

## ARISTOTLE AND THE SCIENCE OF POLITICS

### ARISTOTLE

Aristotle was born a subject of the king of Macedon at Stageira in Thrace in 384 BC. His father was a doctor who attended king Amyntas, whose throne was later occupied by the Philip who was father to Alexander the Great. Philip made peripheral Macedon the most powerful state in Greece, and Alexander conquered the world. Aristotle came to study at Plato's Academy at Athens when he was seventeen, and he remained there as student and teacher until he was nearly forty. Aristotle's Macedonian court connections may have made him slightly suspect in an Athens that saw its own rather complicated foreign policy being undermined by Macedonian success. Athens still regarded itself in important ways as the centre of Hellas and could be expected to look askance at the threat to Greek city-state autonomy posed by Macedon's rise to hegemony, first in Hellas and then in the whole world. We shall probably never know for certain how far Aristotle was 'involved' in Macedonian politics. Some have seen only the detached scientist in Aristotle, while others have seen him as the cultural wing of Macedonian imperialism (or even as a Macedonian spy). The evidence for the latter is not much more than ancient tittle-tattle, though the extended treatment of monarchy in *The Politics* has sometimes been seen as a defence of Macedonian kingship.

Whatever the truth of the Macedonian connection, Aristotle had to leave Athens on account of anti-Macedonian feeling at least twice, though his first exodus was probably also bound up with the question of the succession to Plato as head of the Academy, a job Aristotle failed to get. Aristotle went to Assos in the territory of the tyrant Hermias of Atarneus, whose daughter he married. This is the period of Aristotle's studies in marine biology. He also went to Macedon to become tutor to the young Alexander for a year or two, and he was back in Athens in 336. By this time, Philip of Macedon had established himself as *hegemon* of the Greek cities. He was assassinated in 336, and it was Alexander who became 'the Great'. Aristotle founded his own school at Athens, the Lyceum, with its famous covered walk (*peripatos*), hence the name Peripatetics for the followers of the Aristotelian philosophy. The curriculum at the Lyceum contained biology, theology, metaphysics, astronomy, mathematics, botany, meteorology, ethics, rhetoric and poetics as

well as politics, so that Aristotle has a much better claim than Plato to being the founder of the first real university.

Athens was divided into pro- and anti-Macedonian parties, roughly oligarchs against democrats, and Aristotle had well-born friends (he was a snappy dresser and affected the aristocratic lisp). There was a renewal of anti-Macedonian feeling at Athens when news reached the city of Alexander's death at Babylon in 332, and Aristotle sensibly took up residence at Chalcis in Euboea, where he died ten years later at the age of sixty-two.

### THE PROBLEM OF ARISTOTLE'S *POLITICS*

Much is usually made of the fact that Aristotle was Plato's pupil. Plato, being the great man he is, must have been an inspirational teacher, and Aristotle, being the clever man he is, must have been a model student, therefore Aristotle must have learned much from Plato and have come a good deal under his influence. Plato spent his life trying to design the Ideal State, so that any mention of ideal states in Aristotle's work on politics must reflect the influence of Plato. However, Aristotle's conception of what political theorising consists of contains many things that are not very conspicuous in Plato, so there must have come a time when Aristotle chose to break with Plato and branch out on his own. Because Plato was bound to have been so influential, Aristotle's break with Plato must have been difficult to make, even painful, comparable with Marx's break with Hegel, or J.S.Mill's with Bentham (which took the form of a much-publicised nervous breakdown). Therefore, so the argument runs, the break can never have been really complete, which brings the argument back full circle to Plato's own greatness as an influence on Aristotle. Various possible reasons have been canvassed for the necessary influence of Plato on Aristotle. For some, Plato's 'greatness' is enough; he would have influenced anybody, so that it is to Aristotle's credit that he should have sloughed off even a part of Plato's influence. This tendency to patronise Aristotle from the Platonic heights is at its most pronounced in the view that Aristotle, not being quite Greek (he was born in Stageira in Macedonian Thrace) and being an Athenian only by adoption, must have been wonderfully impressed by a philosophical Athenian aristocrat like Plato. The young Aristotle was probably pathetically grateful for any attention the great man could spare him after finishing the education of the gilded Athenian youths for whose benefit the Platonic Academy had been founded.

This picture of Aristotle the outsider is used to explain some of the fundamentals of Aristotle's political thought. By origin the subject of a king and living in Athens as a resident foreigner (*metic*) without political rights, Aristotle came to overvalue the idea of citizenship; coming from the fringe of the Greek world, he made too much of the distinction between Hellene and barbarian; and like all outsiders wanting to belong, he cried up the virtues of the *polis* and took too rosy a view of its faults. Aristotle may even have done this for entirely self-interested motives. It was the rise of Macedon under

Philip and Alexander which put an end to the free and independent *polis*, and Aristotle himself may have come under suspicion as some kind of Macedonian agent, as the philosophical wing of semi-barbarian military kingship, and so had to cover his tracks by always arguing that life in a properly constituted *polis* was the best life that Greeks could aspire to. Aristotle's own father was probably court physician at Pella when Philip was king, and there is a tradition that Aristotle was tutor to the young Alexander. There is something too pat about that tradition. Of course the greatest ruler of his day had to have the greatest philosopher of his day as tutor, and of course the greatest philosopher of his day had to have the greatest pupil. The most poignant image we have of Aristotle is of the old man anxiously waiting in Athens for news of the progress of Alexander's eastern conquests, worrying about the orientalisation of Hellas which is its inevitable result, and hurriedly putting together in the *Politics* everything that was worth saying about those little Greek states before they disappeared into the world empire which was to be the standard political unit for the next two thousand years. Greeks and those whom the Greeks called barbarians were going to be living on terms of rough equality in these new-fangled empires. Best to get down on papyrus what the *polis* at its best was like while the *polis* was still a living memory, while there was still time, and while it still made sense. Aristotle's cousin, Callisthenes, accompanied Alexander to the east, ostensibly to compose the official campaign history and to recite Homer to Alexander when he was drunk and thought he was Achilles; but Callisthenes, in one version of the story, was really Aristotle's spy, planted on Alexander to report back what he was up to and to put a halt, as far as he was able, to Alexander's admiration for the Persian king Cyrus turning Alexander into the kind of oriental despot which it had been Greece's greatest triumph to stop in his tracks at Marathon, Salamis and Plataea. Callisthenes was eventually executed for complicity in a plot against Alexander's life, though the details of what happened are obscure. In one version, Callisthenes died as a martyr to Hellenism because he refused to bow and scrape before Alexander in the eastern manner, and after this the rot set in because there was no-one to stop Alexander's ascent into mystical kingship and his companions' descent into subjecthood.

The event which really sent a shudder through all right-thinking Hellenes was the banquet at Opis in 324. By this time, Alexander was leading a multi-racial army. The supply of Greek mercenaries was never enough, and Alexander had recruited large numbers of Persians. The Macedonians mutinied in the camp at Opis. Their grievances seem to have been racial: Alexander had allowed Persians into the elite Companions of Alexander and into the decent regiments, had taken to wearing Persian dress, and had begun to greet his Persian commanders with a kiss. Alexander confronted the Macedonians, threatened to pension them off back to Macedon, and distributed all the commands among the Persians. When the Macedonians had sobered up, they kissed and made up with Alexander, and Alexander ordered a banquet to celebrate the reconciliation. The occasion was skilfully used by him to effect a reconciliation between the Persians and the Macedonians. We are told that the priests of the Macedonians and the magi of the Persians shared in the religious rites, and that Alexander persuaded 10,000 of his Macedonian veterans to marry their Asiatic concubines. He made a remarkable speech in which he pleaded for *omonoia*, concord and co-operation, between the races. From that

time onwards it was to be recognised that the multi-racial empire was the coming political unit. This was the supremely anti-Aristotelian moment, when the distinction between Hellene and barbarian, free and slave, naturally at war with each other, so carefully made by reason, was obliterated by the sword of Alexander. And on this occasion, the true Greeks appear to have been ominously silent about the question of racial mixing.

Perhaps it was the speed of Alexander's conquests which accounts for the form of Aristotle's *Politics* as we have it. All of the commentator's agree that the book is a mess, and the most charitable view we can take of it is that it was put together in a hurry. There is no evidence that this was in fact the case, just as there is no evidence available to tell us that Aristotle himself wrote the book as it has come down to us. (One view of the *Politics* is that it is a compilation of notes taken by pupils from Aristotle's lectures on politics at the Lyceum.) Aristotle has a great reputation as a systematiser of knowledge, and the *Politics* is on the face of it so unsystematic that it appears to be impossible that Aristotle himself could have been responsible for the finished product. Another, equally plausible, view is that the order of the *Politics*'s eight books has become jumbled during the course of the centuries, and several scholarly careers have been made out of the business of rearranging them. The most convincing case for rearranging the books has been made out by Werner Jaeger in his *Aristotle: Fundamentals of the History of his Development*, though Jaeger's case depends on the basic premise that Aristotelianism took the distinctive form it did as a result of a painful break with Platonism. Jaeger argues that there is a distinction to be made between what he calls 'the Original Politics' (Books 2, 3, 7 and 8) and the truly 'Aristotelian Politics' (Books 4, 5 and 6), with Book 1 written the latest of all as a general introduction. The Original Politics is Platonic in inspiration and deals with the construction of the Ideal, or best possible, State, while the Aristotelian Politics contains a much more empirical grasp of how politics works in the real political world.

Aristotle's political science is empirical in the way that Aristotelian biology is empirical. On Jaeger's view of it, Aristotle's chief contribution to political science is to bring the subject matter of politics within the scope of the methods which he was already using to investigate other aspects of nature. Aristotle the biologist looks at the developments in political life in much the same way that he looks at the developing life of other natural phenomena. This rooting of political life in nature contrasts strongly with Plato's tendency to write off most of what actually happens in the life of cities as a hindrance to true political knowledge, as useless in theory and dangerous in practice. For Aristotle, part of political experience is what men have thought of that political experience. It is natural that political experience has a meaning for those whose experience it, and so Aristotle has a tendency, again markedly absent in Plato, to give common or received opinion about politics a sympathetic hearing.

Aristotle often begins a subject of enquiry by reviewing current opinion about it, and it is easy to think that Aristotle does this merely because he has to start somewhere, or because he is modest and fair-minded, and does not want to exclude opinion just because it is received. Aristotle's purpose is rather different. He wishes us to understand that men have not lived for nothing. Men differ from the animals because they are capable of

understanding the kinds of lives which they live, and it would be absurd to pretend that all previous understanding had understood nothing at all. Aristotle does in fact think that common opinion (common, that is, among Greeks) and other philosophers have got things wrong, have been confused, or have offered a limited understanding of politics, but it is inconceivable to Aristotle that they have nothing at all to teach us. An important part of systematic reflection about politics will consist of sifting through this received opinion and explaining how its errors arose. Even the mistakes of the past can be instructive. Of course, Plato had not in fact ignored received opinion. The *Republic* borrows from Spartan practice for instance, but Plato borrows from Sparta because he approves of Sparta and not because Sparta as a piece of political experience must have something important to teach us. (Aristotle will even allow the non-Greek city of Carthage a place in political science because it has a reputation for being well-governed.)

The naturalistic approach to politics is far from simple-minded. Aristotle does not think that everything which just happens to happen in the world is natural. The processes of nature are subject to endless vicissitudes. Aristotle preserves Plato's distinction between the world as it is and the world as it is meant to be. Political science is meant to be useful, and political science's function as Aristotle sees it is to identify those aspects of political life which operate as nature intended ('Nature does nothing without a purpose'), with a view to removing or amending those aspects of political life which frustrate nature's own purposes. This is an extremely ambitious undertaking. It means that nothing political is in principle outside its concern, and it involves developing a sense of judgement about what is in fact possible. Aristotle sees nature eternally striving to reach its fulfilment in a hostile world, and those who strive with it must often settle for its partial fulfilment. This has often been misunderstood to mean that Aristotle is the political theorist of the second-best, or of the mediocre, on the grounds that Plato went straight for the ideal while Aristotle was content for the best possible in the circumstances, but that view of Aristotle misses the point about the usefulness of political science. The informed gardener who makes the best of his own tools, his own seed and his own soil really has got the best out of nature. The fact that tools, seed and soil could all be improved does not detract from his achievement, and thinking about how they could be improved, possibly even to perfection, might or might not improve his performance. In thinking this, Aristotle is not in fact very far from the Plato of the *Republic* who says that in any case practice always falls short of theory.

### A MAP OF THE *POLITICS*

Perhaps the best way to approach the *Politics* is through a kind of traveller's guide to the text as we have it because nobody is very likely to read the book in the order that Jaeger suggests it was composed. This can be done in a fairly schematic way, though how the various themes relate to each other is more of a problem.

**Book 1 contains:**

- 1 Aristotle's defence of the *polis* against the Sophist view that the *polis* exists through convention only. Aristotle distinguishes the *polis* from other forms of human community because its 'end' is different. Everything in nature has one of these ends, so the *polis* must have one too. There is a distinction to be made between the cause of something and the end to which it naturally develops. The causes which make a *polis* come into being may be economic (only a *polis* can be economically self-supporting, for instance), but the end to which it strives is moral (only in a *polis* can men live what Aristotle calls 'the good life').
- 2 A justification of slavery as part of a well-managed household, and therefore natural.
- 3 A discussion of the relationship between the acquisition of wealth and the management of a household (the original meaning of 'economics'). Wealth has as its end provision for a household, and must be limited by its end, so 'making money for its own sake' is unnatural. Aristotle also discusses the forms of relationship which naturally occur in a household on the basis of the possession of 'reason' (the capacity to direct one's own life and so the lives of others), so free men in whom the directive faculty naturally rules, rule over others, including wives (because the directive faculty, while existing in women, is 'inoperative'); slaves, having no reason, are ruled as tools or beasts of burden.

**Book 2 contains:**

- 1 A discussion of ideal communities.
- 2 A discussion of the community of wives and children among the Guardian class in Plato's *Republic*.
- 3 A discussion of the best arrangements for the holding of property. Aristotle tries to have it both ways, arguing that property can be held privately but used in common through gifts and hospitality which impart 'friendship to the state'.
- 4 A discussion of whether property held in common would decrease wrongdoing which concludes that common ownership would not prevent crime because men steal more than the necessities of life.

**Book 3 contains much definitional matter, including:**

- 1 The answer to the question 'What is the *polis*?' The *polis* must be its constitution (the arrangements for the holding of public office, the way it is governed) because the constitution provides the *polis* with its identity over a period of time. The *polis* cannot be defined as its citizens, because they die and are replaced; nor can it be its territory because territory expands and contracts.
- 2 The answer to the question 'What is it to be a member of a '*polis*?' States are composed of citizens, and citizens are those who have a share in public affairs, which means holding office, taking part in the administration of justice and membership of a

- governing assembly. The exact meaning of 'citizen' will of course vary from *polis* to *polis* because citizen is a genus, not a species. Those directly engaged in the business of getting a living with their own hands are excluded from citizenship because they haven't the leisure for virtue.
- 3 A classification of different types of constitution, probably borrowed from Plato's *Statesman*. Aristotle divides constitutions into two groups of three, what we have come to call the 'good' and the 'corrupt' forms. The good forms are monarchy, aristocracy and *politeia* (Aristotle's best state) and their analogous corrupt forms are tyranny, oligarchy and democracy (which is really rule by the mob, what the historian Polybius was later to call 'ochlocracy'). Aristotle reminds us that this is a broad-meshed classification because in the natural world there are many more species than genera, so that it is convenient to class constitutions on the continuum Few/Many, democratic/oligarchic. Like Plato, he thinks that different types of regime are based on different ideas about justice.
- 4 A discussion of five different types of monarchy, which leads to the more general question of whether man or law should be supreme. Aristotle comes up with the dubious-sounding formula that law should be supreme in general, but men in particular cases. Kingship, he concludes, is not unnatural, provided the king rules in the interest of all and is truly a kingly man. (In Aristotle there are no queens.)

### Books 4, 5 and 6

These are the books which, according to Jaeger, represent a new departure in the study of politics. It is here that Aristotle is at his most biological, discussing the morphology of states and their pathology. So far he has only discussed monarchy and aristocracy, and he goes on to consider *politeia*, tyranny, oligarchy and democracy. These books contain:

- 1 A discussion of oligarchy in opposition to democracy and of *politeia* in opposition to tyranny.
- 2 An answer to five main questions:
- (a) How many kinds of constitution do in fact exist?
  - (b) What constitution is best suited to normal circumstances, and which is best after the ideal constitution?
  - (c) Which of the inferior kinds of constitution are suited to each kind of population?
  - (d) How are the various forms of constitution to be organised? (Part of Book 4 and part of Book 5.)
  - (e) How are constitutions preserved and destroyed? (Book 5.)
- 3 *Book 5*. Aristotle on political pathology and preventive medicine. This book contains much historical detail and much sound political wisdom which has worn remarkably well over the centuries. (This is the 'real political world' that Thrasymachus claimed to understand at the opening of Plato's *Republic*.) Points worth noting are the following:
- (a) In a democracy men should be equally wealthy because they are equally free.

- (b) In an oligarchy men should be unequal in all things because they are unequal in wealth.
- (c) The cause of disaffection is desire for wealth and honours, or the desire to avoid poverty and dishonour.
- (d) The causes which lead men to change a regime are:

- Indignation at the monopolisation of wealth and honours by others.
- Insolence, fear and the undue prominence of individuals.
- A disproportionate increase in a particular class.
- Intrigues at election time.
- Carelessness in allowing disloyal persons to hold office.
- Neglect of apparently insignificant changes.

- (e) Regimes are preserved by:

- A spirit of obedience to the laws (Aristotle at his most obvious).
- Not relying on being able to fool all of the people all of the time.
- Aristocrats and oligarchs would do well to cultivate the people.
- The ruling group must on no account allow a split to develop in its own ranks.
- Those who rule must not appear to be profiting from office too obviously.
- Most importantly, the education system must be well adapted to the forms of government. Aristotle adds the twist that oligarchs should be educated democratically and democrats must be educated oligarchically, because bringing up young democrats in complete freedom and young oligarchs in luxury and ease is asking for trouble in the future.
- Tyrants may preserve their power by appearing to act like kings.

### **Books 7 and 8—Aristotle on the best state**

These are ‘Platonic’ books in Jaeger’s sense because they have little to say about the real political world and are largely concerned with the question of what kind of state would be the best. The best *polis* looks something like this:

- 1 The question of population is not a matter of numbers so much as a question of how many are needed ‘to do the work of a city’, and the minimum number would be that which was required for self-sufficiency where self-sufficiency means both self-defence and economic autarky. Aristotle does not think that more means better. The *polis* should be small enough to be ‘seen at a single view’. Perhaps the ideal number would be a *polis* of adult male citizens who could hear the voice of a single herald in peace and of a single general in war.
- 2 The question of territory is resolved in much the same way as the question of population. It must be large enough to secure a leisured life for its citizens but not so large as to provide luxury. Aristotle considers a position by the sea, because sea-power is a factor in war and commerce by sea is useful in providing those necessities of life which might not easily be provided by one’s own territory.

- 3 Only Greeks are fit to be citizens.
- 4 A *polis* obviously needs craftsmen and labourers, farmers, soldiers, a leisured class, priests and judges. The important question is the extent to which these roles can be merged into a single person, and Aristotle makes a division between those roles which are appropriate to a free man and those which are not.
- 5 The best life for a free citizen would be to be a warrior when young, a ruler in middle life and a priest when old. When young, a man should defend his city, in middle age he should busy himself about its affairs, and in old age he should make sure that the gods are on its side.
- 6 Agricultural workers, artisans and slaves form separate classes (though they are not cannon fodder), and so do women.

It is clear that only the warriors, rulers and priests are really part of the *polis* in Aristotle's original terms in Book 3. The rest of the *Politics* is taken up with a discussion of education. The *polis* exists for 'the good life' of its citizens, and the good life depends on nature, habit and a 'reasoned course of life'. Education is concerned with the last two. The end of man, what he has got it in him to be, is found ultimately in his reason. Reason is divided into two kinds, speculative reason concerned with 'the life of mind' and practical reason, which fits a man for the business of a city—politics and war. Education should be primarily directed towards citizenship in peace, and it is importantly a moral education because the *polis* exists to enable men to practise those virtues which go to make up the good life.

### THE NATURALNESS OF RULERSHIP

Fundamental to everything that Aristotle thinks about politics is the idea that some ways of ordering human life are natural and others not. Aristotle's teleological biology informs his view that only some kinds of human relationship are as nature intended them to be and his treatment of rulership is largely concerned with untangling the natural forms of the ruler-ruled relationship from the unnatural. In the *Politics* Aristotle establishes the criteria for naturalness in the context of his treatment of slavery in Book 1. Aristotle begins the discussion by identifying what he calls 'natural pairs', one half of which rules the other. Rulership, he thinks, exists in any relationship between superior and inferior. Rulership includes commanding, but it also includes directing, guiding and educating. Aristotle thinks that masters and slaves, husbands and wives, fathers and children, and rulers and ruled, are all natural pairs for the straightforward reason that each needs the other to be what it is. This is more than a matter of definition; of course, fathers cannot be fathers without children and children cannot be children without fathers, but Aristotle also means that neither can begin to be self-sufficient without the other, and neither can perform its function without the other. The ruling of one of a natural pair by the other must be in the interest of both. The rule of men over animals qualifies as natural. Men are naturally at war with wild animals, as they are with wild men, so it is highly advantageous for animals to become domesticated. They are then fed and watered, are protected by their owners,

and, most importantly, are protected from other men. Domestic animals have the stamp of ownership on them, so that men who are not their owners have no reason to fear them because the animals, being at home somewhere, can be assumed to be tame. The same goes for men. Strangers are greeted with the question: Where do you come from? because the answer they give tells us something about what we can expect from them. The man who has a home acknowledges the authority of a set of manners and morals which we might know about, so we can feel safe in our dealings with him; even the stranger very far from home is at least domesticated somewhere. The most unsettling man is the 'man from nowhere', 'the war-mad man who has no morals and no home' that Homer mentions. It is probably best to kill him to be on the safe side.

Rulership is exercised in different ways. Aristotle gives two illuminating examples: mind over body and intelligence over the desires. The rule of mind over body is absolute or despotic in the interests of both, while the rule of intelligence over the desires is constitutional and royal. By this Aristotle means that the mind does not negotiate with the body. If I say to my legs 'go that way' and the legs begin to argue, life begins to be difficult; if I say to my legs 'run away from the battlefield' because everybody else is running away and the legs wish to discuss the matter, then life itself is put in danger; therefore the mind demands instant obedience from the body. The desires are a different case. The desires arise naturally, and some, like the desires for food, drink and rest, have to be satisfied sometimes or the body would die and the desires would die with it. The desires are best thought of as subjects petitioning a king. They ask to be satisfied, but the king decides if and when. Constitutional monarchy for Aristotle is kingship exercised through laws, and a wise king would outlaw some desires as being too unruly, and would establish some kind of orderly programme for the satisfaction of the reasonable desires, say three meals a day, none in excess, and regular hours of sleep. The desires would then know where they stood, like the subjects of a king ruling through law. Like Plato, Aristotle does not think that the desires are fixed, either in number or in intensity. New desires arise, or old desires assert themselves with a new intensity; a wise mind considers the first kind on their merits and puts down the rebellion of the second. Endless self-indulgence kills desire (the cult of the aperitif), dulls the intelligence and threatens the body. Much better for all that matters to be in the control of a moderating kingly intelligence.

All forms of rulership are limited by the end for which rulership is exercised. Rule is not domination for its own sake; abuse of power for Aristotle means something very close to what we mean by 'drug abuse', the use of something which has no end and which can only lead on to disaster because it has no end. Husbands must remember that sexuality is for procreation and not for mere enjoyment (though they are allowed to smile), fathers must remember that children will one day be like themselves, and masters of slaves must remember that slaves are for use and not for exploitation. Slaves exist to free masters from the menial (*banauistic*) occupations. Free men need the leisure for virtue and so have not got the time to get their own living. Aristotle is careful to say that slaves are a part of wealth and not a means towards the increase of wealth, by which he means that it is no part of a master's business to squeeze the last ounce of labour out of his slaves. Some commentators think that in making this distinction Aristotle was already

being a little old-fashioned in his treatment of slavery, defending a traditional form of 'household' slavery in the face of a new kind of slavery which saw slaves as an investment on which their masters demanded the highest possible return. (There is a parallel between what Aristotle has to say about slavery here and American defences of slavery before the Civil War. What was always considered most defensible was the aristocratic household slavery of Virginia ('slaves are practically members of the family') and not the ruthlessly exploitative field slavery, particularly of the sugar plantations in the deep South ('being sold down the river'.)) Aristotle says that a slave is like a bed, not a shuttle. In principle, there is no limit to the use of a shuttle, which could be used to weave day and night; beds are for sleeping in, not for sleeping in all day, and the bed does not produce anything else. Likewise the slave. He is not for increasing his master's wealth; he must, of course, reproduce his own kind, but slave-breeding for profit would be ruled out.

The ends of human relationships have their places in a hierarchy of ends. Nature's pattern is a pattern of subordination, otherwise no form of rule would itself be natural and men would not even rule over animals by nature, and this hierarchical pattern extends to the ends for which forms of rule exist. The relationship between husband and wife makes the continuation of the species possible; the rule of the head of a household over wife, children and slaves has as its end the social unit which, together with others like itself, goes to make up economically self-sufficient village communities, and it is a group of these self-sufficient communities which makes up the supreme community, the *polis*, which has as its end not just self-sufficient life but the good life. The end of the family and the village lead naturally to the supreme end which is life in a properly constituted *polis*.

Aristotle's theory of ends is called the doctrine of the priority of ends, and on the face of it can appear to be puzzling on the grounds that it is difficult to see how the *end* of a process can be *prior* to the process itself. It is important to realise, however, that Aristotle does not mean *prior to* in the sense of time but *prior to* in the sense of understanding a process. No natural process is capable of being fully understood until it is complete. It is the end of a process which gives meaning to a process as a whole. Aristotle sometimes speaks as if the end of a process pushes or pulls the process to its completion, and has sometimes been accused of mysticism as a consequence, but that is just Aristotle's manner of speaking. There is a metaphorical sense in which the idea of the oak either pushes or pulls the acorn into becoming an oak, just as there is a literal sense about the end determining the process of the formation of the *polis* among men. Men differ from the rest of nature because they alone can have a say in what the processes of their life should be like, and Aristotle thinks that it is difficult to know what life should be like in all its subordinate stages unless we have a clear idea of where the whole process is leading. It is not until we have an idea of what a properly constituted *polis* looks like that we can form any just idea about how the subordinate communities within the *polis* should themselves be organised. Above all, Aristotle's teleology is not prediction. Natural processes are accident-prone; acorns are often eaten by pigs. Aristotle has a tendency to shrug his shoulders when this happens. Everything has its natural place but, the world being what it is, things are frequently misplaced.

Aristotle's doctrine of natural places grates on the liberal ear because it justifies slavery. No doctrine, so the argument goes, which justifies slavery can be taken seriously. None the less, Aristotle himself plainly takes his argument for slavery seriously, though to say as some commentators do that he is especially 'worried' by slavery is to take the matter too far. A rational account of slavery is necessary, just as a rational account is necessary of any other kind of relationship between rulers and ruled; Aristotle is 'worried' about slavery only in the sense that he is 'worried' about all possible abuses of power. There is no special worry about slavery, though there is a special technical difficulty. Nature has made the difference between men and animals, male and female, children and adults, very clear, and it is this clarity which enables Aristotle to speak of nature's 'intentions'. Nature does nothing without a purpose, and there must therefore be a purpose in these distinctions. In the case of the distinction between free men by nature and slaves by nature a clear-cut distinction is not so easily made. The problem is compounded by the obvious fact that in the world of the Greek cities some obviously superior men ended up by being slaves and some obviously inferior men ended up as the masters of slaves, and the clever slave who outwitted and manipulated his dull master was to become one of the stock figures of ancient comedy. Who, then, is fit to be a master and who a slave? Aristotle says that those who are fit to direct themselves are fit to direct those who are incapable of self-direction. The ability to rule a household is part of intelligence; being good at running a household is part of goodness, so the claims of masters to rule slaves are partly managerial and partly moral. Ideally, the master's intelligence should take the place of the absent intelligence of the slave, but unfortunately slaves, even slaves by nature, are not always entirely stupid. There is *something* in the slave which corresponds to intelligence in the master, and the fact of the matter is that slaves are treated differently from tools or from beasts of burden. Masters talk to slaves and give them orders, and slaves are capable of being trained to do fairly sophisticated jobs.

So what is the proper relationship between the slave's intelligence and the master's intelligence? The master is fit to rule the slave because he is himself self-directed. This would be true of the master even if he had no slaves. He is capable of a rational course of life; he is a man who knows what his life should be and is capable of sticking to what he knows it should be like. Not so the slave. Left to his own devices he would probably descend to a level of swinish idleness; much better for him to be part of a well-run operation under a master's direction. These generalities are not really very helpful in deciding who should be a slave, and Aristotle provides a sliding scale of suitability from nobly born Greeks, who are the least suitable, to base-born barbarians, who are the most suitable. Base-born Greeks and nobly born barbarians come somewhere in between, and Olympic victors should probably not be made slaves. Barbarians make the best slaves because they have never known the rational liberty which only a *polis* can provide. The classification is meant to show that it does a master no favours to have as his slave someone who is unsuitable, and a master who has a better man than him for his slave would look ridiculous. Aristotle knows that slaves are frequently slaves by accident, and he has heard the Sophist argument that all power relations are the result of more or less arbitrary convention. What bothers Aristotle about the Sophist position is that if every

ruler-ruled relationship is conventional only, then nobody would ever have cause for complaint. Nothing would ever be unnatural. If there are no slaves by nature, then there are no free men by nature and the world becomes meaningless, fit only for those capable of a stoical indifference.

Aristotle's arguments about slavery have been called embarrassingly bad, but it is not always clear on what grounds. If slavery is just another form of rule, then there is no reason in principle why it should not be examined along with the other forms of rule. Of course, slavery, especially if it is slavery for ever, is open to horrible abuses, but Aristotle seems to be saying that the existence of a bad master no more vitiates the idea of mastery than a bad father vitiates the idea of fatherhood. It is irrational for a master to treat his slave badly, but there are no guarantees for the slave. The master's desire for the good opinion of other masters might keep him in check. Ill-treatment of slaves, like any other form of domineering, would be shameful. Aristotle just accepts slavery as one of life's facts. Where his argument is weak is in the form it takes. Aristotle is so convinced that the good life must be provided with the leisure for virtue that slavery becomes a necessity. He can then treat the question: Who should be a slave? as a subordinate, technical, question, a problem of identification. Identification is sometimes difficult in nature, and it is only Aristotle's prior certainty that slaves by nature do exist that enables him to identify them in nature. If he had gone about the enquiry the other way round and first asked: Does Nature in fact distinguish clearly between free men and slaves? then the fact that nature does not distinguish clearly between them might have led to the conclusion that there *are* no slaves by nature. If there are no slaves by nature, then slavery cannot be a necessity and then the *polis* cannot itself be natural, and that Aristotle will not have.

### THE NATURALNESS OF THE *POLIS*

Ends exist in nature as a hierarchy. Plants exist for animals, animals for men, slaves for free men, but at the level of free men special problems arise. If the citizens of a *polis* are to be free and equal, how is the *polis* then to be governed? No natural order can be said to exist among citizens. So how can the *polis* be natural? Does the *polis* not stand outside the order of nature? Perhaps the Sophists were right after all. The natural groups are families, or as the Epicureans were later to say, groups of friends. Aristotle approaches the problem with some caution, because he can feel both the Sophists and Plato breathing down his neck, interest against justice. Aristotle cannot believe that forms of government are simply matters of taste or indifference, but he cannot believe that the *polis* exists for the convenience of a very few just men. Plato's vision of the state ruled by experts in justice already casts its shadow over Aristotle as it will cast its shadow over almost every other political thinker. The sheer plausibility of Plato's argument is the problem for all subsequent thinkers. Stated baldly, Plato's argument is this: Only a fool would fail to get the best advice he could when faced with a difficulty. If I am ill I consult a doctor; in an emergency *any* doctor will do. If I look at the way I live my life, I find that I consult experts the whole time, and the more serious the business in hand is, the more care I take

to consult the right expert, emergencies apart. The most serious business of all is the life of the *polis*, a matter of life and death on a public scale. It follows, therefore, that political matters should be the first to be subject to expert advice and treatment. Not all experts are equally adept and some claims to expertise are bogus. The most pressing political business is therefore to find out what real political expertise is, and to devise a programme to train people in the kingly science; hence Plato's *Republic*.

Plato's is a hard argument to meet on its own terms, and Aristotle meets it by altering the ground. If the question: Who is the best for ruling? keeps being asked, then the answer: 'experts' will keep being given, because the question itself contains its own answer. Aristotle begins with a very different kind of question: What kinds of men would they be who could make a good life for themselves? What kind of wisdom would *they* need? Not, to be sure, the highest conceivable form of wisdom (*sophia*) but practical wisdom (*phronesis*). *Phronesis* is not easy to pin down. It is wisdom where being wise recognises its own limitations, because *phronesis*, not being founded on a knowledge of the nature of things, is always aware that it could make a mistake. *Phronesis* is decision-making wisdom in a world which is always partly contingent; it deals with problems of the kind which require a grasp of essentials and grip on a situation. Free men choose the kind of life which they are going to lead in a world of imperfect information and rationality. Choose they must, and *phronesis* is the accumulation of the experience of having made good choices in the past, informed by reflection. Aristotle thinks the wise man will interest himself in cities which have a reputation for being well-governed because such an interest will increase the range of possible experience available to decision-makers.

Choices about how we should live our lives are frightening choices to make. Choices of this kind are not to be made every day; nor are they to be made for light and transient causes. Aristotle is particularly interested in the forms which these decisions are to take, and when they are properly made he calls them laws. Laws rule in cities which are uncorrupted. Law has as its end the good of those who are asked to obey, not the good of those who make it. Kingship is therefore the rule of one man through law for the benefit of all; aristocracy is the rule of the best, where the best are few, through law for the benefit of all; and *politeia* is the beneficent rule of the many (where the many are not the many-too-many). The corrupt forms rule through force for the benefit of the ruling part only. Aristotle will not trust even wise and moderate rulers with executive power, always preferring that ruling decisions take the form of law. Laws rule when intelligence rules without the passions, and by intelligence he means an accumulated intelligence, the register of past decisions which have been found to be good. Everybody cannot take part in the decision-making process all of the time. Even in the best-constituted *polis*, the *politeia*, there have to be certain arrangements, which Aristotle sometimes calls laws and sometimes constitution, which lay down who is to make what decisions on what occasions, on the assumption that no citizen may be excluded entirely and for ever from the exercise of *phronesis*.

It is with this almost prosaically sensible formula that Aristotle solves the mystery of the place of the *polis* in the order of nature. There is no natural hierarchy among free and equal men, so on the face of it a *polis* of equal citizens could not govern itself. All of the

other relationships in nature constitute natural pairs, one part of which governs the other by nature, but this cannot be true about the way citizens organise their relations with each other. The arrangements for holding office solve this problem: because there is no naturally ruling part in a *polis* of free and equal men, they must take it in turns, ruling and being ruled. Life in a properly constituted *polis* must be according to nature because there nature ends in equality.

Aristotle thinks that taking it in turns to rule will have a moderating influence on the *polis* as a whole when it is done through law. His citizens are consumers of rule as well as producers; they will be both men of judgement and very good judges of the judgements of other citizens. Judging and being judged binds the *polis* together. No man will hold office for ever; and he knows that his stewardship will be the talk of his equals. He would avoid arrogance and would act with a certain caution; he would also watch his back. This caution in the business of law-making would tend to make law negative, perhaps a list of sensible prohibitions against those things which would make the good life impossible. The law would have a good deal to say about theft and about the breaking of promises, and it would regulate the religious life of the city. Law would provide life's framework and also life's preparation, so it would concern itself with education. Beyond that, it would probably not do very much. Aristotle is very clear about the two fundamentally different expectations that men have of a legal system, that it should be at once fixed and at the same time that it should change. Unchanging law lets us know where we stand, and knowing the law would be no fiction in an Aristotelian *polis* where all citizens would take part in making and enforcing law. On the other hand, laws which never change become an embarrassment. Aristotle's way out of the difficulty is to say that laws should change only slowly, by which he means not all at once, and should contain within themselves enough flexibility to deal with unexpected cases. Good men would try to deal lawfully with each other wherever that was possible, and it might be that in referring to unusual cases Aristotle is pointing to the necessity for ingenuity in rule through law which deals with difficult cases, another sense in which intelligence can rule without the passions.

Aristotle's rather modest claims for the rule of the law leaves a great deal in the hands of citizens. If law's claims on men's conduct are modest, then obedience to the law can only be one aspect of what it is to be a good citizen. Aristotle's citizens are to be provided with the leisure for virtue, and it would be very odd indeed if he were taken to be saying that men who do not have to make their own living only have to obey the law to be good men. The making of law and its enforcement do have an important educative effect in promoting those virtues which are essentially co-operative. *Phronesis* accepts that mistakes can be made; where there is the possibility of error there is bound to be disagreement, and so it follows that where choices have to be made about what the good life entails there has to be agreement that the best way to proceed is always to seek out what is in fact agreed upon. Relation between citizens are to be conducted on the basis of civility. They are not to be always on the lookout for what divides them. The last man Aristotelian citizens would want among them would be the supremely clever man who would always be able to see the faults and difficulties in any proposed line of conduct. That might paralyse the will to act or to choose, which is the function of a body of free

men. Civility is not dialectic, not agreement to wait out an argument to the end to see what we ought to think. Rather, free men would begin from what was already common amongst them.

But what would it be, exactly, which would be common amongst them? That would vary from *polis* to *polis*, and Aristotle does not make up recipes for the formulation of good public policy, but he is very clear what all free men would bring to the consideration of public policy. The qualification for being a policy-maker is that each free citizen is already successful at making decisions in the families and other subordinate communities which go up to make the *polis*. The *polis* is already implicit in those subordinate communities because heads of households are already used to making the decisions which determine the smooth running of their own establishments. As the head of a family, the citizen already knows how to exercise different kinds of authority as a father, a husband and a master of slaves; as the head of a household he already knows how to manage a common enterprise for the benefit of all. When he meets others like himself in the public assembly he sees his *equals*, men not to be domineered over. Aristotle's is no assertion of equality in general, but of equality among equals. Free men like his would no more seek to dictate to each other than they would expect to be dictated to; civility would come naturally to them. There is always the possibility that one man among them would be outstanding, a really kingly man in something like Plato's sense. What should be done about him? Aristotle would say: exile or kill him, because he has no place in the city. Subjecting the kingly man to the rule of his inferiors, however good, is an insult to him, and subjecting good men to the kingly man, however superior, is an insult to them. The *polis* cannot exist for one man only, and to make the *polis* subject to one man would not stop at the public affairs of the city, for in the *polis* there are no private affairs in the modern sense. Everything is of public concern, so the rule of a kingly man would extend right through all the subordinate institutions of the city. Plato saw that very clearly when he said that rule by Guardians meant that everything had to be ruled by them. Rule by one man would extend to the villages and households in the Aristotelian *polis*, so that there would be no free citizens at all.

This is an important *theoretical* point for Aristotle, because to hedge about the kingly man would be to deny his own doctrine of the naturalness of the state. The thrust of Aristotle's argument is intended to proceed from what we can easily agree about, to matters which are less easy to agree about. Nobody would deny that families are natural communities, groups of families make up villages, and so it is easy to agree that self-sufficient communities are natural. The difficulty comes at the level of the *polis* itself. It is about the naturalness of the *polis* that there is disagreement among rational men. The case of the Sophists that the *polis* is merely accidental cries out to be answered in a Hellas dominated by the Macedonian Regent, Antipater, from the fortress of Acrocorinth while the Greeks are gawping with wonder at the empire which Alexander made, and when it is beginning to dawn on the Hellenes that the events which will dominate their lives are taking place not in Europe but in Asia. An imperial world is being created where all that will be required is obedience. Aristotle's claim for the naturalness of the *polis* depends on his being able to integrate communities which everyone might agree were natural into the supreme community, and one important way he does that is by showing

that the subordinate communities of the family and the village produce heads of households of the kind who would naturally rule themselves on the basis of ruling and being ruled by turns. The truly kingly man is an embarrassment in the *polis* because he has a claim through his excellence to control every institution in the *polis*, and that being true, the naturalness of the progression from family to *polis* in Aristotle's scheme of things is undermined. Again, it is important to remember that 'progression' does not mean *temporal* progression here. A free citizen does not become the head of a household and *then* a full member of the *polis*; he becomes both at once. Each role feeds on and feeds the other, so that diminution in the role of free and equal citizen would diminish the role of head of a household. How could a man who is bossed about by another in the public square carry natural authority at home? He would be more likely to become a domestic tyrant, taking it out on the members of his household to pay himself back what his self-esteem had paid in public subservience, and so he would begin to unpick the carefully integrated but differentiated forms of rule which Aristotle thinks constitute properly conducted domestic life. Abuse of power in the family would take the place of authority exercised for limiting ends. Rule by even a philosopher-king would cause what power was left to other men to be exercised against nature.

### NOTES ON SOURCES

In Aristotle's *Politics* everything lies in the definitions and in the details, so the text is the thing. There is an excellent, updated edition in the Penguin Classics series, and a good, new translation by Carnes Lord (1984). The body of Aristotle's work ranges very widely, and anyone wishing to take Aristotle at all seriously ought to read a version of his *Ethics* and his *Constitution of Athens* (*Aristotle and Xenophon on Democracy and Oligarchy*, ed. J.M. Moore, 1975). There is about two millennia's worth of learned commentary on Aristotle, most of which is best avoided because it was based on what, by modern standards, were very corrupt texts, many of them in bad Latin. Modern discussion of Aristotle's *Politics* begins from Werner Jaeger's *Aristotle* (1934, reprint 1962). See also the works of Barker and Morrall (see Chs 1 and 3, Notes on Sources). D. Ross, *Aristotle* (2nd edn, 1934), is a good example of an older tradition of Aristotle commentary, and Alasdair McIntyre, *After Virtue* (1981), is a virtuoso performance of what can still be done with Aristotle's ethics and politics.

# THE ROMAN REPUBLIC IN POLYBIUS' *HISTORIES* AND CICERO'S *REPUBLIC AND LAWS*

by

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It seems that in any modern study on the nature of the Roman Republican constitution, Polybius' analysis of it in Book Six of his *Histories* is inevitably discussed. From the beginning, the political emphasis of his work is clear, for he explicitly intends to show “how and thanks to what kind of political system” Rome managed to bring “almost the entire known world” into submission (I.1). It is immediately apparent that Polybius believed Roman success to be almost entirely due to their political system, and therefore it must be identified as uniquely different (and ultimately better) than the systems of other states. He therefore begins his sixth Book with a description of three kinds of simple constitution – monarchy, aristocracy and democracy – and their natural tendency to degenerate and then succeed one-another in a cycle. More stable than any one of these simple forms is a mixture of all three, which means that the elements balance one another, forming a “mixed constitution” (3-10). Cicero, in his *Republic*, also expounds these theories, and agrees that the most desirable government is “an even and judicious blend of the three simple forms at their best” (I.69).

Although the basis of their political theories follow a long philosophical tradition,<sup>1</sup> Polybius and Cicero choose to apply these to historical Rome. Their works are both admiring of the Roman “mixed constitution”: Polybius says it is “the best conceivable system of government” (VI.18) while Cicero states that “no form of government is comparable... to the one which our fathers... have handed down to us.” (*Rep.* I.70). Nevertheless, their books are fundamentally different in purpose, and therefore their presentations of the Roman state contain significant differences. Polybius presents a historical work which, although it assumes from the outset that the Roman constitution must be superior to others, does not set it up as the single best state or as a “pattern or model”<sup>2</sup> for other nations to emulate. Cicero's aim is to present the ideal republic which is based predominantly upon the same Roman system as Polybius discusses, but contains utopian elements which can must be developed through education (*Laws* III.29). This essay is not primarily concerned with the accuracy of either author's presentation of the Roman republican constitution. The aim is rather to assess the extent to which Polybius' analysis of the state corresponds to the “regenerate version of the old

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<sup>1</sup> A primitive version of the concept that simple constitutions degenerate can be found as early as the writings of Herodotus (*Hist.* III.80-3). For “mixed constitution” see eg. Plato, *Laws* VI.756e-757a; *Ar. Pol.* II.1265b-66a.

<sup>2</sup> How (1930) 30.

Republican constitution”<sup>3</sup> which Cicero presents, given that they both assess it favourably as a mixed constitution. As the main similarities between the two lie in their descriptions of the mechanics of the state and its different elements, our focus will predominantly be on the instances where the authors are at variance. Diversity is to be expected given the different backgrounds of the authors – one Greek, one Roman – yet similarity must also feature as they do still belong of the same, elite class, and Polybius was exposed to “things and ideas Roman.”<sup>4</sup> Throughout the whole it must be remembered that neither source survives in its complete form and therefore caution must be exercised when discussing the importance of omissions.

### The Senate and the People

The basics of the theory of a mixed constitution and the identification of the Roman constitution as 'mixed' have already been discussed. It is necessary, however, to examine the different ways Polybius and Cicero interpret this theory. To Polybius, a mixed constitution clearly entailed a system of checks and balances where power was not necessarily “more or less equally distributed”<sup>5</sup> between the monarchical, aristocratic and democratic elements, but where each group could be restrained by the power of the other two so that no single element gains control. The consuls, for example, do not have a check upon the Senate, but only on the people. In fact, the only checks based on legal rights are those of the People on the Senate and Consuls: the People can “audit” consuls after their term in office (VI.15); they must pass laws the Senate proposes and the death sentence; the Tribunes' right of veto which restrict magistrates' actions and the meetings of the Senate (16). The fact that the People need these legal rights suggests that the other two elements (particularly the Senate) hold more of the power in this “mixed constitution” while the People need legal rights in order to hold them back from abusing that power.

According to Polybius' rigid presentation of the cycle of constitutions, the three forms of government previously discussed always occur in the same order: monarchy, then aristocracy, then democracy (VI.4). This order is so certain that “one will rarely go wrong about... what transformation it will undergo next” (9). This is “the natural way in which systems of government develop”, and therefore applies to Rome, which has also “always been natural” (9). One would therefore expect to see evidence of this cycle (in a suspended or interrupted form) within Polybius' description of the mixed constitution. Unfortunately the

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3 Wheeler (1952) 51.

4 Lintott (1999) 24.

5 Von Fritz (1954) 184.

section of Book Six which dealt with the historical development of the Roman state has not survived and although Cicero's history in *The Republic* may be used to “fill in the gaps in Polybius' *archaologia*”,<sup>6</sup> it will not convey the same emphasis as Polybius' own account. An indication of how the cycle relates to mixed constitutions must therefore be gleaned from his prediction of the state's decline. When the mixed constitution destabilises it will be in a “democratic revolution” which will lead to “mob-rule” (VI.57). In Polybius' cycle of constitutions, democracy features last. As all three constitutions are natural and therefore go through “successive phases of growth, prime, and decline” (VI.51), the mixed constitution is formed “as one element after the other is added to the mixture until the most perfect mixture is reached.”<sup>7</sup> All constitutions follow natural growth, so in order for there to be balance, the first and last constitutions added must be less prominent than the middle element: as monarchy begins to decline, aristocracy is in its prime and democracy grows. It seems that Polybius' presentation of the mixed constitution as a system of checks and balances means that power is not equally distributed. Polybius, in fact, seems to assume that “a mixed constitution is strongest when the aristocratic element is at the height of its strength.”<sup>8</sup>

It is natural that, as a member of the elite in Greece and a close acquaintance of important members of the Roman aristocracy, Polybius should believe that group to be the most significant. Nevertheless, he clearly still views the legal rights of the People as a valuable and real check on the power of the Senate. Cicero is also, unsurprisingly, of the opinion that the aristocracy should be the most important group, but he further believes that the People's rights were compromised “which enabled lesser folk to *imagine* that they were equal to the leading men” (Italics mine) and thereby appease them (*Laws* III.24). The dialogic format of Cicero's *Republic* enables him to present arguments with which he partially or wholly disagrees and then refute them, predominantly through the words of Scipio. During discussion of the positive and negative features of each constitution, Scipio states that “liberty has no home in any state except a democracy” and this liberty must be “equal throughout” (I.47). In his *Laws* Cicero speaks of the necessity for the People's appointments, verdicts and decisions to “reflect the free choice of the people” (III.10). However, although true liberty must involve some “participation in discussion and decision-making” (I.43), this participation should not reflect numerical equality, but rather equality which acknowledges “degrees of merit” (I.43). The distribution of power in Cicero's conception of the ideal republic therefore rests upon his estimation of the “merit” of each group and individual. He states that after Publicola's reforms:

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6 Brink & Walbank (1954) 113.

7 Von Fritz (1954) 86.

8 *Ibid.* 86.

though the people were free, *not much* was done through them; most things were done on the authority of the Senate... And (a factor that was perhaps the most vital in maintaining the power of the aristocracy) the rule was staunchly retained whereby the people's corporate decisions were not valid unless endorsed by the Senate's authority. (II.56. Italics mine).

Publicola is commended as “no ordinary man” because “by granting the people a modest amount of freedom [he] preserved more easily the authority of the leading citizens [or aristocracy]” (II.55). It is clear that Cicero's presentation of the balance of power in the ideal mixed constitution is both similar and different to Polybius' analysis of the Roman state. While both of them depict aristocracy (the Senate) as the dominant element, Polybius focuses on the necessity of this according to natural law, while Cicero attributes it to human design to ensure the “leading citizens” can direct the state as they see fit. For Polybius, the People still hold a valuable place as an essential check on the Senate's authority, while Cicero believes they need no constraint.

### Government of 'the best'?

A couple of years before Cicero wrote *The Republic*, he stated that annual magistracies had been established “on the principle of making the senate the perpetual supreme council of the republic and... of opening the road to that supreme order to the industry and virtue of all the citizens (*Sest.* 137). He no doubt had in mind his own experience as a *novus homo* when saying that magistrates should be selected from “all the citizens”. The government advocated by Cicero is truly the “government of the best”, selected for their virtue and holding the best interests of all the people at heart. In his *Laws*, which clarifies legal details of the constitution depicted in the *Republic* (III.12), Cicero states that his ideal Senate will contain “no one with any blemishes” (III.29). The whole of Cicero's discussions in both the *Republic* and *Laws* is based on the principle that any government can be made stable and tolerable if justice reigns and “no forms of wickedness or greed find their way into it.” (*Rep.* I.42). It is unsurprising that Cicero should formulate such a utopian ideal state when his remarks are based on the belief that “nature has given to mankind such a compulsion to do good, and such a desire to defend the well-being of the community” (I.1). In Cicero's ideal republic the magistrates' “commands shall be just” (*Laws* III.6) and to the consuls, “the safety of the people shall be the highest law” (8).

At the beginning of *Republic V*, according to Augustine's *De Civitate Dei*, Cicero laments that those of his own day had ruined the political organisation passed down by their

ancestors through their “moral failings” (1-2). A few years later, in a letter to Atticus, deplors the fact that both Caesar and Pompey “want to be kings” and do not look to the “happiness” of the people (VIII.11). In this letter, Cicero refers to a passage from his *Republic* (not surviving in the palimpsest) about the ideal “statesman”. This man *does* “aim at happiness for the citizens of the state” (VIII.11), and his role is “to foresee, to guide and to inspire.”<sup>9</sup> There is no indication from the *Laws* that Cicero saw it as a specific magisterial position, but rather “the statesman” is like the Sun in *Republic VI* which is the “leader, chief, and ruler [*moderator*] of the other lights... the mind and regulator of the universe” (17).<sup>10</sup> While the Sun moves through the sky along with the moon and planets (*Rep.* I.22), it has a particular, yet imprecisely defined, role among them. This is like the statesman, who holds “true primacy, not of power or office, but of merit, a position willingly conceded to him by the other leaders of the state.”<sup>11</sup>

This figure, although clearly based on the earlier model of Plato's *Statesman*, does not feature in Polybius' presentation of the Roman constitution, for he belongs only to the utopian republic Cicero creates. The whole principle of laws based on natural justice, and the desire of aristocrats to truly be the 'best men' has very little place in the real world, which is what Polybius wrote about. Asmis is right in stating that “Cicero has argued that the Roman constitution is a model of just cooperation, and this moral unity makes the Roman state far superior to Polybius' Roman state.”<sup>12</sup> According to Polybius' analysis, it is competition and fear which holds the state in balance. There is only one instance where he indicates that the Roman system relies on moral conduct, which is his statement that “the tribunes are obliged always to carry out the people's decisions and to defer to their wishes.” (VI. 16). However, even in this instance, it seems that it is not a personal desire to act justly that influences the tribunes, but rather some unidentified external force (possibly the law) *requiring* it. The “checks and balances” concept (discussed above) is based on the concept that each group will be working for their own ends rather than for the good of the whole. Polybius states that in times of peace and prosperity, when one of the components might be inclined to become “inflated or presumptuous” they are prevented, not by innate moral sentiment, but because “none of them is self-sufficient” (VI.18). Von Fritz insightfully observes that “there was no equal distribution of the power to act, but such a superabundance of negative powers to prevent action.”<sup>13</sup> This is the complete opposite of Cicero's ideal republic in which all individuals and groups act for the good of the whole State because of a natural compulsion.

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9 How (1930) 40.

10 Gallagher (2001) 513.

11 How (1930) 42.

12 Asmis (2005) 409.

13 Von Fritz (1954) 209.

## Conclusion

By comparing Polybius' presentation of the Roman Republic with Cicero's idealised conception of it, one can observe that while they both viewed it as a mixed constitution, they did not interpret it the same way. Polybius' agenda was neither to present the Roman State as the single best constitution of all ages nor to imply that it would (or even could) endure indefinitely. On the contrary he argues that, if a state did not aim at empire, then no constitution was better than the Spartan one (VI.50). Carthage also had fundamentally the same government as Rome and was merely superseded by her because Carthage was "already passed its best" (51). Throughout his work, Polybius never attempts to mask the fact that at some point Rome's supremacy will end. In an historical work this is a natural and acceptable observation, but Cicero's work was intended to solve pressing issues of the declining Republic (*Rep* I.32), and to present a form of government that could last. It was therefore not possible for him to evaluate the Republican constitution in the same light as Polybius. Natural cycles of growth, primacy and decline are incompatible with Cicero's patriotic perception of the Roman Republic as the single best government. Instead, Cicero presents a concept of natural justice which in his idealised Republic drives all to work for the good of the whole, with the advice of one or many great 'statesmen'. This republic can last because the elements within it are not competing and destroying it. The People are kept at peace because the 'best men' rule wisely, and the constitution remains an ideal, stable "mixed constitution".

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