The Conservative Tradition in European Thought

An Anthology Selected and Edited by Robert Lindsay Schuettinger
17 ARISTOTLE

On Mixed Government

Aristotle (384–322 B.C.) was Plato’s foremost pupil, the tutor of Alexander the Great, the most persistent student of constitutional arrangements in the ancient Greek world, and the father of the democratic theory. From his study of governmental systems he concluded that a mixed government is most conducive to the development and maintenance of a free society; it is this Aristotelian concept that Montesquieu was to redevelop in the eighteenth century into the theory of checks and balances which became the basis of the American Constitution. Aristotle argued in his Politics that the purpose of government is to further the good life of its citizens, and doing this requires that the government include all elements of the society in a predetermined “mixture,” not merely an oppressive minority or an oppressive majority. The selection is taken from Books I, III, and IV.*

As we see that every state is a society, and that every society is established for the sake of some good end; (for an apparent good is the spring of all human actions;) it is evident that all societies aim at some good or other: and this is more especially true of that which aims at the highest possible end, and is itself the most excellent, and embraces all the rest. Now this is that which is called a state, and forms a political society. For those are greatly at fault, who think that the principles of a political, a regal, a domestic, and a despotic government are the same; inasmuch as they suppose that each of these differ merely in point of number, and not in kind: so that with them a despotic government is one composed of a very few, a domestic of more, a civil and a regal of still more, as if there were no difference between a large family and a small city; and they hold that a regal and political government are the same things; only that in the one, a single person is continually at the head of affairs, while in the other, each individual in his turn becomes a magistrate and again a private person, according to the rules of political science. Now this is not true; and what we say will be evident to any one who will consider this question after the approved method. For as, in every other subject, it is necessary to separate its component nature, till we arrive at its first elements, which are the most minute parts thereof; so by viewing the first elements of which a state is composed, we shall see wherein states differ from each other, and whether it is possible to arrive at any systematic knowledge concerning each of the points above mentioned.

Now if any one would watch the parts of a state from the very first as they rise into existence, as in other matters, so here he would gain the truest view of the subject. In the first place, then, it is requisite that those should be joined together, which cannot exist without each other, as the male and the female, for the business of propagation; and this not through deliberate choice, but by that natural impulse which acts both in plants and in animals, namely, the desire of leaving behind them others like themselves. By nature too some beings command, and others obey, for the sake of mutual safety; for a being endowed with discernment and forethought is by nature the superior and governor; whereas he who is merely able to execute by bodily labour, is the inferior and a natural slave; and hence the interest of master and slave is identical. But there is a natural difference between the female and the slave; for nature does nothing meanly, like artists who make the Delphic swords; but she has one instrument for one end; for thus her instruments are most likely to be brought to perfection, being made to contribute to one end, and not to many. Yet, among Barbarians, the female and the slave are upon a level in the community; the reason for which is, that they are not fitted by nature to rule; and so their relationship becomes merely that between slaves of different sexes. For which reason the poets say,

“Tis meet that barbarous tribes to Greeks should bow,”

as if a barbarian and a slave were by nature one and the same. Now

of these two societies the domestic tie is the first, and Hesiod is right when he says,

"First house, then wife, then oxen for the plough;"

for the ox is to the poor man in the place of a household slave. That society, then, which nature has established for daily support, is a family. . . . But the society of many families, which was instituted for lasting and mutual advantage, is called a village . . . and a village is most naturally composed of the emigrant members of one family, . . . the children and the children's children. And hence, by the way, states were originally governed by kings, as the Barbarians now are; for they were composed of those who always were under kingly government. For every family is governed by the elder, as are its branches, on account of their relationship; and this is what Homer says,

"Then each his wife and child doth rule,"

for in this scattered manner they formerly lived. And the general opinion which makes the gods themselves subject to kingly government, arises from the fact that most men formerly were, and many are so now; and as they hold the gods to be like themselves in form, so they suppose their manner of life must needs be the same. But when many villages join themselves perfectly together into one society, that society is a state, . . . and contains in itself, if I may so speak, the perfection of independence; and it is first founded that men may live, but continued that they may live happily. For which reason every state is the work of nature, since the first social ties are such; for to this they all tend as to an end, and the nature of a thing is judged by its tendency. For what every being is in its perfect state, that certainly is the nature of that being, whether it be a man, a horse, or a house; besides, its own final cause and its end must be the perfection of any thing; but a government complete in itself constitutes a final cause and what is best. Hence it is evident, that a state is one of the works of nature, and that man is naturally a political animal, and that whosoever is naturally, and not accidentally, unfit for society, must be either inferior or superior to man; just as the person reviled in Homer,

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"No tribe, nor state, nor home hath he."

For he whose nature is such as this, must needs be a lover of strife, and as solitary as a bird of prey. It is clear, then, that man is truly a more social animal than bees, or any of the herding cattle; for nature, as we say, does nothing in vain, and man is the only animal who has reason. Speech, indeed, as being the token of pleasure and pain, is imparted to other beings also, and thus far their nature extends; they can perceive pleasure and pain, and can impart these sensations to others; but speech is given to us to express what is useful or hurtful to us, and also what is just and unjust; for in this particular man differs from other animals, that he alone has a perception of good and evil, of justice and injustice, and it is the interchange of these common sentiments which forms a family and a city. And further, in the order of nature, the state is prior to the family or the individual; for the whole must necessarily be prior to the parts; for if you take away the whole body, you cannot say a foot or a hand remains, unless by equivocation, as if any one should call a hand made of stone, a hand; for such only can it have when mutilated. But everything is defined according to its effects and inherent powers, so that when these no longer remain such as they were, it cannot be said to be the same, but something of the same name. It is plain, then, that the state is prior to the individual, for if an individual is not complete in himself, he bears the same relation to the state as other parts do to a whole; but he that is incapable of society, or so complete in himself as not to want it, makes no part of a state, but is either a beast or a god. There is then in all persons a natural impetus to associate with each other in this manner, and he who first established civil society was the cause of the greatest benefit; for as man, thus perfected, is the most excellent of all living beings, so without law and justice he would be the worst of all; for nothing is so savage as injustice in arms; but man is born with a faculty of gaining himself arms by prudence and virtue; arms which yet he may apply to the most opposite purposes. And hence he who is devoid of virtue will be the most wicked and cruel, the most lustful and gluttonous being imaginable. Now justice is a social virtue; for it is the rule of the social state, and the very criterion of what is right.

Having established these particulars, the next point is to consider
how many different kinds of governments there are, and what they are; and first we must review those of them which are correct; for when we have determined this their deflections will be evident enough.

It is evident that every form of government or administration, (for the words are of the same import,) must contain the supreme power over the whole state, and that this supreme power must necessarily be in the hands of one person, or of a few, or of the many; and that when the one, the few, or the many direct their policy to the common good, such states are well governed: but when the interest of the one, the few, or the many who are in office, is alone consulted, a perversion takes place; for we must either affirm that those who share in the community are not citizens, or else let these share in the advantages of government. Now we usually call a state which is governed by one person for the common good, a kingdom; one that is governed by more than one, but by a few only, an aristocracy; either because the government is in the hands of the most worthy citizens, or because it is the best form for the city, and its inhabitants. But when the citizens at large direct their policy to the public good, it is called simply a polity: a name which is common to all other governments. And this distinction is consonant to reason; for it will be easy to find one person, or a very few, of very distinguished abilities, but most difficult to meet with the majority of a people eminent for every virtue; but if there is one common to a whole nation it is valour; for this exists among numbers: for which reason, in this state the military have most power, and those who possess arms will have their share in the government. Now the perversions attending each of these governments are these: a kingdom may degenerate into a tyranny, an aristocracy into an oligarchy, and a state into a democracy. Now a tyranny is a monarchy where the good of one man only is the object of government, an oligarchy considers only the rich, and a democracy only the poor; but neither of them have the common good of all in view.

... It is evident, then, that a state is not a mere community of place, nor established for the sake of mutual safety or traffic; but that these things are the necessary consequences of a state, although they may all exist where there is no state; but a state is a society of people joining together with their families, and their children, to live well, for the sake of a perfect and independent life; and for this purpose it is necessary that they should live in one place, and intermarry with each other. Hence in all cities there are family meetings, clubs, sacrifices, and public entertainments, to promote friendship; for a love of sociability is friendship itself; so that the end for which a state is established is that the inhabitants of it may live happily; and these things are conducive to that end; for it is a community of families and villages, formed for the sake of a perfect independent life; that is, as we have already said, for the sake of living well and happily. The political state therefore is founded not for the purpose of men's merely living together, but for their living as men ought; for which reason those who contribute most to this end deserve to have greater power in the state than either those who are their equals in family and freedom, but their inferiors in civil virtue, or those who excel them in wealth, but are below them in worth. It is evident from what has been said, that in all disputes upon forms of government each party says something that is just.

There may also be a doubt as to who should possess the supreme power of the state. Shall it be the majority, or the wealthy, or a number of proper persons, or one better than the rest, or a tyrant? But whichever of these we prefer, some difficulty will arise. For what? if the poor, because they are the majority, may divide among themselves what belongs to the rich, is not this unjust? In sooth, by heaven, it will have been judged just enough by the multitude when they gain the supreme power. What therefore is the extremity of injustice, if this is not? Again, if the many seize into their own hands every thing which belongs to the few, it is evident that the state will be at an end. But virtue never tends to destroy what is itself virtuous; nor can what is right be the ruin of the state. Therefore such a law can never be right; nor can the acts of a tyrant ever be wrong, for of necessity they must all be just; for, from his unlimited power, he compels every one to obey his command, as the multitude oppress the rich. Is it right then that the rich and few should have the supreme power? and what if they be guilty of the same rapine, and plunder the possessions of the majority, will this be just? It will be the same as in the other case; but it is evident that all things of this sort are wrong and unjust. Well then, suppose that those of the better sort shall have the supreme power, must not then all the other citizens live honourably, without sharing the offices of the state? for the offices of a state we call honours, and if one set of men are always in power, it is evident that
must be without honours. Then, will it be better that the
supreme power be in the hands of that one person who is fittest for
it? but by this means the power will be still more confined, for a
greater number than before will continue unhonoured. But some one
may say, that, in short, it is wrong that man should have the supreme
power rather than the law, as his soul is subject to so many passions.
But if this law appoints an aristocracy, or a democracy, how will it
help us in our present doubts? for those things will happen which we
have already mentioned.

Of other particulars, then, let us treat hereafter; but as to the fact
that the supreme power ought to be lodged with the many, rather than
with those of the better sort, who are few, there would seem to be
some doubt, though also some truth as well. Now, though each indi-
vidual of the many may himself be unfit for the supreme power, yet,
when these many are joined together, it is possible that they may be
better qualified for it, than the others; and this not separately, but as a
collective body. So the public suppers exceed those which are given at
one person’s private expense: for, as they are many, each person
brings in his share of virtue and wisdom; and thus, coming together,
they are like one man made up of a multitude, with many feet, many
hands, and many senses. Thus it is with respect to the character and
understanding. And for this reason the many are the best judges of
music and poetry; for some understand one part, some another, and all
collectively the whole. And in this particular men of consequence differ
from each of the many; as they say those who are beautiful differ
from those who are not so, and as fine pictures excel any natural
objects, by collecting into one the several beautiful parts which were
dispersed among different originals, although the separate parts of
individuals, as the eye or any other part, may be handsomer than in
the picture. But it is not clear whether it is possible that this distinc-
tion should exist between every person and general assembly, and
some few men of consequence; but, by heaven, doubtless it is clear
enough that, with respect to a few, it is impossible; since the same
conclusion might be applied even to brutes: and indeed, so to say,
wherein do some men differ from brutes? But nothing prevents what I
have said being true of the people in some states. The doubt, then,
which we have lately proposed, with that which is its consequence,
may be settled in this manner; it is necessary that the freemen and the
bulk of the people should have absolute power in some things; but
these are such as are not men of property, nor have they any reputa-
tion for virtue. And so it is not safe to trust them with the first offices
in the state, both on account of their injustice and their ignorance;
from the one of which they are likely to do what is wrong, from the
other to make mistakes. And yet it is dangerous to allow them no
power or share in the government; for when there are many poor
people who are excluded from office, the state must necessarily have
very many enemies in it. It remains, then, that they should have a
place in the public assemblies, and in determining causes. And for this
reason Socrates and some other legislators give them the power of
electing the officers of the state, and also of inquiring into their con-
duct after their term of office, but do not allow them to act as magis-
trates by themselves. For the multitude, when they are collected to-
gether, have all of them sufficient understanding for these purposes,
and by mixing among those of higher rank are serviceable to the state;
as some things which alone are improper for food, when mixed with
others, make the whole more wholesome than a few of them would be;
though each individual is unfit to form a judgment by himself.
But there is a difficulty attending this form of government; for it seems
that the same person, who himself was capable of curing any one who
was then sick, must be the best judge who to employ as a physician;
but such a one must be himself a physician. And the same holds true
in every other practice and art: and as a physician ought to give an
account of his practice to physicians, so ought it to be in other arts.
But physicians are of three sorts: the first makes up the medicines;
the second prescribes; the third understands the science, but never
practises it. Now these three distinctions may be found in those who
understand all other arts; and we have no less opinion of their judg-
ment who are only instructed in the principles of the art, than of those
who practise it. And with respect to elections the same would seem to
hold true; for to elect a proper person in any line, is the business of
those who are skilled in it; as in geometry, it is the part of geometri-
cians, and of steersmen in the art of steering. But even if some indi-
viduals do know something of particular arts and works, they do not
know more than the professors of them, so that, even upon this prin-
ciple, neither the election of magistrates, nor the censure of their con-
duct, should be intrusted to the many. But possibly much that has
been here said may not be right; for, to resume the argument lately
used, if the people are not very brutal indeed, although we allow that each individual knows less of these affairs than those who have given particular attention to them, yet when they come together they will know them better, or at least not worse: besides, in some particular arts it is not the workman only who is the best judge, as in those the works of which are understood by those who do not profess them. Thus he who builds a house is not the only judge of it, (for the master of the family who inhabits it is a better one,) thus also a steersman is a better judge of a tiller than he who made it, and he who gives an entertainment than the cook. What has been said seems a sufficient solution of this difficulty; but there is another that follows: for it seems absurd that greater power in the state should be lodged with the bad than with the good. Now the power of election and censure are of the very utmost consequence, and this, as has been said, in some states they intrust to the people; for the general assembly is the supreme court of all. And yet they have a voice in this court, and deliberate on all public affairs, and try all causes, without any objection to the meanness of their circumstances, and at any age: but their questioners, generals, and other great officers of state are taken from men of high condition. This difficulty, then, may be solved upon the same principle; and here too they may be right. For the power is not in the man who is member of the assembly or council, but in the assembly itself, and in the council and people, of which each individual of the whole community forms a part, as senator, adviser, or judge. And for this reason it is very right that the many should have the greatest powers in their own hands; for the people, the council, and the judges are composed of them, and the property of all these collectively is more than the property of any person, or of a few who fill the great offices of the state: and thus let us determine these points.

But the first question that we stated shows nothing besides so plainly, as that the supreme power should be lodged in laws duly made, and that the magistrate, or magistrates, (either one or more,) should be authorized to determine those cases on which the laws cannot define particularly; as it is impossible for them, in general language, to explain themselves upon everything that may arise. But what these laws are, which are established upon the best foundations, has not been yet explained, but still remains a matter of some question; but the laws of every state will necessarily be like the state itself, either trifling or excellent, just or unjust; for it is evident, that the laws which are

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framed, must correspond to the constitution of the government; and, if so, it is plain, that a well-formed government will have good laws, a bad one, bad ones.

It follows next in order to consider the absolute monarch whom we have just mentioned, who does every thing according to his own will; for a king governing under the direction of laws does not of himself constitute any particular species of government, as we have already said: for in every state whatsoever, whether an aristocracy or democracy, it is easy to appoint a general for life; and there are many who intrust the administration of affairs to one person only; such is the government at Dyrachium, and the same at Opus though in a less degree. As for an absolute monarchy, as it is called, (that is to say, when the whole state is wholly subject to the will of one person, namely the king,) it seems to many to be unnatural that one man should have the entire rule over his fellow-citizens, when the state consists of equals; for nature requires that the same right, and the same rank, should necessarily exist amongst all those who are equal by nature; for as it would be hurtful to the body, for those who are of different constitutions to observe the same regimen, either of diet, or clothing; so with respect to the honours of the state, it is as hurtful that those who are equal in merit should be unequal in rank. And for this reason it is as much a man’s duty to submit to command, as to assume it, and this also by rotation; for this is law, for order is law; and it is more proper that the law should govern, than any one of the citizens. Upon the same principle, if it is advantageous to place the supreme power in some particular persons, they should be appointed to be only guardians and servants of the laws, for the supreme power must be placed somewhere; but they say, that it is unjust that where all are equal, one person should continually enjoy it. But man would scarcely be able to adjust that which the law cannot determine. It may be replied, that the law having purposely laid down the best rules, leaves the rest to be adjusted by the most fair decision, and to be regulated by the magistrates; besides, it allows any thing to be altered, which experience proves may be better established. Moreover, he who bids the law to be supreme, makes God supreme, [and the laws;] but he who intrusts man with supreme power, gives it to a wild beast, for such his appetites sometimes make him; passion, too, influences those who are in power, even the very best of men; for which reason the law is intel-
lect free from appetite. The instance taken from the arts seems fallacious: wherein it is said to be wrong for a sick person to apply for a remedy to books, but that it would be far more eligible to employ those who are skilful in physic; for these are not biased by any feeling towards their patient to act contrary to the principles of their art; but when the cure is performed, they receive a pecuniary recompense: whereas those who have the management of public affairs, do many things through hatred or favour. And, as a proof of what we have advanced, it may be observed, that whenever a sick person suspects that his physician has been persuaded by his enemies to be guilty of any foul practice to him in his profession, he then chooses rather to apply to books for his cure. And not only this, but even physicians themselves, when they are ill, call in other physicians: and those who teach others the gymnastic exercises practise with those of the same profession, as being incapable from self-partiality to form a proper judgment of what concerns themselves. From whence it is evident, that those who seek for what is just, seek for a mean; now the law is a mean. Moreover, the moral law is far superior to the written law, and is conversant with far superior objects; for the supreme magistrate is safer to be trusted to than the written one, though he is inferior to the moral law.

We ought not, however, to define a democracy as some do nowadays, who say simply that it is a government where the supreme power is lodged in the people; for even in oligarchies every where the supreme power is in the majority. Nor should we define an oligarchy as a government where the supreme power is in the hands of a few: for let us suppose the number of a people to be thirteen hundred, and that of these, one thousand were rich, who would not permit the three hundred poor to have any share in the government, although they were free, and their equals in everything else: no one would say that this government was a democracy. In like manner, if the poor, when few in number, should acquire the power over the rich, though more than themselves, no one would say that this formed an oligarchy; nor would any one call such a state an oligarchy, when the poor, though few in number, are superior in power to the rich, who have a majority. We should rather say that the state is a democracy, when the supreme power is in the hands of the freemen; an oligarchy, when it is in the hands of the rich. It happens indeed that in the one case the many

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will possess it, in the other the few; because there are many poor, and few rich. And if the offices of state were to be distributed according to the size of the citizens, as they say it is in Æthiopia, or according to their beauty, then it would be an oligarchy: for the number of those who are tall or beautiful is small. Nor would all those things which we have already mentioned, alone sufficient to describe these states; for since there are many species both of a democracy and an oligarchy, the matter requires that further distinction be made; as we cannot admit, that if a few freemen possess the supreme power over the many who are not free, this government is a democracy: as in Apollonia upon the Ionian Sea, and in Thera; for in each of these cities the honours of the state were in the hands of some few distinguished families who first founded the colonies. Nor would the rich, because they are superior in numbers, form a democracy, as formerly at Colophon; for there the majority had large possessions before the Lydian war. But a democracy is a state where the freemen and the poor, being the majority, are invested with the power of the state; and an oligarchy is a state where the rich and those of noble family, being few, possess it. We have now proved that there are various forms of government, and we have assigned a reason for it; and shall proceed to show, that there are even more than these, and what they are, and why; starting from the first principle which we have already laid down. We admit that every state consists not of one, but of many parts. For example, if it should be our purpose to comprehend the different species of animals, we should first of all note those parts which every animal must have, as certain of the organs of sense, as also what is fitted to receive and retain its food, as a mouth and a belly; and besides, certain parts to enable it to move from place to place. If, then, these are the only parts of an animal, and there are differences between them, namely, in their various sorts of mouths, and bellies, and organs of sense, and besides these in their powers of motion; the number of all these combined together must necessarily make up different species of animals. For it is not possible that the same kind of animal should have any very great deal of difference in its mouth or ears; so that when all these possible combinations are collected together, they will make up various species of animals, which will be as many kinds as there are of these general combinations of necessary parts. Now the same thing is true of what are called polities; for a state is not made up of one, but of many parts, as has already
been often said; one of which is those who supply provisions, called husbandmen; another called mechanics, whose employment is in the manual arts, without which the city could not be inhabited; of these some are busied about what is absolutely necessary, others about things which contribute to the elegancies and pleasures of life; the third sort are hucksters, I mean by these buyers, sellers, petty traffickers, and retail dealers; the fourth are hired labourers, or workmen; the fifth are the men-at-arms, a rank not less useful than the other, unless the community choose to be the slaves of every invader. For doubtless a state which is naturally a slave, is unworthy of the name of a city; for a city is self-sufficient, but a slave is not. So that when Socrates says that a city is necessarily composed of four sorts of people, weavers, husbandmen, shoemakers, and builders; he then adds, as if these were not sufficient, smiths, herdsmen for what cattle are necessary, and also merchants and victuallers, and these are by way of appendix to his first list; as if a city was established for necessity, and not for the sake of perfect life, or as if it was equally in need of shoemakers and husbandmen. Also he does not reckon the military as a part of the state, before its territory increases and brings about war, by touching on the borders of the neighbouring powers. And even amongst them who compose his four divisions, or whoever have any connexion with each other, it will be necessary to have some one to distribute justice, and to determine between man and man. Since, then, any one would hold that the mind is more truly a part of man than his body, one would regard such things as more properly belonging to his city than matters of every-day necessity: such things are the portion devoted to war and the administration of forensic justice; to which may be added those who are members of the council, which is the business of political sagacity. Nor is it of any consequence, whether these different employments are filled by different persons, or by one, as the same man is oftentimes both a soldier and a husbandman. So that if both the judge and the senator are parts of the city, it necessarily follows that the soldier must be so also. The seventh sort are those who serve the public in expensive employments at their own charge; and these are called the opulent. The eighth are those who in like manner execute the different offices of the state, and without these it could not possibly subsist: it is therefore necessary that there should be some persons capable of governing and of filling the places in the city; and this either for life, or in rotation. The office of a senator, and of him who administers justice to litigants, alone now remain; and these we have already sufficiently defined. Since, then, these things are necessary for a state, to the end that it may be happy and just, it follows that citizens who engage in public affairs should be men of abilities therein. Many persons think it possible that different employments may be allotted to the same person, as that of a soldier, a husbandman, and an artificer; as also, that others may be both senators and judges: but all men lay claim to political ability, and think themselves qualified for almost every department in the state. But the same person cannot at once be poor and rich: for which reason the most obvious division of the city is into two parts, the poor and rich. Moreover, since in general the one are few, the other many, they seem of all the parts of a city most clearly contrary to each other; so that as the one or the other prevail, they form different polities, and these two forms of polity are democracy and oligarchy. It has been already mentioned that there are many different states, and from what causes they arise; let us therefore now show that there are also different kinds both of democracy and oligarchy. Though this indeed is evident from what we have already said: for there are many different sorts of common people, and also of those who are called the upper classes. Of the different sorts of the first are the husbandmen, artificers, and hucksters, who are employed in buying and selling; seamen, of whom some are engaged in war, some in trade, some in carrying goods and passengers, others in fishing;—and of each of these there are often many, as fishermen at Tarantum and Byzantium, masters of galleys at Athens, merchants at Aegina and Chios, those who carry passengers at Tenedos;—to these we may add those who live by their manual labour, and have so little property that they cannot live without some employ; and also those who are not free-born from citizens on both sides, and whatever other sort of common people there may be. That which marks the upper classes, is their fortune, their birth, their abilities, or their education, or any such like excellence which is attributed to them. The most pure democracy is that which is called so principally from the equality which prevails in it: for this is what the law in that state directs, that the poor shall be in no greater subjection than the rich; and that the supreme power shall be not lodged with either of these, but that both shall share it alike. For if liberty and equality, as some persons suppose, are chiefly to be found in a democracy, it must be most so, by
every department of government being alike open to all; but as the people are the majority, and what they vote is law, it follows that such a state must be a democracy. This then is one species of a democratic government. Another is, when the magistrates are elected by a certain census, the standard of which is low; and where every one who possesses property ought to have a share in the government, but as soon as he has lost that property, he ought no longer. Another sort is, that in which every man who is not under ban has a share in the government, but where the government is in the law. Another, where every one, provided he be a citizen, has this right, but where the government is in the law. Another is the same with these in other particulars, but allows the people and not the law to be supreme; and this takes place when every thing is determined by a majority of votes, and not by a law; a thing which happens by reason of the demagogues. For where a democracy is governed by stated laws, there is no room for a demagogue, but men of worth fill the first offices in the state; but where the power is not vested in the laws, there demagogues abound. For there the people’s voice becomes that of a king, the whole composing one body; for they are supreme, not as individuals, but in their collective capacity. Homer also says,

"Ill fares it, where the multitude hath sway;"

but whether he means this kind of democracy, or one where the many are individually supreme, is uncertain. Now, when the people possess this power, they desire to be altogether absolute, that they may not be under the control of the law, and they grow despotic, so that flatterers are held in repute; and such a people become analogous to tyranny among the forms of monarchy; for their manners are the same, and they both hold a despotic power over better persons than themselves. For their decrees are like the others’ edict; and a demagogue with them is like a flatterer among the others; but both these two classes abound with each, flatterers with tyrants, and demagogues among such a people. And to them it is owing that the supreme power is lodged in the votes of the people, and not in written laws; for they bring every thing before them. And this they do because they have influence, on account of the supreme power being lodged in the people; for these are they whom the multitude obey. Besides, those who inveigh against rulers are wont to say that the people ought to be the judges of their conduct; and the people gladly receive their complaints as the means of destroying all their offices. Any one therefore may with great justice blame such a government by calling it a democracy, and not a free state; for where the government is not vested in the laws, then there is no free state, for the law ought to be supreme over all things; and particular incidents which arise, should be determined by the magistrates or by the state. If, therefore, a democracy is to be reckoned as one among free states, it is evident that any such establishment which centres all power in the votes of the people cannot, properly speaking, be a democracy; for their decrees cannot be general in their extent. Let this, then, be our description of the several species of democracies.