

and similarly what is just and unjust. Let us therefore put aside the justice and injustice that correspond to virtue as a whole, the one being the exercise of virtue as a whole in relation to another, the other of vice.

It is obvious, too, how we should distinguish what is just and what is unjust in accordance with these types of justice and injustice, since most acts required by law, we might say, are enjoined from the point of view of virtue as a whole. For law requires us to live in accordance with each single virtue and forbids us to live in accordance with each form of wickedness. And the things that tend to produce virtue as a whole are the actions required by law that are laid down for education in good citizenship. But any decision must be delayed as to whether the education of the individual as such, on the basis of which he is a good person without qualification, is a branch of political science or of some other science; for, presumably, being a good person is not in every case the same as being a good citizen.

One type of particular justice, and of what is just in that same sense, is that found in distributions of honour or money or the other things that have to be shared among members of the political community (since here one person can have a share equal or unequal to another's).

Another type is that which plays a rectificatory role in transactions. 1131a This type divides into two, since some transactions are voluntary, others involuntary. The voluntary transactions are things like selling, buying, lending at interest, pledging, lending without interest, depositing, and letting (they are called voluntary because the first principle in these transactions is voluntary). The involuntary ones are either secret – such as theft, adultery, poisoning, procuring, enticing away slaves, treacherous murder, and false witness – or involve force, such as assault, imprisonment, murder, robbery, maiming, slander, and insult.

Chapter 3

Since the unjust person is unfair, or unequal, and what is unjust is unfair, or unequal, it is clear that there is a mean in respect of what is unfair, namely, what is fair, or equal. In any kind of action in which there is a more and a less, there is also an equal. So if what is unjust is unequal, what is just must be equal – something that everyone thinks, even without argument.

Since what is equal is a mean, the just will be some sort of mean.

Because equality requires at least two terms, what is just must be a mean, and equal, and relative, namely, just for certain people. And, in so far as it is a mean, it must be between certain extremes (excess and deficiency); in so far as it is equal, it must involve two terms; and in so far as it is just, it must be so for certain people. So what is just requires at least four terms: the persons for whom it is just are two, and the shares in which its justice consists are two. There will be the same level of equality between persons as between shares, because the shares will be in the same ratio to one another as the persons. For if the persons are not equal, they will not receive equal shares; in fact quarrels and complaints arise either when equals receive unequal shares in an allocation, or unequals receive equal shares.

This is clear also from the principle of distribution according to merit. For everyone agrees that justice in distribution must be in accordance with some kind of merit, but not everyone means the same by merit; democrats think that it is being a free citizen, oligarchs that it is wealth or noble birth, and aristocrats that it is virtue.

So the just is a sort of proportion. Being proportionate is not a property peculiar to abstract number, but belongs to number in general, since proportion is an equality of ratios, and involves at least four terms. Now it is obvious that discrete proportion involves four terms. But the same is true of continuous proportion, since it treats one term as two, 1131b mentioning it twice; for example, as the line A is to the line B, so is B to C. B, then, has been mentioned twice; so if B is set down twice, the proportional terms will be four.

What is just will also involve at least four terms, and the ratio is the same, since the persons and the shares are divided in the same ratio. As the term A, then, is to the term B, so will C be to D, and consequently, in permutation, as A is to C, so B is to D. And so whole will bear the same ratio to whole. It is this combination which the distribution brings about, and, if the terms be united in this way, brings about justly.

What is just in distribution, therefore, is the conjunction of the term A with the term C, and of the term B with the term D. And the just in this sense is a mean, and the unjust violates the proportion, since what is proportionate is a mean, and the just is proportionate. Mathematicians call this kind of proportion geometrical, because in geometrical proportion what happens is that whole is to whole as each part is to each

part. But this proportion is not continuous, since there is not a single numerical term for person and share.

What is just in this sense, then, is what is proportionate. And what is unjust is what violates the proportion: one side becomes too large, the other too small, which is actually what happens in practice, since the one who acts unjustly gets more of what is good, while the one treated unjustly gets less. In the case of evil, the reverse is the case, since the lesser evil is counted as a good in comparison with the greater evil; the lesser evil is more worthy of choice than the greater, what is worthy of choice is a good, and what is more worthy of choice is a greater good.

This, then, is the first species of what is just.

Chapter 4

The other kind of justice is rectificatory, which is found in both voluntary and involuntary transactions. It belongs to a different species from that above. For the just in distribution of common property is always in accordance with the proportion stated above, since if the distribution is from common funds, it will be in the same ratio as are the corresponding investments to one another. And the injustice that is opposed to this kind of justice is what violates the proportion.

What is just in transactions is nevertheless a kind of equality, and what is unjust a kind of inequality, in accordance, however, not with that kind of proportion, but with arithmetical proportion. For it makes no difference whether it is a good person who has defrauded a bad or a bad person a good, nor whether it is a good or bad person that has committed adultery. The law looks only to the difference made by the injury, and treats the parties as equals, if one is committing injustice, and the other suffering it – that is, if one has harmed, and the other been harmed. So the judge, since this kind of injustice is an inequality, tries to equalize it. For even when one party is struck, and the other strikes, or one kills, and the other is killed, the suffering and the action are divided unequally. The judge tries to equalize them with the penalty, decreasing the gain that has been made. For the word ‘gain’ is generally employed in such cases, even if it is not appropriate for some of them, such as assault, and the same goes for the use of the word ‘loss’ of the victim. At any rate, when the damage has been assessed, the one is called loss, the other gain. 1132a

What is equal is therefore a mean between the greater and the less, but the gain and the loss constitute the greater and the less in contrary ways: more good and less evil constitute gain, while the contraries constitute loss. And the mean between them, as we saw, is what is equal, which we say is just. So what is just in rectification will be the mean between loss and gain.

- 1132b These names, 'loss' and 'gain', are in fact derived from voluntary exchange. For having more than one's share is called gaining, while having less than one had at the beginning is called losing – in buying and selling, for example, and other transactions in which the law has left people free to decide their own terms. But when neither party gets too much or too little, and both get what they gave, they say that they have what belongs to them, and that they neither lose nor gain. It follows that in voluntary transactions the just is a mean between some kind of gain and loss; it consists in having an equal amount both before and after the transaction. This is why, when people are in dispute, they turn to a judge. To appeal to a judge is to appeal to what is just, because a judge is meant to be, as it were, justice personified. They seek the judge also as an intermediary, and some people even call them mediators, on the basis that if they are awarded what is intermediate, they will be awarded what is just. What is just, then, is intermediate, since the judge is so. The judge restores equality. It is as if there were a line divided into unequal parts, and he takes away that by which the greater segment exceeds the half, and adds it to the smaller segment. And when the whole has been equally divided in two – when the parties have equal shares – then they say that they have what belongs to them. It is for this reason that it is called just (*dikaios*), because it is a division into two parts (*dicha*), just as if one were to call it divided in two (*dichaios*), and the judge (*dikastēs*) is a divider in two (*dichastēs*).
- 1132a

- What is equal is a mean between the greater and the less according to arithmetical proportion, because when a certain amount is subtracted from one of two equals and added to the other, the other exceeds the first by double that amount; for if the amount had been subtracted, but not added to the other, it would have exceeded it by only once that amount. It therefore exceeds the mean by once the amount, and the mean exceeds by once the amount that from which the amount was subtracted.
- 1132b

In this way, then, we shall work out what we must subtract from the

party with more, and add to the party with less; for we must add to the party with less the amount by which the mean exceeds what he has, and subtract from the greatest quantity the amount by which it exceeds the mean. Let the lines AA', BB' and CC' be equal to one another. From the line AA', let the segment AE be subtracted, and the segment CD added to the line CC', so that the whole line DCC' exceeds the line EA' by the segment CD and the segment CF; thus it exceeds the line BB' by the segment CD.

Chapter 5

Some hold that reciprocity is just without qualification. This was the claim of the Pythagoreans, since they defined, without qualification, what is just as reciprocity with another.

Reciprocity, however, fits neither distributive nor rectificatory justice (though people do take even the justice of Rhadamanthus³³ to be a conception of rectificatory justice: 'If a person should suffer what he did, right justice would be done'³⁴), since often they conflict. For example, if a person in authority strikes someone, he should not be struck in return, but if someone has wounded an official, he should not only be struck in return, but receive an additional punishment. Again, voluntariness and involuntariness make a great difference.

When people associate with one another for the purpose of exchange, however, this kind of justice – reciprocity in accordance with proportion, not equality – is what binds them together, since a city is kept together by proportionate reciprocation. For people seek to return either evil for evil – otherwise they feel like slaves – or good for good – 1133a otherwise no exchange takes place, and it is exchange that holds them together. This is why they erect a temple of the Graces in a conspicuous place, so that benefits might be repayed. This is the special characteristic of grace, because one ought both to perform a return service to someone who has been gracious, and another time to make the first move by being gracious oneself.

It is a diagonal conjunction that produces proportionate reciprocation. Let A represent a builder, B a shoemaker, C a house, and D a shoe. The builder must get from the shoemaker the product of his labour, and

³³ Mythical son of Zeus and Europe, one of the judges of the dead in Elysium.

³⁴ Hesiod, fr. 174 MW.

must hand over his own in return. If, first, proportionate equality is established, and then reciprocation takes place, the result we mentioned will follow. If not, there is no equality, and the bargain falls through, since there is no reason why what one produces should not be more valuable than what the other produces, and the products must therefore be equated.

This is the case with the other crafts as well. For they would have been ruined if what the passive party received were not the same in quantity and quality as what the active party produced; it is not two doctors who associate for exchange, but rather a doctor and a farmer, and, in general, people who are different and unequal, and must be made equal. This is why everything that is exchanged must be in some way commensurable. This is where money comes in; it functions as a kind of mean, since it is a measure of everything, including, therefore, excess and deficiency. It can tell us, for example, how many shoes are equal to a house or some food. Then, as builder is to shoemaker, so must the number of shoes be to a house. For without this, there can be no exchange and no association; and it will not come about unless the products are in some sense equal. Everything, then, must be measured by some one standard, as we said before. This standard is in fact demand, which holds everything together; for if people needed nothing, or needed things to different degrees, either there would be no exchange or it would not be the same as it now is. But by social convention money has come to serve as a representative of demand. And this is why money is called *nomisma*, because it exists not by nature but by convention (*nomos*), and it is in our power to change its value and to render it worthless.

1133b There will be reciprocity, then, when the equation has been made, so that the shoemaker's product is to the farmer's as farmer is to shoemaker. But we must bring them into the form of a proportion not after they have exchanged goods, but when they still have their own; otherwise one extreme will have both excesses. In this situation, they are equals and capable of association, because it is possible to establish this kind of equality between them. Let A be a farmer, C some food, B a shoemaker, and D his product equated to C; if this kind of reciprocity had been impossible, the two would not have entered into an association with one another.

That demand holds things together as a single entity is obvious

from the fact that whenever people – either both, or one of a pair – have no need of one another, they do not enter into exchange. This is what happens whenever someone wants something that one has not got oneself – when, for example, people offer an export licence for corn in return for wine. It is imperative, therefore, that this equation be made.

Money is, as it were, our guarantor for future exchange: if we do not need a thing now, we can have it if ever we do need it, since we must be able to get it if we pay. The same thing happens to money as to other commodities, in that its value is not always the same, but it does tend to be more stable. Everything, then, must have a value put on it, because then there will always be exchange, and if exchange, association between people.

So money makes things commensurable as a measure does, and equates them; for without exchange there would be no association between people, without equality no exchange, and without commensurability no equality. It is impossible that things differing to such a degree should become truly commensurable, but in relation to demand they can become commensurable enough. So there must be some one standard, and it must be on an agreed basis – which is why money is called *nomisma*. Money makes all things commensurable, since everything is measured by money. Let A be a house, B ten minae, C a bed. A is half of B, if the house is worth, or equal to, five minae; and C, the bed, is worth one tenth of B. It is obvious, then, how many beds are equivalent to a house, namely, five. This is clearly how exchange took place before the existence of money, since it makes no difference whether you pay five beds for a house, or the value of five beds.

We have now described the nature of what is just and unjust. The distinctions we have drawn make it clear that acting justly is a mean between committing injustice and suffering it, since the one is having more than one's share, while the other is having less.

Justice is a kind of mean – not in the same way as the other virtues, but because it is concerned with a mean, while injustice is concerned with extremes. And justice is the state in accordance with which the just person is said to be the kind of person who is disposed to do just actions in accordance with rational choice, and to distribute goods – either between himself and another or between two others – so as to assign not more of what is worth choosing to himself and less to his neighbour 1134a

(and conversely with what is harmful), but what is proportionately equal; and similarly in distributing between two other people.

Injustice, on the contrary, is concerned with what is unjust, that is, a disproportionate excess or deficiency of what is beneficial or harmful; so injustice is an excess and a deficiency, because it is concerned with excess and deficiency. In one's own case, this is an excess of what is unqualifiedly beneficial, and a deficiency of what is harmful; in the case of others, though the general result is the same, the proportion may be violated in either direction. In an unjust action, to have too little is to suffer injustice, while to have too much is to commit it.

This, then, can be taken as an adequate account of the nature of justice and injustice, and similarly of what is just and unjust in general.

Chapter 6

We have stated above how reciprocity is related to justice. But we must not forget that what we are investigating is not only justice in the unequal sense, but political justice. This is found among people who associate in life to achieve self-sufficiency, people who are free and either proportionately or arithmetically equal. So between people who are not like this there is nothing politically just, but only something just by approximation. For what is just exists only among people whose relations are governed by law, and law only among those liable to injustice, since legal justice consists in judgement between what is just and what is unjust. Among those liable to injustice will also be found the committing of injustice, though injustice is not found among all those who commit injustice. Committing injustice consists in assigning to oneself too large a share of what is good without qualification, and too little of what is bad without qualification.

1134b This is why it is not a person that we allow to rule, but rather law, because a person does so in his own interests and becomes a tyrant. The magistrate, however, is a guardian of what is just, and so of what is equal as well. If he is just, he seems not to have more than his share, since he does not assign to himself a greater share of what is unqualifiedly good, unless it is in proportion to his deserts. He thus seems to labour for others, which is why people say that justice is the good of another, as we mentioned above. He ought therefore to receive some sort of reward,