Aristotle

The Politics and
The Constitution
of Athens

Edited by
Stephen
Everson
A guide to further reading


The Constitution of Athens

J. J. Keane, 'The Date of Aristotle's *Athenaion Politeia*', *Historia* 19 (1970), 326–36

Other constitutions

If these matters and the excellences, and also friendship and pleasure, have been dealt with sufficiently in outline, are we to suppose that our programme has reached its end? Surely, as is said, where there are things to be done the end is not to survey and recognise the various things, but rather to do them; with regard to excellence, then, it is not enough to know, but we must try to have and use it, or try any other way there may be of becoming good. Now if arguments were in themselves enough to make men good, they would justly, as Theognis says, have won very great rewards, and such rewards should have been provided; but as things are, while they seem to have power to encourage and stimulate the generous-minded among the young, and to make a character which is gently born, and a true lover of what is noble, ready to be possessed by excellence, they are not able to encourage the man to nobility and goodness. For these do not by nature obey the sense of shame, but only fear, and do not abstain from bad acts because of their baseness but through fear of punishment; living by passion they pursue their own pleasures and the means to them, and avoid the opposite pains, and have not even a conception of what is noble and truly pleasant, since they have never tasted it. What argument would remould such people? It is hard, if not impossible, to remove by argument the traits that have long since been incorporated in the character; and perhaps we must be content if, when all the influences by which we are thought to become good are present, we get some tincture of excellence.

Now some think that we are made good by nature, others by habituation, others by teaching. Nature's part evidently does not depend on us, but as a result of some divine causes is present in those who are truly fortunate; while argument and teaching, we may suspect, are not powerful with all men, but the soul of the student must first have been cultivated by means of habits for noble joy and noble hatred, like earth which is to nourish the seed. For he who lives as passion directs will not hear argument that dissuades him, nor understand it if he does; and how can we persuade one in such a state to change his ways? And in general passion seems to yield not to argument but to force. The character, then, must somehow be there already with a kinship to excellence, loving what is noble and hating what is base.

But it is difficult to get from youth up a right training for
The Nicomachean Ethics

excellence if one has not been brought up under right laws; for
to live temperately and hardly is not pleasant to most people,
especially when they are young. For this reason their nurture and
occupation should be fixed by law; for they will not be painful
when they have become customary. But it is surely not enough
that when they are young they should get the right nurture and
attention; since they must, even when they are grown up, practise
and be habituated to them, we shall need laws for this as well,
and generally speaking to cover the whole of life; for most people
obey necessity rather than argument, and punishments rather than
what is noble.

This is why some think that legislators ought to stimulate men to
excellence and urge them forward by the motive of the noble, on
the assumption that those who have been well advanced by the
formation of habits will attend to such influences; and that punish-
ments and penalties should be imposed on those who disobey and
are of inferior nature, while the incurably bad should be com-
pletely banished. A good man (they think), since he lives with his
mind fixed on what is noble, will submit to argument, while a bad
man, whose desire is for pleasure, is corrected by pain like a beast
of burden. This is, too, why they say the pains inflicted should be
those that are most opposed to the pleasures such men love.

However that may be, if (as we have said) the man who is to
be good must be well trained and habituated, and go on to spend
his time in worthy occupations and neither willingly nor unwilling-
ly do bad actions, and if this can be brought about if men live
in accordance with a sort of intellect and right order, provided
this has force – if this be so, the paternal command indeed has
not the required force or compulsive power (nor in general has
the command of one man, unless he be a king or something
similar), but the law has compulsive power, while it is at the same
time an account proceeding from a sort of practical wisdom and
intellect. And while people hate men who oppose their impulses,
even if they oppose them rightly, the law in its ordaining of what
is good is not burdensome.

In the Spartan state alone, or almost alone, the legislator seems
to have paid attention to questions of nurture and occupations; in
most states such matters have been neglected, and each man lives
as he pleases, Cyclops-fashion, ‘to his own wife and children deal-

ing law’. Now it is best that there should be a public and proper
care for such matters; but if they are neglected by the community
it would seem right for each man to help his children and friends
towards excellence, and that they should be able, or at least choose,
to do this.

It would seem from what has been said that he can do this
better if he makes himself capable of legislating. For public care
is plainly effected by laws, and good care by good laws; whether
written or unwritten would seem to make no difference, nor
whether they are laws providing for the education of individuals
or of groups – any more than it does in the case of music or
gymnastics and other such pursuits. For as in cities laws and
character have force, so in households do the injunctions and the
habits of the father, and these have even more because of the tie
of blood and the benefits he confers; for the children start with
a natural affection and disposition to obey. Further, individual
education has an advantage over education in common, as individ-
ual medical treatment has; for while in general rest and abstinence
from food are good for a man in a fever, for a particular man they
may not be; and a boxer presumably does not prescribe the same
style of fighting to all his pupils. It would seem, then, that the
detail is worked out with more precision if the care is particular
to individuals; for each person is more likely to get what suits his
case.

But individuals can be best cared for by a doctor or gymnastic
instructor or anyone else who has the universal knowledge of what
is good for every one or for people of a certain kind (for the
sciences both are said to be, and are, concerned with what is
common); not but what some particular detail may perhaps be
well looked after by an unscientific person, if he has studied accu-
rately in the light of experience what happens in each case, just
as some people seem to be their own best doctors, though they
could give no help to anyone else. None the less, it will perhaps
be agreed that if a man does wish to become master of an art or
science he must go to the universal, and come to know it as well

1 Olynth. Κ 114.
2 Placing καὶ δυσμενὴ δίκαιον after ἐνυδάλλησιν.
3 Reading ἀνείκων.
as possible; for, as we have said, it is with this that the sciences are concerned.

And surely he who wants to make men, whether many or few, better by his care must try to become capable of legislating, if it is through laws that we can become good. For to get anyone whatever — anyone who is put before us — into the right condition is not for the first chance corner; if anyone can do it, it is the man who knows, just as in medicine and all other matters which give scope for care and practical wisdom.

Must we not, then, next examine whence or how one can learn how to legislate? Is it, as in all other cases, from statesmen? Certainly it was thought to be a part of statesmanship. Or is a difference apparent between statesmanship and the other sciences and faculties? In the others the same people are found offering to teach the faculties and practising them, e.g. doctors or painters; but while the sophists profess to teach politics, it is practised not by any of them but by the politicians, who would seem to do so by dint of a certain faculty and experience rather than of thought; for they are not found either writing or speaking about such matters (though it were a nobler occupation perhaps than composing speeches for the law-courts and the assembly), nor again are they found to have made statesmen of their own sons or any other of their friends. But it was to be expected that they should if they could; for there is nothing better than such a skill that they could have left to their cities, or could choose to have for themselves, or, therefore, for those dearest to them. Still, experience seems to contribute not a little; else they could not have become politicians by familiarity with politics; and so it seems that those who aim at knowing about the art of politics need experience as well.

But those of the sophists who profess the art seem to be very far from teaching it. For, to put the matter generally, they do not even know what kind of thing it is nor what kinds of things it is about; otherwise they would not have clasped it as identical with rhetoric or even inferior to it, nor have thought it easy to legislate by collecting the laws that are thought well of; they say it is possible to select the best laws, as though even the selection did not demand intelligence and as though right judgment were not the greatest thing, as in matters of music. For while people experienced in any department judge rightly the works produced in it,
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Every state is a community of some kind, and every community
is established with a view to some good; for everyone always acts in
order to obtain that which they think good. But, if all communities
aim at some good, the state or political community, which is the
highest of all, and which embraces all the rest, aims at good in a
greater degree than any other, and at the highest good.

Some people think that the qualifications of a statesman, king,
householder, and master are the same, and that they differ, not in
kind, but only in the number of their subjects. For example, the ruler
over a few is called a master; over more, the manager of a household;
over a still larger number, a statesman or king, as if there were no
difference between a great household and a small state. The distinc-
tion which is made between the king and the statesman is as follows:
When the government is personal, the ruler is a king; when, according
to the rules of the political science, the citizens rule and are ruled in
turn, then he is called a statesman.

But all this is a mistake, as will be evident to any one who considers
the matter according to the method which has hitherto guided us. As
in other departments of science, so in politics, the compound should
always be resolved into the simple elements or least parts of the
whole. We must therefore look at the elements of which the state is
composed, in order that we may see in what the different kinds of rule
differ from one another, and whether any scientific result can be
attained about each one of them.

He who thus considers things in their first growth and origin,
government prevailed because they were of the same blood. As Homer says:

Each one gives law to his children and to his wives.\(^1\)

For they lived dispersedly, as was the manner in ancient times. That is why men say that the Gods have a king, because they themselves either are or were in ancient times under the rule of a king. For they imagine not only the forms of the Gods but their ways of life to be like their own.

When several villages are united in a single complete community, large enough to be nearly or quite self-sufficing, the state comes into existence, originating in the bare needs of life, and continuing in existence for the sake of a good life. And therefore, if the earlier forms of society are natural, so is the state, for it is the end of them, and the nature of a thing is its end. For what each thing is when fully developed, we call its nature, whether we are speaking of a man, a horse, or a family. Besides, the final cause and end of a thing is the best, and to be self-sufficing is the end and the best.

Hence it is evident that the state is a creation of nature, and that man is by nature a political animal. And he who by nature and not by mere accident is without a state, is either a bad man or above humanity; he is like the

Tribesless, lawless, heartless one,\(^2\)

whom Homer denounces — the natural outcast is forthwith a lover of war; he may be compared to an isolated piece at draughts.

Now, that man is more of a political animal than bees or any other gregarious animals is evident. Nature, as we often say, makes nothing in vain, and man is the only animal who has the gift of speech. And whereas mere voice is but an indication of pleasure or pain, and is therefore found in other animals (for their nature attains to the perception of pleasure and pain and the intention of them to one another, and no further), the power of speech is intended to set forth the expedient and inexpedient, and therefore likewise the just and the unjust. And it is a characteristic of man that he alone has any sense of good and evil, of just and unjust, and the like, and the association of living beings who have this sense makes a family and a state.

\(^{1}\) Homer, Odyssey, ix 114-15.  
\(^{2}\) Homer, Iliad, ix 63.

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\(^{1}\) Euripides, Iphigenia in Tauris, 1400.  
\(^{2}\) Hesiod, Works and Days, 404.
Further, the state is by nature clearly prior to the family and to the individual, since the whole is of necessity prior to the part; for example, if the whole body be destroyed, there will be no foot or hand, except homonymously, as we might speak of a stone hand; for when destroyed the hand will be no better than that. But things are defined by their function and power; and we ought not to say that they are the same when they no longer have their proper quality, but only that they are homonymous. The proof that the state is a creation of nature and prior to the individual is that the individual, when isolated, is not self-sufficient; and therefore he is like a part in relation to the whole. But he who is unable to live in society, or who has no need because he is sufficient for himself, must be either a beast or a god; he is no part of a state. A social instinct is implanted in all men by nature, and yet he who first founded the state was the greatest of benefactors. For man, when perfected, is the best of animals, but, when separated from law and justice, he is the worst of all; since armed injustice is the more dangerous, and he is equipped at birth with arms, meant to be used by intelligence and excellence, which he may use for the worst ends. That is why, if he has not excellence, he is the most unholy and the most savage of animals, and the most full of lust and gluttony. But justice is the bond of men in states; for the administration of justice, which is the determination of what is just, is the principle of order in political society.

Let us first speak of master and slave, looking to the needs of practical life and also seeking to attain some better theory of their relation than exists at present. For some are of the opinion that the rule of a master is a science, and that the management of a household, and the mastership of slaves, and the political and royal rule, as I was saying at the outset, are all the same. Others affirm that the rule of a master over slaves is contrary to nature, and that the distinction between slave and freeman exists by convention only, and not by nature; and being an interference with nature is therefore unjust.

Property is a part of the household, and the art of acquiring property is a part of the art of managing the household; for no man can live well, or indeed live at all, unless he is provided with necessaries. And as in the arts which have a definite sphere the workers must have their own proper instruments for the accomplishment of their work, so it is in the management of a household. Now instruments are of various sorts; some are living, others lifeless; in the rudder, the pilot of a ship has a lifeless, in the look-out man, a living instrument; for in the arts the servant is a kind of instrument. Thus, too, a possession is an instrument for maintaining life. And so, in the arrangement of the family, a slave is a living possession, and property a number of such instruments; and the servant is himself an instrument for instruments. For if every instrument could accomplish its own work, obeying or anticipating the will of others, like the statues of Daedalus, or the tripods of Hephaestus, which, says the poet, of their own accord entered the assembly of the Gods,

if, in like manner, the shuttle would weave and the spectrums touch the lyre, chief workmen would not want servants, nor masters slaves. Now

the instruments commonly so called are instruments of production, whilst a possession is an instrument of action. From a shuttle we get something else besides the use of it, whereas of a garment or of a bed there is only the use. Further, as production and action are different in kind, and both require instruments, the instruments which they employ must likewise differ in kind. But life is action and not production, and therefore the slave is the minister of action. Again, a possession is spoken of as a part is spoken of; for the part is not only a part of something else, but wholly belongs to it; and this is also true of

1 Homer, Iliad, xxvi. 369.
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a possession. The master is only the master of the slave; he does not belong to him, whereas the slave is not only the slave of his master, but wholly belongs to him. Hence we see what is the nature and office of a slave; he who is by nature not his own but another's man, is by nature a slave; and he may be said to be another's man who, being a slave, is also a possession. And a possession may be defined as an instrument of action, separable from the possessor.

5 But is there any one thus intended by nature to be a slave, and for whom such a condition is expedient and right, or rather is not all slavery a violation of nature?

There is no difficulty in answering this question, on grounds both of reason and of fact. For that some should rule and others be ruled is a thing not only necessary, but expedient; from the hour of their birth, some are marked out for subjection, others for rule.

And there are many kinds both of rulers and subjects (and that rule is the better which is exercised over better subjects – for example, to rule over men is better than to rule over wild beasts; for the work is better which is executed by better workmen, and where one man rules and another is ruled, they may be said to have a work); for in all things which form a composite whole which are made up of parts, whether continuous or discrete, a distinction between the ruling and the subject element comes to light. Such a duality exists in living creatures, originating from nature as a whole; even in things which have no life there is a ruling principle, as in a musical mode. But perhaps this is matter for a more popular investigation. A living creature consists in the first place of soul and body, and of these two, the one is by nature the ruler and the other the subject. But then we must look for the intentions of nature in things which retain their nature, and not in things which are corrupted. And therefore we must study the man who is in the most perfect state both of body and soul, for in him we shall see the true relation of the two: although in bad or corrupted natures the body will often appear to rule over the soul, because they are in an evil and unnatural condition. At all events we may freely observe in living creatures both a despotic and a constitutional rule; for the soul rules the body with a despotic rule, whereas the intellect rules the appetites with a constitutional and royal rule. And it is clear that the rule of the soul over the body, and of the mind and the rational element over the passionate, is natural and expedient; whereas the equality of the two or the rule of the inferior is always hurtful. The same holds good of animals in relation to men; for tame animals have a better nature than wild and all tame animals are better off when they are ruled by man; for then they are preserved. Again, the male is by nature superior, and the female inferior; and the one rules, and the other is ruled; this principle, of necessity, extends to all mankind. Where then there is such a difference as that between soul and body, or between men and animals (as in the case of those whose business is to use their body, and who can do nothing better), the lower sort are by nature slaves, and it is better for them as for all inferiors that they should be under the rule of a master. For he who can be, and therefore is, another’s, and he who participates in reason enough to apprehend, but not to have, is a slave by nature. Whereas the lower animals cannot even apprehend reason, they obey their passions. And indeed the use made of slaves and of tame animals is not very different; for both with their bodies minister to the needs of life. Nature would like to distinguish between the bodies of freemen and slaves, making the one strong for servile labour, the other upright, and although useless for such services, useful for political life in the arts both of war and peace. But the opposite often happens – that some have the souls and others have the bodies of freemen. And doubtless if men differed from one another in the mere forms of their bodies as much as the statues of the Gods do from men, all would acknowledge that the inferior class should be slaves of the superior. And if this is true of the body, how much more just that a similar distinction should exist in the soul? But the beauty of the body is seen, whereas the beauty of the soul is not seen. It is clear, then, that some men are by nature free, and others slaves, and that for these latter slavery is both expedient and right.

6 But that those who take the opposite view have in a certain way right on their side, may be easily seen. For the words slavery and slave are used in two senses. There is a slave or slavery by convention as well as by nature. The convention is a sort of agreement – the convention by which whatever is taken in war is supposed to belong to the victors. But this right many jurists impeach, as they would an orator who brought forward an unconstitutional measure: they detect

"Reading kaigor.
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Between the two classes, rendering it expedient and right for the one to be slaves and the others to be masters: the one practising obedience, the other exercising the authority and lordship which nature intended them to have. The abuse of this authority is injurious to both: for the interests of part and whole, of body and soul, are the same, and the slave is a part of the master, a living but separated part of his bodily frame. Hence, where the relation of master and slave between them is natural they are friends and have a common interest, but where it rests merely on convention and force the reverse is true.

7. The previous remarks are quite enough to show that the rule of a master is not constitutional rule, and that all the different kinds of rule are not, as some affirm, the same as each other. For there is one rule exercised over subjects who are by nature free, another over subjects who are by nature slaves. The rule of a household is a monarchy, for every house is under one head: whereas constitutional rule is a government of freemen and equals. The master is not called a master because he has science, but because he is of a certain character, and the same remark applies to the slave and the freeman. Still there may be a science for the master and a science for the slave. The science of the slave would be such as the man of Syracuse taught, who made money by instructing slaves in their ordinary duties. And such knowledge may be carried farther, so as to include cookery and similar mental arts. For some duties are of the more necessary, others of the more honourable sort; as the proverb says, 'slave before slave, master before master'. But all such branches of knowledge are servile. There is likewise a science of the master, which teaches the use of slaves; for the master as such is concerned, not with the acquisition, but with the use of them. Yet this science is not anything great or wonderful; for the master need only know how to order that which the slave must know how to execute. Hence those who are in a position which places them above all have stewards who attend to their households while they occupy themselves with philosophy or with politics. But the art of acquiring slaves, I mean of justly acquiring them, differs both from the art of the master and the art of the slave, being a species of hunting or war. Enough of the distinction between master and slave.

8. Let us now inquire into property generally, and into the art of...
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not acquired by exchange and retail trade—there is the shepherd, and
husbandman, the brigand, the fisherman, the hunter. Some gain a
comfortable maintenance out of two employments, eking out the
deficiencies of one of them by another: thus the life of a shepherd may
be combined with that of a brigand, the life of a farmer with that of a
hunter. Other modes of life are similarly combined in any way which
the needs of men may require. Property, in the sense of a bare
livelihood, seems to be given by nature herself to all, both when they
are first born, and when they are grown up. For some animals bring
forth, together with their offspring, so much food as will last until they
are able to supply themselves; of this the verminous or oviparous
animals are an instance; and the viviparous animals have up to a
certain time a supply of food for their young in themselves, which is
called milk. In like manner we may infer that, after the birth of
animals, plants exist for their sake, and that the other animals exist for
the sake of man, the tame for use and food, the wild, if not all, at least
the greater part of them, for food, and for the provision of clothing
and various instruments. Now if nature makes nothing incomplete,
and nothing in vain, the inference must be that she has made all
animals for the sake of man. And so, from one point of view, the art of
war is a natural art of acquisition, for the art of acquisition includes
hunting, an art which we ought to practise against wild beasts, and
against men who, thought intended by nature to be governed, will not
submit; for war of such a kind is naturally just.

Of the art of acquisition then there is one kind which by nature is a
part of the management of a household, in so far as the art of
household management must either find ready to hand, or itself
provide, such things necessary to life, and useful for the community of
the family or state, as can be stored. They are the elements of true
riches; for the amount of property which is needed for a good life is
not unlimited, although Selon in one of his poems says that

No bound to riches has been fixed for man.

But there is a boundary fixed, just as there is in the other arts; for the
instruments of any art are never unlimited, either in number or size,
and riches may be defined as a number of instruments to be used in a
household or in a state. And so we see that there is a natural art of

*Retaining Latin text intact.*
acquisition which is practised by managers of households and by
statesmen, and the reason for this.

There is another variety of the art of acquisition which is
commonly and rightly called an art of wealth-getting, and has in fact
suggested the notion that riches and property have no limit. Being
nearly connected with the preceding, it is often identified with it. But
though they are not very different, neither are they the same. The
kind already described is given by nature, the other is gained by
experience and art.

Let us begin our discussion of the question with the following
considerations. Of everything which we possess there are two uses:
both belong to the thing as such, but not in the same manner, for one
is the proper, and the other the improper use of it. For example, a
shoe is used for wear, and is used for exchange; both are uses of the
shoe. He who gives a shoe in exchange for money or food to him who
wants one, does indeed use the shoe as a shoe, but this is not its proper
use, for a shoe is not made to be an object of barter. The same may be
said of all possessions, for the art of exchange extends to all of them,
and it arises at first from what is natural, from the circumstance that
some have too little, others too much. Hence we may infer that retail
trade is not a natural part of the art of getting wealth; had it been so,
men would have ceased to exchange when they had enough. In the
first community, indeed, which is the family, this art is obviously of no
use, but it begins to be useful when the society increases. For the
members of the family originally had all things in common; later,
when the family divided into parts, the parts shared in many things,
and different parts in different things, which they had to give in
exchange for what they wanted, a kind of barter which is still practised
among barbarous nations who exchange with one another the neces-
saries of life and nothing more; giving and receiving wine, for
example, in exchange for corn, and the like. This sort of barter is not
part of the wealth-getting art and is not contrary to nature, but is
needed for the satisfaction of men's natural wants. The other form of
exchange grew, as might have been inferred, out of this one. When
the inhabitants of one country became more dependent on those of
another, and they imported what they needed, and exported what they
had too much of, money necessarily came into use. For the various
necessaries of life are not easily carried about, and hence men agreed

employ in their dealing with each other something which was
intrinsically useful and easily applicable to the purposes of life, for
example, iron, silver, and the like. Of this the value was at first
measured simply by size and weight, but in process of time they put a
stamp upon it, to save the trouble of weighing and to mark the value.
When the use of coin had once been discovered, out of the barter of
necessary articles arose the other art of wealth-getting, namely, retail
trade; which was at first probably a simple matter, but became more
complicated as soon as men learned by experience whence and by
what exchanges the greatest profit might be made. Originating in the
use of coin, the art of getting wealth is generally thought to be chiefly
concerned with it, and to be the art which produces riches and wealth,
having to consider how they may be accumulated. Indeed, riches is
assumed by many to be only a quantity of coin, because the arts of
gaining wealth and retail trade are concerned with coin. Others
maintain that coined money is a mere sham, a thing not natural, but
conventional only, because, if the users substitute another commodity
for it, it is worthless, and because it is not useful as a means to any of
the necessaries of life, and, indeed, he who is rich in coin may often be
in want of necessary food. But how can that be wealth of which a man
may have a great abundance and yet perish with hunger, like Midas in
the fable, whose inextinguishable prayer turned everything that was set
before him into gold?

Hence men seek after a better notion of riches and of the art of
gaining wealth, and they are right. For natural riches and the natural
art of wealth-getting are a different thing; in their true form they are
part of the management of a household; whereas retail trade is the art
of producing wealth, not in every way, but by exchange. And it is
thought to be concerned with coin; for coin is the unit of exchange
and the limit of it. And there is no bound to the riches which spring
from this art of wealth-getting. As in the art of medicine there is no
limit to the pursuit of health, and as in the other arts there is no limit
to the pursuit of their several ends, for they aim at accomplishing their
ends to the uttermost (but of the means there is a limit, for the end is
always the limit), so, too, in this art of wealth-getting there is no limit
of the end, which is riches of the spurious kind, and the acquisition of
wealth. But the art of wealth-getting which consists in household
management, on the other hand, has a limit: the unlimited acquisi-

*Reading "of" for "of".
The Politics

Wealth is presupposed by them. For as political science does not make men, but takes them from nature and uses them, so too nature provides them with earth or sea or the like as a source of fruit. At this stage begins the duty of the manager of a household, who has to order the things which nature supplies — he may be compared to the weaver who has not to make but to use wool, and to know, too, what sort of wool is good and serviceable or bad and unserviceable. Were this otherwise, it would be difficult to see why the art of getting wealth is a part of the management of a household and the art of medicine not; for surely the members of a household must have health just as they must have life or any other necessity. The answer is that as from one point of view the master of the house and the ruler of the state have to consider about health, from another point of view not they but the physician has to; so in one way the art of household management, in another way the subordinate art, has to consider about wealth. But, strictly speaking, as I have already said, the means of life must be provided beforehand by nature; for the business of nature is to furnish food to that which is born, and the food of the offspring is always what remains over of that from which it is produced. That is why the art of getting wealth out of fruits and animals is always natural.

There are two sorts of wealth-getting, as I have said; one is a part of household management, the other is retail trade: the former is necessary and honourable, while that which consists in exchange is justly censured; for it is unnatural, and a mode by which men gain from one another. The most hated sort, and with the greatest reason, is usury, which makes a gain out of money itself, and not from the natural object of it. For money was intended to be used in exchange, but not to increase at interest. And this term interest, which means the birth of money from money, is applied to the breeding of money because the offspring resembles the parent. That is why all modes of getting wealth is the most unnatural.

11. Enough has been said about the theory of wealth-getting; we will now proceed to the practical part. Such things may be studied by a free man, but will only be practised from necessity. The useful parts of wealth-getting are, first, the knowledge of live-stock — which are most profitable, and where, and how — as for example, what sort of horses or sheep or oxen or any other animals are most likely to give a

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return. A man ought to know which of these pay better than others, and which pay best in particular places, for some do better in one place and some in another. Secondly, husbandry, which may be either tillage or planting, and the keeping of bees and of fish, or fowl, or of any animals which may be useful to man. These are the divisions of the true or proper art of wealth-getting and come first. Of the other, which consists in exchange, the first and most important division is commerce (of which there are three kinds—ship-owning, the conveyance of goods, exposure for sale—these again differing as they are safer or more profitable), the second is usury, the third, service for hire—of this, one kind is employed in the mechanical arts, the other is unskilled and bodily labour. There is still a third sort of wealth-getting intermediate between this and the first or natural mode which is partly natural, but is also concerned with exchange, viz. the industries that make their profit from the earth, and from things growing from the earth which, although they bear no fruit, are nevertheless profitable; for example, the cutting of timber and all mining. The art of mining itself has many branches, for there are various kinds of things dug out of the earth. Of the several divisions of wealth-getting I now speak generally; a minute consideration of them might be useful in practice, but it would be tiresome to dwell upon them at greater length now.

 Those occupations are most truly arts in which there is the least element of chance; they are the meanest in which the body is most maltreated, the most servile in which there is the greatest use of the body, and the most illiberal in which there is the least need of excellence.

 Works have been written upon these subjects by various persons; for example, by Charies the Perian, and Apollodorus the Lemnian, who have treated of Tillage and Planting, while others have treated of other branches; anyone who cares for such matters may refer to their writings. It would be well also to collect the scattered stories of the ways in which individuals have succeeded in amassing a fortune; for all this is useful to persons who value the art of getting wealth. There is the anecdote of Thales the Miletian and his financial scheme, which involves a principle of universal application, but is attributed to him on account of his reputation for wisdom. He was reproached for his poverty, which was supposed to show that philosophy was of no use. According to the story, he knew by his skill in the stars while it was yet winter that there would be a great harvest of olives in the coming year; so, having a little money, he gave deposits for the use of all the olive-presses in Chios and Miletus, which he hired at a low price because no one bid against him. When the harvest-time came, and many were wanted all at once and of a sudden, he let them out at any rate which he pleased, and made a quantity of money. Thus he showed the world that philosophers can easily be rich if they like, but that their ambition is of another sort. He is supposed to have given a striking proof of his wisdom, but, as I was saying, his scheme for getting wealth is of universal application, and is nothing but the creation of a monopoly. It is an art often practised by cities when they are in want of money; they make a monopoly of provisions.

 There was a man of Sicily, who, having money deposited with him, bought up all the iron from the iron mines; afterwards, when the merchants from their various markets came to buy, he was the only seller, and without much increasing the price he gained 200 per cent. Which when Dionysius heard, he told him that he might take away his money, but that he must not remain in Syracuse, for he thought that the man had discovered a way of making money which was injurious to his own interests. He made the same discovery as Thales; they both contrived to create a monopoly for themselves. And statesmen as well ought to know these things; for a state is often as much in want of money and of such schemes for obtaining it as a household, or even more so; hence some public men devote themselves entirely to finance.

 12. Of household management we have seen that there are three parts— one is the rule of a master over slaves, which has been discussed already, another of a father, and the third of a husband. A husband and father, we saw, rules over wife and children, both free, but the rule differs, the rule over his children being a royal, over his wife a constitutional rule. For although there may be exceptions to the order of nature, the male is by nature fitter for command than the female, just as the elder and full-grown is superior to the younger and more immature. But in most constitutional states the citizens rule and are ruled by turns, for the idea of a constitutional state implies that the natures of the citizens are equal, and do not differ at all. Nevertheless, when one rule and the other is ruled we endeavour to create a difference of outward forms and names and titles of respect, which
may be illustrated by the saying of Amasis about his foot-pan. The relation of the male to the female is always of this kind. The rule of a father over his children is royal, for he rules by virtue both of love and of the respect due to age, exercising a kind of royal power. And therefore Homer has appropriately called Zeus "father of Gods and men," because he is the king of them all. For a king is the natural superior of his subjects, but he should be of the same kin or kind with them, and such is the relation of elder and younger, of father and son.

13. Thus it is clear that household management attends more to men than to the acquisition of inanimate things, and to human excellence more than to the excellence of property which we call wealth, and to the excellence of freemen more than to the excellence of slaves. A question may indeed be raised, whether there is any excellence at all in a slave beyond those of an instrument and of a servant — whether he can have the excellence of temperance, courage, justice, and the like; or whether slaves possess only bodily services. And, whichever way we answer the question, a difficulty arises; for, if they have excellence, in what will they differ from freemen? On the other hand, since they are men and share in rational principle, it seems absurd to say that they have no excellence. A similar question may be raised about women and children, whether they too have excellences; ought a woman to be temperate and brave and just, and a child to be called temperate, and intemperate, or not? So in general we may ask about the natural ruler, and the natural subject, whether they have the same or different excellences. For if a noble nature is equally required in both, why should one of them always rule, and the other always be ruled? Nor can we say that this is a question of degree, for the difference between ruler and subject is a difference of kind, which the difference of more and less never is. Yet how strange is the supposition that the one ought, and that the other ought not, to have excellence! For if the ruler is intemperate and unjust, how can he rule well? If the subject, how can he obey well? If he is licentious and cowardly, he will certainly not do what is fitting. It is evident, therefore, that both of them must have a share of excellence, but varying as natural subjects also vary among themselves. Here the very constitution of the soul has shown us the way; in one part naturally rules, and the other is subject, and the excellence of the ruler we maintain to be different from that of the subject — the one being the excellence of the rational, and the other of the irrational. Now, it is obvious that the same principle applies generally, and therefore almost all things rule and are ruled according to nature. But the kind of rule differs — the freeman rules over the slave after another manner from that in which the male rules over the female, or the man over the child; although the parts of the soul are present in all of them, they are present in different degrees. For the slave has no deliberative faculty at all; the woman has, but it is without authority, and the child has, but it is immature. So it must necessarily be supposed to be with the excellences of character also; all should partake of them, but only in such manner and degree as is required by each for the fulfilment of his function. Hence the ruler ought to have excellence of character in perfection, for his function, taken absolutely, demands a master artist, and reason is such an artist; the subjects, on the other hand, require only that measure of excellence which is proper to each of them. Clearly, then, excellence of character belongs to all of them; but the temperance of a man and of a woman, or the courage and justice of a man and of a woman, are not, as Socrates maintained, the same; the courage of a man is shown in commanding, of a woman in obeying. And this holds of all other excellences, as will be more clearly seen if we look at them in detail, for those who say generally that excellence consists in a good disposition of the soul, or in doing rightly, or the like, only deceive themselves. Far better than such definitions is the mode of speaking of those who, like Gorgias, enumerate the excellences. All classes must be deemed to have their special attributes; as the poet says of women.

Silence is a woman's glory, but this is not equally the glory of man. The child is imperfect, and therefore obviously his excellence is not relative to himself alone, but to the perfect man and to his teacher, and in like manner the excellence of the slave is relative to a master. Now we determined that a slave is useful for the wants of life, and therefore he will obviously

1. Hendecus, II, 172. Amasis, a sixth-century king of Egypt, was deposed by his subjects because of his humble birth. He put up a statue of a god which they worshipped and then told them that it had been made out of a foot-bath.

2. Homer, Iliad, I 344.

3. Sophocles, Ajax, 293.
require only so much excellence as will prevent him from failing in his function through cowardice or lack of self-control. Someone will ask whether, if what we are saying is true, excellence will not be required also in the artisans, for they often fail in their work through the lack of self-control. But is there not a great difference in the two cases? For the slave shares in his master's life; the artisan is less closely connected with him, and only attains excellence in proportion as he becomes a slave. The meaner sort of mechanic has a special and separate slavery, and whereas the slave exists by nature, not so the shoemaker or other artisan. It is manifest, then, that the master ought to be the source of such excellence in the slave, and not a mere possessor of the art of mastership which trains the slave in his functions. That is why they are mistaken who forbid us to converse with slaves and say that we should employ command only, for slaves stand even more in need of admonition than children. So much for this subject; the relations of husband and wife, father and child, their several excellences, what in their intercourse with one another is good, and what is evil, and how we may pursue the good and escape the evil, will have to be discussed when we speak of the different forms of government. For, inasmuch as every family is a part of a state, and these relationships are the parts of a family, and the excellence of the part must have regard to the excellence of the whole, women and children must be trained by education with an eye to the constitution, if the excellences of either of them are supposed to make any difference in the excellences of the state. And they must make a difference: for the children grow up to be citizens, and half the free persons in a state are women.

Of these matters, enough has been said; of what remains, let us speak at another time. Regarding, then, our present enquiry as complete, we will make a new beginning. And, first, let us examine the various theories of a perfect state.

BOOK II

1. Our purpose is to consider what form of political community is best of all for those who are most able to realize their ideal of life. We must therefore examine not only this but other constitutions, both such as actually exist in well-governed states, and any theoretical forms which are held in esteem, so that what is good and useful may be brought to light. And let no one suppose that in seeking for something beyond them we are anxious to make a sophistical display at any cost; we only undertake this inquiry because all the constitutions which now exist are faulty.

We will begin with the natural beginning of the subject. The members of a state must either have all things or nothing in common, or some things in common and some not. That they should have nothing in common is clearly impossible, for the constitution is a community, and must at any rate have a common place—one city will be in one place, and the citizens are those who share in that one city. But should a well-ordered state have all things, as far as may be, in common, or some only and not others? For the citizens might conceivably have wives and children and property in common, as Socrates proposes in the Republic of Plato. Which is better, our present condition, or one conforming to the law laid down in the Republic?

2. There are many difficulties in the community of women. And the principle on which Socrates rests the necessity of such an institution evidently is not established by his arguments. Further, as a means to the end which he ascribes to the state, the scheme, taken literally, is impracticable, and how we are to interpret it is nowhere precisely stated. I am speaking of the supposition from which the argument of Socrates proceeds, that it is best for the whole state to be as unified as possible. Is it not obvious that a state may at length attain such a degree of unity as to be no longer a state?—since the nature of a state is to be a plurality, and its tending to greater unity, from being a state, it becomes a family, and from being a family, an individual; for the family may be said to be more one than the state, and the individual than the family. So that we ought not to attain this greatest unity even if we could, for it would be the destruction of the state. Again, a state is not made up only of so many men, but of different kinds of men; for similars do not constitute a state. It is not like a military alliance. The usefulness of the latter depends upon its quantity even where there is no difference in quality (for mutual protection is the end aimed at).

1 Plato, Republic, 446a.
just as a greater weight depresses the scale more (in like manner, a state differs from a nation, when the nation has not its population organized in villages, but lives an Arcadian sort of life); but the elements out of which a unity is to be formed differ in kind. That is why the principle of reciprocity, as I have already remarked in the Ethics, is the salvation of states. Even among freemen and equals this is a principle which must be maintained, for they cannot all rule together, but must change at the end of a year or some other period of time or in some order of succession. The result is that upon this plan they all govern; just as if shoemakers and carpenters were to exchange their occupations, and the same persons did not always continue shoemakers and carpenters. And since it is better that this should be so in politics as well, it is clear that while there should be continuance of the same persons in power where this is possible, yet where this is not possible by reason of the natural equality of the citizens, and at the same time it is just that all should share in the government (whether to govern be a good thing or a bad), — in these cases this is imitated. Thus the one party rules and the others are ruled in turn, as if they were no longer the same persons. In like manner when they hold office there is a variety in the offices held. Hence it is evident that a city is not by nature one in that sense which some persons affirm; and that what is said to be the greatest good of cities is in reality their destruction; but surely the good of things must be that which preserves them. Again, from another point of view, this extreme unification of the state is clearly not good; for a family is more self-sufficing than an individual, and a city than a family, and a city only comes into being when the community is large enough to be self-sufficing. If then self-sufficiency is to be desired, the lesser degree of unity is more desirable than the greater.

3 - But, even supposing that it were best for the community to have the greatest degree of unity, this unity is by no means proved to follow from the fact of all men saying 'mine' and 'not mine' at the same instant of time, which, according to Socrates, is the sign of perfect unity in a state. For the word 'all' is ambiguous. If the meaning be

\[\text{NE, v. 5} \quad \text{Rep, v. 46ac} \]

\*The text is uncertain.\*
parents, and they will necessarily be finding indications of their relationship to one another. Geographers declare such to be the fact; they say that in part of Upper Libya, where the women are common, nevertheless the children who are born are assigned to their respective fathers on the ground of their likeness. And some women, like the females of other animals—for example, mares and cows—have a strong tendency to produce offspring resembling their parents, as was the case with the Pharsalian mare called Honest Wife.

4: Other difficulties, against which it is not easy for the authors of such a community to guard, will be assaults and homicides, voluntary as well as involuntary, quarrels and slanders, all of which are most unholy acts when committed against fathers and mothers and near relations, but not equally unholy when there is no relationship. Moreover, they are much more likely to occur if the relationship is unknown than if it is known and, when they have occurred, the customary expiations of them can be made if the relationship is known, but not otherwise. Again, how strange it is that Socrates, after having made the children common, should hinder lovers from carnal intercourse only, but should permit love and familiarities between father and son or between brother and brother, than which nothing can be more unseemly, since even without them love of this sort is improper. How strange, too, to forbid intercourse for no other reason than the violence of the pleasure, as though the relationship of father and son or of brothers with one another made no difference.

This community of wives and children seem better suited to the husbandmen than to the guardians, for if they have wives and children in common, they will be bound to one another by weaker ties, as a subject class should be, and they will remain obedient and not rebel. In a word, the result of such a law would be just the opposite of that which good laws ought to have, and the intention of Socrates in making these regulations about women and children would defeat itself. For friendship we believe to be the greatest good of states and what best preserves them against revolutions; and Socrates particularly praises the unity of the state which seems and is said by him to be created by friendship. But the unity which he commends would be like that of the lovers in the Symposium, who, as Aristophanes says,

\[1\] Rep., iii 403a-8.

5: Next let us consider what should be our arrangements about property: should the citizens of the perfect state have their possessions in common or not? This question may be discussed separately from the enactments about women and children. Even supposing that the women and children belong to individuals, according to the custom which is at present universal, may there not be an advantage in having and using possessions in common? E.g. (1) the soil may be appropriated, but the produce may be thrown for consumption into the common stock; and this is the practice of some nations. Or (2), the soil may be common, and may be cultivated in common, but the produce divided among individuals for their private use; this is a form of common property which is said to exist among certain foreigners. Or (3), the soil and the produce may be alike common.

When the husbandmen are not the owners, the case will be
different and easier to deal with; but when they till the ground for themselves, the question of ownership will give a world of trouble. If they do not share equally in enjoyment and toils, those who labour much and get little will necessarily complain of those who labour little and receive or consume much. But indeed there is always a difficulty in men living together and having all human relations in common, but especially in their having common property. The partnerships of fellow-travellers are an example to the point; for they generally fall out over everyday matters and quarrel about any trifle which turns up. So with servants: we are most liable to take offence at those with whom we most frequently come into contact in daily life.

These are only some of the disadvantages which attend the community of property; the present arrangement, if improved as it might be by good customs and laws, would be far better, and would have the advantages of both systems. Property should be in a certain sense common, but, as a general rule, private; for, when everyone has a distinct interest, men will not complain of one another, and they will make more progress, because everyone will be attending to his own business. And yet by reason of goodness, and in respect of use, 'Friends', as the proverb says, 'will have all things common'. Even now there are traces of such a principle, showing that it is not impracticable, but, in well-ordered states, exists already to a certain extent and may be carried further. For, although every man has his own property, some things he will place at the disposal of his friends, while of others he shares the use with them. The Lacedaemonians, for example, use one another's slaves, and horses, and dogs, as if they were their own; and when they lack provisions on a journey, they appropriate what they find in the fields throughout the country. It is clearly better that property should be private, but the use of it common; and the special business of the legislator is to create in men this benevolent disposition. Again, how immeasurably greater is the pleasure, when a man feels a thing to be his own; for surely the love of self is a feeling implanted by nature and not given in vain, although selfishness is rightly censured; this, however, is not the mere love of self, but the love of self in excess, like the miner's love of money; for all, or almost all, men love money and other such objects in a measure. And further, there is the greatest pleasure in doing a kindness or service to friends or guests or companions, which can only be rendered when a man has private property. These advantages are lost by excessive unification of the state. The exhibition of two excellencies, besides, is visibly anachronistic in such a state: first, temperance towards women (for it is an honourable action to abstain from another's wife for temperance sake); secondly, liberality in the matter of property. No one, when men have all things in common, will any longer set an example of liberality or do any liberal action; for liberality consists in the use which is made of property.

Such legislation may have a specious appearance of benevolence; men readily listen to it, and are easily induced to believe that in some wonderful manner everybody will become everybody's friend — especially when someone is heard denouncing the evils now existing in states, suits about contracts, convictions for perjury, flatteries of rich men, and the like, which are said to arise out of the possession of private property. These evils, however, are due not to the absence of communism but to wickedness. Indeed, we see that there is much more quarrelling among those who have all things in common, though there are not many of them when compared with the vast numbers who have private property.

Again, we ought to reckon not only the evils from which the citizens will be saved, but also the advantages which they will lose. The life which they are to lead appears to be quite impracticable. The error of Socrates must be attributed to the false supposition from which he starts. Unity there should be, both of the family and of the state, but in some respects only. For there is a point at which a state may attain such a degree of unity as to be no longer a state, or at which, without actually ceasing to exist, it will become an inferior state, like harmony passing into unison, or rhythm which has been reduced to a single foot. The state, as I was saying, is a plurality, which should be united and made into a community by education; and it is strange that the author of a system of education which he thinks will make the state virtuous, should expect to improve his citizens by regulations of this sort, and not by philosophy or by customs and laws, like those which prevail at Sparta and Crete respecting common meals, whereby the legislator has made property common. Let us remember that we should not disregard the experience of ages; in the multitude of years these things, if they were good, would certainly not have been unknown; for almost everything has been found out, although

\[1\] \(\text{Rep., v. 464}\,\text{f.}\)
sometimes they are not put together; in other cases men do not use
the knowledge which they have. Great light would be thrown on this
subject if we could see such a form of government in the actual
process of construction; for the legislator could not form a state at all
without distributing and dividing its constituents into associations for
common meals, and into phratries and tribes. But all this legislation
ends only in forbidding agriculture to the guardians, a prohibition
which the Lacedaemonians try to enforce already.

But, indeed, Socrates has not said, nor is it easy to decide, what in
such a community will be the general form of the state. The citizens
who are not guardians are the majority, and about them nothing has
been determined: are the husbandmen, too, to have their property in
common? Or is each individual to have his own? and are their wives
and children to be individual or common? If, like the guardians, they
are to have all things in common, in what do they differ from them, or
what will they gain by submitting to their government? Or upon what
principle would they submit, unless indeed the governing class adopt
the ingenious policy of the Cretans, who give their slaves the same
institutions as their own, but forbid them gymnastic exercises and the
possession of arms. If, on the other hand, the inferior classes are to be
like other cities in respect of marriage and property, what will be the
form of the community? Must it not contain two states in one, each
hostile to the other? 1 He makes the guardians into a mere occupying
garrison, while the husbandmen and artisans and the rest are real
citizens. But if so the suits and quarrels, and all the evils which
Socrates affirms to exist in other states, will exist equally among them.

He says indeed that, having so good an education, the citizens will not
need many laws, for example laws about the city or about the markets;
but then he confines his education to the guardians. Again, he makes
the husbandmen owners of the property upon condition of their
paying a tribute. But in that case they are likely to be much more
unmanageable and conceited than the Helots, or Peasants, or slaves
in general. And whether community of wives and property be
necessary for the lower equally with the higher class or not, and the
questions akin to this, what will be the education, form of govern-
ment, laws of the lower class, Socrates has nowhere determined:
neither is it easy to discover this, nor is their character of small

1 Rep., iv 421a.

Book II

importance if the common life of the guardians is to be maintained.
Again, if Socrates makes the women common, and retains private
property, the men will see to the fields, but who will see to the house?
And who will do so if the agricultural class have both their property
and their wives in common? Once more: it is absurd to argue, from
the analogy of animals, that men and women should follow the same
pursuits, for animals have not to manage a household. The govern-
ment, too, as constituted by Socrates, contains elements of danger;
for he makes the same person always rule. And if this is often a cause
of disturbance among the meaner sort, how much more among high-
spirited warriors? But that the persons whom he makes rulers must be
the same is evident; for the gold which the God minglesthe souls of
men is not at one time given to one, at another time to another, but
equals always: as he says, God mingles gold in some, and silver in
others, from their very birth; but brass and iron in those who are
meant to be artisans and husbandmen. Again, he deprives the
guardians even of happiness, and says that the legislator ought to
make the whole state happy. 2 But the whole cannot be happy unless
most, or all, or some of its parts enjoy happiness. In this respect
happiness is not like the even principle in numbers, which may exist
only in the whole, but in neither of the parts; not so happiness. And if
the guardians are not happy, who are? Surely not the artisans, or the
common people. The Republic of which Socrates discourses has all
these difficulties, and others quite as great.

6 . 'The same, or nearly the same, objections apply to Plato's later
work, the Laws, and therefore we had better examine briefly the
constitution which is therein described. In the Republic, Socrates has
definitely settled in all a few questions only; such as the community of
women and children, the community of property, and the constitution
of the state. The population is divided into two classes - one of
husbandmen, and the other of warriors; from this latter is taken a
third class of counsellors and rulers of the state. But Socrates has not
determined whether the husbandmen and artisans are to have a share
in the government, and whether they, too, are to carry arms and share
in the military service, or not. He certainly thinks that the women
ought to share in the education of the guardians, and to fight by their

1 Rep., iv 419 ff.
side. The remainder of the work is filled up with digressions foreign to the main subject, and with discussions about the education of the guardians. In the Laws there is hardly anything but laws; not much is said about the constitution. This, which he had intended to make more of the ordinary type, he gradually brings round to the other form. For with the exception of the community of women and property, he supposes everything to be the same in both states; there is to be the same education; the citizens of both are to live free from servile occupations, and there are to be common meals in both. The only difference is that in the Laws, the common meals are extended to women, and the warriors number 5000, but in the Republic only 1000.

The discourses of Socrates are never commonplace; they always exhibit grace and originality and thought; but perfection in everything can hardly be expected. We must not overlook the fact that the number of 5000 citizens, just now mentioned, will require a territory as large as Babylon, or some other huge site, if so many persons are to be supported in idleness, together with their women and attendants, who will be a multitude many times as great. In framing an ideal we may assume what we wish, but should avoid impossibilities.

It is said that the legislator ought to have his eye directed to two points—the people and the country. But neighbouring countries also must not be forgotten by him, firstly because the state for which he legislates is to have a political and not an isolated life. For a state must have such a military force as will be serviceable against her neighbours, and not merely useful at home. Even if such a life is not accepted, either for individuals or states, still a city should be formidable to enemies, whether invading or retreating.

There is another point: Should not the amount of property be defined in some way which differs from this by being clearer? For Socrates says that a man should have so much property as will enable him to live temperately, which is only a way of saying to live well; this is too general a conception. Further, a man may live temperately and yet miserably. A better definition would be that a man must have so much property as will enable him to live not only temperately but liberally; if the two are parted, liberality will combine with luxury; temperance will be associated with toil. For liberality and temperance are the only eligible qualities which have to do with the use of

property. A man cannot use property with mildness or courage, but temperately and liberally he may; and therefore the practice of these excellences is inseparable from property. There is an absurdity, too, in equalizing the property and not regulating the number of citizens; the population is to remain unlimited, and he thinks that it will be sufficiently equalized by a certain number of marriages being unfruitful, however many are born to others, because he finds this to be the case in existing states. But greater care will be required than now; for among ourselves, whatever may be the number of citizens, the property is always distributed among them, and therefore no one is in want; but, if the property were incapable of division as in the Laws, the supernumeraries, whether few or many, would get nothing. One would have thought that it was even more necessary to limit population than property; and the limit should be fixed by calculating the chances of mortality in the children, and of sterility in married persons. The neglect of this subject, which in existing states is so common, is a lesser-failing cause of poverty among the citizens; and poverty is the parent of revolution and crime. Pheidon the Corinthian, who was one of the most ancient legislators, thought that the families and the number of citizens ought to remain the same, although originally all the lots may have been of different sizes; but in the Laws the opposite principle is maintained. What in our opinion is the right arrangement will have to be explained hereafter.

There is another omission in the Laws: Socrates does not tell us how the rulers differ from their subjects; he only says that they should be related as the warp and the woof, which are made out of different woods. He allows that a man's whole property may be increased fivefold, but why should not his land also increase to a certain extent? Again, will the good management of a household be promoted by his arrangement of homesteads? For he assigns to each individual two homesteads in separate places, and it is difficult to live in two houses.

The whole system of government tends to be neither democracy nor oligarchy, but something in a mean between them, which is usually called a polity, and is composed of the heavy-armed soldiers. Now, if he intended to frame a constitution which would suit the greatest number of states, he was very likely right, but not if he meant to say that this constitutional form came nearest to his first state; for
many would prefer the Lacedaemonian, or, possibly, some other more aristocratic government. Some, indeed, say that the best constitution is a combination of all existing forms, and they praise the Lacedaemonian because it is made up of oligarchy, monarchy, and democracy, the king forming the monarchy, and the council of elders the oligarchy, while the democratic element is represented by the Ephors; for the Ephors are selected from the people. Others, however, declare the Ephorate to be a tyranny, and find the element of democracy in the common meals and in the habits of daily life. In the Laws it is maintained that the best constitution is made up of democracy and tyranny, which are either not constitutions at all, or are the worst of all. But they are nearer the truth who combine many forms; for the constitution is better which is made up of more numerous elements. The constitution proposed in the Laws has no element of monarchy at all; it is nothing but oligarchy and democracy, leaning rather to oligarchy. This is seen in the mode of appointing magistrates; for although the appointment of them by lot from among those who have already been selected combines both elements, the way in which the rich are compelled by law to attend the assembly and vote for magistrates or discharge other political duties, while the rest may do as they like, and the endeavour to have the greater number of the magistrates appointed out of the richer classes and the highest officers selected from those who have the greatest incomes, both these are oligarchical features. The oligarchical principle prevails also in the choice of the council, for all are compelled to choose, but the compulsion extends only to the choice out of the first class, and of an equal number out of the second class and out of the third class, but not in this latter case to all the voters but to those from the third or fourth class; and the selection of candidates out of the fourth class is only compulsory on the first and second. Then, from the persons so chosen, he says that there ought to be an equal number of each class selected. Thus a preponderance will be given to the better sort of people, who have the larger incomes, because some of the lower classes, not being compelled, will not vote. These considerations, and others which will be added when the time comes for examining similar constitutions, tend to show that states like Plato's should not be composed of democracy and monarchy. There is also a danger in

1 Laws, v 756-7.

7: Other constitutions have been proposed; some by private persons, others by philosophers and statesmen, which all come nearer to established or existing ones than either of Plato's. No one else has introduced such novelties as the community of women and children, or public tables for women: other legislators begin with what is necessary. In the opinion of some, the regulation of property is the chief point of all, that being the question upon which all revolutions turn. This danger was recognized by Phales of Chalcedon, who was the first to affirm that the citizens of a state ought to have equal possessions. He thought that in a new colony the equalization might be accomplished without difficulty, not so easily when a state was already established; and that then the shortest way of compassing the desired end would be for the rich to give and not to receive marriage portions, and for the poor not to give but to receive them.

Plato in the Laws was of the opinion that, to a certain extent, accumulation should be allowed, forbidding, as I have already observed, any citizen to possess more than five times the minimum qualification. But those who make such laws should remember what they are apt to forget—that the legislator who fixes the amount of property should also fix the number of children; for, if the children are too many for the property, the law must be broken. And, besides the violation of the law, it is a bad thing that many from being rich should become poor; for men of ruined fortunes are sure to stir up revolutions. That the equalization of property exercises an influence on political society was clearly understood even by some of the old legislators. Laws were made by Solon and others prohibiting an individual from possessing as much land as he pleased; and there are other laws in states which forbid the sale of property: among the Locians, for example, there is a law that a man is not to sell his property unless he can prove unmistakably that some misfortune has befallen him. Again, there have been laws which enjoined the preservation of the original lots. Such a law existed in the island of Leucas, and the abrogation of it made the constitution too democratic, for the

1 Laws, v 749c.
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There are crimes for which the motive is want; and for these Phæacas expects to find a cure in the equalization of property, which will take away from a man the temptation to be a robber, because he is hungry or cold. But want is not the sole incentive to crime; men also wish to enjoy themselves and not to be in a state of desire — they wish to cure some desire, going beyond the necessities of life, which preys upon them; indeed this is not the only reason — they may desire to enjoy pleasures unaccompanied with pain, and therefore they commit crimes.

Now what is the cure of these three disorders? Of the first, moderate possessions and occupation; of the second, habits of temperance; as to the third, if any desire pleasures which depend on themselves, they will find the satisfaction of their desires nowhere but in philosophy; for all other pleasures we are dependent on others. The fact is that the greatest crimes are caused by excess and not by necessity. Men do not become tyrants in order that they may not suffer cold; and hence great is the honour bestowed, not on him who

1 Homer, Iliad, ix 319.
movables. Now either all these things must be equalized, or some limit must be imposed on them, or they must all be let alone. It would appear that Phælas is legislating for a small city only, if, as he supposes, all the artisans are to be public slaves and not to form a supplementary part of the body of citizens. But if there is a law that artisans are to be public slaves, it should only apply to those engaged on public works, as at Epidaurus, or at Athens on the plan which Diophantus once introduced.

From these observations any one mayjudge how far Phælas was wrong or right in his ideas.

8 - Hippodamus, the son of Euryphus, a native of Miletus, the same who invented the art of planning cities, and who also laid out the Pelæus—a strange man, whose fondness for distinction led him into a general eccentricity of life, which made some think him affected (for he would wear flowing hair and expensive ornaments; but these were worn on a cheap but warm garment both in winter and summer); he, besides aspiring to be an adept in the knowledge of nature, was the first person not a statesman who made inquiries about the best form of government.

The city of Hippodamus was composed of 10,000 citizens divided into three parts—one of artisans, one of husbandmen, and a third of armed defenders of the state. He also divided the land into three parts, one sacred, one public, the third private—the first was set apart to maintain the customary worship of the gods, the second was to support the warriors, the third was the property of the husbandmen. He also divided laws into three classes, and no more, for he maintained that there are three subjects of lawsuits—insult, injury, and homicide. He likewise instituted a single final court of appeal, to which all causes seeming to have been improperly decided might be referred; this court he formed of elders chosen for the purpose. He was further of the opinion that the decisions of the courts ought to be given by the vote of a pebble, but that everyone should... a tablet on which he might not only write a simple condemnation, or leave the tablet blank for a simple acquittal; but, if he partly acquitted and partly condemned, he was to distinguish accordingly. To the existing law he objected that it obliged the judges to be guilty of perjury, whichever way they voted. He also enacted that those who discovered anything for the good of the state should be honoured, and

he provided that the children of citizens who died in battle should be maintained at public expense, as if such an enactment had never been heard of before, yet it actually exists at Athens and in other places. As to the magistrates, he would have them all elected by the people, that is, by the three classes already mentioned, and those who were elected were to watch over the interests of the public, of strangers, and of orphans. These are the most striking points in the constitution of Hippodamus. There is not much else.

The first of these proposals to which objection may be taken is the threefold division of the citizens. The artisans, the husbandmen, and the warriors, all have a share in the government. But the husbandmen have no arms, and the artisans neither arms nor land, and therefore they become all but slaves of the warrior class. That they should have a share in all the offices is an impossibility; for generals and guardians of the citizens, and nearly all the principal magistrates, must be taken from the class of those who carry arms. Yet, if the two other classes have no share in the government, how can they be loyal citizens? It may be said that those who have arms must necessarily be masters of both the other classes, but this is not so easily accomplished unless they are numerous: and if they are, why should the other classes share in the government at all, or have power to appoint magistrates? Further, what use are farmers to the city? Artisans there must be, for these are wanted in every city, and they can live by their craft, as elsewhere; and the husbandmen, too, if they really provided the warriors with food, might fairly have a share in the government. But in the republic of Hippodamus they are supposed to have land of their own, which they cultivate for their private benefit. Again, as to this common land out of which the soldiers are maintained, if they are themselves to be the cultivators of it, the warrior class will be identical with the husbandmen, although the legislator intended to make a distinction between them. If, again, there are to be other cultivators distinct both from the husbandmen, who have land of their own, and from the warriors, they will make a fourth class, which has no place in the state and no share in anything. Or, if the same persons are to cultivate their own lands, and those of the public as well, they will have a difficulty in supplying the quantity of produce which will maintain two households; and why, in this case, should there be any division.

* Reading obsirix.
for they might find food themselves and give to the warriors from the same land and the same lots? There is surely a great confusion in all this.

Neither is the law to be commended which says that the judges, when a simple issue is laid before them, should make a distinction in their judgement; for the judge is thus converted into an arbitrator. Now, in an arbitration, although the arbitrators are many, they confer with one another about the decision; but in courts of law this is impossible, and, indeed, most legislators take pains to prevent the judges from holding any communication with one another. Again, will there not be confusion if the judge thinks that damages should be given, but not as much as the suitor demands? He asks, say, for twenty minae, and the judge allows him ten minae (or in general the suitor asks for more and the judge allows less), while another judge allows five, another four minae. In this way they will go on splitting up the damages, and some will grant the whole and others nothing: how is the final reckoning to be taken? Again, no one contends that he who votes for a simple acquittal or condemnation perjures himself, if the indictment has been laid in an unqualified form; and this is just, for nothing, but that he does not owe the twenty minae. He only is guilty of perjury who thinks that the defendant ought not to pay twenty minae, and yet condemns him.

To honour those who discover anything which is useful to the state is a proposal which has a specious sound, but cannot safely be enacted by law, for it may encourage informers, and perhaps even lead to political commotions. This question involves another. It has been doubted whether it is or is not expedient to make any changes in the laws of a country, even if another law be better. Now, if all changes are inexpedient, we can hardly assent to the proposal of Hippodamus; for, under pretence of doing a public service, a man may introduce measures which are really destructive to the laws or to the constitution. But, since we have touched upon this subject, perhaps we had better go a little into detail, for, as I was saying, there is a difference of opinion, and it may sometimes seem desirable to make changes. Such changes in the other arts and sciences have certainly been beneficial; medicine, for example, and gymnastics, and every other art and craft have departed from traditional usage. And, if politics be an art, change must be necessary in this as in any other art. That improve-

ment has occurred is shown by the fact that old customs are exceedingly simple and barbarous. For the ancient Hellenes went about armed and bought their brides from each other. The remains of ancient laws which have come down to us are quite absurd; for example, at Cumae there is a law about murder, to the effect that if the accuser produce a certain number of witnesses from among his own kinsmen, the accused shall be held guilty. Again, men in general desire the good, and not merely what their fathers had. But the primeval inhabitants, whether they were born of the earth or were the survivors of some destruction, may be supposed to have been no better than ordinary or even foolish people among ourselves (such is certainly the tradition concerning the earth-born men); and it would be ridiculous to rest contented with their notions. Even when laws have been written down, they ought not always to remain unaltered. As in other sciences, so in politics, it is impossible that all things should be precisely set down in writing; for enactments must be universal, but actions are concerned with particulars. Hence we infer that sometimes and in certain cases laws should be changed; but when we look at the matter from another point of view, great caution would seem to be required. For the habit of lightly changing the laws is an evil, and, when the advantage is small, some errors both of lawmakers and rulers had better be left; the citizen will not gain so much by making the change as he will lose by the habit of disobedience. The analogy of the arts is false; a change in a law is a very different thing from a change in an art. For the law has no power to command obedience except that of habit, which can only be given by time, so that a readiness to change from old to new laws enfeebles the power of the law. Even if we admit that the laws are to be changed, are they all to be changed, and in every state? And are they to be changed by anybody who likes, or only by certain persons? These are very important questions; and therefore we had better reserve the discussion of them to a more suitable occasion.

9: In the governments of Lacedaemon and Crete, and indeed in all governments, two points have to be considered: first, whether any particular law is good or bad, when compared with the perfect state; secondly, whether it is or is not consistent with the idea and character which the lawmaker has set before his citizens. That in a well-ordered state the citizens should have leisure and not have to provide for their
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Daily wants is generally acknowledged, but there is a difficulty in seeing how this leisure is to be attained. The Thessalian Penteuas have often risen against their masters, and the Helots in like manner against the Lacedaemonians, for whose misfortunes they are always lying in wait. Nothing, however, of this kind has as yet happened to the Cretans; the reason probably is that the neighbouring cities, even when at war with one another, never form an alliance with rebellious serfs, rebellions not being for their interest, since they themselves have a dependent population. Whereas all the neighbours of the Lacedaemonians, whether Argives, Messenians, or Arcadians, were their enemies. In Thessaly, again, the original revolt of the slaves occurred because the Thessalians were still at war with the neighbouring Achaeans, Perrhebian and Magnesians. Besides, if there were no other difficulty, the treatment or management of slaves is a troublesome affair; for, if not kept in hand, they are insolent, and think that they are as good as their masters, and, if harshly treated, they hate and conspire against them. Now it is clear that when these are the results the citizens of a state have not found out the secret of managing their subject population.

Again, the licence of the Lacedaemonian women defeats the intention of the Spartan constitution, and is adverse to the happiness of the state. For, a husband and a wife being each a part of every family, the state may be considered as about equally divided into men and women; and, therefore, in those states in which the condition of the women is bad, half the city may be regarded as having no laws.

And this is what has actually happened at Sparta; the legislator wanted to make the whole state hardy, and he has carried out his intention in the case of the men, but he has neglected the women, who live in every sort of intemperance and luxury. The consequence is that in such a state wealth is too highly valued, especially if the citizens fall under the dominion of their wives, after the manner of most warlike races, except the Celts and a few others who openly approve of male homosexuality. The old mythologer would seem to have been right in uniting Ares and Aphrodite, for all warlike races are prone to the love either of men or of women. This was exemplified among the Spartans in the days of their greatness; many things were managed by their women. But what difference does it make whether women rule, or the rulers are ruled by women? The result is the same. Even in regard to boldness, which is of no use in daily life, and is needed only in war, the influence of the Lacedaemonian women has been most mischievous. The evil showed itself in the Theban invasion, when, unlike the women in other cities, they were utterly useless and caused more confusion than the enemy. This licence of the Lacedaemonian women existed from the earliest times, and was only what might be expected. For during the wars of the Lacedaemonians, first against the Argives, and afterwards against the Arcadians and Messenians, the men were long away from home, and, on the return of peace, they gave themselves into the legislator's hand, already prepared by the discipline of a soldier's life (in which there are many elements of excellence), to receive his enactments. But, when Lycurgus, as tradition says, wanted to bring the women under his laws, they resisted, and he gave up the attempt. These then are the causes of what then happened, and this defect in the constitution is clearly to be attributed to them. We are not, however, considering what is or is not to be excused, but what is right or wrong, and the disorder of the women, as I have already said, not only gives an air of indelicacy to the constitution considered in itself, but tends in a measure to foster avarice.

The mention of avarice naturally suggests a criticism on the inequality of property. While some of the Spartan citizens have quite small properties, others have very large ones: hence the land has passed into the hands of a few. And this is due also to faulty laws; for, although the legislator rightly holds up to shame the sale or purchase of an inheritance, he allows anybody who likes to give or bequeath it. Yet both practices lead to the same result. And nearly two-fifths of the whole country are held by women; this is owing to the number of heiresses and to the large dowries which are customary. It would surely have been better to have given no dowries at all, or, if any, but small or moderate ones. As the law now stands, a man may bestow his heiress on any one whom he pleases, and, if he die intestate, the privilege of giving her away descends to his heir. Hence, although the country is able to maintain 1500 cavalry and 30,000 hoplites, the whole number of Spartan citizens fell below 1000. The result proves the faulty nature of their laws respecting property; for the city sank under a single defeat; the want of men was their ruin. There is a tradition that, in the days of their ancient kings, they were in the habit of giving the rights of citizenship to strangers, and therefore, in spite of their long wars, no lack of population was experienced by them.
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indeed, at one time Sparta is said to have numbered not less than 10,000 citizens. Whether this statement is true or not, it would certainly have been better to have maintained their numbers by the equalization of property. Again, the law which relates to the procreation of children is adverse to the correction of this inequality. For the legislator, wanting to have as many Spartans as he could, encouraged the citizens to have large families; and there is a law at Sparta that the father of three sons shall be exempt from military service, and he who has four from all the burdens of the state. Yet it is obvious that, if there were many children, the land being distributed as it is, many of them must necessarily fall into poverty.

The Lacedaemonian constitution is defective also in respect of the Ephorate. This magistracy has authority in the highest matters, but the Ephors are chosen from the whole people, and so the office is apt to fall into the hands of very poor men, who, being badly off, are open to bribes. There have been many examples at Sparta of this evil in former times; and quite recently, in the matter of the Andrians, certain of the Ephors who were bribed did their best to ruin the state.

And so great and tyrannical is their power, that even the kings have been compelled to court them, so that, in this way as well, together with the royal office the whole constitution has deteriorated, and from being an aristocracy has turned into a democracy. The Ephorate certainly does keep the state together; for the people are contented when they have a share in the highest office, and the result, whether due to the legislator or to chance, has been advantageous. For if a constitution is to be permanent, all the parts of the state must wish that it should exist and these arrangements be maintained. This is the case at Sparta, where the kings desire its permanence because they have due honour in their own persons; the nobles because they are represented in the council of elders (for the office of elder is a reward of excellence); and the people, because all are eligible for the Ephorate. The election of Ephors out of the whole people is perfectly right, but ought not to be carried on in the present fashion, which is too childish. Again, they have the decision of great causes, although they are quite ordinary men, and therefore they should not determine them merely on their own judgement, but according to written rules, and to the laws. Their way of life, too, is not in accordance with the spirit of the constitution — they have a deal too much licence; whereas, in the case of the other citizens, the excess of strictness is so intolerable that they run away from the law into the secret indulgence of sensual pleasures.

Again, the council of elders is not free from defect. It may be said that the elders are good men and well trained in manly virtue; and that, therefore, there is an advantage to the state in having them. But that judges of important causes should hold office for life is a disputable thing, for the mind grows old as well as the body. And when men have been educated in such a manner that even the legislator himself cannot trust them, there is real danger. Many of the elders are well known to have taken bribes and to have been guilty of partiality in public affairs. And therefore they ought not to be non-accountable; yet at Sparta they are so. All magistracies are accountable to the Ephors. But this prerogative is too great for them, and we maintain that the control should be exercised in some other manner. Further, the mode in which the Spartans elect their elders is childish; and it is improper that the person to be elected should canvass for the office; the worthiest should be appointed, whether he chooses or not. And here the legislator clearly indicates the same intention which appears in other parts of his constitution; he would have his citizens ambitious, and he has reckoned upon this quality in the election of the elders; for no one would ask to be elected if he were not. Yet ambition and avarice, almost more than any other passions, are the motives of voluntary injustices.

Whether kings are or are not an advantage to states, I will consider at another time; they should at any rate be chosen, not as they are now, but with regard to their personal life and conduct. The legislator himself obviously did not suppose that he could make them really good men; at least he shows a great distrust of their virtue. For this reason the Spartans used to join enemies with them in the same embassy, and the quarrels between the kings were held to preserve the state.

Neither did the first introducer of the common meals, called 'phiditia', regulate them well. The entertainment ought to have been provided at public cost, as in Crete; but among the Lacedaemonians everyone is expected to contribute, and some of them are too poor to afford the expense: thus the intention of the legislator is frustrated. The common meals were meant to be a democratic institution, but the existing manner of regulating them is the reverse of democratic. For the very poor can scarcely take part in them; and, according to...
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ancient custom, those who cannot contribute are not allowed to retain their rights of citizenship.

The law about the Spartan admirals has often been censured, and 40 with justice; it is a source of dissension, for the kings are perpetual generals, and this office of admiral is but the setting up of another king.

The charge which Plato brings, in the Laws, against the intention of the legislator, is likewise justified; the whole constitution has regard to one part of excellence only — the excellence of the soldier, which gives victory in war. So long as they were at war, therefore, their power was preserved, but when they had attained empire they fell, for of the arts of peace they knew nothing, and have never engaged in any employment higher than war. There is another error, equally great, into which they have fallen. Although they truly think that the goods for which men contend are to be acquired by excellence rather than by vice, they err in supposing that these goods are to be preferred to the excellence which gains them.

Again, the revenues of the state are ill-managed; there is no money in the treasury, although they are obliged to carry on great wars, and they are unwilling to pay taxes. The greater part of the land being in the hands of Spartans, they do not look closely into another's contributions. The result which the legislator has produced is the reverse of beneficial; for he has made his city poor, and his citizens greedy.

Enough respecting the Spartan constitution, of which these are the principal defects.

10 - The Cretan constitution nearly resembles the Spartan, and in some few points is quite as good; but the most part less perfect in form. The older constitutions are generally less elaborate than the latter, and the Lacedaemonian is said to be, and probably is, in a very great measure, a copy of the Cretan. According to tradition, Lycurgus, when he ceased to be the guardian of King Charillus, went abroad and spent most of his time in Crete. For the two countries are nearly connected; the Lycurgans are a colony of the Lacedaemonians, and the colonists, when they came to Crete, adopted the constitution which they found existing among the inhabitants. Even to this day the Perioeci are governed by the original laws which Minos is supposed to have enacted. The island seems to be intended by nature for

domination in Hellas, and to be well situated; it extends right across the sea, around which nearly all the Hellenes are settled; and while one end is not far from the Peloponnesian, the other almost reaches to the region of Asia about Triopium and Rhodes. Hence Minos acquired the empire of the sea, subduing some of the islands and colonizing others; at last he invaded Sicily, where he died near Camicus.

The Cretan institutions resemble the Lacedaemonian. The Helots are the husbandmen of the one, the Perioeci of the other, and both Cretans and Lacedaemonians have common meals, which were anciently called by the Lacedaemonians not 'phidiaita' but 'andria'; and the Cretans have the same word, the use of which proves that the common meals originally came from Crete. Further, the two constitutions are similar; for the office of the Ephors is the same as that of the Cretan Cosmi, the only difference being that whereas the Ephors are five, the Cosmi are ten in number. The elders, too, answer to the elders in Crete, who are termed by the Cretans the council. And the kings' office once existed in Crete, but was abolished, and the Cosmi have now the duty of leading them in war. All classes share in the ecclesia, but it can only ratify the decrees of the elders and the Cosmi.

The common meals of Crete are certainly better managed than the Lacedaemon; for in Lacedaemon every one pays so much per head, or, if he fails, the law, as I have already explained, forbids him to exercise the rights of citizenship. But in Crete they are of a more popular character. There, of all the fruits of the earth, of the cattle raised on the public lands, and of the tribute which is paid by the Perioeci, one portion is assigned to the gods and to the service of the state, and another to the common meals, so that men, women, and children are all supported out of a common stock. The legislator has many ingenious ways of securing moderation in eating, which he conceives to be a gain; he likewise encourages the separation of men from women, lest they should have too many children, and the companionship of men with one another — whether this is a good or bad thing I shall have an opportunity of considering at another time. Thus that the Cretan common meals are better ordered than the Lacedaemonian there can be no doubt.

On the other hand, the Cosmi are even a worse institution than the Ephors, of which they have all the evils without the good. Like the Ephors, they are any chance persons, but in Crete this is not counter-balanced by a corresponding political advantage. At Sparta everyone
is eligible, and the body of the people, having a share in the highest office, want the constitution to be permanent. But in Crete the Cosmi are elected out of certain families, and not out of the whole people, and the elders out of those who have been Cosmi.

The same criticism may be made about the Cretan, which has been already made about the Lacedaemonian affairs. Their unaccountability and life tenure is too great a privilege, and their arbitrary power of acting upon their own judgement, and dispensing with written law, is dangerous. It is no proof of the goodness of the institution that the people are not discontented at being excluded from it. For there is no profit to be made out of the office as out of the

Ephorate, since, unlike the Ephors the Cosmi, being in an island, are removed from temptation.

The remedy by which they correct the evil of this institution is an extraordinary one, suited rather to a dynasty than to a constitutional state. For the Cosmi are often expelled by a conspiracy of their own colleagues, or of private individuals; and they are allowed also to resign before their term of office has expired. Surely all matters of this kind are better regulated by law than by the will of man, which is a very unsafe rule. Worst of all is the suspension of the office of Cosmi, a device to which the nobles often have recourse when they will not submit to justice. This shows that the Cretan government, although possessing some of the characteristics of a constitutional state, is really a dynasty.

The nobles have a habit, too, of setting up a chief; they get together a party among the common people and their own friends and then quarrel and fight with one another. What is this but the temporary destruction of the state and dissolution of society? A city is in a dangerous condition when those who are willing are also able to attack her. But, as I have already said, the island of Crete is saved by her situation; distance has the same effect as the prohibition of strangers. This is the reason why the Perioeci are contented in Crete, whereas the Helots are perpetually revolting. For the Cretans have no foreign dominions and, when lately foreign invaders found their way into the island, the weakness of the Cretan constitution was revealed. Enough of the government of Crete.

The Carthaginians are also considered to have an excellent form of government, which differs from that of any other state in several respects, though it is in some very like the Lacedaemonian. Indeed, all three states – the Lacedaemonian, the Cretan, and the Carthaginian – nearly resemble one another, and are very different from any others. Many of the Carthaginian institutions are excellent. The superiority of their constitution is proved by the fact that the common people remains loyal to the constitution; the Carthaginians have never had any rebellion worth speaking of, and have never been under the rule of a tyrant.

Among the points in which the Carthaginian constitution resembles the Lacedaemonian are the following: – The common tables of the clubs answer to the Spartan phiditia, and their magistracy of the 104 to the Ephors; but, whereas the Ephors are any chance persons, the magistrates of the Carthaginians are elected according to merit – this is an improvement. They have also their kings and their council of elders, who correspond to the kings and elders of Sparta. Their kings, unlike the Spartan, are not always of the same family, nor that an ordinary one, but if there is some distinguished family they are selected out of it and not appointed by seniority – this is far better. Such officers have great power, and therefore, if they are persons of little worth, do a great deal of harm, and they have already done harm at Lacedaemon.

Most of the defects or deviations from the perfect state, for which the Carthaginian constitution would be censured, apply equally to all the forms of government which we have mentioned. But of the deflections from aristocracy and constitutional government, some incline more to democracy and some to oligarchy. The kings and elders, if unanimous, may determine whether they will or will not bring a matter before the people, but when they are not unanimous, the people decide on such matters as well. And whatever the kings and elders bring before the people is not only heard but also determined by them, and anyone who likes may oppose it; now this is not permitted in Sparta and Crete. That the magistrates of five who have under them many important matters should be co-opted, that they should choose the supreme council of 100, and should hold office longer than other magistrates (for they are virtually rulers both before and after they hold office) – these are oligarchical features; their being without salary and not elected by lot, and any similar points, such as the practice of having all suits tried by the magistrates, and not some by one class and some by another, as at Lacedaemon,
are characteristic of aristocracy. The Carthaginian constitution deviates from aristocracy and inclines to oligarchy, chiefly on a point where popular opinion is on their side. For men in general think that magistrates should be chosen not only for their merit, but for their wealth: a man, they say, who is poor cannot rule well—he has not the leisure. If, then, election of magistrates for their wealth be characteristic of oligarchy, and election for merit of aristocracy, there will be a third form under which the constitution of Carthage is comprehended; for the Carthaginians choose their magistrates, and particularly the highest of them—the kings and generals—with an eye both to merit and to wealth.

But we must acknowledge that, in thus deviating from aristocracy, the legislator has committed an error. Nothing is more absolutely necessary than to provide that the highest class, not only when in office, but when out of office, should have leisure and not disgrace themselves in any way; and to this his attention should be first directed. Even if you must have regard to wealth, in order to secure leisure, yet it is surely a bad thing that the greatest offices, such as those of kings and generals, should be bought. The law which allows this abuse makes wealth of more account than excellence, and the whole state becomes avaricious. For, whenever the chiefs of the state deem anything honourable, the other citizens are sure to follow their example; and, where excellence has not the first place, there aristocracy cannot be firmly established. Those who have been at the expense of purchasing their places will be in the habit of repaying themselves; and it is absurd to suppose that a poor and honest man will be wanting to make gains, and that a lower stamp of man who has incurred a great expense will not. That is why they should rule who are able to rule best. And even if the legislator does not care to protect the good from poverty, he should at any rate secure leisure for them when in office.

It would seem also to be a bad principle that the same person should hold many offices, which is a favourite practice among the Carthaginians, for one business is better done by one man. The legislator should see to this and should not appoint the same person to be a flute-player and a shoemaker. Hence, where the state is large, it is more in accordance both with constitutional and with democratic principles that the offices of state should be distributed among many persons. For, as I said, this arrangement is fairer to all, and any action

familiarized by repetition is better and sooner performed. We have a proof in military and naval matters; the duties of command and of obedience in both these services extend to all.

The government of the Carthaginians is oligarchical, but they successfully escape the evils of oligarchy by being wealthy, sending out one portion of the people after another to the cities. This is their panacea and the means by which they give stability to the state. This is the result of chance but it is the legislator who should be able to provide against revolution. As things are, if any misfortune occurred, and the bulk of the subjects revolted, there would be no way of restoring peace by legal methods.

Such is the character of the Lacedaemonian, Cretan, and Carthaginian constitutions, which are justly celebrated.

12.- Of those who have treated of governments, some have never taken any part at all in public affairs, but have passed their lives in a private station; about most of them, what was worth telling has been already told. Others have been lawyers, either in their own or in foreign cities, whose affairs they have administered; and of these some have only made laws, others have framed constitutions; for example, Lycurgus and Solon did both. Of the Lacedaemonian constitution I have already spoken. As to Solon, he is thought by some to have been a good legislator, who put an end to the exclusiveness of the oligarchy, emancipated the people, established the ancient Athenian democracy, and harmonized the different elements of the state. According to their view, the council of Areopagus was an oligarchical element, the elected magistracy, aristocratic, and the courts of law, democratic. The truth seems to be that the council and the elected magistracy existed before the time of Solon, and were retained by him, but that he formed the courts of law out of all the citizens, thus creating the democracy, which is the very reason why he is sometimes blamed. For in giving the supreme power to the law courts, which are elected by lot, he is thought to have destroyed the non-democratic element. When the law courts grew powerful, to please the people who were now playing the tyrant the old constitution was changed into the existing democracy. Ephialtes and Pericles curtailed the power of the Areopagus; Pericles also instituted the payment of the juries, and thus every demagogue in turn increased the power of the democracy until it became what we now see. All this
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seems, however, to be the result of circumstances, and not to have been intended by Solon. For the people, having been instrumental in gaining the empire of the sea in the Persian War, began to get a notion of itself, and followed worthless demagogues, whom the better class opposed. Solon, himself, appears to have given the Athenians only that power of electing to offices and calling to account the magistrates which was absolutely necessary; for without it they would have been in a state of slavery and enmity to the government. All the magistrates he appointed from the notables and the men of wealth, that is to say, from the pentacosiomedimni, or from the class called zeugitae, or from a third class of so-called knights. The fourth class were labourers who had no share in any magistracy.

Mere legislators were Zaleucus, who gave laws to the Epizephyrian Locrians, and Charondas, who legislated for his own city of Catana, and for the other Chalcidian cities in Italy and Sicily. Some people attempt to make out that Onomacritus was the first person who had any special skill in legislation, and that he, although a Locrian by birth, was trained in Crete, where he lived in the exercise of his prophetic art; that Thales was his companion, and that Lycurgus and Zaleucus were disciples of Thales, as Charondas was of Zaleucus. But their account is quite inconsistent with chronology.

There was also Philolaus, the Corinthian, who gave laws to the Thebans. This Philolaus was one of the family of the Bacchiadæ, and a lover of Diocles, the Olympic victor, who left Corinth in horror of the incestuous passion which his mother Halycone had conceived for him, and retired to the Thebes, where the two friends together ended their days. The inhabitants still point out their tombs, which are in full view of one another, but one is visible from the Corinthian territory, the other not. Tradition says the two friends arranged them thus, Diocles out of horror at his misfortunes, so that the land of Corinth might not be visible from his tomb; Philolaus that it might. This is the reason why they settled at Thebes, and so Philolaus legislated for the Thebans, and, besides some other enactments, gave them laws about the procreation of children, which they call the 'Laws of Adoption'. These laws were peculiar to him, and were intended to preserve the number of the lots.

In the legislation of Charondas there is nothing distinctive, except the suits against false witnesses. He is the first who instituted

Book III

denunciation for perjury. His laws are more exact and more precisely expressed than even those of our modern legislators.

(Characteristic of Phææs is the equalization of property; of Plato, the community of women, children, and property, the common meals of women, and the law about drinking, that the sober shall be masters of the feast; also the training of soldiers to acquire by practice equal skill with both hands, so that one should be as useful as the other.)

Draco has left laws, but he adapted them to a constitution which already existed, and there is no peculiarities in them which is worth mentioning, except the greatness and severity of the punishments.

Pittacus, too, was only a lawyer, and not the author of a constitution; he has a law which is peculiar to him, that, if a drunken man do something wrong, he shall be more heavily punished than if he were sober; he looked not to the excuse which might be offered for the drunkard, but only to expediency, for drunken more often than sober people commit acts of violence.

Androdamas of Rhegium gave laws to the Chalcidians of Thrace. Some of them relate to homicide, and to heireness; but there is nothing distinctive in them.

And here let us conclude our inquiry into the various constitutions which either actually exist, or have been devised by theorists.

BOOK III

1. He who would inquire into the essence and attributes of various kinds of government must first of all determine what a state is. At present this is a disputed question. Some say that the state has done a certain act; others, not the state, but the oligarchy or the tyrant. And the legislator or statesman is concerned entirely with the state, a government being an arrangement of the inhabitants of a state. But a state is composite, like any other whole made up of many parts—these are the citizens, who compose it. It is evident, therefore, that we must begin by asking, Who is the citizen, and what is the meaning of the term? For here again there may be a difference of opinion. He who is a citizen in a democracy will often not be a citizen in an oligarchy.