

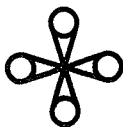
THE  
COMPLETE WORKS OF  
ARISTOTLE

THE REVISED OXFORD TRANSLATION

*Edited by*

JONATHAN BARNES

VOLUME ONE



BOLLINGEN SERIES LXXI • 2

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all concerned with an interchange of words and deeds of some kind. They differ, 5  
 however, in that one is concerned with truth, and the other two with pleasantness.  
 Of those concerned with pleasure, one is displayed in jests, the other in the general  
 social intercourse of life.

9 . Shame should not be described as an excellence; for it is more like a 10  
 passion than a state. It is defined, at any rate, as a kind of fear of disrepute and  
 produces an effect similar to that<sup>37</sup> produced by fear of danger; for people who feel  
 disgraced blush, and those who fear death turn pale. Both, therefore, seem to be in a  
 sense bodily conditions, which is thought to be characteristic of passion rather than 15  
 of a state.

The passion is not becoming to every age, but only to youth. For we think 20  
 young people should be prone to shame because they live by passion and therefore  
 commit many errors, but are restrained by shame; and we praise young people who  
 are prone to this passion, but an older person no one would praise for being prone to 25  
 the sense of disgrace, since we think he should not do anything that need cause this  
 sense. For the sense of disgrace is not even characteristic of a good man, since it is  
 consequent on bad actions (for such actions should not be done; and if some actions  
 are disgraceful in very truth and others only according to common opinion, this  
 makes no difference; for neither class of actions should be done, so that no disgrace  
 should be felt); and it is a mark of a bad man even to be such as to do any disgraceful 30  
 action. To be so constituted as to feel disgraced if one does such an action, and for  
 this reason to think oneself good, is absurd; for it is for voluntary actions that shame  
 is felt, and the good man will never voluntarily do bad actions. But shame may be  
 said to be conditionally a good thing; *if* a good man did such actions, he would feel 35  
 disgraced; but the excellences are not subject to such a qualification. And if  
 shamelessness—not to be ashamed of doing base actions—is bad, that does not  
 make it good to be ashamed of doing such actions. Continence too is not virtue, but a  
 mixed sort of state; this will be shown later. Now, however, let us discuss justice. 35

## BOOK V

1 . With regard to justice and injustice we must consider what kind of 5  
 actions they are concerned with, what sort of mean justice is, and between what  
 extremes the just act is intermediate. Our investigation shall follow the same course  
 as the preceding discussions.

We see that all men mean by justice that kind of state which makes people 10  
 disposed to do what is just and makes them act justly and wish for what is just; and  
 similarly by injustice that state which makes them act unjustly and wish for what is  
 unjust. Let us too, then, first lay this down as a rough sketch. For the same is not  
 true of the sciences and the faculties as of states. For it seems that the same faculty

<sup>37</sup>Reading καὶ ἀποτελεῖ τι.

or science deals with contraries; but a state of character which is one of two contraries does *not* produce the contrary results; e.g. as a result of health we do not  
 15 do what is the opposite of healthy, but only what is healthy; for we say a man walks healthily, when he walks as a healthy man would.

Now often one contrary state is recognized from its contrary, and often states are recognized from the subjects that exhibit them; for if good condition is known,  
 20 bad condition also becomes known, and good condition is known from the things that are in good condition, and they from it. If good condition is firmness of flesh, it is necessary both that bad condition should be flabbiness of flesh and that the wholesome should be that which causes firmness in flesh. And it follows for the most  
 25 part that if one contrary is ambiguous the other also will be ambiguous; e.g. if 'just' is so, that 'unjust' will be so too.

Now 'justice' and 'injustice' seem to be ambiguous, but because the homonymy is close, it escapes notice and is not obvious as it is, comparatively, when the meanings are far apart, e.g. (for here the difference in outward form is great) as the  
 30 homonymy in the use of *kleis* for the collar-bone of an animal and for that with which we lock a door. Let us then ascertain the different ways in which a man may be said to be unjust. Both the lawless man and the grasping and unequal man are thought to be unjust, so that evidently both the law-abiding and the equal man will  
 1129<sup>b</sup> be just. The just, then, is the lawful and the equal, the unjust the unlawful and the unequal.

Since the unjust man is grasping, he must be concerned with goods—not all goods, but those with which prosperity and adversity have to do, which taken absolutely are always good, but for a particular person are not always good. (Men  
 5 pray for and pursue the same<sup>38</sup> things; but they should not, but should pray that the things that are good absolutely may also be good for them, and should choose the things that are good for them.) The unjust man does not always choose the greater, but also the less—in the case of things bad absolutely; but because the lesser evil is itself thought to be in a sense good, and graspingness is directed at the good,  
 10 therefore he is thought to be grasping. And he is unequal; for this contains and is common to both.

Since the lawless man was seen to be unjust and the law-abiding man just, evidently all lawful acts are in a sense just acts; for the acts laid down by the legislative art are lawful, and each of these, we say, is just. Now the laws in their  
 15 enactments on all subjects aim at the common advantage either of all or of the best or of those who hold power, or something of the sort; so that in one sense we call those acts just that tend to produce and preserve happiness and its components for the political society. And the law bids us do both the acts of a brave man (e.g. not to  
 20 desert our post or take to flight or throw away our arms), and those of a temperate man (e.g. not to commit adultery or outrage), and those of a good-tempered man (e.g. not to strike another or speak evil), and similarly with regard to the other excellences and forms of wickedness, commanding some acts and forbidding others;

<sup>38</sup>Reading ταῦτά.

and the rightly-framed law does this rightly, and the hastily conceived one less well. 25

This form of justice, then is complete excellence—not absolutely, but in relation to others. And therefore justice is often thought to be the greatest of excellences and ‘neither evening nor morning star’ is so wonderful; and proverbially ‘in justice is every excellence comprehended’. And it is complete excellence in its fullest sense, because it is the actual exercise of complete excellence. It is complete because he who possesses it can exercise his excellence towards others too and not merely by himself; for many men can exercise excellence in their own affairs, but not in their relations to excellence. This is why the saying of Bias is thought to be true, that ‘rule will show the man’; for a ruler is necessarily in relation to other men and a member of a society. For this same reason justice, alone of the excellences, is thought to be another’s good, because it is related to others; for it does what is advantageous to another, either a ruler or a partner. Now the worst man is he who exercises his wickedness both towards himself and towards his friends, and the best man is not he who exercises his excellence towards himself but he<sup>39</sup> who exercises it towards another; for this is a difficult task. Justice in this sense, then, is not part of excellence but excellence entire, nor is the contrary injustice a part of vice but vice entire. What the difference is between excellence and justice in this sense is plain from what we have said; they are the same but being them is not the same; what, as a relation to others, is justice is, as a certain kind of state without qualification, excellence. 30 1130<sup>1</sup>

2 . But at all events what we are investigating is the justice which is a *part* of excellence; for there is a justice of this kind, as we maintain. Similarly it is with injustice in the particular sense that we are concerned. 15

That there is such a thing is indicated by the fact that while the man who exhibits in action for the other forms of wickedness acts unjustly but not graspingly (e.g. the man who throws away his shield through cowardice or speaks harshly through bad temper or fails to help a friend with money through meanness); when a man acts graspingly he often exhibits none of these vices,—no, nor all together, but certainly wickedness of some kind (for we blame him) and injustice. There is, then, another kind of injustice which is a part of injustice in the wide sense, and something unjust which answers to a part of what is unjust in the wide sense of contrary to the law. Again, if one man commits adultery for the sake of gain and makes money by it, while another does so at the bidding of appetite though he loses money and is penalized for it, the latter would be held to be self-indulgent rather than grasping while the former is unjust, but not self-indulgent; evidently, therefore, he is unjust by reason of his making gain by his act. Again, all other unjust acts are ascribed invariably to some particular kind of wickedness, e.g. adultery to self-indulgence, the desertion of a comrade in battle to cowardice, 30

<sup>39</sup>Reading ἀλλ’ ὅ.

physical violence to anger; but if a man makes gain, his action is ascribed to no form of wickedness but injustice. Evidently, therefore, there is apart from injustice in the wide sense another, particular, injustice which shares the name and nature of the first, because its definition falls within the same genus; for the force of both lies in a relation to others but the one is concerned with honour or money or safety—or that which includes all these, if we had a single name for it—and its motive is the pleasure that arises from gain; while the other is concerned with all the objects with which the good man is concerned.

It is clear, then, that there is more than one kind of justice, and that there is one which is distinct from excellence entire; we must try to grasp what and what sort of thing it is.

The unjust has been divided into the unlawful and the unequal, and the just into the lawful and the equal. To the unlawful answers the afore-mentioned sort of injustice. But since the unequal and the unlawful are not the same, but are different as a part is from its whole (for all that is unequal is unlawful, but not all that is unlawful is unequal), the unjust and injustice are not the same as but different from the former kind, as part from whole; for injustice in this sense is a part of injustice in the wide sense, and similarly justice in the one sense of justice in the other. Therefore we must speak also about particular justice and particular injustice, and similarly about the just and the unjust. The justice, then, which answers to the whole of excellence and the corresponding injustice, one being the exercise of excellence as a whole, and the other that of vice as a whole towards others, we may leave on one side. And how the just and the unjust which answer to these are to be distinguished is evident; for practically the majority of the acts commanded by the law are those which are prescribed from the point of view of excellence taken as a whole; for the law bids us practise every excellence and forbids us to practise any vice. And the things that tend to produce excellence taken as a whole are those of the acts prescribed by the law which have been prescribed with a view to education for the common good. But with regard to the education of the individual as such, which makes him without qualification a good man, we must determine later whether this is the function of the political art or of another; for perhaps it is not the same in every case to be a good man and a good citizen.

Of particular justice and that which is just in the corresponding sense, one kind is that which is manifested in distributions of honour or money or the other things that fall to be divided among those who have a share in the constitution (for in these it is possible for one man to have a share either unequal or equal to that of another), and another kind is that which plays a rectifying part in transactions. Of this there are two divisions; of transactions some are voluntary and others involuntary—voluntary such transactions as sale, purchase, usury, pledging, lending, depositing, letting (they are called voluntary because the origin of these transactions is voluntary), while of the involuntary some are clandestine, such as theft, adultery, poisoning, procuring, enticement of slaves, assassination, false witness, and others

are violent, such as assault, imprisonment, murder, robbery with violence, mutilation, abuse, insult.

3 · Since the unjust man is unequal and the unjust act unequal, it is clear that there is also an intermediate for the unequal. And this is the equal; for in any kind of action in which there is a more and a less there is also what is equal. If, then, the unjust be unequal, the just is equal, as all men suppose it to be, even apart from argument. And since the equal is intermediate, the just will be an intermediate. Now equality implies at least two things. The just, then, must be both intermediate and equal and relative (i.e. for certain persons). And *qua* intermediate it must be between certain things (which are respectively greater and less); *qua* equal, it involves *two* things; *qua* just, it is for certain people. The just, therefore, involves at least four terms; for the persons for whom it is in fact just are two, and the things in which it is manifested, the objects, are two. And the same equality will exist between the persons and between the things concerned; for as the latter—the things concerned—are related, so are the former; if they are not equal, they will not have what is equal, but this is the origin of quarrels and complaints—when either equals have and are awarded unequal shares, or unequals equal shares. Further, this is plain from the fact that awards should be according to merit; for all men agree that what is just in distribution must be according to merit in some sense, though they do not all specify the same sort of merit, but democrats identify it with the status of freeman, supporters of oligarchy with wealth (or with noble birth), and supporters of aristocracy with excellence.

The just, then, is a species of the proportionate (proportion being not a property only of the kind of number which consists of abstract units, but of number in general). For proportion is equality of ratios, and involves four terms at least (that discrete proportion involves four terms is plain, but so does continuous proportion, for it uses one term as two and mentions it twice; e.g. as the line A is to the line B, so is the line B to the line C; the line B, then, has been mentioned twice, so that if the line B be assumed twice, the proportional terms will be four); and the just, too, involves at least four terms, and the ratio is the same—for there is a similar distinction between the persons and between the things. As the term A, then, is to B, so will C be to D, and therefore, *alternando*, as A is to C, B will be to D. Therefore also the whole is in the same ratio to the whole; and this coupling the distribution effects, and, if the terms are so combined, effects justly. The conjunction, then, of the term A with C and of B with D is what is just in distribution, and this species of the just is intermediate, and the unjust is what violates the proportion; for the proportional is intermediate, and the just is proportional. (Mathematicians call this kind of proportion geometrical; for it is in geometrical proportion that it follows that the whole is to the whole as either part is to the corresponding part.) This proportion is not continuous; for we cannot get a single term standing for a person and a thing.

This, then, is what the just is—the proportional; the unjust is what violates the proportion. Hence one term becomes too great, the other too small, as indeed happens in practice; for the man who acts unjustly has too much, and the man who  
 20 is unjustly treated too little, of what is good. In the case of evil the reverse is true; for the lesser evil is reckoned a good in comparison with the greater evil, since the lesser evil is rather to be chosen than the greater, and what is worthy of choice is good, and what is worthier of choice a greater good.

This, then, is one species of the just.

25       4 · The remaining one is the rectificatory, which arises in connexion with transactions both voluntary and involuntary. This form of the just has a different specific character from the former. For the justice which distributes common possessions is always in accordance with the kind of proportion mentioned above (for in the case also in which the distribution is made from common funds it will be  
 30 according to the same ratio which the funds put into the business bear to one another); and the injustice opposed to this kind of justice is that which violates the proportion. But the justice in transactions is a sort of equality indeed, and the  
 1132\*1 injustice a sort of inequality; not according to that kind of proportion, however, but according to arithmetical proportion. For it makes no difference whether a good man has defrauded a bad man or a bad man a good one, nor whether it is a good or a bad man that has committed adultery; the law looks only to the distinctive  
 5 character of the injury, and treats the parties as equal, if one is in the wrong and the other is being wronged, and if one inflicted injury and the other has received it. Therefore, this kind of injustice being an inequality, the judge tries to equalize it; for in the case also in which one has received and the other has inflicted a wound, or one has slain and the other been slain, the suffering and the action have been  
 10 unequally distributed; but the judge tries to equalize things by means of the penalty, taking away from the gain of the assailant. For the term 'gain' is applied generally to such cases, even if it be not a term appropriate to certain cases, e.g. to the person who inflicts a wound—and 'loss' to the sufferer; at all events when the suffering has  
 15 been estimated, the one is called loss and the other gain. Therefore the equal is intermediate between the greater and the less, but the gain and the loss are respectively greater and less in contrary ways; more of the good and less of the evil are gain, and the contrary is loss; intermediate between them is, as we saw, the equal, which we say is just; therefore corrective justice will be the intermediate between loss and gain. This is why, when people dispute, they take refuge in the  
 20 judge; and to go to the judge is to go to justice; for the nature of the judge is to be a sort of animate justice; and they seek the judge as an intermediate, and in some states they call judges mediators, on the assumption that if they get what is intermediate they will get what is just. The just, then, is an intermediate, since the  
 25 judge is so. Now the judge restores equality; it is as though there were a line divided into unequal parts, and he took away that by which the greater segment exceeds the

half, and added it to the smaller segment. And when the whole has been equally divided, then they say they have their own—i.e. when they have got what is equal. It is for this reason also that it is called just (*δίκαιον*), because it is a division into two parts (*δίχα*), just as if one were to call it *δίχαιον*; and the judge (*δικαστής*) is one who bisects (*διχαστής*). The equal is intermediate between the greater and the lesser according to arithmetical proportion.<sup>40</sup> For when something is subtracted from one of two equals and added to the other, the other is in excess by these two; since if what was taken from the one had not been added to the other, the latter would have been in excess by one only. It therefore exceeds the intermediate by one, and the intermediate exceeds by one that from which something was taken. By this, then, we shall recognize both what we must subtract from that which has more, and what we must add to that which has less; we must add to the latter that by which the intermediate exceeds it, and subtract from the greatest that by which it exceeds the intermediate. Let the lines AA, BB, CC be equal to one another; from the line AA let the segment AE have been subtracted, and to the line CC let the segment CD have been added, so that the whole line DCC exceeds the line EA by the segment CD and the segment CF; therefore it exceeds the line BB [And this is true of the other arts also; for they would have been destroyed if what the patient suffered had not been just what the agent did, and of the same amount and kind.]<sup>41</sup> by the segment CD. These names, both loss and gain, have come from voluntary exchange; for to have more than one's own is called gaining, and to have less than one's original share is called losing, e.g. in buying and selling and in all other matters in which the law has left people free to make their own terms; but when they get neither more nor less but just what belongs to themselves, they say that they have their own and that they neither lose nor gain.

Therefore the just is intermediate between a sort of gain and a sort of loss, viz. those which are involuntary; it consists in having an equal amount before and after the transaction.

5 . Some think that *reciprocity* is without qualification just, as the Pythagoreans said; for they defined justice without qualification as reciprocity. Now reciprocity fits neither distributive nor rectificatory justice—yet people *want* even the justice of Rhadamanthus to mean this:

Should a man suffer what he did, right justice would be done

—for in many cases they are not in accord; e.g. if an official has inflicted a wound, he should not be wounded in return, and if someone has wounded an official, he ought not to be wounded only but punished in addition. Further, there is a great difference between a voluntary and an involuntary act. But in associations for

<sup>40</sup>In the MSS, and in Bywater, this sentence occurs after '... what is equal,' line 29.

<sup>41</sup>Excised in Bywater: see 1133<sup>a</sup>14–16.



exchange this sort of justice does hold men together—reciprocity in accordance with a proportion and not on the basis of equality. For it is by proportionate requital that the city holds together. Men seek to return either evil for evil—and if they cannot do so, think their position mere slavery—or good for good—and if they cannot do so there is no exchange, but it is by exchange that they hold together. This is why they give a prominent place to the temple of the Graces—to promote the requital of services; for this is characteristic of grace—we should serve in return one who has shown grace to us, and should another time take the initiative in showing it.

Now proportionate return is secured by cross-conjunction. Let A be a builder, B a shoemaker, C a house, D a shoe. The builder, then, must get from the shoemaker the latter's work, and must himself give him in return his own. If, then, first there is proportionate equality of goods, and then reciprocal action takes place, the result we mention will be effected. If not, the bargain is not equal, and does not hold; for there is nothing to prevent the work of the one being better than that of the other; they must therefore be equated. (And this is true of the other arts also; for they would have been destroyed if what the patient suffered had not been just what the agent did, and of the same amount and kind.) For it is not two doctors that associate for exchange, but a doctor and a farmer, or in general people who are different and unequal; but these must be equated. This is why all things that are exchanged must be somehow commensurable. It is for this end that money has been introduced, and it becomes in a sense an intermediate; for it measures all things, and therefore the excess and the defect—how many shoes are equal to a house or to a given amount of food. The number of shoes exchanged for a house [or for a given amount of food]<sup>42</sup> must therefore correspond to the ratio of builder to shoemaker. For if this be not so, there will be no exchange and no intercourse. And this proportion will not be effected unless the goods are somehow equal. All goods must therefore be measured by some one thing, as we said before. Now this unit is in truth demand, which holds all things together (for if men did not need one another's goods at all, or did not need them equally, there would be either no exchange or not the same exchange); but money has become by convention a sort of representative of demand; and this is why it has the name 'money' (*νόμισμα*)—because it exists not by nature but by law (*νόμος*) and it is in our power to change it and make it useless. There will, then, be reciprocity when the terms have been equated so that as farmer is to shoemaker, the amount of the shoemaker's work is to that of the farmer's work. But we must not bring them into a figure of proportion when they have already exchanged (otherwise one extreme will have both excesses), but when they still have their own goods. Thus they are equals and associates just because this equality can be effected in their case. Let A be a farmer, C food, B a shoemaker, D his product equated to C. If it had not been possible for reciprocity to be thus effected, there

<sup>42</sup>Excised by Ramsauer.

would have been no association of the parties. That demand holds things together as a single unit is shown by the fact that when men do not need one another, i.e. when neither needs the other or one does not need the other, they do not exchange, as we do when some one wants what one has oneself, e.g. when people permit the exportation of corn in exchange for wine. This equation therefore must be established. And for the future exchange—that if we do not need a thing now we shall have it if ever we do need it—money is as it were our surety; for it must be possible for us to get what we want by bringing the money. Now the same thing happens to money itself as to goods—it is not always worth the same; yet it tends to be steadier. This is why all goods must have a price set on them; for then there will always be exchange, and if so, association. Money, then, acting as a measure, makes goods commensurate and equates them; for neither would there have been association if there were not exchange, nor exchange if there were not equality, nor equality if there were not commensurability. Now in truth it is impossible that things differing so much should become commensurate, but with reference to demand they may become so sufficiently. There must, then, be a unit, and that fixed by agreement (for which reason it is called money); for it is this that makes all things commensurate, since all things are measured by money. Let A be a house, B ten minae, C a bed. A is half of B, if the house is worth five minae or equal to them; the bed, C, is a tenth of B; it is plain, then, how many beds are equal to a house, viz. five. That exchange took place thus because there was money is plain; for it makes no difference whether it is five beds that exchange for a house, or the money value of five beds.

We have now defined the unjust and the just. These having been marked off from each other, it is plain that just action is intermediate between acting unjustly and being justly treated; for the one is to have too much and the other to have too little. Justice is a kind of mean, but not in the same way as the other excellences, but because it relates to an intermediate amount, while injustice relates to the extremes. And justice is that in virtue of which the just man is said to be a doer, by choice, of that which is just, and one who will distribute either between himself and another or between two others not so as to give more of what is desirable to himself and less to his neighbour (and conversely with what is harmful), but so as to give what is equal in accordance with proportion; and similarly in distributing between two other persons. Injustice on the other hand is similarly related to the unjust, which is excess and defect, contrary to proportion, of the useful or hurtful. For which reason injustice is excess and defect, viz. because it is productive of excess and defect—in one's own case excess of what is in its own nature useful and defect of what is hurtful, while in the case of others it is as a whole like what it is in one's own case, but proportion may be violated in either direction. In the unjust act to have too little is to be unjustly treated; to have too much is to act unjustly.

Let this be taken as our account of the nature of justice and injustice, and similarly of the just and the unjust in general.

6 · Since acting unjustly does not necessarily imply being unjust, we must ask what sort of unjust acts imply that the doer is unjust with respect to each type of injustice, e.g. a thief, an adulterer, or a brigand. Surely the answer does not turn on the difference between these types. For a man might even lie with a woman knowing  
 20 who she was, but the origin of this act might be not choice but passion. He acts unjustly, then, but is not unjust; e.g. a man is not a thief, yet he stole, nor an adulterer, yet he committed adultery; and similarly in all other cases.

Now we have previously stated how the reciprocal is related to the just; but we  
 25 must not forget that what we are looking for is not only what is just without qualification but also political justice. This is found among men who share their life with a view to self-sufficiency, men who are free and either proportionately or arithmetically equal, so that between those who do not fulfil this condition there is no political justice but justice in a special sense and by analogy. For justice exists  
 30 only between men whose mutual relations are governed by law; and law exists for men between whom there is injustice; for legal justice is the discrimination of the just and the unjust. And between men between whom there is injustice there is also unjust action (though there is not injustice between all between whom there is unjust action), and this is assigning too much to oneself of things good in themselves and too little of things evil in themselves. This is why we do not allow a *man* to rule,  
 1134<sup>b</sup>1 but law,<sup>43</sup> because a man behaves thus in his own interests and becomes a tyrant. The magistrate on the other hand is the guardian of justice, and, if of justice, then of equality also. And since he is assumed to have no more than his share, if he is just (for he does not assign to himself more or what is good in itself, unless such a share is proportional to his merits—so that it is for others that he labours, and it is for this  
 5 reason that men, as we stated previously, say that justice is another's good), therefore a reward must be given him, and this is honour, and privilege; but those for whom such things are not enough become tyrants.

The justice of a master and that of a father are not the same as this, though they are like it; for there can be no injustice in the unqualified sense towards things  
 10 that are one's own, but a man's chattel, and his child until it reaches a certain age and sets up for itself, are as it were part of himself, and no one chooses to hurt himself (for which reason there can be no injustice towards oneself). Therefore the justice or injustice of citizens is not manifested in these relations; for it was as we saw according to law, and between people naturally subject to law, and these as we  
 15 saw are people who have an equal share in ruling and being ruled. Hence justice can more truly be manifested towards a wife than towards children and chattels, for the former is household justice; but even this is different from political justice.

7 · Of political justice part is natural, part legal,—natural, that which everywhere has the same force and does not exist by people's thinking this or that;

<sup>43</sup>Reading νόμον for λόγον ('reason').

legal, that which is originally indifferent, but when it has been laid down is not indifferent; e.g. that a prisoner's ransom shall be a mina, or that a goat and not two sheep shall be sacrificed, and again all the laws that are passed for particular cases, e.g. that sacrifice shall be made in honour of Brasidas, and the provisions of decrees. Now some think that all justice is of this sort, because that which is by nature is unchangeable and has everywhere the same force (as fire burns both here and in Persia), while they see change in the things recognized as just. This, however, is not true in this unqualified way, but is true in a sense; or rather, with the gods it is perhaps not true at all, while with us there is something that is just even by nature, yet all of it is changeable; but still some is by nature, some not by nature. It is evident which sort of thing, among things capable of being otherwise, is by nature, and which is not but is legal and conventional, assuming that both are equally changeable. And in all other things the same distinction will apply; by nature the right hand is stronger, yet it is possible that all men should come to be ambidextrous. The things which are just by virtue of convention and expediency are like measures; for wine and corn measures are not everywhere equal, but larger in wholesale and smaller in retail markets. Similarly, the things which are just not by nature but by human enactment are not everywhere the same, since constitutions also are not the same, though there is but one which is everywhere by nature the best.

Of things just and lawful each is related as the universal to its particulars; for the things that are done are many, but of *them* each is one, since it is universal.

There is a difference between the act of injustice and what is unjust, and between the act of justice and what is just; for a thing is unjust by nature or by enactment; and this very thing, when it has been done, is an act of injustice, but before it is done is not yet this but is unjust. So, too, with an act of justice (though the general term is rather 'just action', and 'act of justice' is applied to the correction of the act of injustice).

Each of these must later be examined separately with regard to the nature and number of its species and the nature of the things with which it is concerned.

8 · Acts just and unjust being as we have described them, a man acts unjustly or justly whenever he does such acts voluntarily; when involuntarily, he acts neither unjustly nor justly except in an incidental way; for he does things which happen to be just or unjust. Whether an act is or is not one of injustice (or of justice) is determined by its voluntariness or involuntariness; for when it is voluntary it is blamed, and at the same time is then an act of injustice; so that there will be things that are unjust but not yet acts of injustice, if voluntariness be not present as well. By the voluntary I mean, as has been said before, any of the things in a man's own power which he does with knowledge, i.e. not in ignorance either of the person acted on or of the instrument used or of the end that will be attained (e.g. whom he is striking, with what, and to what end), each such act being done not incidentally nor

under compulsion (e.g. if you take my hand and strike someone else with it, I do not act voluntarily; for the act was not in my power). The person struck may be the striker's father, and the striker may know that it is a man or one of the persons  
 30 present, but not know that it is his father; a similar distinction may be made in the case of the end, and with regard to the whole action. Therefore that which is done in ignorance, or though not done in ignorance is not in the agent's power, or is done under compulsion, is involuntary (for many natural processes, even, we knowingly  
 1135<sup>b</sup>1 both perform and experience, none of which is either voluntary or involuntary; e.g. growing old or dying). But in the case of unjust and just acts alike the injustice or justice may be only incidental; for a man might return a deposit unwillingly and  
 5 from fear, and then he must not be said either to do what is just or to act justly, except in an incidental way. Similarly the man who under compulsion and unwillingly fails to return the deposit must be said to act unjustly, and to do what is unjust, only incidentally. Of voluntary acts we do some by choice, others not by  
 10 choice; by choice those which we do after deliberation, not by choice those which we do without previous deliberation. Thus there are three kinds of injury in transactions; those done in ignorance are *mistakes* when the person acted on, the act, the instrument, or the end is other than the agent supposed; the agent thought either that he was not hitting any one or that he was not hitting with this missile or not hitting this person or to this end, but a result followed other than that which he  
 15 thought likely (e.g. he threw not with intent to wound but only to prick), or the person hit or the missile was other than he supposed. Now when the injury takes place contrary to reasonable expectation, it is a *misadventure*. When it is not contrary to reasonable expectation but does not imply vice, it is a *mistake* (for a man makes a mistake when the ignorance<sup>44</sup> originates in him, but is the victim of accident when its origin lies outside him). When he acts with knowledge but not  
 20 after deliberation, it is an *act of injustice*—e.g. the acts due to anger or to other passions necessary or natural to man; for when men do such harmful and mistaken acts they act unjustly, and the acts are acts of injustice, but this does not imply that the doers are unjust or wicked; for the injury is not due to vice. But when a man acts  
 25 from choice, he is an *unjust man* and a vicious man.

Hence acts proceeding from anger are rightly judged not to be done of malice  
 30 aforethought; for it is not the man who acts in anger but he who enraged him that starts the mischief. Again, the matter in dispute is not whether the thing happened or not, but its justice; for it is apparent injustice that occasions anger. For they do not dispute about the occurrence of the act—as in commercial transactions where one of the two parties *must* be vicious—unless they do so owing to forgetfulness; but, agreeing about the fact, they dispute on which side justice lies (whereas a man who has deliberately injured another cannot help knowing that he has done so), so that the one thinks he is being treated unjustly and the other disagrees.

<sup>44</sup>Reading ἐρροία for αἰρία.

But if a man harms another by choice, he acts unjustly; and *these* are the acts of injustice which imply that the doer is an unjust man, provided that the act violates proportion or equality. Similarly, a man *is just* when he acts justly by choice; but he *acts justly* if he merely acts voluntarily. 1136<sup>a</sup>

Of involuntary acts some are forgivable, others not. For the mistakes which men make not only in ignorance but also from ignorance are forgivable, while those which men do not from ignorance but (though they do them *in* ignorance) owing to a passion which is neither natural nor such as man is liable to, are not forgivable. 5

9 . Assuming that we have sufficiently defined the suffering and doing of injustice, it may be asked whether there is any truth in Euripides' paradoxical words: 10

'I slew my mother, that's my tale in brief.'  
'Were you both willing, or unwilling both?'

Is it truly possible to be voluntarily treated unjustly, or is all suffering of injustice involuntary, as all unjust action is voluntary? And is all suffering of injustice of the latter kind or else all of the former, or is it sometimes voluntary, sometimes involuntary? So, too, with the case of being justly treated; all just action is voluntary, so that it is reasonable that there should be a similar opposition in either case—that both being unjustly and being justly treated should be either alike voluntary or alike involuntary. But it would be thought paradoxical even in the case of being justly treated, if it were always voluntary; for some are non-voluntarily treated justly. One might raise this question also, whether every one who has suffered what is unjust is being unjustly treated, or on the other hand it is with suffering as with acting. In both it is possible to partake of justice incidentally, and similarly (it is plain) of injustice; for to do what is unjust is not the same as to act unjustly, nor to suffer what is unjust as to be treated unjustly, and similarly in the case of acting justly and being justly treated; for it is impossible to be unjustly treated if the other does not act unjustly, or justly treated unless he acts justly. Now if to act unjustly is simply to harm some one voluntarily, and 'voluntarily' means 'knowing the person acted on, the instrument, and the manner of one's acting', and the incontinent man voluntarily harms himself, not only will he voluntarily be unjustly treated but it will be possible to treat oneself unjustly. (This also is one of the questions in doubt, whether a man can treat himself unjustly.) Again, a man may voluntarily, owing to incontinence, be harmed by another who acts voluntarily, so that it would be possible to be voluntarily treated unjustly. Or is our definition incorrect; must we to 'harming another, with knowledge both of the person acted on, of the instrument, and of the manner' add 'contrary to the wish of the person acted on'? Then a man may be voluntarily harmed and voluntarily suffer what is unjust, but no one is voluntarily treated unjustly; for no one wishes to be unjustly treated, 1136<sup>b</sup> 15

not even the incontinent man. He acts contrary to his wish; for no one *wishes* for what he does not think to be good, but the incontinent man does *do* things that he does not think he ought to do. Again, one who gives what is his own, as Homer says

10 Glaucus gave Diomedes

Armour of gold for brazen, the price of a hundred beeves for nine,<sup>45</sup>

is not unjustly treated; for though to give is in his power, to be unjustly treated is not, but there must be some one to treat him unjustly. It is plain, then, that being unjustly treated is not voluntary.

15 Of the questions we intended to discuss two still remain for discussion: whether it is the man who has assigned to another more than his deserts that acts unjustly, or he who has the excessive share, and whether it is possible to treat oneself unjustly. The questions are connected; for if the former alternative is possible and the distributor acts unjustly and not the man who has the excessive share, then if a man assigns more to another than to himself, knowingly and voluntarily, he treats

20 himself unjustly; which is what modest people seem to do, since the virtuous man tends to take less than his share. Or does this statement too need qualification? For he perhaps gets more than his share of some other good, e.g. of honour or of intrinsic nobility. Again, the question is solved by applying the distinction we applied to unjust action; for he suffers nothing contrary to his own wish, so that he is not

25 unjustly treated as far as this goes, but at most only suffers harm.

It is plain too that the distributor acts unjustly, but not always the man who has the excessive share; for it is not he to whom what is unjust appertains that acts unjustly, but he to whom it appertains to do the unjust act voluntarily, i.e. the person in whom lies the origin of the action, and this lies in the distributor not in the receiver. Again, since things are said to do things in different senses, and there is a

30 sense in which lifeless things, or a hand, or a servant who obeys an order, may be said to slay, he who gets an excessive share does not act unjustly; though he does what is unjust.

Again, if the distributor gave his judgment in ignorance, he does not act unjustly in respect of legal justice, and his judgment is not unjust in this sense, but in a sense it *is* unjust (for legal justice and primary justice are different); but if with

1137<sup>a</sup>1 knowledge he judged unjustly, he is himself aiming at an excessive share either of gratitude or of revenge. As much, then, as if he were to share in the unjust act, the man who has judged unjustly for these reasons has got too much; for, assigning the land on that condition, he received not land but money.

5 Men think that acting unjustly is in their power, and therefore that being just is easy. But it is not; to lie with one's neighbour's wife, to wound another, to deliver a bribe, is easy and in our power, but to do these things as a result of a certain state of character is neither easy nor in our power. Similarly to know what is just and what

10 is unjust requires, men think, no great wisdom, because it is not hard to understand the matters dealt with by the laws (though these are not the things that are just,

<sup>45</sup>*Iliad* VI 236.

except incidentally); but how actions must be done and distributions effected in order to be just, to know *this* is a greater achievement than knowing what is good for the health; though even there, while it is easy to know that honey, wine, hellebore, cautery, and the use of the knife are so, to know how, to whom, and when there should be applied with a view to producing health, is no less an achievement than that of being a physician. Again, for this very reason men think that acting unjustly is characteristic of the just man no less than of the unjust, because he would be not less but even more capable of doing each of these acts; for he could lie with a woman or wound a neighbour; and the brave man could throw away his shield and turn to flight in this direction or in that. But to play the coward or to act unjustly consists not in doing these things, except incidentally, but in doing them as the result of a certain state of character, just as to practise medicine and to heal consists not in applying or not applying the knife, in using or not using medicines, but in doing so in a certain way.

Just acts occur between people who participate in things good in themselves and can have too much or too little of them; for some beings (e.g. presumably the gods) cannot have too much of them, and to others, those who are incurably bad, not even the smallest share in them is beneficial but all such goods are harmful, while to others they are beneficial up to a point; therefore justice is essentially something human.

10 · Our next subject is equity and the equitable, and their respective relations to justice and the just. For on examination they appear to be neither absolutely the same nor generically different; and while we sometimes praise what is equitable and the equitable man (so that we apply the name by way of praise even to instances of the other virtues, instead of 'good', meaning by 'more equitable'<sup>46</sup> that a thing is better), at other times, when we reason it out, it seems strange if the equitable, being something different from the just, is yet praiseworthy; for either the just or the equitable is not good,<sup>47</sup> if they are different; or, if both are good, they are the same.

These, then, are pretty much the considerations that give rise to the problem about the equitable; they are all in a sense correct and not opposed to one another; for the equitable, though it is better than one kind of justice, yet is just, and it is not as being a different class of thing that it is better than the just. The same thing, then, is just and equitable, and while both are good the equitable is superior. What creates the problem is that the equitable is just, but not the legally just but a correction of legal justice. The reason is that all law is universal but about some things it is not possible to make a universal statement which will be correct. In those cases, then, in which it is necessary to speak universally, but not possible to do so correctly, the law takes the usual case, though it is not ignorant of the possibility of error. And it is none the less correct; for the error is not in the law nor in the

<sup>46</sup>Reading τῷ ἐπιεικέστερον.

<sup>47</sup>Omitting οὐ δίκαιον.



20 legislator but in the nature of the thing, since the matter of practical affairs is of this kind from the start. When the law speaks universally, then, and a case arises on it which is not covered by the universal statement, then it is right, when the legislator fails us and has erred by over-simplicity, to correct the omission—to say what the legislator himself would have said had he been present, and would have put into his law if he had known. Hence the equitable is just, and better than one kind of  
 25 justice—not better than absolute justice but better than the error that arises from the absoluteness of the statement. And this is the nature of the equitable, a correction of law where it is defective owing to its universality. In fact this is the reason why all things are not determined by law, viz. that about some things it is impossible to lay down a law, so that a decree is needed. For when the thing is  
 30 indefinite the rule also is indefinite, like the lead rule used in making the Lesbian moulding; the rule adapts itself to the shape of the stone and is not rigid, and so too the decree is adapted to the facts.

1138\*1 It is plain, then, what the equitable is, and that it is just and is better than one kind of justice. It is evident also from this who the equitable man is; the man who chooses and does such acts, and is no stickler for justice in a bad sense but tends to take less than his share though he has the law on his side, is equitable, and this state is equity, which is a sort of justice, and not a different state.

11 . Whether a man can treat himself unjustly or not, is evident from what  
 5 has been said. For one class of just acts are those acts in accordance with any excellence which are prescribed by the law; e.g. the law does not command a man to kill himself, and what it does not command it forbids. Again, when a man in violation of the law harms another (otherwise than in retaliation) voluntarily, he acts unjustly, and a voluntary agent is one who knows both the person he is affecting and the instrument; and he who through anger voluntarily stabs himself does this  
 10 contrary to right reason, and this the law does not allow; therefore he is acting unjustly. But towards whom? Surely towards the state, not towards himself. For he suffers voluntarily, but no one is voluntarily treated unjustly. This is also the reason why the state punishes; a certain loss of civil rights attaches to the man who destroys himself, on the ground that he is treating the state unjustly.

15 Further, in the sense in which the man who acts unjustly is unjust only and not bad all round, it is not possible to treat oneself unjustly (this is different from the former sense; the unjust man in one sense of the term is wicked in a particularized way just as the coward is, not in the sense of being wicked all round, so that his unjust act does not manifest wickedness in general). For that would imply the possibility of the same thing's having been subtracted from and added to the same  
 20 thing at the same time; but this is impossible—the just and the unjust always involve more than one person. Further, unjust action is voluntary and done by choice, and is prior (for the man who because he has suffered does the same in return is not thought to act unjustly); but if a man harms himself he suffers and does the same things *at the same time*. Further, a man could be voluntarily treated

unjustly. Besides, no one acts unjustly without committing particular acts of injustice; but no one can commit adultery with his own wife or housebreaking on his own house or theft on his own property. 25

In general, the question 'can a man treat himself unjustly?' is solved also by the distinction we applied to the question 'can a man be voluntarily treated unjustly?'

(It is evident too that both are bad, being unjustly treated and acting unjustly; for the one means having less and the other having more than the intermediate amount, which plays the part here that the healthy does in the medical art, and that good condition does in the art of bodily training. But still acting unjustly is the worse, for it involves vice and is blameworthy—involves vice which is either of the complete and unqualified kind or almost so (for not all voluntary unjust action implies injustice), while being unjustly treated does not involve vice and injustice. In itself, then, being unjustly treated is less bad, but there is nothing to prevent its being incidentally a greater evil. But theory cares nothing for this; it calls pleurisy a more serious mischief than a stumble; yet the latter may become incidentally the more serious, if the fall due to it leads to your being taken prisoner or put to death by the enemy.) 30 1138<sup>b</sup>1 5

Metaphorically and in virtue of a certain resemblance there is a justice, not indeed between a man and himself, but between certain parts of him; yet not every kind of justice but that of master and servant or that of husband and wife. For these are the ratios in which the part of the soul that has reason stands to the irrational part; and it is with a view to these parts that people also think a man can be unjust to himself, viz. because these parts are liable to suffer something contrary to their desires; there is therefore thought to be a mutual justice between them as between ruler and ruled. 10

Let this be taken as our account of justice and the other, i.e. the moral, excellences.

## BOOK VI

1 · Since we have previously said that one ought to choose that which is intermediate, not the excess nor the defect, and that the intermediate is determined by the dictates of reason, let us discuss this. In all the states we have mentioned, as in all other matters, there is a mark to which the man who possesses reason looks, and heightens or relaxes his activity accordingly, and there is a standard which determines the mean states which we say are intermediate between excess and defect, being in accordance with right reason. But such a statement, though true, is by no means illuminating; for in all other pursuits which are objects of knowledge it is indeed true to say that we must not exert ourselves nor relax our efforts too much nor too little, but to an intermediate extent and as right reason dictates; but if a man 20 25