

politics

...principles of government

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Political Philosophy: Principles of Government

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What has happened to the basic principles of politics? It is not necessary to state, but merely examine the development of Aristotle and St. Thomas.

In the present we have a deviation from traditional political philosophy. With the advent of the moderns (Machiavelli, Hume, Locke, etc.), we find a certain ambiguity; they are slightly unintelligible.

We will consider the history of political thought (and if things can happen to ideas, they can be said to have a history).

The course will begin with a consideration of what Father Mc Coy referred to as a highly significant book, The Myth of the State by one Ernst Cassirer published by the Yale University Press. According to Cassirer the history of political thought may be read as a struggle against myth. Myth is defined as the irrational in human affairs: anything that is above or below reason. Cassirer is referred to as a Neo-rationalist.

We notice that Aristotle recognizes that the contemplative life is to be preferred to the active, the practical life. The contemplative is not proper to man as man in the sense that it is proportioned to man's intellect but it is that for which he should strive. Man should live according to what is best in himself.

Professor Cassirer, on the other hand, exalts the practical life to a primary position.

We notice in Plato that he relegates the gods to metaphysics; excludes them from politics because he maintained that no social reform could be obtained if they were considered.

And so we find Cassirer referring to Metaphysics and Natural Phil. as myths that are not to be considered.

Survey of the thesis of Cassirer:

Thomas Aquinas: Cassirer sees St. Thomas as confronted by a greater myth than Plato was, namely revelation. Speaks of Thomas' emphasis on human reason. Cassirer quotes Etienne Gilson as saying that St. Thomas said that the human mind could not of itself arrive at the existence of God. He also completely omits Aristotle in his relation to Plato and St. Thomas.

Machiavelli - always a problem. Author of The Prince and The Discourses on Living. There are many, especially in the U.S. who defend Machiavelli today. Machiavelli was the first deliberately to advocate the use of evil means. His defenders explain that he merely placed the common good before the good of the individual. This opinion is based more on the Discourses in which he was much concerned about the common good of the Italian people. Cassirer wonders how Machiavelli, "a man of great and noble mind became the advocate of such splendid wickedness. However, he sees Machiavelli as at the gateway of the modern world, pointing the way to freedom of myth. Cassirer admits that the man was evil, but he calls him a necessary evil, necessary to free the state from the myths of the old obligations. He took the most dramatic way of freeing man from traditional morality and external governings.

Thus with Machiavelli Political Philosophy lost its bond with religion and metaphysics, as well as with all extramoral bonds.

Today Western civilization is forming a new moral code independent of any natural law - its political thought is away from nature. After the turmoil of the 16th century, the Natural Law remained the same, but man's attitude towards it had changed radically; there were now no longer any external laws to which man was bound. Rather, every law that bound him was of his own making, imposed on by himself.

17th Century Political Philosophers

-they took their theories from the Stoics. They were seeking a universal philosophy that would appeal to every country. The Stoic "did not help man to solve any extramoral metaphysical riddles, but they did promise to restore man to his ethical dignity." Now according to Cassirer this human dignity consists in the worth that man attributes to himself. Is he not, then, making operable what is essentially inoperable?

Art - man is free to determine both the end and the means.

Morals - here the end is not operable, it is fixed. Some would like to make both the end and the means operable.

The political freedom of the 17th century was merely a symbol and a sign of the intellectual freedom and emancipation.

The last portion of the book is entitled: The Myth of the 20th Cent. - this is the century that should be absolutely myth-free. Paradoxically enough the emancipation of all that breeds myths gave birth to the greatest myth of all: totalitarianism. This Cassirer cannot explain.

If man's intellect is the measure of all things, then the logical order becomes identical with the real order. This is found in Plato also; this equation of the logical and real orders. In specific sciences Cassirer maintains that species are identical in their differences. From the point of view of politics, ~~this~~ ^{it}

is the destroying of specific differences (e.g. family, man etc.) that leads to totalitarianism. Cassirer is opposed to totalitarianism. To the rationalist the presence of myth in a century of technological processes is confusing.

Primitive - (homo magos (magician))
(homo faber)

Modern politician is both. The complete rationalization of human life has substituted man's mind for Divine Providence. Even responsible for the fortunes.

19th and 20th centuries - perversions and deceptions. Rational, technical and scientific. Hegel - great champion of rationalism. Exaltation of man.

20th cent. adds new dimensions to myth. How does myth find its place here? Prof. Cassirer gives no reason; only gives an account.

not produce identical houses.
Man has in common with all things an intrinsic principle of motion, but unlike other things he has knowledge of his end. He can distinguish objects of pursuit and avoidance other than things natural/ to him (e.g. mating) also things proper to him as a rational animal (e.g. founding a family).

There is an order, there are degrees, in what is natural to man.
-it is natural to man to be a social animal.
-it is natural to him in a different sense to construct an elaborate political society.

It is very important to distinguish between the various uses of this term, "natural".

Two basic principles of Political Science (they are natural).

1. It is natural for man to go from the simple to the complex.
2. It is natural to things complex that there be an order of the parts to one another and to the whole.

Art imitates nature.
-if the principles are related to one another, so too will their effects.

Divine Nature-----Divine Art-----Speculative Sciences

Art :

-things operable by man imitate nature.

(In Metaphys. Bk.X: The Common Good is primary in the universe and in society by reason of imitation of nature.

Nature is not perfected by art, nor vice versa. Altho nature makes art possible.

God's knowledge is to nature as the mind of the artist is to what he makes.)

see St. Thomas Metaphys. bk. XII, cap. 10. The good of the nature, is it the order?
-in this passage he gives the order of natural things and one can see as it were in embryo his Politics. From his consideration of the order of plants, animals, etc. to one another one can foresee his insistence on the order of master to slave, members of family to ruler, etc.

It is very important to keep in mind this imitation of nature when studying the Politics of Aristotle.

Nature stands between God and Art.

The order of the universe takes on the aspect of a law. c'est fini.

Third day:

The ordering of all parts of the universe to the common good is precisely the notion of government. The notion of government also involves the notion of law.--that by which a thing is induced to act or restrained from act.

The eternal law or natural law differ according to aspect: As the exemplar in the Divine mind=the eternal law; as existing in things directed, measured and ruled by the Divine mind= natural law.

St. Thomas says that the law exists in the law-giver as well as the ruled. All things measured by the divine law are necessarily included in eternal law as directing them to their end.

Cf. Ia, Iae, q. 91, art. II

Law Eternal (directing specific natures to their proper acts.

Natural (inhering in subjects according to natural inclinations)

a. substance Man: three orders of precepts:

b. animal

c. rational ---

Virtues:
-intellectual
-moral

Considering now specifically the rational part of natural law: Man not only shares in the execution of divine Providence but a sharing in the very disposition of Providence. Since man having intelligence, acts for himself.

Man's self-government consists in the fact that he shares in the disposition of Providence. He chooses well the means adapted to the end of his nature.

Spiders build the same webs; swallows the same nests but man with reason is different as respect to the end.

Man has to acquire the intellectual and moral virtues.

Ethics (Arist)-what is the nature of man, what is the end towards which man (rational animal) moves?

Individual man is made up of:
sensible element-
rational element-

this combination, this subjecting of the sensible to the rational, is to Aristotle as the principle of governance of all society.

Ethics, Book I-Aristotle:
The end of man is what?

For what end does rational animal act? Happiness; the good life; the life in accordance with moral and intellectual virtues and the highest virtue, contemplation.

1. Twofold end of man: proportionate to his whole nature-practical virtues.
2. proportionate to his formal element-contemplation, cultivation of rational principle.

For the majority of men the life most proportionate to his whole nature is best but this is not best in itself. Contemplation is quasi-divine.

The analysis of parts of the soul in the De Anima suggests to Aristotle the types of Government. So as the parts of the man are ordered to the good of the whole man, so all individual men are ordered to the good of the whole.

Two relations in the household:

1. the good of man and woman--this relation is for the generation of the species.
2. the good of the father and son.

POLITICAL ORDER

- rule of man and woman--constitutional or (political) rule--democracy
- rule of father and son--royal rule.
- also rule of master and slave--despotic rule

=monarchy
=tyranny

These have an analogy to the soul:
-rule of rational principle over sense appetites (political and royal)
-rule of the soul over the body (despotic rule)

A husband rules over wife as equal over equal (therefore a democracy). This, though, is not true constitutional rule for man and woman are not strictly equal. The woman does not become the man nor the man the woman, where in true constitutional government the rulers become at times the ruled and the ruled become the rulers.

So is there a certain equality and independence in "rational principles over sense appetites"; the rational principles direct the sense appetites to their proper good.
e.g. temperance in food (not gluttony nor obstemiousness)

The rule of man over woman is not true constitutional government nor is the rule of reason over sense. For the ideal is not for sense appetites to rule at times and the rational at other times, as do ruler and subject in true constitutional government.

To Aristotle, the royal rule is best, for as a father rules with perfect control and yet with love and concern, so should rational principles rule over sense appetites.

The Despotic rule of master over slave is different really from tyranny. Tyranny is naturally unjust in the political order for it is not for the good of the free nature of man.

But, the rule of the master over the slave is just by nature according to Aristotle.

In comparison, then, slavery is just and tyranny unjust. The master rules over the slave "per accidens" for his good.

Who is the natural slave according to Aristotle?

If one can find a man who is to another man as brute is to rational animal, then, that man is called a natural slave.

man : man
brute : rational animal

But the slave is a rational animal, but is defective in his comparison to him who has full rationality. So, according to Aristotle, whoever is so defective in prudence as not to be able to govern himself, he is a natural slave.

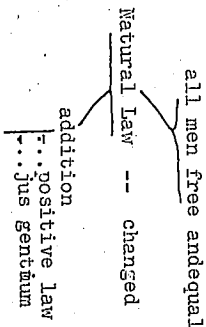
(a question asked)
reply: according to Aristotle also, for one to rule a community he would have to be qualitatively better than anyone in the community, but not this only. He would have to be better than the whole community.

The real relation of man to slave is mentioned above as just simple criterion, while slavery as institutionalized is only just secundum quid.

In human affairs we can only hope best to achieve the intention of nature. e.g. as in war.

Saint Thomas, asking what is the natural slave, points out that it is not the barbarian, but it signifies the barbarian for there is no communication for the barbarian with the native and therefore he does not speak logic or grammar (a certain defect of reason).

The naturalness of this relation of master and the natural slave is no primary naturalness but secondary naturalness. Natural slavery is not brought in by nature; if not brought in by nature, how is it a part of natural law. The natural law can be changed by way of addition through the positive law and "jus gentium".



to be continued;

Natural Law
(Aristotle places the naturalness of the Natural Law in the jus gentium.)

Natural

Absolute : as for example the commensuration between man and wife for procreation.

Non-absolute : the commensuration between owner and property. (Slavery is natural in this sense.)

Another Division of Natural:

I. Natural only in the sense that Nature doesn't bring in the contrary, e.g. Nakedness, universal freedom, and common possession of things are all natural to man.

II. Natural in the sense on that towards which Nature inclines.
But Nature inclines in different ways:

- a) As in the procreation of the species.
- b) As in the safeguarding of the species by founding of families.
- c) As in the formations of governments.

(now a is more natural than b, and b more natural than c)

In b, reason tells us that a mere passing union of the sexes isn't sufficient to safeguard the species. In c, Aristotle calls man by nature a political animal. But this is less natural than a or b. Natural slavery is, he says, necessary for the well-being of the family and therefore belongs under b. Thus slavery is natural in a sense as universal freedom is natural in a sense. But the latter is in a more negative group than the former - slavery is more natural selon Aristotle than universal freedom.
The household is necessary that man may live; the state is necessary that he may live well (i.e. virtuously).

The Head of the Household (A Natural Monarchy)
relations in household:

- a) husband ---- wife = political.
- b) father ----- son = monarchic
- c) master ---- slave = despotic.

And yet the head is a monarch for he alone has perfect freedom. He alone has prudence perfectly as was explained yesterday. From our considerations up until now, we can see that Aristotle has many analogies on which to draw when he comes to speak of the next state.
He has, too, an answer to the objection to his understanding of slavery - for there are those who will assert in opposition that all men are free by nature. Aristotle will immediately consult his above-outline understanding of "natural".

Origine of Political Authority

On this point many questions arise. How is it natural? Political authority is not like the authority of the master of of the father.

The political community includes only heads of households - they alone are citizens. The state, then, is a community of free men as opposed to the household.

But if all are free and capable of ruling themselves, how can a ruler be natural?

On this question Aristotle is obscure and St. Thomas remains silent. There are, at least, no clear texts to reveal their position.

There are, however, two theories:

- I Translation theory.
- II Designation theory.

Both of these theories agree on the fundamental point that the political authority is originally in common as there is presupposed a community of free men. Even St. Thomas gives us this much.

How is it that the political authority passes from the multitude to one man or to a smaller group of men? Here it is that the two theories differ. According to I it is transferred to the one man; and this is a formal transfer. According to II the political authority is designated in a quasi-natural ruler, but he doesn't become naturally the ruler until designated such by the multitude.

In considering these two theories, we must, as it were, approach an already operating state, and then we ask how the ruler obtained his authority. By a transference? Or because he was designated such by the multitude because of his merits.

Which of these two theories is more in harmony with the other political theory of Aristotle?

cf. The Nature and Functions of Authority by Yves Simon. In this work the author distinguishes two functions of authority: a) essential and b) substitutional. The substitutional is found where one person governs another in the line of the good of that governed person. This, says Simon, is not the essential

Equality - applies to free men. Above the fact that they are all free there are, of course, other inequalities.

Contrary to the household, in the state the consent of the governed is necessary. Because in the state, all the citizens are free. Their consent must be a prudent and rectified consent. The consent may be demanded by prudence, because the ruler is just, etc. The Designation theory seems to be the best.

a) Father ----- Son
 : : + becomes
 : : +
b) Man ----- Man
 : : +

If one doesn't want to completely eliminate Aristotle's Royal rule as

How, in the beginning, does the multitude pass on its authority? They use a common political prudence. One doesn't need a virtue to appreciate it in the one chosen to rule.

How determine the best kind of government? (a) absolutely best = monarchy (b) generally attainable = democracy (c) best in a particular case (may even be tyranny). This is according to Aristotle.

c'est fini.

Cf. Bk. III Politics; Aristotle holds that there are three possible forms of Government:

- a. by one
 - b. by few
 - c. by many
- The government for the common good of many=good form of govt
- " " sake of the ruler=perverse form of govt.

Monarchy---	opposed to---	Tyranny	(one)
Aristocracy---		Oligarchy	(few)
Democracy----		--Job Rule	(many)

These are specified according to the end; the purpose of the State (wealth, virtue, freedom, equality, and nobility of birth.)

The true end of *any* political community is virtue. It has the best claim to power, but seldom present. A political community may be based on wealth and property; equality also is a good basis.

Is the rule of many for wealth a democracy or an oligarchy? Usually the rich are only few, so it is usually an oligarchy.

The versions of Govt.

1. rule of one man for his own sake-tyranny
2. few rich for the sake of wealth-oligarchy
3. many poor, for freedom and equality-mob rule

Which is best? the rule of one best man or rule according to law? Where many rule it will be in connection with law, a constitution; for where many rule it implies rotation in office and so a fixed order is needed.

needed.

Aristotle says in answer that it is always better to rule by law which is passionless, and has a better degree of justice than any man has, no matter how virtuous. But Aristotle continues to say that if there is one man more virtuous than the whole community, he should be made ruler for life and in respect to everything in strict justice.

But after the third book of the Politics Aristotle forgets all about the royal rule and gives various combinations of Democracy and Oligarchy. Polity=best form of govt. and most obtainable.

According to Prof. Sabine, Aristotle's favoring of the royal rule was purely theoretical and only loyalty to Plato. Law should be the ultimate sovereign (but this is cannot be said absolutely) and the ideal monarchy is purely academic; Aristotle would not have mentioned this if not for the authority of Plato.

Another question: whether rule of law was absolutely opposed to the rule of best man according to Aristotle?

Aristotle makes the contrast but it is only similar to the contrast of the rule of the many and that of one man.

Of "Masters of Political Thought" by Prof. Foster.

Both Foster and Sabine have this interpretation:

The royal ruler according to Plato is above the law and does not rule according to law. If Aristotle has repudiated Plato here then Aristotle has championed the rule by law.

Politics, bk. 3, chap. 13: Foster ignores this reference to the royal rule claiming that it is an isolated passage, unsupported by the general doctrine of Aristotle's whole work.

Foster and Sabine are typical of modern political thought. They say Aristotle leaves behind Plato's ideal State and moves toward the study of actual constitutions. Democracy—the unique political expression of cultural relativity.

The measure and rule of practical actions is to be found in the customs and habits of any community—the rule of law in which direction Aristotle moves (according to Foster and Sabine)

The ethical and moral norms of society should not lag behind the "mores" of the community, norms found in the expressed desire of the majority. e.g. the Kinsey Report.

In "History of Political Thought" by Sabine, there is evident signs of Social Relativism. This is the expressed purpose even of the book. (cf. the preface). In regarding this, one should observe how this affects the question of the rule of the one and the rule of the many.

Charles J. Merriam: "What is Democracy?" he says, "even those harking at Democracy cannot deny its implications." The fascist regime was an expression of this emancipation of the people even; note that they still vote under dictators, etc. Respect for the popular view.

Merriam: "Dean of American Political Thinkers"

So they (Foster and Sabine) say that Aristotle in the division of the speculative and practical sciences held that truth in practical matters was dependent on what man was competent to do. Since practical science deals with what is operable to man, so it depends on the competency of man in concrete matters.

Rule in political society will be by law; depends on the expressed purpose of the many, so law is supreme. This is the interpretation of many modern scholars. It is one way to avoid the difficulties in the text of Aristotle.

Our answer to this: the fact that Aristotle in holding royal rule to be praiseworthy is only because of fidelity to Plato is untrue. In the II book written immediately after Plato's death, Aristotle is sharply critical of Plato's doctrines, especially communism of property to again, after maintaining that law is passionless in comparison to man in whom passions are natural, he asks what if the law is bad. Thirdly, the fact remains—Aristotle prefers royal rule in the conclusion of the third book. Thereafter that modern interpreters give Aristotle's works therefore must be re-done.

But Aristotle in supporting the royal rule (i.e. of one man) does not necessarily exclude rule according to law.

The virtuous man, in a remote way, is said to be the rule and measure of other men. Then his above law and does not rule according to law in the sense that he is not under the constraint of law.

And yet he rules according to nature; he rules according to reason. The continent man, however, rules according to law; his rule over himself is by constraint of law. By a certain contrivance, the continent man performs the acts of the virtuous man. The continent man must devise certain means to live according to virtue.

The comparison of the virtuous man and the continent man is to illustrate the parallel to the royal ruler and democracy.

Rule
continent man-----democracy
virtuous man-----royal rule

The royal ruler, as the virtuous man, rules according to law in the perfect sense, so that he is above it. The rule of the many is rule according to law in a derived or imitative way.

In the continent man there is somewhat equality between rational principles and the sense appetites.

Continent man
Rational principle -- sense appetites

Because of this equality the continent man must set up certain device whereby the end of a virtuous life is gained by a special restraint (constitution in govt.) This equality is true in democracy; there is the employment of special devices as well (law).

Virtuous man: performs good acts with ease and pleasure.

Man of vice: performs bad acts with ease and pleasure.

Continent man: with difficulty and reluctance.

Incontinent man: fails with reluctance and remorse.

-to be continued-

States are judged in the following manner:

- a) the best state absolutely.
- b) the best state most generally.
- c) the best state for a given particular situation.

We have seen that although many modern interpreters say that Aristotle mentioned Royal Rule only as a token of his fidelity to Plato, or that it was merely a theoretical or academic concern, their reasons and arguments are rather weak. The rule of one man or the rule by law are discussed in Book III; and Aristotle says that the generally most practical state is what he called the Polity.

It does not follow that because Aristotle opposes rule by one to rule by law that law is excluded from the rule by one. He uses the comparison of the continent man to the man of virtue to illustrate this. Democracy, which is compared to the continent man, lives according to something less than virtue or law. Whereas the man of virtue, to whom monarchy is compared lives in accordance with the law so perfectly that he is said to be leisured solutions, free from the law. So the two can be opposed, but with this understanding:

Monarchy (man of virtue) = perfect rule according to the law.
Democracy (continent man) = imitation of this perfect rule.

Discussion of (b) above: the best state most generally.

- there is an assumption of an equality among men according to their natural disposition to virtue.
- there is a problem of organizing the proponent elements and the functions of the state.
- e.g. what proportion between the legislative, judicial and executive elements of government?
- most of the politics is concerned with the various different ways of arranging these proponent elements and functions, i.e. different constitutions.
- the main concern of the many will be to avoid extremes; it is a sort of compromise for those who can't attain perfect virtue. Thus, in this second-best state must avoid the extremes of oligarchy and mob-rule.

In placing Royal Rule first, Aristotle defended it in a much more logical way than Democracy is defended today by its champions. Mc Coy has often brought in the modern method of judging history from the viewpoint of social-relativism.

David Hume's analysis of the Natural Law amounts to a destruction of it. For him the criterion of human behaviour was the fluctuating norm - the majority opinion. (Mc Coy advanced the opinion that the recent Kinsey Report in the U. S. indicates the same type of reasoning. Is the Freudian polymorphite to be the standard of modern morals, is perversion to be the measure of morals?)

Also cited: Oliver Wendell Holmes, Jr. and Brandeis of the U. S. Supreme Court of yesterday. Should law be in agreement with the majority opinion?

Virtuous ----- Royal Rule

Continent - Democracy (imitation of perfection by those incapable of attaining it.)

Democracy - most generally the best form of state when considered as a closer imitation of Royal Rule.
But Royal Rule (the virtuous man) always remains the exemplary, the remote ideal for Democracy (the continent man).

The polity, the rule of the middle class - the mediate between two extremes. The success of this state depends on the numbers and political strength of the middle class. When it is the only form that can keep a state in order. An example of (c) on first page, these notes. An oligarchy can perpetuate itself, paradoxically enough, by stressing principles contrary to its own nature.

Although founded on the basis of wealth, it should militate against an exclusive concentration of wealth in the hands of one who would then seize the government and institute a perversion of rule by one, i.e. tyranny. Nor should oligarchs oppress the poor for fear of revolution. This is Aristotle's advice.

Polity - continent man doesn't live by virtue precisely, so rule by the middle class prescinds from right appetite of the good as such. Like the continent man, it will attain good not by aiming at it, as such. And just as the actions of the continent man are referred to those of the virtuous man, so too will the actions of the polity be referred to those of the Royal Ruler.

Middle Class - Aristotle considers property as a certain sign of virtue insofar as one seldom finds a man who lacks industry, temperance, etc. who has property. This is not the best sign of virtue, but it is somewhat of a one. The idea of the polity is that when many of equal virtue, and their individual virtue will not be too awesome, unite they will profit from the sum total of all their virtue. The polity, says Aristotle, is in the majority of cases the best guarantee of virtue.

The continent man imitates the intermediates of virtue by avoiding one extreme (e.g. self-indulgence) and striving for the other extreme (total abstinence) and achieves the mean of temperance.

So also the polity will strive to move away from passions altogether and this will be more or less accomplished by the middle class, who will rule by turns and in the same fixed manner.

The two features which characterize the Political world after Aristotle:

1. the disappearance of the City-State as a vital force.
2. the emphasis of the individual.

In these developments it is customary to make two observations:

1. Aristotle's short-sightedness; he submerges the individual in the "polis". Short-sightedness i.e. in the development of a larger Government than the City-State and his neglect of the universal man.

Sabine says, "If Plato had been as closely associated with Macedonia as Aristotle, he would hardly have failed to see the epoch-making importance of Alexander." Beyond the power of Aristotle's imagination to see the necessity of the City-State to be absorbed into some more self-sufficient State.

2. The development of something larger than the Greek City-State, i.e. the conception alien to the Greek mind of individual rights and the self-sufficiency of the individual. Individual's independence of Political Society.

Strange: the City-State loses its self-sufficiency to the world empire and the individual gains his. Modern State scholars look on Aristotle's doctrines as an obstacle to individual freedom.

Man as a fraction of the "polis" ended with Aristotle. With the world of Alexander began man as an individual.

- a. must now consider his own life; hence the philosophies of conduct b. his relation with others; so the new ideas of universal brotherhood as though Aristotle never considered this in his division of Practical Philosophy into Ethics as well as Moral and Political.

This view is presented in the same way in the 6 volume work of the two Carlyle brothers, J.F. and A.J. Carlyle. Total emancipation of man being common to modern Democracy and totalitarian doctrine.

The Post-Aristotelians, esp. the Stoics, initiated this emphasis on man's sufficiency. The "Liberty, Equality, and Fraternity" of the French Revolution is only the modern expression of this philosophy.

With the Stoics etc. the conception of the Natural Law undergoes a change, i.e. Natural Law=man himself is the author of himself.

If germinally in the Stoics, then it was revived in the 17th Century and expressed in the doctrine of "State Contract" (Rousseau and Locke). But although there is hailed a new presentation of the Natural Law, there is not agreement among authors what this natural law consists in, i.e. what is the difference of Aristotelian and Post-Arist. Nat. Law.

One difference: A new doctrine of equality of men. (they say Arist. did not have equality of men) Ambiguous.

Second difference: Among the Romans for the first time they understand State in the terms of law and not law in the terms of State.

Third difference: new sense of human brotherhood and benevolence.

Answer to first: None make the difference of this and Aristotle, i.e. his statement of the equality of men, clear. Aristotle put man in answer to 2nd: the difference of natural slave. All were men, even the natural slave. Equal in respect to species.

Answer to 2nd: this idea of the Romans was not absent from Aristotle. He divides States in terms of their conformity or lack of conformity to the natural law.

Answer to 3rd: in Ethics Aristotle says that friendship is even in animals and so more in man. "We may find even in our travels the love of man for man." quote.

Cicero and Senatus are found though reiterating the doctrine of Plato and Aristotle. The moderns insist that there is a complete break with Aristotelianism and these men are isolated in that philosophy lauding the individual.

Two paradoxical considerations of moderns worthy of attention.

1. If Aristotle did fail to see the common good of an Empire as better than the common good of the City-State, he did not fail to look upon the common good of the whole universe as containing all other goods (e.g. the army and the leader).

2. The new concept of the universal Empire and brotherhood of men although seeing a loftier conception of the common good in fact emphasized the primacy and independence of the individual person.

If Aristotle had sought to submerge the individual as claimed, he could have sought the Empire as something more embracing in which to submerge him.

Granting that he was less conscious of the rights of man to the "polis" (implicitly) the order of all things takes into consideration the rights of those who are ordered, e.g. as the ordering of a house where all things can act at random. "All things ordered together somehow, but not all alike."

Separated substances are to the universe as freemen in the house. As natural slave is compared to the free man, so are all men in some bondage to the most intellectual beings, separated substances.

Slave=Random Freedom; the most remarkable characteristic of the Post-Aristotelian Philosophy of Conduct.

Cynics=indifference to marriage, family, property and citizenship.

Free from all conventional determinations.

Stoics=master of his soul and maker of his fate.

According to Aristotle, perfect happiness is in separated substances; in man happiness is by participation, but man should strive to obtain a divine similitude.

The Condition of Bondage produces in man a tendency to revolt and escape. Aristotle realized this and that is why Aristotle saw that good life was only possible by custom, language, laws etc. to which he could become accustomed in time.

For the Stoics it was to rise above the natural inclinations which Aristotle held as the conditions of human freedom. Indifference to all but moral inclinations.

The "generic being of man" acc. to the Communists (Marx) completes this conception of man as the author of himself. Man completely self-sufficient.

The Post Aristotelian Philosophers, esp. Roman Stoics, are looked upon by modern scholars as:

1. the self-sufficiency of man, his total emancipation.
 2. brotherhood of man.
 3. state dependent on law.
- We saw this judgment as at least ambiguous.

Interpretation of Aristotle: he conceives the state not in terms of law as they say, but law in terms of the state. In Aristotle one can even find both; law is primary in spite of his insistence on the monarchy.

If any strict meaning is to be given to Aristotle, the ambiguities and incoherency of the Post-Aristotelians have to be resolved.

Imp. for test: Moderns say that there is a complete break with Aristotle but fail to show what constitutes the formal difference of the Political thought of Aristotle and the Post-Aristotelian school.

What is the essential difference? the assertion of the self-independence of man. Germinally all Post-Aristotelians are all philosophes that revolt and escape that bondage which characterizes all of human nature. That philosophy of revolt rests in the self-sufficiency of man and the independence of reason. It takes the form of freeing human life from all conventional determinations-family, political life, morals etc. This seems to be their chief characteristic.

If then there is a complete break it must consist in the above.

This attitude is proven by the appearance of "humanitas" in Roman Stoicism. In Aristotle, we have a clear and systematic study of the virtues but in his doctrine as well as in all Greek Philosophy, and even their language and literature, there was a noted lack of mention of "humanitas".

In Rome it had a definite meaning (no vague concept); it meant not only moral but also aesthetic ideals, i.e. language, conduct, style, etc. Why was it missing in Aristotle? the answer should bring out the essential difference of these two schools of Philosophy.

Aristotle says in the Ethics that if man were the best in the universe, then not wisdom but prudence and practical wisdom would be the best knowledge. But not so! Yet possession of wisdom is not as proportionate to human nature as the practical life. We still must strain to live according to the best in us, the rational principle (the weakest in man); man's humanity is the strongest in man but less good.

The Roman "humanitas" could be cultivated if man was the best in the universe. It precisely emphasized those elements of man most proportionate to his nature, and as practical knowledge concerns those things operable by man, "humanitas" included not only moral but the aesthetic ideal. So the Romans emphasized the Political life.

Cassirer significantly omits any reference to a life too high for man. There is a certain paradox here, i.e. Aristotle, though submerging (as said) the individual, has wisdom as the highest end; the Roman Stoics, though freeing the individual, has prudence and art highest.

Moderns refuse to see the real difference in political thought after Aristotle; they insist on the complete great, but refuse to see the clearly in what the essential difference lay. They prefer to accept the very incoherencies without judging them.

This ambiguity is also due to the past representation of the Stoics with Christians as cultural phenomena of the same kind. This was a crude identification.

* The formal doctrine and difference of the Stoics from Aristotle: "the self-dependence of man to assert his own independence". Is this Christian?

St. Augustine read the Stoics, esp. Cicero. St. Thomas in his treatise on virtues cites St. Augustine's opinion that the Stoics and Peripatetics differ more in word than in fact. There is little depth in their doctrines although they are acceptable.

2. states that there is some difference.

St. Thomas interprets the Roman "humanitas" in relation to Aristotle "friendship."

Cf. epistle to Titus, "Gratia Domini Dei apparuit vobis ut Humanitas Et Benignitas Salvatoris nostri etc."

In the 17th Century we see a clear and precise drawing out of what was originally only germinally in the Post-Aristotelian Philosophers. Grotius, Hobbes and others.

Cassirer "the equality of man in Stoics is only the Liberté, Égalité and Fraternité of the French Revolution in a modern expression." If he says this he should have looked into the 17th and 18th centuries.

Sabine: "The passing importance of Grotius' theory of natural law was not according to the content of natural law as Grotius conceived it but as it gave an appeal through its precision given to the natural law such as it had not had in an equal degree in antiquity."

Cassirer: Natural Law of the 17th Century possessed no new content or principle; merely a new methodology.

What is the method of the 17th Cent. Political Philosophers according to Cassirer: "The doctrine of 'State Contract' becomes in the 17th Cent a self-evident axiom of Political thought. This fact marks a great and decisive step, for if we adopt this view, if we reduce the social order to a free and individual act, then all mystery in gone."

Man belongs to the speculative sciences according to Aristotle, but to the Post-Aristotelians man is the author of his whole life. This found its climax in the "generic being of man" of Marx and Feuerbach.

It may be strange for "contract" to be a natural relation? The naturalness of this Political philosophy leaves only a natural law which the moral subject gives to himself, only if they satisfy reason.

Grotius, sa Sabine says, does make an appeal to reason as never done before. It was a tendency in man to afford primacy to practical reason. The intellect is to be the measure of the object; the precision

therefore given to reason in the 17th Century.

Cassirer: "The rejuvenation of Stoical Philosophy restored man to his ethical dignity. Not ethical in the sense by which man can attain the end given him by his nature, but the moral worth man gives himself."

In this way we can get some indication of the direction of political thought: it all seems to depend on a good or bad commentary on Aristotle's outcome:

The Great German Philosophical Revolution of the 19th Century and its outcome:

17th Cent. conception of Nat. Law ----- complete realization in Kant, Hegel, Feuerbach and Marx. (Generic being of man)

David Hume's (destruction of human law) ----- also the emancipation of man but there exists a flux in human behavior.

What is good in the moral order is to be found in the facts of human behavior. Customs and habits are self-evident.

Modern Democratic thought is based on empirical positivism and empirical investigation of the facts of political and social behavior.

Both German (Kant etc.) and English (Hume etc.) reject Aristotle and seek emancipation of man, but in one case (Kant, Hegel, Feuerbach and Marx) man becomes conscious of himself as the author of his life; other case (Hume-English and American Democracy) man is reduced to an emancipated political condition of "laissez-faire".

-to be continued-

The modernized conception of natural law: (Sabine) making it more precise in appeal to reason, putting the entire moral law under practical reason.

Where do we find the most careful and profound explanation of the development of the 17th Century Philosophy? The new approach to natural law?

In the German Philosophical Revolution of the 19th Century. It was realized with Kant, Hegel, and Marx that the 17th Century revival was fully realized. The traditional Greek concept was the hinge of the natural law on the eternal law. The content remains the same for 17th century philosophy, but the method differs (there called methodology). The human intellect is the exemplary of the natural law (not eternal law as exemplary) - this destroyed eternal law.

Eternal law- point of view of that which directs; God Law: Natural law- the same law from the point of view of those who are directed; creatures.

David Hume; destroyed even natural law.

Kant: in his autarchy of human reason put a law into nature from man's intellect. Man, human reason, is the source of the laws of nature. He saved the notion of natural law, although curiously enough, he accepted Hume's analysis, but he said if it were true, there would be no necessity in nature and no science. "The consciousness of the spiritual has become the done or believed. "The consciousness of the spiritual has become the fibre of political fabric."

"Never since the sun stood in the firmament and the planets revolved around it has it been perceived that man's existence centers in his head." This is supposed to be the final wedding of the supernatural and the natural. Man is emancipated;

If moderns ascribe the foundation of Democracy to the Stoics and not to Aristotle, it is curious that the 17th century revival of Stoicism finds its logical fulfillment in the 19th century German Philosophers, on whom Communism is based. The development of their ideas in the works of Feuerbach and Marx appears remarkably clear.

Stoics If the Democratic process is understood as the total emancipation of man from any law that he does not give himself, then the Communists are right in claiming that Russian Communism is the last state of the Democratic concept.

17th Century (State Contract)ists are right in claiming that Russian Communism is the last state of the Democratic concept. (Hegel, Marx)

Heinrich Heine: "Religion and Philosophy of Germany" - Germany involved in metaphysics; unfit for practical things. The revolt against philosophy was understanding. Heine says that Germany was wise in

in working out her philosophy before the revolution. He predicts the revolution: Kantians who have piety both in works and in theory (ideas) and the Feichtens and Philosophers of Nature who will be fearful in their own way.
Heine says that the revolt in Philosophy would be give birth to a horrible revolt in reality.

Can then Democracy be derived from the same principles? The whole issue of this is to destroy nature as something extrinsic and foreign to man. Russia is the heir of the German Revolution, and the Stoic idea of emancipation is the source of the whole modern concept of Democracy. Aristotle has said that there is this natural urge to revolt against human natural bondage. If it is true that the 17th Century Philosophers claimed there was a tendency of man to escape and revolt against the bondage of nature, it is very curious in fulfillment that in the reverse man is under a greater bondage.

Cf. Aristotle doctrine on the Natural Slave

The natural slave lives on the fringes of civil ~~society~~. Now the whole world seems to live on the fringe.

Intellectual Substance

Free
.. (Slave) Man-
Slave

A revolt against the Human Bondage of all men reduces all men to less than the position of the Natural Slave.

Royal Rule-best

Natural Slave

Policy

Legal Slave

It is hard to see that whereas Aristotle accepted the fact that the polity, which is an approximation, imitation of Royal Rule, is the generally most practical system because man is not generally renowned for virtue and the polity is the best safeguard for virtue, yet he insists on legal slavery which is an approximation of natural slavery, yet just because of the lack of virtue in man "put in puribus" there would be many instances of injustice.

The Political Philosophy of Nicolo Machiavelli-

He is hailed by many as the founder of modern political sciences. His chief contribution: the severance of the connection of Ethics and Political life. And he is the "founder of modern Democracy"? Aristotle's natural slavery, which so repels the moderns, is easier to take for he at least based the whole thing on Ethics.

Machiavelli-how to practice perfidy, cruelty, etc. as the means to political success! So he was hailed as the freer of the individual.

Only recently, in the past 20 or 30 years, has this interpretation of Machiavelli been so widespread. Formerly, he was an evil genius.

Allen Gilbert-"Works of Nicolo Machiavelli" best expresses the modern view. Long introduction: The common good was the chief political concern with Machiavelli.

There is certain justification in this aspect. Only in the past few years have his books been read by students of political thought.

It is maintained and rightly that "The Prince" be read in view of the "Discourses on Living." The "Prince" is a manual for tyrants; the "Discourses" is for the common good of the Italian people. If one reads the Discourses in the light of the Prince there will be confusion.
Realist-Machiavelli recognized the common good as the aim of all political means. This is gleaned from his very texts.

There remains, though, great difficulties in the text which one cannot solve by the text alone but by a comparison of his terms with past tradition of political thought.

His basic premises in both books:

1. man is anti-social
2. essentially evil

These notions are found both in the Prince and the Discourses. That is there to be done to place Machiavelli in the history of political thought? To compare his use of terms common to past tradition as used in the past tradition. "Virtue, justice, liberty, etc." retain traditional force even when they have lost their traditional being.

The Discourses force us to believe, to conclude, that Machiavelli's chief interest was the common good. The conclusion of Prof. Gilbert was "the traditional political conception of the common good." We shall see this cannot be true later.

References.

- three chapters on Machiavelli in Cassirer's "Myth of State."
- Jacques Maritain "The End of Machiavellianism."
- Review of Politics (Jan. 1942)
- McCoy "The Place of Machiavelli in Political Thought."
- The Amer. Political Science Review (Aug. 1943)

Various opinions on Machiavelli:

1. Jacques Maritain: (old view-up to 30 years ago)
No interest at all in the common good; the differences of the two books were real but remain secondary-ascribed to the literary genius of the two works only.
He states there are three forms of Machiavellianism:
a. Machiavellianism of Machiavelli-as stated above.
b. Moderate Machiavellianism on the European Continent in the 16th and 17th century; Machiavellian means for the common good.
c. Evil Machiavellianism-as an end.

2. Prof. Gilbert: "The Works of M. Machiavelli"
Chief political conception of Machiavelli was the traditional one of the common good.

3. Cassirer: "Myth of State"
Unique and oblique. If Machiavelli was interested in the common good, then the common good was for Machiavelli a common evil.

The Machiavelli of modern political writers is a new Machiavelli, different from the estimate of him in former times. This is due to a more thorough reading of all the works of Mach., the Discourse on Living as well as The Prince. We have concluded that, although Professor Gilbert asserts the contrary, Machiavelli could not have used the term "common good" in the same way as that same term was used in the traditional political thought of Aristotle and St. Thomas. One of the results of this new estimate of Mach., is that he is no longer looked on as "a purveyor of Median evil."

However, the conclusions that the moderns make are hard to ascribe to - for so often in their judgments of political matters they fail to consider the moral implications. Though it would be permissible to hail Machiavelli vaguely as a champion of human freedom and the common good, one cannot abstract from his immoral bases.

The traditional understanding of the common good:

1. Rule for the good of all and not for the good of the ruler alone.
2. The good of the view has its root in the view of man as a rational animal. The notion of the common good depends of the whole structure of the moral and intellectual virtues which are based on the proper relation of the rational to the animal in man.

Although Machiavelli may have agreed with (1) above, he departs radically from (2). Therefore Machiavelli is outside of the tradition as far as the foundation of the virtues is concerned. Hence his concern with virtue, etc. is meaningless according to the tradition.

Machiavelli's idea of the relation of the rational to the animal:

There are two ways to fight:

- a) by laws
- b) by force.

a) is proper to man (rational).

b) is proper to animal
Machiavelli says that because the laws often fall short, we must resort to force. The Prince must be both a beast and a man.

Machiavelli did not recognize the proper relation between the rational and animal in man: for him man acts either like an animal or like a man. -but to know how to act like a beast require the rational part. -to be a beast and to be clever at being a beast requires the rational, to out-beast a beast and to be many beasts at once. For Machiavelli advises the prince to be both a fox and a lion.

But in man the animal is dependent on reason. There is a right use of force, of fear for man qua man. These are not strictly of his animal part.

Re: Maritain's article cited yesterday:
Completion arises because of Machiavelli's inadequate knowledge of moral order.
Machiavelli sees moral laws as proper to a separated Platonian world, says Maritain.

Machiavelli can't see a fear, say, that would be rational and right. For him the animal nature is to be served by the rational part. Law is rooted in force. Yet Mach. says the law is proper to man and force is proper to animal.

Machiavelli's fox = prudence put in the service of the lion.

Virtue = skillful force. (combination of cunning and physical power)
This is the conception that is to dominate the prince.

In tradition virtue is a mediate between two extremes:

cowardly ----- rabbi
courage

However, virtue, a habit which enables one to turn in the direction to which the winds of fortune urge. Machiavelli's definition. Virtue, as an imitation of virtue, show itself most artistic as an imitation in that it enables one to practise of the two extremes of a virtue at different times, to go from one to the other. By thus hitting the extremes, it can be said in a way to imitate the mediate.

Machiavelli's essential departure from the traditional psychological basis of virtue enables us to size up his view of the common good. Gilbert says that Machiavelli's doctrine is to be looked for not in the Prince, but in the Discourses. This is more flattering to Machia.

Mach. says: the prince must in his own life be willing to drop all devotion to morality.

Of which Gilbert says: there are two paths open to the prince:

- a) devotion of the principles of morality
 - b) of devotion to the common good of the people.
- Are these two opposed as Gilbert implies? If so, how can Gilbert say that Machiavelli's common good was the traditional one?

Why does Prince sacrifice this personal morality? In order that the people may have the moral goodness that he is sacrificing?

-if so, he gives a bad example.
-nor would this be prudent or clever if he values moral goodness as the word "sacrifice" implies.

Machiavelli says that man is by nature radically evil.
-this differs absolutely with Aristotle's view.

The Prince is the exemplar of the common good. But the common good is higher than the moral laws. Therefore the real exemplar of the common good, selon Machiavelli, is an indifference to morality.

Now, superficially, Machiavelli can be said to be in the tradition; he uses the same terms (but with different meanings) and for him, too, the prince is the exemplar of the common good (but what a common good).

The ancient lovers of freedom, says Machiavelli, were characterized by vigorous action; they were savage in their devotion to freedom.

Speculatively, Machiavelli doesn't deny Christianity (it has shown us the way) - nor does he blame the church for the plight of the Italian people, rather the empire.

He does complain that the Church is unable to inculcate this savagery.

From one of his letters: "I have not for many years believed what I said or said what I believed, or if I have told the truth I have concealed it among so many lies that it can't be found."
-What can one make of a man like that?

Bad Prince: acts the role of fox and lion for his own good.

Good Prince: acts the role of fox and lion for the good of the people, for their betterment and education, etc.

Professor Allen, Political Thought of the 16th Century = at bottom the Prince is consistent with the ideals that Machiavelli expressed fragmentarily in the Discourses.

Allen's conclusion: the Prince was only necessary to obtain the good that was desired in the Discourses.

McCoy asks: Is the Prince consistent at the bottom with the views expressed fragmentarily in the Discourses or is the Prince at the bottom of the Discourses? They both have the same premises.

Hitler said: human rights are above state rights. His words seem to have as much value as Machiavelli's.

Mussolini is thought to have been influenced very much by the Prince. Always had a copy in his desk drawer.

The exam will be based mainly on the considerations made of Aristotle's Politics.

...curtain.

philosophy of nature

...principle of individuation

Charles de Koninck

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cours d'ete - 1950