Politics Published on Natural Law, Natural Rights, and American Constitutionalism (https://nlnrac.org)
primarysourcedocument
Politics
Politics
Politics (Excerpts)
by Aristotle
Translated by Michael Pakaluk
[Aristotle. <i>Politics</i> . Translated by Michael Pakaluk. Princeton, N.J.: The Witherspoon Institute. 2012. 3.16.1287a8-32. Used with permission.]
As regards what is referred to as "absolute monarchy," that is, where the king decides everything by his
own judgment—some people consider that it is hardly consistent with nature for one man to make
decisions for all the citizens, in a city-state composed of citizens who are all alike, on the grounds that,
necessarily, the same thing is just by nature for those who are alike, and those who are alike all merit
the same thing by nature. These people conclude that, just as it is harmful for unequal members of a

Politics

Published on Natural Law, Natural Rights, and American Constitutionalism (https://nlnrac.org)

living body to receive the same food or clothing, so it is harmful for citizens who are unequal to receive

the same share in authority—but then similarly it's harmful for equals to receive unequal shares. That is

why, they say, it is not any more just that someone should rule than that he should be ruled; and,

therefore, they should take turns ruling.

But this is already a "law"—because an ordering is a law. For the law to rule, then, is better than for any one of the citizens to rule. (By the same line of thought, even if it were better for certain persons to govern, such men should be established as "guardians of the law" and ministers of the laws only.)

It is necessary that *some* individuals govern, they agree, but there is nothing just about *this* person in particular governing, when all the citizens are alike. And it is not as if a man would know how to make a determination in cases in which the law could not. It is the law, rather, which makes explicit provision for this and appoints authorities to determine any remaining matters by their judgment as to what is most just, and as they see fit. Further, the law allows them to try to improve existing laws by amendment as seems best.

So then, anyone whose command is that "law should govern" seems to command that "only God and Intelligence should govern;" and anyone whose command is that "this man should govern" slips a beast in as well. (That is the sort of thing that sense-desire is. And as for spirit, it corrupts rulers, even the best among them.) That is why the law simply is intelligence but without desire.

Original Author Sort: Aristotle Publication Date: 09650.00

Topic: Classical & Medieval Sources of Natural Law

Subtopic: Aristotle

Source URL: https://nlnrac.org/classical/aristotle/documents/politics