

Politics

By Aristotle

Translated by Benjamin Jowett

Book 4, Chapter 1

IN all arts and sciences which embrace the whole of any subject, and do not come into being in a fragmentary way, it is the province of a single art or science to consider all that appertains to a single subject. For example, the art of gymnastic considers not only the suitability of different modes of training to different bodies (2), but what sort is absolutely the best (1); (for the absolutely best must suit that which is by nature best and best furnished with the means of life), and also what common form of training is adapted to the great majority of men (4). And if a man does not desire the best habit of body, or the greatest skill in gymnastics, which might be attained by him, still the trainer or the teacher of gymnastic should be able to impart any lower degree of either (3). The same principle equally holds in medicine and shipbuilding, and the making of clothes, and in the arts generally.

Hence it is obvious that government too is the subject of a single science, which has to consider what government is best and of what sort it must be, to be most in accordance with our aspirations, if there were no external impediment, and also what kind of government is adapted to particular states. For the best is often unattainable, and therefore the true legislator and statesman ought to be acquainted, not only with (1) that which is best in the abstract, but also with (2) that which is best relatively to circumstances. We should be able further to say how a state may be constituted under any given conditions (3); both how it is originally formed and, when formed, how it may be longest preserved; the supposed state being so far from having the best constitution that it is unprovided even with the conditions necessary for the best; neither is it the best under the circumstances, but of an inferior type.

He ought, moreover, to know (4) the form of government which is best suited to states in general; for political writers, although they have excellent ideas, are often unpractical. We should consider, not only what form of government is best, but also what is possible and what is easily attainable by all. There are some who would have none but the most perfect; for this many natural advantages are required. Others, again, speak of a more attainable form, and, although they reject the constitution under which they are living, they extol some one in particular, for example the Lacedaemonian. Any change of government which

has to be introduced should be one which men, starting from their existing constitutions, will be both willing and able to adopt, since there is quite as much trouble in the reformation of an old constitution as in the establishment of a new one, just as to unlearn is as hard as to learn. And therefore, in addition to the qualifications of the statesman already mentioned, he should be able to find remedies for the defects of existing constitutions, as has been said before. This he cannot do unless he knows how many forms of government there are. It is often supposed that there is only one kind of democracy and one of oligarchy. But this is a mistake; and, in order to avoid such mistakes, we must ascertain what differences there are in the constitutions of states, and in how many ways they are combined. The same political insight will enable a man to know which laws are the best, and which are suited to different constitutions; for the laws are, and ought to be, relative to the constitution, and not the constitution to the laws. A constitution is the organization of offices in a state, and determines what is to be the governing body, and what is the end of each community. But laws are not to be confounded with the principles of the constitution; they are the rules according to which the magistrates should administer the state, and proceed against offenders. So that we must know the varieties, and the number of varieties, of each form of government, if only with a view to making laws. For the same laws cannot be equally suited to all oligarchies or to all democracies, since there is certainly more than one form both of democracy and of oligarchy.

Book 4, Chapter 2

In our original discussion about governments we divided them into three true forms: kingly rule, aristocracy, and constitutional government, and three corresponding perversions—tyranny, oligarchy, and democracy. Of kingly rule and of aristocracy, we have already spoken, for the inquiry into the perfect state is the same thing with the discussion of the two forms thus named, since both imply a principle of virtue provided with external means. We have already determined in what aristocracy and kingly rule differ from one another, and when the latter should be established. In what follows we have to describe the so-called constitutional government, which bears the common name of all constitutions, and the other forms, tyranny, oligarchy, and democracy.

It is obvious which of the three perversions is the worst, and which is the next in badness. That which is the perversion of the first and most divine is necessarily the worst. And just as a royal rule, if not a mere name, must exist by virtue of some great personal superiority in the king, so tyranny, which is the worst of governments, is necessarily the farthest removed from a well-constituted form; oligarchy is little better, for it is a long way from aristocracy, and democracy is the most tolerable of the three.

A writer who preceded me has already made these distinctions, but his point of view is not the same as mine. For he lays down the principle that when all the constitutions are good (the oligarchy and the rest being virtuous), democracy is the worst, but the best when all

are bad. Whereas we maintain that they are in any case defective, and that one oligarchy is not to be accounted better than another, but only less bad.

Not to pursue this question further at present, let us begin by determining (1) how many varieties of constitution there are (since of democracy and oligarchy there are several): (2) what constitution is the most generally acceptable, and what is eligible in the next degree after the perfect state; and besides this what other there is which is aristocratical and well-constituted, and at the same time adapted to states in general; (3) of the other forms of government to whom each is suited. For democracy may meet the needs of some better than oligarchy, and conversely. In the next place (4) we have to consider in what manner a man ought to proceed who desires to establish some one among these various forms, whether of democracy or of oligarchy; and lastly, (5) having briefly discussed these subjects to the best of our power, we will endeavor to ascertain the modes of ruin and preservation both of constitutions generally and of each separately, and to what causes they are to be attributed.

Book 4, Chapter 3

The reason why there are many forms of government is that every state contains many elements. In the first place we see that all states are made up of families, and in the multitude of citizen there must be some rich and some poor, and some in a middle condition; the rich are heavy-armed, and the poor not. Of the common people, some are husbandmen, and some traders, and some artisans. There are also among the notables differences of wealth and property—for example, in the number of horses which they keep, for they cannot afford to keep them unless they are rich. And therefore in old times the cities whose strength lay in their cavalry were oligarchies, and they used cavalry in wars against their neighbors; as was the practice of the Eretrians and Chalcidians, and also of the Magnesians on the river Maeander, and of other peoples in Asia. Besides differences of wealth there are differences of rank and merit, and there are some other elements which were mentioned by us when in treating of aristocracy we enumerated the essentials of a state. Of these elements, sometimes all, sometimes the lesser and sometimes the greater number, have a share in the government. It is evident then that there must be many forms of government, differing in kind, since the parts of which they are composed differ from each other in kind. For a constitution is an organization of offices, which all the citizens distribute among themselves, according to the power which different classes possess, for example the rich or the poor, or according to some principle of equality which includes both. There must therefore be as many forms of government as there are modes of arranging the offices, according to the superiorities and differences of the parts of the state.

There are generally thought to be two principal forms: as men say of the winds that there are but two—north and south, and that the rest of them are only variations of these, so of governments there are said to be only two forms—democracy and oligarchy. For aristocracy is considered to be a kind of oligarchy, as being the rule of a few, and the so-called constitutional government to be really a democracy, just as among the winds we make the

west a variation of the north, and the east of the south wind. Similarly of musical modes there are said to be two kinds, the Dorian and the Phrygian; the other arrangements of the scale are comprehended under one or other of these two. About forms of government this is a very favorite notion. But in either case the better and more exact way is to distinguish, as I have done, the one or two which are true forms, and to regard the others as perversions, whether of the most perfectly attempered mode or of the best form of government: we may compare the severer and more overpowering modes to the oligarchical forms, and the more relaxed and gentler ones to the democratic.

Book 4, Chapter 4

It must not be assumed, as some are fond of saying, that democracy is simply that form of government in which the greater number are sovereign, for in oligarchies, and indeed in every government, the majority rules; nor again is oligarchy that form of government in which a few are sovereign. Suppose the whole population of a city to be 1300, and that of these 1000 are rich, and do not allow the remaining 300 who are poor, but free, and in an other respects their equals, a share of the government—no one will say that this is a democracy. In like manner, if the poor were few and the masters of the rich who outnumber them, no one would ever call such a government, in which the rich majority have no share of office, an oligarchy. Therefore we should rather say that democracy is the form of government in which the free are rulers, and oligarchy in which the rich; it is only an accident that the free are the many and the rich are the few. Otherwise a government in which the offices were given according to stature, as is said to be the case in Ethiopia, or according to beauty, would be an oligarchy; for the number of tall or good-looking men is small. And yet oligarchy and democracy are not sufficiently distinguished merely by these two characteristics of wealth and freedom. Both of them contain many other elements, and therefore we must carry our analysis further, and say that the government is not a democracy in which the freemen, being few in number, rule over the many who are not free, as at Apollonia, on the Ionian Gulf, and at Thera; (for in each of these states the nobles, who were also the earliest settlers, were held in chief honor, although they were but a few out of many). Neither is it a democracy when the rich have the government because they exceed in number; as was the case formerly at Colophon, where the bulk of the inhabitants were possessed of large property before the Lydian War. But the form of government is a democracy when the free, who are also poor and the majority, govern, and an oligarchy when the rich and the noble govern, they being at the same time few in number.

I have said that there are many forms of government, and have explained to what causes the variety is due. Why there are more than those already mentioned, and what they are, and whence they arise, I will now proceed to consider, starting from the principle already admitted, which is that every state consists, not of one, but of many parts. If we were going to speak of the different species of animals, we should first of all determine the organs which are indispensable to every animal, as for example some organs of sense and the instruments of receiving and digesting food, such as the mouth and the stomach, besides

organs of locomotion. Assuming now that there are only so many kinds of organs, but that there may be differences in them—I mean different kinds of mouths, and stomachs, and perceptive and locomotive organs—the possible combinations of these differences will necessarily furnish many variedes of animals. (For animals cannot be the same which have different kinds of mouths or of ears.) And when all the combinations are exhausted, there will be as many sorts of animals as there are combinations of the necessary organs. The same, then, is true of the forms of government which have been described; states, as I have repeatedly said, are composed, not of one, but of many elements. One element is the food-producing class, who are called husbandmen; a second, the class of mechanics who practice the arts without which a city cannot exist; of these arts some are absolutely necessary, others contribute to luxury or to the grace of life. The third class is that of traders, and by traders I mean those who are engaged in buying and selling, whether in commerce or in retail trade. A fourth class is that of the serfs or laborers. The warriors make up the fifth class, and they are as necessary as any of the others, if the country is not to be the slave of every invader. For how can a state which has any title to the name be of a slavish nature? The state is independent and self-sufficing, but a slave is the reverse of independent. Hence we see that this subject, though ingeniously, has not been satisfactorily treated in the Republic. Socrates says that a state is made up of four sorts of people who are absolutely necessary; these are a weaver, a husbandman, a shoemaker, and a builder; afterwards, finding that they are not enough, he adds a smith, and again a herdsman, to look after the necessary animals; then a merchant, and then a retail trader. All these together form the complement of the first state, as if a state were established merely to supply the necessaries of life, rather than for the sake of the good, or stood equally in need of shoemakers and of husbandmen. But he does not admit into the state a military class until the country has increased in size, and is beginning to encroach on its neighbor's land, whereupon they go to war. Yet even amongst his four original citizens, or whatever be the number of those whom he associates in the state, there must be some one who will dispense justice and determine what is just. And as the soul may be said to be more truly part of an animal than the body, so the higher parts of states, that is to say, the warrior class, the class engaged in the administration of justice, and that engaged in deliberation, which is the special business of political common sense—these are more essential to the state than the parts which minister to the necessaries of life. Whether their several functions are the functions of different citizens, or of the same—for it may often happen that the same persons are both warriors and husbandmen—is immaterial to the argument. The higher as well as the lower elements are to be equally considered parts of the state, and if so, the military element at any rate must be included. There are also the wealthy who minister to the state with their property; these form the seventh class. The eighth class is that of magistrates and of officers; for the state cannot exist without rulers. And therefore some must be able to take office and to serve the state, either always or in turn. There only remains the class of those who deliberate and who judge between disputants; we were just now distinguishing them. If presence of all these elements, and their fair and equitable organization, is necessary to states, then there must also be persons who have the ability of statesmen. Different

functions appear to be often combined in the same individual; for example, the warrior may also be a husbandman, or an artisan; or, again, the councillor a judge. And all claim to possess political ability, and think that they are quite competent to fill most offices. But the same persons cannot be rich and poor at the same time. For this reason the rich and the poor are regarded in an especial sense as parts of a state. Again, because the rich are generally few in number, while the poor are many, they appear to be antagonistic, and as the one or the other prevails they form the government. Hence arises the common opinion that there are two kinds of government—democracy and oligarchy.

I have already explained that there are many forms of constitution, and to what causes the variety is due. Let me now show that there are different forms both of democracy and oligarchy, as will indeed be evident from what has preceded. For both in the common people and in the notables various classes are included; of the common people, one class are husbandmen, another artisans; another traders, who are employed in buying and selling; another are the seafaring class, whether engaged in war or in trade, as ferrymen or as fishermen. (In many places any one of these classes forms quite a large population; for example, fishermen at Tarentum and Byzantium, crews of triremes at Athens, merchant seamen at Aegina and Chios, ferrymen at Tenedos.) To the classes already mentioned may be added day-laborers, and those who, owing to their needy circumstances, have no leisure, or those who are not of free birth on both sides; and there may be other classes as well. The notables again may be divided according to their wealth, birth, virtue, education, and similar differences.

Of forms of democracy first comes that which is said to be based strictly on equality. In such a democracy the law says that it is just for the poor to have no more advantage than the rich; and that neither should be masters, but both equal. For if liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost. And since the people are the majority, and the opinion of the majority is decisive, such a government must necessarily be a democracy. Here then is one sort of democracy. There is another, in which the magistrates are elected according to a certain property qualification, but a low one; he who has the required amount of property has a share in the government, but he who loses his property loses his rights. Another kind is that in which all the citizens who are under no disqualification share in the government, but still the law is supreme. In another, everybody, if he be only a citizen, is admitted to the government, but the law is supreme as before. A fifth form of democracy, in other respects the same, is that in which, not the law, but the multitude, have the supreme power, and supersede the law by their decrees. This is a state of affairs brought about by the demagogues. For in democracies which are subject to the law the best citizens hold the first place, and there are no demagogues; but where the laws are not supreme, there demagogues spring up. For the people becomes a monarch, and is many in one; and the many have the power in their hands, not as individuals, but collectively. Homer says that 'it is not good to have a rule of many,' but whether he means

this corporate rule, or the rule of many individuals, is uncertain. At all events this sort of democracy, which is now a monarch, and no longer under the control of law, seeks to exercise monarchical sway, and grows into a despot; the flatterer is held in honor; this sort of democracy being relatively to other democracies what tyranny is to other forms of monarchy. The spirit of both is the same, and they alike exercise a despotic rule over the better citizens. The decrees of the demos correspond to the edicts of the tyrant; and the demagogue is to the one what the flatterer is to the other. Both have great power; the flatterer with the tyrant, the demagogue with democracies of the kind which we are describing. The demagogues make the decrees of the people override the laws, by referring all things to the popular assembly. And therefore they grow great, because the people have all things in their hands, and they hold in their hands the votes of the people, who are too ready to listen to them. Further, those who have any complaint to bring against the magistrates say, 'Let the people be judges'; the people are too happy to accept the invitation; and so the authority of every office is undermined. Such a democracy is fairly open to the objection that it is not a constitution at all; for where the laws have no authority, there is no constitution. The law ought to be supreme over all, and the magistracies should judge of particulars, and only this should be considered a constitution. So that if democracy be a real form of government, the sort of system in which all things are regulated by decrees is clearly not even a democracy in the true sense of the word, for decrees relate only to particulars.

These then are the different kinds of democracy.

Book 4, Chapter 5

Of oligarchies, too, there are different kinds: one where the property qualification for office is such that the poor, although they form the majority, have no share in the government, yet he who acquires a qualification may obtain a share. Another sort is when there is a qualification for office, but a high one, and the vacancies in the governing body are filled by co-optation. If the election is made out of all the qualified persons, a constitution of this kind inclines to an aristocracy, if out of a privileged class, to an oligarchy. Another sort of oligarchy is when the son succeeds the father. There is a fourth form, likewise hereditary, in which the magistrates are supreme and not the law. Among oligarchies this is what tyranny is among monarchies, and the last-mentioned form of democracy among democracies; and in fact this sort of oligarchy receives the name of a dynasty (or rule of powerful families).

These are the different sorts of oligarchies and democracies. It should, however, be remembered that in many states the constitution which is established by law, although not democratic, owing to the education and habits of the people may be administered democratically, and conversely in other states the established constitution may incline to democracy, but may be administered in an oligarchical spirit. This most often happens after a revolution: for governments do not change at once; at first the dominant party are content

with encroaching a little upon their opponents. The laws which existed previously continue in force, but the authors of the revolution have the power in their hands.

Book 4, Chapter 6

From what has been already said we may safely infer that there are so many different kinds of democracies and of oligarchies. For it is evident that either all the classes whom we mentioned must share in the government, or some only and not others. When the class of husbandmen and of those who possess moderate fortunes have the supreme power, the government is administered according to law. For the citizens being compelled to live by their labor have no leisure; and so they set up the authority of the law, and attend assemblies only when necessary. They all obtain a share in the government when they have acquired the qualification which is fixed by the law—the absolute exclusion of any class would be a step towards oligarchy; hence all who have acquired the property qualification are admitted to a share in the constitution. But leisure cannot be provided for them unless there are revenues to support them. This is one sort of democracy, and these are the causes which give birth to it. Another kind is based on the distinction which naturally comes next in order; in this, every one to whose birth there is no objection is eligible, but actually shares in the government only if he can find leisure. Hence in such a democracy the supreme power is vested in the laws, because the state has no means of paying the citizens. A third kind is when all freemen have a right to share in the government, but do not actually share, for the reason which has been already given; so that in this form again the law must rule. A fourth kind of democracy is that which comes latest in the history of states. In our own day, when cities have far outgrown their original size, and their revenues have increased, all the citizens have a place in the government, through the great preponderance of the multitude; and they all, including the poor who receive pay, and therefore have leisure to exercise their rights, share in the administration. Indeed, when they are paid, the common people have the most leisure, for they are not hindered by the care of their property, which often fetters the rich, who are thereby prevented from taking part in the assembly or in the courts, and so the state is governed by the poor, who are a majority, and not by the laws.

So many kinds of democracies there are, and they grow out of these necessary causes.

Of oligarchies, one form is that in which the majority of the citizens have some property, but not very much; and this is the first form, which allows to any one who obtains the required amount the right of sharing in the government. The sharers in the government being a numerous body, it follows that the law must govern, and not individuals. For in proportion as they are further removed from a monarchical form of government, and in respect of property have neither so much as to be able to live without attending to business, nor so little as to need state support, they must admit the rule of law and not claim to rule themselves. But if the men of property in the state are fewer than in the former case, and own more property, there arises a second form of oligarchy. For the stronger they are, the

more power they claim, and having this object in view, they themselves select those of the other classes who are to be admitted to the government; but, not being as yet strong enough to rule without the law, they make the law represent their wishes. When this power is intensified by a further diminution of their numbers and increase of their property, there arises a third and further stage of oligarchy, in which the governing class keep the offices in their own hands, and the law ordains that the son shall succeed the father. When, again, the rulers have great wealth and numerous friends, this sort of family despotism approaches a monarchy; individuals rule and not the law. This is the fourth sort of oligarchy, and is analogous to the last sort of democracy.

Book 4, Chapter 7

There are still two forms besides democracy and oligarchy; one of them is universally recognized and included among the four principal forms of government, which are said to be (1) monarchy, (2) oligarchy, (3) democracy, and (4) the so-called aristocracy or government of the best. But there is also a fifth, which retains the generic name of polity or constitutional government; this is not common, and therefore has not been noticed by writers who attempt to enumerate the different kinds of government; like Plato, in their books about the state, they recognize four only. The term 'aristocracy' is rightly applied to the form of government which is described in the first part of our treatise; for that only can be rightly called aristocracy which is a government formed of the best men absolutely, and not merely of men who are good when tried by any given standard. In the perfect state the good man is absolutely the same as the good citizen; whereas in other states the good citizen is only good relatively to his own form of government. But there are some states differing from oligarchies and also differing from the so-called polity or constitutional government; these are termed aristocracies, and in them the magistrates are certainly chosen, both according to their wealth and according to their merit. Such a form of government differs from each of the two just now mentioned, and is termed an aristocracy. For indeed in states which do not make virtue the aim of the community, men of merit and reputation for virtue may be found. And so where a government has regard to wealth, virtue, and numbers, as at Carthage, that is aristocracy; and also where it has regard only to two out of the three, as at Lacedaemon, to virtue and numbers, and the two principles of democracy and virtue temper each other. There are these two forms of aristocracy in addition to the first and perfect state, and there is a third form, viz., the constitutions which incline more than the so-called polity towards oligarchy.

Book 4, Chapter 8

I have yet to speak of the so-called polity and of tyranny. I put them in this order, not because a polity or constitutional government is to be regarded as a perversion any more than the above mentioned aristocracies. The truth is, that they are short of the most perfect form of government, and so they are reckoned among perversions, and the really perverted forms are perversions of these, as I said in the original discussion. Last of all I

will speak of tyranny, which I place last in the series because I am inquiring into the constitutions of states, and this is the very reverse of a constitution

Having explained why I have adopted this order, I will proceed to consider constitutional government; of which the nature will be clearer now that oligarchy and democracy have been defined. For polity or constitutional government may be described generally as a fusion of oligarchy and democracy; but the term is usually applied to those forms of government which incline towards democracy, and the term aristocracy to those which incline towards oligarchy, because birth and education are commonly the accompaniments of wealth. Moreover, the rich already possess the external advantages the want of which is a temptation to crime, and hence they are called noblemen and gentlemen. And inasmuch as aristocracy seeks to give predominance to the best of the citizens, people say also of oligarchies that they are composed of noblemen and gentlemen. Now it appears to be an impossible thing that the state which is governed not by the best citizens but by the worst should be well-governed, and equally impossible that the state which is ill-governed should be governed by the best. But we must remember that good laws, if they are not obeyed, do not constitute good government. Hence there are two parts of good government; one is the actual obedience of citizens to the laws, the other part is the goodness of the laws which they obey; they may obey bad laws as well as good. And there may be a further subdivision; they may obey either the best laws which are attainable to them, or the best absolutely.

The distribution of offices according to merit is a special characteristic of aristocracy, for the principle of an aristocracy is virtue, as wealth is of an oligarchy, and freedom of a democracy. In all of them there of course exists the right of the majority, and whatever seems good to the majority of those who share in the government has authority. Now in most states the form called polity exists, for the fusion goes no further than the attempt to unite the freedom of the poor and the wealth of the rich, who commonly take the place of the noble. But as there are three grounds on which men claim an equal share in the government, freedom, wealth, and virtue (for the fourth or good birth is the result of the two last, being only ancient wealth and virtue), it is clear that the admixture of the two elements, that is to say, of the rich and poor, is to be called a polity or constitutional government; and the union of the three is to be called aristocracy or the government of the best, and more than any other form of government, except the true and ideal, has a right to this name.

Thus far I have shown the existence of forms of states other than monarchy, democracy, and oligarchy, and what they are, and in what aristocracies differ from one another, and polities from aristocracies—that the two latter are not very unlike is obvious.

Book 4, Chapter 9

Next we have to consider how by the side of oligarchy and democracy the so-called polity or constitutional government springs up, and how it should be organized. The nature of it will

be at once understood from a comparison of oligarchy and democracy; we must ascertain their different characteristics, and taking a portion from each, put the two together, like the parts of an indenture. Now there are three modes in which fusions of government may be affected. In the first mode we must combine the laws made by both governments, say concerning the administration of justice. In oligarchies they impose a fine on the rich if they do not serve as judges, and to the poor they give no pay; but in democracies they give pay to the poor and do not fine the rich. Now (1) the union of these two modes is a common or middle term between them, and is therefore characteristic of a constitutional government, for it is a combination of both. This is one mode of uniting the two elements. Or (2) a mean may be taken between the enactments of the two: thus democracies require no property qualification, or only a small one, from members of the assembly, oligarchies a high one; here neither of these is the common term, but a mean between them. (3) There is a third mode, in which something is borrowed from the oligarchical and something from the democratical principle. For example, the appointment of magistrates by lot is thought to be democratical, and the election of them oligarchical; democratical again when there is no property qualification, oligarchical when there is. In the aristocratical or constitutional state, one element will be taken from each—from oligarchy the principle of electing to offices, from democracy the disregard of qualification. Such are the various modes of combination.

There is a true union of oligarchy and democracy when the same state may be termed either a democracy or an oligarchy; those who use both names evidently feel that the fusion is complete. Such a fusion there is also in the mean; for both extremes appear in it. The Lacedaemonian constitution, for example, is often described as a democracy, because it has many democratical features. In the first place the youth receive a democratical education. For the sons of the poor are brought up with with the sons of the rich, who are educated in such a manner as to make it possible for the sons of the poor to be educated by them. A similar equality prevails in the following period of life, and when the citizens are grown up to manhood the same rule is observed; there is no distinction between the rich and poor. In like manner they all have the same food at their public tables, and the rich wear only such clothing as any poor man can afford. Again, the people elect to one of the two greatest offices of state, and in the other they share; for they elect the Senators and share in the Ephoralty. By others the Spartan constitution is said to be an oligarchy, because it has many oligarchical elements. That all offices are filled by election and none by lot, is one of these oligarchical characteristics; that the power of inflicting death or banishment rests with a few persons is another; and there are others. In a well attempted polity there should appear to be both elements and yet neither; also the government should rely on itself, and not on foreign aid, and on itself not through the good will of a majority—they might be equally well-disposed when there is a vicious form of government—but through the general willingness of all classes in the state to maintain the constitution.

Enough of the manner in which a constitutional government, and in which the so-called aristocracies ought to be framed.

Book 4, Chapter 10

Of the nature of tyranny I have still to speak, in order that it may have its place in our inquiry (since even tyranny is reckoned by us to be a form of government), although there is not much to be said about it. I have already in the former part of this treatise discussed royalty or kingship according to the most usual meaning of the term, and considered whether it is or is not advantageous to states, and what kind of royalty should be established, and from what source, and how.

When speaking of royalty we also spoke of two forms of tyranny, which are both according to law, and therefore easily pass into royalty. Among barbarians there are elected monarchs who exercise a despotic power; despotic rulers were also elected in ancient Hellas, called Aesymnetes or Dictators. These monarchies, when compared with one another, exhibit certain differences. And they are, as I said before, royal, in so far as the monarch rules according to law over willing subjects; but they are tyrannical in so far as he is despotic and rules according to his own fancy. There is also a third kind of tyranny, which is the most typical form, and is the counterpart of the perfect monarchy. This tyranny is just that arbitrary power of an individual which is responsible to no one, and governs all alike, whether equals or better, with a view to its own advantage, not to that of its subjects, and therefore against their will. No freeman, if he can escape from it, will endure such a government.

The kinds of tyranny are such and so many, and for the reasons which I have given.

Book 4, Chapter 11

We have now to inquire what is the best constitution for most states, and the best life for most men, neither assuming a standard of virtue which is above ordinary persons, nor an education which is exceptionally favored by nature and circumstances, nor yet an ideal state which is an aspiration only, but having regard to the life in which the majority are able to share, and to the form of government which states in general can attain. As to those aristocracies, as they are called, of which we were just now speaking, they either lie beyond the possibilities of the greater number of states, or they approximate to the so-called constitutional government, and therefore need no separate discussion. And in fact the conclusion at which we arrive respecting all these forms rests upon the same grounds. For if what was said in the Ethics is true, that the happy life is the life according to virtue lived without impediment, and that virtue is a mean, then the life which is in a mean, and in a mean attainable by every one, must be the best. And the same the same principles of virtue and vice are characteristic of cities and of constitutions; for the constitution is in a figure the life of the city.

Now in all states there are three elements: one class is very rich, another very poor, and a third in a mean. It is admitted that moderation and the mean are best, and therefore it will clearly be best to possess the gifts of fortune in moderation; for in that condition of life men are most ready to follow rational principle. But he who greatly excels in beauty, strength, birth, or wealth, or on the other hand who is very poor, or very weak, or very much disgraced, finds it difficult to follow rational principle. Of these two the one sort grow into violent and great criminals, the others into rogues and petty rascals. And two sorts of offenses correspond to them, the one committed from violence, the other from roguery. Again, the middle class is least likely to shrink from rule, or to be over-ambitious for it; both of which are injuries to the state. Again, those who have too much of the goods of fortune, strength, wealth, friends, and the like, are neither willing nor able to submit to authority. The evil begins at home; for when they are boys, by reason of the luxury in which they are brought up, they never learn, even at school, the habit of obedience. On the other hand, the very poor, who are in the opposite extreme, are too degraded. So that the one class cannot obey, and can only rule despotically; the other knows not how to command and must be ruled like slaves. Thus arises a city, not of freemen, but of masters and slaves, the one despising, the other envying; and nothing can be more fatal to friendship and good fellowship in states than this: for good fellowship springs from friendship; when men are at enmity with one another, they would rather not even share the same path. But a city ought to be composed, as far as possible, of equals and similars; and these are generally the middle classes. Wherefore the city which is composed of middle-class citizens is necessarily best constituted in respect of the elements of which we say the fabric of the state naturally consists. And this is the class of citizens which is most secure in a state, for they do not, like the poor, covet their neighbors' goods; nor do others covet theirs, as the poor covet the goods of the rich; and as they neither plot against others, nor are themselves plotted against, they pass through life safely. Wisely then did Phocylides pray— 'Many things are best in the mean; I desire to be of a middle condition in my city.'

Thus it is manifest that the best political community is formed by citizens of the middle class, and that those states are likely to be well-administered in which the middle class is large, and stronger if possible than both the other classes, or at any rate than either singly; for the addition of the middle class turns the scale, and prevents either of the extremes from being dominant. Great then is the good fortune of a state in which the citizens have a moderate and sufficient property; for where some possess much, and the others nothing, there may arise an extreme democracy, or a pure oligarchy; or a tyranny may grow out of either extreme—either out of the most rampant democracy, or out of an oligarchy; but it is not so likely to arise out of the middle constitutions and those akin to them. I will explain the reason of this hereafter, when I speak of the revolutions of states. The mean condition of states is clearly best, for no other is free from faction; and where the middle class is large, there are least likely to be factions and dissensions. For a similar reason large states are less liable to faction than small ones, because in them the middle class is large; whereas in

small states it is easy to divide all the citizens into two classes who are either rich or poor, and to leave nothing in the middle. And democracies are safer and more permanent than oligarchies, because they have a middle class which is more numerous and has a greater share in the government; for when there is no middle class, and the poor greatly exceed in number, troubles arise, and the state soon comes to an end. A proof of the superiority of the middle class is that the best legislators have been of a middle condition; for example, Solon, as his own verses testify; and Lycurgus, for he was not a king; and Charondas, and almost all legislators.

These considerations will help us to understand why most governments are either democratical or oligarchical. The reason is that the middle class is seldom numerous in them, and whichever party, whether the rich or the common people, transgresses the mean and predominates, draws the constitution its own way, and thus arises either oligarchy or democracy. There is another reason—the poor and the rich quarrel with one another, and whichever side gets the better, instead of establishing a just or popular government, regards political supremacy as the prize of victory, and the one party sets up a democracy and the other an oligarchy. Further, both the parties which had the supremacy in Hellas looked only to the interest of their own form of government, and established in states, the one, democracies, and the other, oligarchies; they thought of their own advantage, of the public not at all. For these reasons the middle form of government has rarely, if ever, existed, and among a very few only. One man alone of all who ever ruled in Hellas was induced to give this middle constitution to states. But it has now become a habit among the citizens of states, not even to care about equality; all men are seeking for dominion, or, if conquered, are willing to submit.

What then is the best form of government, and what makes it the best, is evident; and of other constitutions, since we say that there are many kinds of democracy and many of oligarchy, it is not difficult to see which has the first and which the second or any other place in the order of excellence, now that we have determined which is the best. For that which is nearest to the best must of necessity be better, and that which is furthest from it worse, if we are judging absolutely and not relatively to given conditions: I say ‘relatively to given conditions,’ since a particular government may be preferable, but another form may be better for some people.

Book 4, Chapter 12

We have now to consider what and what kind of government is suitable to what and what kind of men. I may begin by assuming, as a general principle common to all governments, that the portion of the state which desires the permanence of the constitution ought to be stronger than that which desires the reverse. Now every city is composed of quality and quantity. By quality I mean freedom, wealth, education, good birth, and by quantity, superiority of numbers. Quality may exist in one of the classes which make up the state, and quantity in the other. For example, the meanly-born may be more in number than the

well-born, or the poor than the rich, yet they may not so much exceed in quantity as they fall short in quality; and therefore there must be a comparison of quantity and quality. Where the number of the poor is more than proportioned to the wealth of the rich, there will naturally be a democracy, varying in form with the sort of people who compose it in each case. If, for example, the husbandmen exceed in number, the first form of democracy will then arise; if the artisans and laboring class, the last; and so with the intermediate forms. But where the rich and the notables exceed in quality more than they fall short in quantity, there oligarchy arises, similarly assuming various forms according to the kind of superiority possessed by the oligarchs.

The legislator should always include the middle class in his government; if he makes his laws oligarchical, to the middle class let him look; if he makes them democratical, he should equally by his laws try to attach this class to the state. There only can the government ever be stable where the middle class exceeds one or both of the others, and in that case there will be no fear that the rich will unite with the poor against the rulers. For neither of them will ever be willing to serve the other, and if they look for some form of government more suitable to both, they will find none better than this, for the rich and the poor will never consent to rule in turn, because they mistrust one another. The arbiter is always the one trusted, and he who is in the middle is an arbiter. The more perfect the admixture of the political elements, the more lasting will be the constitution. Many even of those who desire to form aristocratical governments make a mistake, not only in giving too much power to the rich, but in attempting to overreach the people. There comes a time when out of a false good there arises a true evil, since the encroachments of the rich are more destructive to the constitution than those of the people.

Book 4, Chapter 13

The devices by which oligarchies deceive the people are five in number; they relate to (1) the assembly; (2) the magistracies; (3) the courts of law; (4) the use of arms; (5) gymnastic exercises. (1) The assemblies are thrown open to all, but either the rich only are fined for non-attendance, or a much larger fine is inflicted upon them. (2) to the magistracies, those who are qualified by property cannot decline office upon oath, but the poor may. (3) In the law courts the rich, and the rich only, are fined if they do not serve, the poor are let off with impunity, or, as in the laws of Charondas, a larger fine is inflicted on the rich, and a smaller one on the poor. In some states all citizen who have registered themselves are allowed to attend the assembly and to try causes; but if after registration they do not attend either in the assembly or at the courts, heavy fines are imposed upon them. The intention is that through fear of the fines they may avoid registering themselves, and then they cannot sit in the law-courts or in the assembly. concerning (4) the possession of arms, and (5) gymnastic exercises, they legislate in a similar spirit. For the poor are not obliged to have arms, but the rich are fined for not having them; and in like manner no penalty is inflicted on the poor for non-attendance at the gymnasium, and consequently, having nothing to

fear, they do not attend, whereas the rich are liable to a fine, and therefore they take care to attend.

These are the devices of oligarchical legislators, and in democracies they have counter devices. They pay the poor for attending the assemblies and the law-courts, and they inflict no penalty on the rich for non-attendance. It is obvious that he who would duly mix the two principles should combine the practice of both, and provide that the poor should be paid to attend, and the rich fined if they do not attend, for then all will take part; if there is no such combination, power will be in the hands of one party only. The government should be confined to those who carry arms. As to the property qualification, no absolute rule can be laid down, but we must see what is the highest qualification sufficiently comprehensive to secure that the number of those who have the rights of citizens exceeds the number of those excluded. Even if they have no share in office, the poor, provided only that they are not outraged or deprived of their property, will be quiet enough.

But to secure gentle treatment for the poor is not an easy thing, since a ruling class is not always humane. And in time of war the poor are apt to hesitate unless they are fed; when fed, they are willing enough to fight. In some states the government is vested, not only in those who are actually serving, but also in those who have served; among the Malians, for example, the governing body consisted of the latter, while the magistrates were chosen from those actually on service. And the earliest government which existed among the Hellenes, after the overthrow of the kingly power, grew up out of the warrior class, and was originally taken from the knights (for strength and superiority in war at that time depended on cavalry; indeed, without discipline, infantry are useless, and in ancient times there was no military knowledge or tactics, and therefore the strength of armies lay in their cavalry). But when cities increased and the heavy armed grew in strength, more had a share in the government; and this is the reason why the states which we call constitutional governments have been hitherto called democracies. Ancient constitutions, as might be expected, were oligarchical and royal; their population being small they had no considerable middle class; the people were weak in numbers and organization, and were therefore more contented to be governed.

I have explained why there are various forms of government, and why there are more than is generally supposed; for democracy, as well as other constitutions, has more than one form: also what their differences are, and whence they arise, and what is the best form of government, speaking generally and to whom the various forms of government are best suited; all this has now been explained.

Book 4, Chapter 14

Having thus gained an appropriate basis of discussion, we will proceed to speak of the points which follow next in order. We will consider the subject not only in general but with reference to particular constitutions. All constitutions have three elements, concerning

which the good lawgiver has to regard what is expedient for each constitution. When they are well-ordered, the constitution is well-ordered, and as they differ from one another, constitutions differ. There is (1) one element which deliberates about public affairs; secondly (2) that concerned with the magistrates—the question being, what they should be, over what they should exercise authority, and what should be the mode of electing to them; and thirdly (3) that which has judicial power.

The deliberative element has authority in matters of war and peace, in making and unmaking alliances; it passes laws, inflicts death, exile, confiscation, elects magistrates and audits their accounts. These powers must be assigned either all to all the citizens or an to some of them (for example, to one or more magistracies, or different causes to different magistracies), or some of them to all, and others of them only to some. That all things should be decided by all is characteristic of democracy; this is the sort of equality which the people desire. But there are various ways in which all may share in the government; they may deliberate, not all in one body, but by turns, as in the constitution of Telecles the Milesian. There are other constitutions in which the boards of magistrates meet and deliberate, but come into office by turns, and are elected out of the tribes and the very smallest divisions of the state, until every one has obtained office in his turn. The citizens, on the other hand, are assembled only for the purposes of legislation, and to consult about the constitution, and to hear the edicts of the magistrates. In another variety of democracy the citizen form one assembly, but meet only to elect magistrates, to pass laws, to advise about war and peace, and to make scrutinies. Other matters are referred severally to special magistrates, who are elected by vote or by lot out of all the citizens. Or again, the citizens meet about election to offices and about scrutinies, and deliberate concerning war or alliances while other matters are administered by the magistrates, who, as far as is possible, are elected by vote. I am speaking of those magistracies in which special knowledge is required. A fourth form of democracy is when all the citizens meet to deliberate about everything, and the magistrates decide nothing, but only make the preliminary inquiries; and that is the way in which the last and worst form of democracy, corresponding, as we maintain, to the close family oligarchy and to tyranny, is at present administered. All these modes are democratical.

On the other hand, that some should deliberate about all is oligarchical. This again is a mode which, like the democratical has many forms. When the deliberative class being elected out of those who have a moderate qualification are numerous and they respect and obey the prohibitions of the law without altering it, and any one who has the required qualification shares in the government, then, just because of this moderation, the oligarchy inclines towards polity. But when only selected individuals and not the whole people share in the deliberations of the state, then, although, as in the former case, they observe the law, the government is a pure oligarchy. Or, again, when those who have the power of deliberation are self-elected, and son succeeds father, and they and not the laws are supreme—the government is of necessity oligarchical. Where, again, particular persons

have authority in particular matters—for example, when the whole people decide about peace and war and hold scrutinies, but the magistrates regulate everything else, and they are elected by vote—there the government is an aristocracy. And if some questions are decided by magistrates elected by vote, and others by magistrates elected by lot, either absolutely or out of select candidates, or elected partly by vote, partly by lot—these practices are partly characteristic of an aristocratical government, and partly of a pure constitutional government.

These are the various forms of the deliberative body; they correspond to the various forms of government. And the government of each state is administered according to one or other of the principles which have been laid down. Now it is for the interest of democracy, according to the most prevalent notion of it (I am speaking of that extreme form of democracy in which the people are supreme even over the laws), with a view to better deliberation to adopt the custom of oligarchies respecting courts of law. For in oligarchies the rich who are wanted to be judges are compelled to attend under pain of a fine, whereas in deinocracies the poor are paid to attend. And this practice of oligarchies should be adopted by democracies in their public assemblies, for they will advise better if they all deliberate together—the people with the notables and the notables with the people. It is also a good plan that those who deliberate should be elected by vote or by lot in equal numbers out of the different classes; and that if the people greatly exceed in number those who have political training, pay should not be given to all, but only to as many as would balance the number of the notables, or that the number in excess should be eliminated by lot. But in oligarchies either certain persons should be co-opted from the mass, or a class of officers should be appointed such as exist in some states who are termed probuli and guardians of the law; and the citizens should occupy themselves exclusively with matters on which these have previously deliberated; for so the people will have a share in the deliberations of the state, but will not be able to disturb the principles of the constitution. Again, in oligarchies either the people ought to accept the measures of the government, or not to pass anything contrary to them; or, if all are allowed to share in counsel, the decision should rest with the magistrates. The opposite of what is done in constitutional governments should be the rule in oligarchies; the veto of the majority should be final, their assent not final, but the proposal should be referred back to the magistrates. Whereas in constitutional governments they take the contrary course; the few have the negative, not the affirmative power; the affirmation of everything rests with the multitude.

These, then, are our conclusions respecting the deliberative, that is, the supreme element in states.

Book 4, Chapter 15

Next we will proceed to consider the distribution of offices; this too, being a part of politics concerning which many questions arise: What shall their number be? Over what shall they preside, and what shall be their duration? Sometimes they last for six months, sometimes

for less; sometimes they are annual, while in other cases offices are held for still longer periods. Shall they be for life or for a long term of years; or, if for a short term only, shall the same persons hold them over and over again, or once only? Also about the appointment to them—from whom are they to be chosen, by whom, and how? We should first be in a position to say what are the possible varieties of them, and then we may proceed to determine which are suited to different forms of government. But what are to be included under the term ‘offices’? That is a question not quite so easily answered. For a political community requires many officers; and not every one who is chosen by vote or by lot is to be regarded as a ruler. In the first place there are the priests, who must be distinguished from political officers; masters of choruses and heralds, even ambassadors, are elected by vote. Some duties of superintendence again are political, extending either to all the citizens in a single sphere of action, like the office of the general who superintends them when they are in the field, or to a section of them only, like the inspectorships of women or of youth. Other offices are concerned with household management, like that of the corn measurers who exist in many states and are elected officers. There are also menial offices which the rich have executed by their slaves. Speaking generally, those are to be called offices to which the duties are assigned of deliberating about certain measures and of judging and commanding, especially the last; for to command is the especial duty of a magistrate. But the question is not of any importance in practice; no one has ever brought into court the meaning of the word, although such problems have a speculative interest.

What kinds of offices, and how many, are necessary to the existence of a state, and which, if not necessary, yet conduce to its well being are much more important considerations, affecting all constitutions, but more especially small states. For in great states it is possible, and indeed necessary, that every office should have a special function; where the citizens are numerous, many may hold office. And so it happens that some offices a man holds a second time only after a long interval, and others he holds once only; and certainly every work is better done which receives the sole, and not the divided attention of the worker. But in small states it is necessary to combine many offices in a few hands, since the small number of citizens does not admit of many holding office: for who will there be to succeed them? And yet small states at times require the same offices and laws as large ones; the difference is that the one want them often, the others only after long intervals. Hence there is no reason why the care of many offices should not be imposed on the same person, for they will not interfere with each other. When the population is small, offices should be like the spits which also serve to hold a lamp. We must first ascertain how many magistrates are necessary in every state, and also how many are not exactly necessary, but are nevertheless useful, and then there will be no difficulty in seeing what offices can be combined in one. We should also know over which matters several local tribunals are to have jurisdiction, and in which authority should be centralized: for example, should one person keep order in the market and another in some other place, or should the same person be responsible everywhere? Again, should offices be divided according to the subjects with which they deal, or according to the persons with whom they deal: I mean to say,

should one person see to good order in general, or one look after the boys, another after the women, and so on? Further, under different constitutions, should the magistrates be the same or different? For example, in democracy, oligarchy, aristocracy, monarchy, should there be the same magistrates, although they are elected, not out of equal or similar classes of citizen but differently under different constitutions—in aristocracies, for example, they are chosen from the educated, in oligarchies from the wealthy, and in democracies from the free—or are there certain differences in the offices answering to them as well, and may the same be suitable to some, but different offices to others? For in some states it may be convenient that the same office should have a more extensive, in other states a narrower sphere. Special offices are peculiar to certain forms of government: for example that of probuli, which is not a democratic office, although a bule or council is. There must be some body of men whose duty is to prepare measures for the people in order that they may not be diverted from their business; when these are few in number, the state inclines to an oligarchy: or rather the probuli must always be few, and are therefore an oligarchical element. But when both institutions exist in a state, the probuli are a check on the council; for the counselors is a democratic element, but the probuli are oligarchical. Even the power of the council disappears when democracy has taken that extreme form in which the people themselves are always meeting and deliberating about everything. This is the case when the members of the assembly receive abundant pay; for they have nothing to do and are always holding assemblies and deciding everything for themselves. A magistracy which controls the boys or the women, or any similar office, is suited to an aristocracy rather than to a democracy; for how can the magistrates prevent the wives of the poor from going out of doors? Neither is it an oligarchical office; for the wives of the oligarchs are too fine to be controlled.

Enough of these matters. I will now inquire into appointments to offices. The varieties depend on three terms, and the combinations of these give all possible modes: first, who appoints? secondly, from whom? and thirdly, how? Each of these three admits of three varieties: (A) All the citizens, or (B) only some, appoint. Either (1) the magistrates are chosen out of all or (2) out of some who are distinguished either by a property qualification, or by birth, or merit, or for some special reason, as at Megara only those were eligible who had returned from exile and fought together against the democracy. They may be appointed either (a) by vote or (b) by lot. Again, these several varieties may be coupled, I mean that (C) some officers may be elected by some, others by all, and (3) some again out of some, and others out of all, and (c) some by vote and others by lot. Each variety of these terms admits of four modes.

For either (A 1 a) all may appoint from all by vote, or (A 1 b) all from all by lot, or (A 2 a) all from some by vote, or (A 2 b) all from some by lot (and from all, either by sections, as, for example, by tribes, and wards, and phratries, until all the citizens have been gone through; or the citizens may be in all cases eligible indiscriminately); or again (A 1 c, A 2 c) to some offices in the one way, to some in the other. Again, if it is only some that appoint, they may

do so either (B 1 a) from all by vote, or (B 1 b) from all by lot, or (B 2 a) from some by vote, or (B 2 b) from some by lot, or to some offices in the one way, to others in the other, i.e., (B 1 c) from all, to some offices by vote, to some by lot, and (B 2 C) from some, to some offices by vote, to some by lot. Thus the modes that arise, apart from two (C, 3) out of the three couplings, number twelve. Of these systems two are popular, that all should appoint from all (A 1 a) by vote or (A 1 b) by lot—or (A 1 c) by both. That all should not appoint at once, but should appoint from all or from some either by lot or by vote or by both, or appoint to some offices from all and to others from some ('by both' meaning to some offices by lot, to others by vote), is characteristic of a polity. And (B 1 c) that some should appoint from all, to some offices by vote, to others by lot, is also characteristic of a polity, but more oligarchical than the former method. And (A 3 a, b, c, B 3 a, b, c) to appoint from both, to some offices from all, to others from some, is characteristic of a polity with a leaning towards aristocracy. That (B 2) some should appoint from some is oligarchical—even (B 2 b) that some should appoint from some by lot (and if this does not actually occur, it is none the less oligarchical in character), or (B 2 C) that some should appoint from some by both. (B 1 a) that some should appoint from all, and (A 2 a) that all should appoint from some, by vote, is aristocratic.

These are the different modes of constituting magistrates, and these correspond to different forms of government: which are proper to which, or how they ought to be established, will be evident when we determine the nature of their powers. By powers I mean such powers as a magistrate exercises over the revenue or in defense of the country; for there are various kinds of power: the power of the general, for example, is not the same with that which regulates contracts in the market.

Book 4, Chapter 16

Of the three parts of government, the judicial remains to be considered, and this we shall divide on the same principle. There are three points on which the varieties of law-courts depend: The persons from whom they are appointed, the matters with which they are concerned, and the manner of their appointment. I mean, (1) are the judges taken from all, or from some only? (2) how many kinds of law-courts are there? (3) are the judges chosen by vote or by lot?

First, let me determine how many kinds of law-courts there are. There are eight in number: One is the court of audits or scrutinies; a second takes cognizance of ordinary offenses against the state; a third is concerned with treason against the constitution; the fourth determines disputes respecting penalties, whether raised by magistrates or by private persons; the fifth decides the more important civil cases; the sixth tries cases of homicide, which are of various kinds, (a) premeditated, (b) involuntary, (c) cases in which the guilt is confessed but the justice is disputed; and there may be a fourth court (d) in which murderers who have fled from justice are tried after their return; such as the Court of Phreatto is said to be at Athens. But cases of this sort rarely happen at all even in large

cities. The different kinds of homicide may be tried either by the same or by different courts. (7) There are courts for strangers: of these there are two subdivisions, (a) for the settlement of their disputes with one another, (b) for the settlement of disputes between them and the citizens. And besides all these there must be (8) courts for small suits about sums of a drachma up to five drachmas, or a little more, which have to be determined, but they do not require many judges.

Nothing more need be said of these small suits, nor of the courts for homicide and for strangers: I would rather speak of political cases, which, when mismanaged, create division and disturbances in constitutions.

Now if all the citizens judge, in all the different cases which I have distinguished, they may be appointed by vote or by lot, or sometimes by lot and sometimes by vote. Or when a single class of causes are tried, the judges who decide them may be appointed, some by vote, and some by lot. These then are the four modes of appointing judges from the whole people, and there will be likewise four modes, if they are elected from a part only; for they may be appointed from some by vote and judge in all causes; or they may be appointed from some by lot and judge in all causes; or they may be elected in some cases by vote, and in some cases taken by lot, or some courts, even when judging the same causes, may be composed of members some appointed by vote and some by lot. These modes, then, as was said, answer to those previously mentioned.

Once more, the modes of appointment may be combined; I mean, that some may be chosen out of the whole people, others out of some, some out of both; for example, the same tribunal may be composed of some who were elected out of all, and of others who were elected out of some, either by vote or by lot or by both.

In how many forms law-courts can be established has now been considered. The first form, viz., that in which the judges are taken from all the citizens, and in which all causes are tried, is democratical; the second, which is composed of a few only who try all causes, oligarchical; the third, in which some courts are taken from all classes, and some from certain classes only, aristocratical and constitutional.