stratified hierarchy of perfection of the ancient city-republic. Friendship is not just necessary, but is also, in terms of ordinally scaled concepts that can be extended up to the limits of the absolute ideal, "beautiful" and "something lordly." 45 It is clear from the start for Plato and Aristotle that the ethos of friendship is an affair of the city's upper class, since "friendship between [a master and his slave] is inherently impossible. The same applies to the relations between an honest man and a scoundrel. Indiscriminate equality for all amounts to inequality."46 The hierarchy of virtue is mirrored in the social hierarchy. For the upper class of wealth and excellence, moreover, friendship is particularly necessary. The first level in the civic association is "friendship based on utility." Those who rule and own things have many enemies and people who are envious of them. This forms a bond. But the cultivation of "lordly" friendship is also required; the highest level of a "friendship of virtue" requires a work-free existence: "The friendship of good people insofar as they are good is friendship primarily and fully, but the other friendships are friendships by similarity."48 The first is the best, and good people are

also the wealthy. The others, who must work in order to live, are only capable of "necessary" friendship and are therefore "only together accidentally."⁴⁹ They are like "base people" who are never able to embody the essence ("essence" vs. "accident") of *philia* completely. With them one is only friendly "for pleasure or utility."⁵⁰ In the "pensionopolis" (Max Weber), the contempt for work is deepseated.⁵¹ Only among equals at the top of a hierarchy of the wealthy and the good is true friendship possible. This is also true for law.

Law, justice, and friendship form a unity of concepts in Greek thought that have a family resemblance. They mean "either the same or nearly the same thing."52 Friendship and justice coincide in the cognitive-epistemic ideal of an intrinsically valuable, self-sufficient practice. As a perfection of justice, friendship is synonymous with the harmony of the classes in the aristocratic republic and the cardinal virtues in the soul of man.⁵³ Friendship constitutes a legal relationship, because legal relationships presuppose equality. True friendship is the original image of law and justice, since "friendship," along with "right" and "justice," are relational concepts that represent a relation of equality.⁵⁴ Repay like with like, that is the law. The great idea of a just equality appears here, only to disappear again quickly into the class society. For those who do not show enough "in common" (equality) with the rulers, there could be no justice. That is the classic origin of Carl Schmitt's restriction of the legal community to "homogeneity" and "the same race." Quod licet Jovi, non licet bovi. Everyone gets what they deserve. Plato writes, "and we surely haven't forgotten that the city was just because each of the three classes in it was doing its own work."55 No one, warns Cicero, should be "led into the error of thinking that because Socrates or Aristippus did or said something contrary to custom and civic practice, that is something he can do himself. For those men acquired such freedom on account of great, indeed, divine, goodness"—the license of Jupiter.⁵⁶ That is also law.

Law is "Janus-faced" (Habermas). Thus, no justice for inanimate tools, animals, and slaves: "There is neither friendship nor justice toward inanimate things. Nor is there any toward a horse or cow, or toward a slave, insofar as he is a slave. For master and slave have nothing in common, since a slave is a tool with a soul, while a tool is a slave without a soul. Insofar as he is a slave, then, there is no friendship with him" (1161b NE). That is fitting, in light of the fact that Greek culture was the first to use slaves on a large scale. Within Greek culture, according to Egon Flaig, "the slave sinks into a rightlessness that one does not find in the Orient." Toward the slave, "insofar as he is a slave,"

writes Aristotle, "there is neither friendship nor justice." The word as means that one must differentiate here—at least within practical philosophy. The slave is a complex thing. On the one hand, he is a tool, and on the other hand, a human being. "Insofar as he is a human being," there is also "friendship" with slaves and even "some relation of justice." For as a human being the slave also belongs to that type of animal "who is capable of community in law and agreement." Of course, only a minor share, since although the slave is a man, he is after all neither a free housemaster nor an oikos-despot. With him, there is therefore only friendship of an "inferior" type: unequal friendship for pleasure or utility and unequal justice, dictated by the master. Thus, justice as an instrument for securing the lordship of the affluent man over "his own"—women, slaves, and so forth. This is class justice, just as it was strictly executed in Rome according to the letter of the law. 62

Legal class justice was, however, always better than the lawless version. At least since the second century, still in the pre-Christian era of the Roman Empire, the status of slaves was internally juridified and based on the philosophical principle that the slave is not just an instrument, but also a man; it was decided to revoke the right over life and death from the master, to prevent excesses of violence, to recognize slave marriages, and to enable slaves' own wealth creation. ⁶³ But these legal provisions did not make slaves into legal subjects. They only had the status of policing provisions for the master and were no more than a kind of animal protection. Motivated for humanitarian reasons by the stoic intellectual culture, those provisions were still primarily viewed economically and aimed at avoiding a revolt. They were never aimed at the abolition of slavery as an institution, but only toward individual freedom and revenge. The instrumental meaning of slave marriage is particularly significant. The slave markets had suffered since the second century under structural scarcity and increase in prices. Therefore, the slaveholders had to resort to breeding, and slave families achieved the best results. Hence, here as well, there is no trace of an idea of solidarity in terms of human rights.

True virtue befits only the highest form of friendship, which is sought for its own sake. ⁶⁴ As we have seen, Aristotle distinguished many levels of friendship, but, above all, he separates intrinsic or virtuous from extrinsic or useful friendship—whereby "useful" must not be confused with instrumental or calculating. The former has its purpose in itself, the latter outside itself—without excluding mutual use or common (sexual or nonsexual) pleasure, as in the ethics of Immanuel Kant, virtue is still the highest pleasure. ⁶⁵ Besides political

friendship, the friendship of philosophers plays an independent role in the ancient city cultures: *Philosophia* is friendship or love that, in the communally practiced wisdom, consisted in the perfection of a life devoted to theory (bios theoretikos). In sociological terms, it is a form of "ascetic flight from the world."66 Hannah Arendt criticized the philosophers for that reason: because they simply slip out of public affairs in order to live outside the gates of the city like "idiots." 67 Idios, they are those for whom there is something better than the common good. Richard Rorty calls this "private irony" (which always has an individualistic-idiosyncratic, foreign-to-public-opinion, normatively nonconformist aspect) and distinguishes it from "public solidarity"—something that is a public matter, the res publica. 68 Ultimately, this amounts to a functional differentiation between theory and practice, science and politics, which was already suggested by Aristotle in Book Ten of The Nicomachean Ethics. But Aristotle wavered. He had difficulties with the hierarchy, for human practice can be ordered only according to levels of perfection and cannot be represented as an order of functional spheres or discourses with equal rank and rights. On the one hand, the self-sufficient life of the truthseeing philosopher is the most complete form of practical happiness; on the other hand, for politics (the self-sufficient sphere of public appearances in which the telos of political beings is fulfilled) it is unusable, even impractical, and in this respect deficient. Does it stand above or beneath politics, then? If it were to stand next to it, it would no longer fit within the horizon of classic metaphysics. In contrast to Arendt, Rorty praises the philosophers for their ironic existence outside of political life, but as a typical liberal he insists that they must also be content and not try to impose their theories on the citizens of the city as eternal truth. Plato had tried that and implemented it with the help of the tyrants of Syracuse. He failed. So much for the bios theoretikos.

Whether it is applied to the unchangeable being of philosophical knowledge or to the fleeting and changeable world of political existence, the perfect form of solidarity within a classic, republican civic community is bound to the upper class and urbancentric. The price that is to be paid for the ethos of city life, the civilization of the "public happiness" (Arendt) of a ruling class, consists in the exclusion of the "infamous people" (Foucault): the barbarians, foreigners, women, and slaves. ⁶⁹ To be sure, from Hannah Arendt to Christian Meier the political shines "as a field of equality and fraternity," but the "difference between Athenians" becomes unimportant and their isonomy, their civic order of equality, is realized "only to the extent that and insofar as the boundary

around the entire citizenry is drastically intensified in relation to all of the non-citizens."⁷⁰ Nonetheless, the republican ideal has, in humanistic and universalist terms, gone beyond the mere ideology of a ruling class. In sum,

- 1. Republican civic solidarity is bound to the requirement of *mutual freedom*—Martha Nussbaum aptly speaks of "separate centers of choice and action."⁷¹
- 2. It is *emancipated* from the mafioso domination of family bonds and blood relations. Even the pre-political—in that respect inferior—friendship of the home (oikos), which is at least possible inside the clan association, between man and woman, master and slave, father and son, or between brothers, is founded as friendship not on marriage and blood relations or—as in the case of the slaves—on elementary power relations, but comes from free affection.
- 3. Moreover, the intimate friendship that is primary and is always among just a few men is *generalized* toward civic friendship, toward *philia politike*—patriotism.
- 4. And within the network of free civic friendship, the *universal essence of man* is realized. According to his potentiality as a member of the species, each man is a political being.

Of course, the universalism of this species essence must not hide the fact that classic humanism is structurally (meaning precisely because of the species universalism) designed in an elitist manner and must presuppose unequal rights. The normative claim of *all* human beings to live according to their political nature is not only fulfilled sufficiently by the few fine specimens at the pinnacle and in the center of the social hierarchy, but is already presupposed in the theoretical self-description that says that the others, as tools that serve their noble or citizen masters, do the labor. In practical terms, it is true of democracy in Athens that it "would have survived not one month without mass-slavery."⁷²

Even the Roman Stoics, with their seemingly utopian sketch of a cosmopolis, changed nothing about these basic findings regarding a structurally elitist self-description. Certainly, the (fictitious) cosmopolis makes all human beings into (fictitious) world citizens for the first time, and that set off an extraordinarily progressive "effective history" [Wirkungsgeschichte]—just think of Kant's perpetual peace.⁷³ As rational beings, all humans are free members of the cosmopolitan order of nature. At the same time, however, the cosmopolis is a more unpolitical idea than the Aristotelian philia politike. The polis of world citizens is not a political program, nor even a regulative idea.⁷⁴ It is just the logi-

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cal conclusion of an altogether reasonably conceived order of nature, and has practical significance only for the current form of life and happiness of the philosophers. A cosmopolitan bios theoretikos represents hardly anything more than an ideological glorification of a superstructure suitable for the Roman Empire. There did not even exist an intellectual contradiction to the hegemony of Rome (urbs) over the peripheral peoples of the "globe" (orbis). The social structure of the cosmopolis is the same as that of the real polis of Rome: "Do we not see that the best people are given the right to rule by nature herself, with the greatest benefit to the weak?"⁷⁵ This is pure ideology, and it functions as a method of ruling through agreement only in the fictitious cosmopolis while in the real imperium romanum the usual methods of leges pacis imponere supervene: execution, deportation, and mass enslavement.⁷⁶

Women certainly fared better with the Roman Stoics than with the Greeks, but even there the real value of the new ideals of the loving couple were hardly higher than the "edifying style" of its philosophical and poetic champions; according to Paul Veyne:

When Seneca and Pliny speak of their married lives, they do so in a sentimental style that exudes virtue and deliberately aims to be exemplary. One consequence was that the place of the wife ceased to be what it had been. Under the old moral code she had been classed among the servants, who were placed in her charge by delegation of her husband's authority. Under the new code she was raised to the same status as her husband's friends. . . . For Seneca the marriage bond was comparable in every way to the pact of friendship. What were the practical consequences of this? I doubt there were many. What changed was more than likely the manner in which husbands spoke of their wives in general conversation or addressed them in the presence of others.⁷⁷