

The King Alone:
Law and the Limits of Virtue in Aristotle's *Politics*

Cathal Woods
Virginia Wesleyan University (Emeritus)

1. Introduction

Aristotle asserts in *Politics* III.13 that absolute kingship (*pambasileia*) is appropriate when there is an individual of exceptional virtue. In III.17 he concludes the discussion of kingship by repeating this claim: rule by a *pambasileus* is appropriate whenever there is an individual incomparable to the rest. The goal of this article is to understand these pronouncements by asking three simple questions: What are the subjects like? What is the *pambasileus* like? In what way is the *pambasileus* incomparable to his subjects?

The standard view is that the *pambasileus* is a person of infallible virtue who rules over a population of virtuous people. I claim, instead, that he is a fallible but excellent individual who rules over an agricultural population. The main driver of my alternative is Aristotle's argument against exclusive individual rule, which I introduce in Section 2. This argument demands that, where individuals or groups are equal, one should not rule over the other but political participation should be shared under law. A *pambasileus* ruling over virtuous subjects violates this principle of political justice. Borrowing a principle from Book I's discussion of the household, it seems that absolute rule requires a difference *in kind* between the king and his subjects.

When discussing the character of the subjects in Section 3, I use Aristotle's characterization of two different multitudes in an earlier chapter of *Politics* (III.11) in order to provide an upper and a lower limit on their virtue. On the one hand, the absolute king's subjects cannot be as good as the multitude that is (collectively) authoritative. On the other hand, they cannot be as bad as the multitude that threatens to destabilize the regime. What falls between these is a multitude of peasants whose primary concern is their private affairs rather than politics.

In Section 4, I then consider the virtue of the exceptional individual. It might be an easier task to show how a perfectly virtuous *pambasileus* is incommensurably different from his peasant subjects. However, my reading of the relevant chapters is that the absolute king is subject to bias and inferior to law executed by multiple virtuous people.¹ Thus, when the assertion of *pambasileia* is then repeated at the opening of III.17, Aristotle is, I suggest, allowing that there are *still* some situations in which *pambasileia* is appropriate. Despite the fallibility of the kingly individual, his virtue is still exceptional when compared to a peasant multitude.

Having discussed the character of the subjects and the absolute king, I return, in Section 5, to the condition that for exclusive rule (of any kind) to be just, there must be a difference in kind between ruler and ruled. The difference in kind is, I suggest, that the subjects are *apolitical*.

2. Law and Exclusive Rule

Law is slow to appear in *Politics* III. The typology of regimes is introduced in III.6 as an articulation of the statement that a regime is an arrangement of offices and can be identified particularly with the office that is authoritative over all (1278b9, III.6.1). After distinguishing correct from deviant regimes, Aristotle continues in III.7 to further categorize regimes according to whether one, few, or many people are authoritative. Law is finally included in III.10 as one of the options for *what* (rather than just *who*) should be authoritative, but only when the human options have been introduced: “One might assert, however, that it is bad for the authoritative element generally to be man

¹ This question—“What was the point of the discussion of law versus absolute rule?”—is also asked by David Riesbeck: “The individual’s superiority does not justify kingship in spite of the problems raised by kingship’s opponents. On the contrary, it is on the criteria of the would-be king’s genuine superiority that his rule can overcome these problems”; see David Riesbeck, *Aristotle on Political Community* (Cambridge, UK: Cambridge University Press, 2016), p. 29. My position is the former one, which Riesbeck contradicts; the problems raised elucidate the limited conditions under which *pambasileia* is appropriate and they are not “overcome” by the would-be king’s exceptional abilities. In general, my reading makes III.15–16 similar to III.11 and (the first part of) III.13: they are all arguments by Aristotle to curtail the claims of those who might press for exclusive rule. I take this to be the central concern of Book III of Aristotle’s *Politics*, and certainly not the glorification of kingly individuals. But this is too large a thesis for the present.

instead of law, at any rate if he has the passions that result [from being human] in his soul” (1281a34, III.10.5 Lord).² Law’s preeminence is affirmed in III.11, but again almost as an afterthought. After discussing the argument that a decent multitude might be authoritative and a lesser multitude might be given the power to elect and audit officials, and without giving any positive argument in favor of law, Aristotle writes: “As regards the first question, it makes nothing more evident than that it is laws—correctly enacted—that should be authoritative and that the ruler, whether one person or more, should be authoritative with respect to those things about which the laws are completely unable to speak precisely on account of the difficulty of making clear general declarations about everything” (1282a42, III.11.19 Lord).

How does III.11 “make it clear” that law should rule? It is, I submit, because in III.11 Aristotle has been considering arguments for making various multitudes authoritative or at least granting them some powers. Although Aristotle is serious in making these arguments, he realizes that the latter case—of awarding the electing and auditing of officials to the base multitude—threatens the idea that political offices should be held by competent officers. Thus, it is a good idea to have law be in command as much as possible, assuming that the law is just. Aristotle’s elite audiences, both then and now, might be relieved to hear law introduced at this point, to counteract the fear engendered by the thought of rule by a multitude. What they might not realize is that, for Aristotle, law’s advantages apply not only against rule by a multitude (as in III.11), but also apply against rule by any human, even a kingly one.³

Chapters 12 and 13 then address the question of what makes law *correct*, and the answer again is that law is correct when it looks to the interest of all of those individuals and groups that have some virtue. The contending groups in III.13 are “the good and the rich and the well

² Aristotle, *The Politics*, trans. Carnes Lord (Chicago, IL: University of Chicago Press, 1984). Book, chapter, and section numbers for *Politics* refer to Lord’s edition. All Bekker numbers refer to Aristotle’s *Politics* unless otherwise noted. When quoting a translation, the name of the translator will be given after the citation, unless translated by me.

³ Alternatively, but similarly, since the basic problem posed in III.10 is that making any one faction authoritative will result in the disenfranchisement of the others, the solution is that no one faction should rule exclusively. But this too makes it obvious that law should rule, to allocate to all who are eligible their role. When Aristotle speaks of “law,” he includes constitutional law.

born, as well as a political multitude”⁴ (1283b1, III.13.4). The desire for exclusive and unfettered rule, whether by oneself or alongside others, Aristotle says, is stimulated by the possibility of using power in one’s own interests (1286b17, III.15.12) and is like a sickness that can apparently only be cured by holding office (1279a15, III.6.3).⁵ Many individuals are looking for a way to find something superlative about themselves or to join a faction whose prowess or power is sufficient to carry him into power and allow him (and his fellows) to exclude and victimize others.

Despite their selfish intent, the contestants for power offer a rationalization for their power-grab, a self-justification in terms of some feature that is taken to be politically relevant. Different attributes are put forth by people arguing over political power. The polis needs loyal manpower, and so free birth is a “reasonable” (*eulogōs*) basis for claiming to rule; the polis needs resources, and so wealth is also reasonable; additionally, the polis needs good government, and so virtue and education are also reasonable (1283a10–20, III.12.8–9; 1280b6, III.9.8). Each faction argues that it should rule while others should not. The wealthy, for example, argue that because they are more wealthy than the poor, they should rule and the poor should be ruled. Even the free, who claim that everyone who is free should share equally in rule, in fact think that the rich should be dominated by the poor.

Aristotle thinks that only the claim of virtue (and education) is appropriate for political rule (1281a2, III.9.14; 1283a22, III.12.9), which should be a corrective to the common thought that because a person or group is equal or unequal in one respect that they are equal or unequal in every respect (1280a9–14, III.9.1–2; 1280a19–25, III.9.4–5). This might suggest that those with greater virtue should rule and those of lesser virtue should be ruled. However, Aristotle has

⁴ In III.10 the list is “the multitude, the wealthy, the respectable, the one who is best of all, or the tyrant” (1281a13, III.10.1 Lord).

⁵ Note also Jason’s “hunger” when not in power (1277a23, III.4.9) and rule “as a prize of victory” (1296a30, IV.11.17). That the desire for solo rule (and perhaps even tyranny) is deeply rooted is also indicated by the way Aristotle returns in VII.3 to an idea that he has just laid to rest (or so one might have thought), that the best life is the life of domination (1325a34, VII.3.3), and then does so again in VII.14, that the goal of legislation is not military conquest and acquisition or “to rule as masters over many” (1333b16, VII.14.17).

another argument against such thinking, which he says “affect[s] all of those who dispute over political honors” (1283b13, III.13.6), namely, that the group claiming to govern might be exceeded from within by an individual or sub-group. Those who claim to rule on the basis of wealth, for example, might be confronted with someone who is wealthier than all of them. According to their own principle, that those with greater wealth should rule exclusively, the original claimants would have to concede that they should be ruled by this sub-group or individual. The same “perhaps”⁶ happens with virtue, Aristotle says: amongst those who compete on the basis of virtue, a single exceptional individual might claim exclusive power over the others because he is more virtuous than all of them (1283b21, III.13.8), even though they themselves are good men (*spoudaiōn ontōn* 1283b23, III.13.8).

Aristotle immediately reverses the argument, to show that the multitude could claim to be superior to a small group or individual; the people of greater individual merit now find themselves on the losing end (1283b25, III.13.8). Aristotle applies this version of the argument to virtue only (though presumably it applies to the other bases): those who would claim exclusive rule on the basis of virtue (*tous kat aretēn axiountas kurious einai tou politeumatōs*) might find themselves surpassed *and excluded*, according to their own criterion, by the multitude. Thus, the argument is said to work “from the other side” (*palin* 1288a21, III.17.6 Rackham⁷; 1283b33, III.13.10).

In this way, Aristotle seems to show that arguments for exclusive rule are unstable and self-defeating in the sense that if they are applied by different groupings—whether this is a smaller group against a larger or a larger against a smaller—the very people who

⁶ The case here is of a competition between virtuous people. The “perhaps” might reflect the idea that “virtue-based partisan” is, in the strict sense, a contradiction in terms, but there might be looser senses of ‘the virtuous’ (such as those based on nobility, notability, or wealth) that would make room for the possibility. In practical politics, disputes on the basis of virtue do occur: Aristotle mentions the Partheniai in Sparta, who challenged the ruling minority on the basis of virtue (1306b30, V.7.2). Similarly, since the discussion of ostracism applies to correct regimes (1284b2, III.13.20), it would imply that the “virtuous” *compete* for power.

⁷ Aristotle *Politics*, trans. H. Rackham (Cambridge, MA: Harvard University Press, 1998).

made them to begin with end up losing out.⁸ Aristotle concludes the argument by saying that all of the grounds that people use to argue that “they should rule and everyone else should be ruled by them” (1283b29, III.13.9 Lord) are “incorrect” (*oudeis orthos esti* b28). In each case, those who claim exclusive rule are failing to acknowledge that the same basis for rule is present—even if only to a lesser extent—in those they would rule. The dispute over political power should follow the principle of distributive justice (from *Nicomachean Ethics* V.3), which awards goods to people proportional with their merit. In politics, political power should be allocated to different individuals or groups proportional with the strength of their claim. The individual or group that is overmatched deserves *some* level of participation in rather than complete exclusion from government; their disenfranchisement would be “unjust” and destabilize the regime (1280a27, III.10.4; 1281b28, III.11.7, with 1270b20, II.9.22; 1294b36, IV.9.10).

The next paragraph (of III.13) confirms that the lesson to be learned is that power should be shared, and the lesson is applied to virtue, such as when a multitude is not entirely lacking in virtue, especially when taken collectively. This is a specific version of the problem previously posed at the conclusions of III.10 and III.11: What makes laws correct rather than oligarchic or democratic? Using the same commitment to proportionality, the answer is that the laws must be made with “the whole polis” and “all the citizens” in mind (1283b41, III.13.12). In the specific case under consideration, this would mean that although the multitude is said to be better than the few, the few should not be excluded. In other contexts, such as a possible *pambasileia*, it would mean that the many should not be excluded if they have virtue, even if only collectively.

⁸ It is possible that the wealthy who would be disenfranchised by the super-wealthy are upset because their argument was never really about wealth to begin with but rather about status and fitness to govern. As Aristotle says in Book I, the way people talk about ‘slave versus free’ and ‘well-born versus low-born’ indicates that they are really talking about virtue and vice. Greeks think that they should be free everywhere, whereas foreigners deserve freedom only at home, and similarly with birth (1255a33–b1, I.6.7–8). On this view, virtue is always at least a subtext of people’s arguments about political power, latent in proxies such as birth (especially good birth or nobility), notability, wealth, and ability and power. In this way, when Aristotle spends so much time talking about virtue in politics, he takes himself to be strengthening a persistent if struggling impulse in human relations.

For absolute rule to be just, it seems that the ruler cannot differ from the ruled only by degree, but must differ from them *in kind*.⁹ “Difference in kind” is a criterion for exclusive rule introduced in Book I, when Aristotle discusses the ways in which a man is “king” of his household: as a husband to his wife, as a father to his son, as a master to his slave. Aristotle’s remarks (in Book III) that the *pambasileus* is like a god among humans suggests that such a criterion is also being adopted in the case of *pambasileia*. (In Section 5, I will offer a suggestion for what this difference in kind is, based on the characterizations of the *pambasileus* and his subjects in Sections 4 and 3.)

Because Aristotle *does* indeed think that *pambasileia* is possible, no sooner does he conclude the argument *against* exclusive rule than he states that a person (or small number of people, but not enough to constitute a regime by themselves) might justly be absolute ruler. This is because the community has given rise to a person “so greatly distinguished in outstanding virtue” (*tosouton diapherōn kat aretēs hyperbolēn* 1284a4, III.13.13) and “so widely unequal in virtue and political ability” (a7) that he is “not comparable” (Rackham) or “not commensurable” (Reeve¹⁰, Lord) (*mē sumblētēn einai* a6) with the rest, and so he cannot be made equal with others and “will be treated unjustly if deemed worthy of equal status” (*axioumenoi tōn isōn* a7). All of this language fits with the idea that there is a difference in kind between the *pambasileus* and his subjects. After a typology of kingship in the next chapter (III.14), and then the presentation of various arguments against kingship and *pambasileia* in the following two chapters (III.15 and III.16), Aristotle again asserts (in III.17) that for some populaces absolute kingship is appropriate. He also repeats the idea from III.13 that such a populace, in the presence of an exceptionally good person, would realize that it would be foolish to expel such a person from the community, so that the only “natural” option is to willingly obey him (1284b23–32, III.13.25).¹¹

⁹ R. G. Mulgan, drawing on *Metaphysics* 1080a19, argues that *sumblētēn* (incomparable) means that the best men are not just better than the sum of the rest, but are “in a class of their own”; see R. G. Mulgan, “A Note on Aristotle’s Absolute Ruler,” *Phronesis* 19, no. 1 (1974), p. 68.

¹⁰ Aristotle, *Politics*, trans. C. D. C. Reeve (Indianapolis, IN: Hackett, 1998).

¹¹ Carol Atack gives Isocrates’s account of Theseus and the synoecism of Attica as an example of a people willingly handing power to an exceptional

Here is the problem. On the one hand, it seems that the principle of political justice makes it very difficult for an individual to justly claim to be absolute king; for if there are other virtuous people or groups in the polis, their virtue must be acknowledged and rule must be shared. On the other hand, even though the claim of the best one or few is of the same type as the claim of all partisans—that such people are superior (*kath' huperokhēn*) to everyone else (1288a24, III.17.6)—it seems that the argument Aristotle lodged against all those who claim exclusive rule does *not* forbid the excellent individual who would be *pambasileus*. As a result, we are in search of characterizations of the *pambasileus* and of his subjects that will make the absolute king's rule just.

3. The Ruled

The dominant conception of the ruled subjects is that they are virtuous individuals.¹² This would set an extremely high bar for the character of the king to clear, since he is supposed to be not only better than any of his subjects, but better than them taken collectively (not to

leader; see Carol Atack, “The Discourse of Kingship in Classical Athenian Thought,” *Histos* 8 (2014), p. 349.

¹² Among the scholars who have adopted some version of this position are Fred Miller, Jr., *Nature, Justice, and Rights in Aristotle's Politics* (Oxford: Clarendon Press, 1995), chap. 6.8; R. G. Mulgan, “Aristotle and the Value of Political Participation,” *Political Theory* 18, no. 2 (1990), pp. 195–215; P. A. Vander Waerdt, “Kingship and Philosophy in Aristotle's Best Regime,” *Phronesis* 30, no. 3 (1985), esp. pp. 249–52; Robert Mayhew, “Rulers and Rule,” in *A Companion to Aristotle*, ed. Georgios Anagnostopoulos (Oxford: Blackwell, 2009), p. 535ff.; and Brendan Nagle, “Alexander and Aristotle's Pambasileus,” *L'Antiquité Classique* 69 (2000), pp. 117–32. In general, the motivation for thinking that *pambasileia* is “aristocracy-plus” is that it is “the best” regime or must be at least as good as aristocracy and/or the regime of Books VII–VIII. Space prevents thorough examination of the relative status of *pambasileia* and aristocracy, but my general line of response would be that there's much more wiggle room in the notion of *pambasileus* as “the best” regime than in the need to satisfy political justice. Aristotle includes kingship alongside aristocracy as “the best” in the sense that it is rule by an excellent individual, but aristocracy is better both in terms of the quality of (collective) governance and the greater number of virtuous people who are politically engaged.

mention being different in kind from them).¹³ Indeed, I think that Aristotle has ruled out precisely this situation—in which the subjects are themselves virtuous people—as he used it as a case *against* exclusive rule, though with the caveat “perhaps.” However, I will argue that this is no mere hypothetical remark, as Aristotle is explicit about the political justice of the “best few” in comparison with the virtue of various multitudes.

In III.11, Aristotle describes a multitude that is (collectively) superior to “the best few” and so should not be permanently ruled.¹⁴ This multitude is composed of people who are not good men (*ou spoudaios anēr* 1281b2, III.11.2) but who have a share of virtue and

¹³ “Virtuous subjects” also raises the problem of their exclusion from politics. Much of the literature on *pambasileia* seems to have assumed their disenfranchisement and focused on their resulting quality of life: How can they live good lives if they do not govern? Mayhew takes the subjects of the *pambasileus* to be people of sufficient status not to be ruled, even by an exceptional individual, and calls the exclusion from government “the kingship problem” (Mayhew, “Rulers and Ruled,” p. 535ff). A variety of solutions have been proposed, all of which are unnecessary if the assumption of “virtuous subjects” is rejected.

¹⁴ The possibility of the best few being overmatched by a multitude taken *collectively* raises the possibility that the criterion for exclusive rule of “being more virtuous than the rest” might depend on *the number* of people of each type in the polis. A particular multitude might be capable of matching the best few (and vice versa) only if there are enough of them; if the many are not so many, then their collective virtue might fall short of the exceptional people’s. However, Aristotle does not seem to worry about the numbers, relying instead on an understanding of the development of regimes over time that loosely ties the quality of the regime and the quality of the populace to its size. Kings are initially matched by additional virtuous people and “polities” (constitutional regimes) form, but as the size of polises continues to increase, wealth becomes the goal and they tend toward oligarchy, tyranny, and democracy, with power struggles between the rich and the poor (1286b7–20, III.15.11–13). In other words, as polises grow larger, they tend to produce people of worse character, both among the few and the many, shifting the populace from a mix of good and ordinary people to a mix of rich and poor people. Alternatively, but still tying together size and virtue, kingship in small communities becomes aristocracy with the development of cavalry, which becomes polity with the development of infantry warfare (1297b16, IV.13.10; 1289b32ff, IV.3.2; 1279a38, III.7.4).

wisdom (*morion aretēs kai phronēseōs*). I have argued elsewhere¹⁵ that the partially virtuous multitude is the hoplite multitude (1297b2, IV.13.7), and when Aristotle unpacks their character their “military virtue” (1279b2, b12, III.7.4, 9) is itself a number of virtues (courage and endurance) and the soldiering life inculcates a number of other virtues (moderation and justice). They are also the middle class, which adds more positive traits, thanks in part to their moderate good fortune: they are willing to obey reason, are free from both arrogance on one side and pettiness on the other, do not covet the goods of others, and are willing to rule and be ruled (1295b3–34, IV.11.4–9). Not being strongly self-interested, they might avoid crimes of injustice, and by being willing to listen to reason (perhaps coming from the best few), they might avoid mistakes of prudence.

The multitude that is ruled continuously by the *pambasileus* does *not* have the quality of this multitude, as his virtue and theirs is incommensurable. To exclude a multitude of this type from governance would violate the principle of proportionality in political justice, even if the kingly individual is better than the “best few.”¹⁶ The king’s subjects must be worse than the members of this multitude.

¹⁵ Cathal Woods, “Aristotle’s Many Multitudes and Their Powers,” *Journal of Ancient Philosophy* 11, no. 1 (2017), pp. 110–43.

¹⁶ For present purposes, I am fine with thinking that the kingly individual is better than any of the “best few.” I am inclined to think, however, that Aristotle throughout Book III discusses virtuous people without specifying exactly their number or quality. Thus, in the discussion of kingships and *pambasileia*, he considers that it might be a single outstanding individual, but also (in III.18, in the segue to the ideal regime) he adds that it might be a group: “one certain person or a whole family or a multitude” (1288a35, III.18.1). At the end of III.18, the education for a good man is “practically the same” as would make a man kingly and political; see Richard Robinson, *Aristotle Politics: III And IV* (Oxford: Clarendon Press, 1993 [1962]). At the end of the discussion of *pambasileia*, Aristotle describes the populace fit for kingship as “one that naturally produces a stock that excels in goodness in political leadership” (1288a7, III.18.4 Robinson) and an aristocratic stock is one “capable of being governed under the form of government fit for free men by those who are fitted by virtue for taking the part of leaders in constitutional government (*politikēn archēn*).” The presence of leadership in both suggests that the only difference is that aristocracy involves a constitution (as we will see here in due course); the level of excellence need not differ. Or again, one of Aristotle’s potted histories of regimes (beginning at 1286b8, III.15.11) says, “it was perhaps because of this that kingships existed in earlier times, that it was rare to find [a number of] men who were very outstanding in virtue,

We can also use the second multitude in III.11 in order to establish a *lower* threshold for the absolute king's subjects. This multitude is composed of individuals who are not excellent in any way (*axiōma ekhousin aretēs mēde hen* 1281b25, III.11.6), are not rich, and are not fit for individual office because of their "injustice and folly" (*dia adikian kai di' aphrosunēn* b27), but who should be given some collective role in government. This multitude, which can include artisans, laborers, and traders, is granted the power to elect and audit officials¹⁷ on the ground that as "users" of the regime, they have sufficient perception to judge the "practitioners," plus the practical

particularly as the polises that they lived in at that time were small" (1286b7–9, III.15.11 Lord). In larger polises there are likely to be a greater number of "similar" people (b12) of this caliber and "the best few" is expanding with the addition of people of similar virtue.

If III.18's general definition of "best" is kept in mind, such that "the best" means "the people of complete virtue (however many there are)," various passages involving "the best" person/few become easier to understand, some of which might otherwise be taken to show that the king rules over other excellent people. In the argument against domination, Aristotle says that in "an aristocratic government based on virtue" (*peri tēs aristokratias epi tēs aretēs* 1283b20, III.13.8 Rackham), one person might claim exclusive rule on the grounds of his superior virtue. He is not saying that an outstanding individual always comes to be in an aristocratic populace, only that one might imagine a dispute among aristocrats where the best person claims exclusive rule. Aristotle is non-committal about whether solo rule is appropriate in this case; his point leans rather toward the opposite, that if being better than the rest (whether in terms of wealth or virtue) is accepted as a reasonable argument, many people will be wrongly disenfranchised. Similarly, it is in "the best regime" that the exceptional person raises the prospect of ostracism (1284b25, III.13.24). Newman (I.573) suggests that *epi tes aristēs politeia* here means a regime where offices are distributed on the basis of virtue, such that the claim of a more virtuous person is acknowledged. Aristotle need not be saying anything about the virtue of the others or the general population, only that exceptional individuals might pose a problem.

¹⁷ W. L. Newman (*The Politics of Aristotle*, III.220) notes that while Aristotle considers the objection that this multitude thereby has power over the most important things, as though electing and auditing make for deliberative authority, these are distinguished in 1318b23, VI.4.4. At 1309a30, V.8.21, Aristotle recommends giving those who participate at least control over some part of government, but not the authoritative offices.

grounds of stabilizing the regime (1281b24–32, III.11.7; 1282a23ff, III.11.15ff).¹⁸

Even setting aside the question of whether the rationale of having “sufficient perception” attributes any collective virtue to this multitude, it follows from the addition of the stability concern (“to keep the polis from being full of enemies,” 1281b30, III.11.7) that the absolute king’s subjects are *not* this multitude since this multitude is unwilling to allow the excellent people to rule exclusively. The multitude we seek, on the other hand, willingly obeys the best few (1285a25, III.14.7; 1285b3 and b5, III.14.11; 1295a14, IV.10.3; 1313a15, V.10.38).¹⁹ Its members, we can infer, are of better quality than the multitude that elects and audits.

Aristotle says that the *pambasileus*’s subjects are *fit* for being ruled (1287b37, III.17.1; 1288a8, III.17.3; 1288a37, III.18.1). A (fully or partially) virtuous multitude would be capable of participating in government and this is usually taken to be incompatible with being permanently ruled. Nor can they be so bad that they would refuse to be ruled. Thus, the multitude we seek is not an aristocratic multitude, nor a political multitude, nor again a democratic multitude in pursuit of power. This leaves, between those with partial virtue and those who refuse to acknowledge virtue, the multitude of people for whom excellence, particularly political virtue, is not a private concern but who are also not intent on seizing power. The primary candidates for this role are farmers and herders.²⁰ They are said to have “moderate”

¹⁸ Aristotle was perhaps channeling Solon in adopting these principles, and also the reason for them: that the mass was capable of revolt; see P. A. L. Greenhalgh, “Aristocracy and Its Advocates in Archaic Greece,” *Greece & Rome* 19, no. 2 (1972), p. 196.

¹⁹ Similarly, the kings with wide powers have a guard composed of subjects rather than mercenaries (1285a24, III.14.7).

²⁰ Robinson imagines that the *pambasileus* rules over peasants (*Aristotle Politics: III and IV*, p. 65). I concur, though the absolute king’s subjects need not be restricted strictly to agricultural communities. Middle-class people, when there are not enough of them to be authoritative in the regime, as was typical in the “ancient regimes,” are also willing to “put up with being ruled” (1297b28, IV.13.11 Lord). Originally, the middle class lacked the organizational skills of the hoplites, but the middle class and the importance of infantry subsequently grew (1297b19, IV.13.10). If there is a difference in kind between these and the best, they (i.e., the few middle class) can also be

(1292b25, IV.6.2) or “not much” property (1318b12, VI.4.2), which means that they are busy working (1292b27, 1318b13), and so do not have time to engage in politics (1292b29, 1318b13). Their concern for private gain rather than public honor is shown by the fact that they “used to put up with the ancient tyrannies and still put up with oligarchies” so long as they are unmolested (1318b17, VI.4.3 Lord; also see 1308b35, V.8.16). This thought also appears in the chapter on whom to include in a polity. Aristotle writes that “the poor” need not be included because they “are willing to remain tranquil” as long as they are not treated arrogantly or have their property confiscated; they will also fight in wars if they are provided rations (1297b5–12, IV.13.8–9 Lord).²¹

The picture painted is of a multitude of private individuals primarily concerned with making a living who treat politics as an occasional necessity. When there is not an individual of exceptional virtue, this community forms a democracy (1318b7, VI.4.1). This is a democracy rather than a polity because its members do not aim at virtue. However, it is one of the most moderate forms of democracy, being a democracy under law and (as noted) not politically active. We will return to the characterization of the king’s subjects in Section 5 when I discuss the “difference in kind” between the *pambasileus* and his subjects.

4. The Ruler

In Aristotle’s initial statements of the superiority of the exceptional person, he is described as having virtue and political ability to such an extent that he is “like a god among men” (1284a10, III.13.13) and like lions compared to hares (b15), and that to insist he share power would be like “claim[ing] to merit ruling over Zeus by splitting the offices” (b30 Lord). He also differs by as much “as gods and heroes differ from humans” (1332b16, VII.14.2 Rackham; also 1325b10, VII.3.6). It is easy to imagine how the gods would be untouched even by a group of humans, and how lions are incomparable no matter how many rabbits there are. However, in politics the best and

included in the subjects of the *pambasileus*. See note 14 above about quantity and quality.

²¹ Vander Waerdt is concerned by “Aristotle’s willingness to elevate one man to permanent rule over the thymoeidetic citizens of his best regime” (“Kingship and Philosophy,” p. 251), but he does not appear to provide evidence for this characterization.

the rest are of the same species, and indeed are of the same stock (1259b11ff, I.12.3), so the similes cannot be taken literally.²² Similarly opaque are statements that the virtue of the best is “exceptional” (such as *kat aretēs huperbolēn* 1284a4, III.13.13; *diapherein kat’ aretēn* 1279a39, III.7.4; *hoi kat aretēn diapherontes* 1304b4, V.4.12) or “incommensurable” or “incomparable” (*mē sumblētēn einai* 1284a6, III.13.13), as these concern the gap in virtue rather than its absolute level.

More straightforward are declarations that the best people—whom the exceptional individual matches and perhaps exceeds—“possess virtue” (*hoi tēn aretēn ekhontes* 1283b10, b12, III.13.6). “Having virtue” suggests that the best might be people with every virtue—in contrast with the partly virtuous multitude discussed in Section 3—and we can import the account of the virtuous person in *Nicomachean Ethics*.²³ In *Politics*, the virtues involved in governing, namely, the character virtues and practical wisdom rather than theoretical contemplation and inquiry, are mentioned; it is deliberation, in particular, that makes the good man and the good citizen the same (1277a14–23, III.4.7–9 compared with, e.g., 1334a13–17, VII.15.1–2).

Concerning political *ability*, William Newman refers us to V.9 (1309a32) where “ability to do the job” is one of the three qualities necessary for holders of supreme offices, alongside virtue and loyalty

²² R. G. Mulgan, taking the simile at face value, thinks that a ‘god among men’ would be an anomaly and that absolute kings therefore do not exist; see R. G. Mulgan, *Aristotle’s Political Theory* (Oxford: Oxford University Press, 1977), p. 87. He cites 1332b22, VII.14.3, which is in the context of the ideal regime, so perhaps Mulgan thinks only that absolute kings cannot be so different from other virtuous people.

²³ The same substantives used in *NE*—*agathos*, *spoudaios*—are also used in *Politics*. In III.11, for example, in the discussion of whether a multitude might match the best, the best few are *tous aristous* and the basic statement of collective virtue is that while no member of the many is a good man (*spoudaios anēr*), jointly they can gather together what good men (*hoi spoudaioi*) have individually. When Aristotle reconsiders the claim of the multitude, he says that it might collectively be better (*beltious*) than *tous aristous* (the best people) even though it is composed of men who are not good (*ou spoudaios anēr*). *Spoudaios* is used at 1281b10 and 18, III.11.4–5 and *tois beltiosi* at 36, III.11.9. *Anēr spoudaios* is used at 1283b6, III.13.5; *ton spoudaiotaton* at 1281a33, III.10.5; *hoi aristoi* at 1279a35, III.7.3 and 1281a41, III.11.1; *beltios* at 1283a22–36, III.13.1 and 1283b38, III.13.11.

to the regime.²⁴ What tasks and time this involves will depend on the size and articulation of the polis, but the most important tasks are judging, deliberating, generalship, and religious leadership.²⁵ Since the main functions of government are judging and deliberating,²⁶ much of the “political ability” required of the best person seems to be built into “virtue.” The excellent human, that is, is well suited for government, even when as *pambasileus* he is responsible for all of the state’s political functions and executes them without the guidance of law.²⁷

²⁴ Newman, *The Politics of Aristotle*, III.241. Ability is distinguished by Newman from influence (both translations of the same Greek word *dunamis*), which a few lines later (at 1284a20, III.13.15) is said to follow from “wealth or popularity or some other form of political strength.”

²⁵ In V.9 Aristotle gives generalship as an example of a job with its own expertise. Generalship and religious roles (including offering sacrifices) were two ways in which the traditional kings kept the polis secure; see Newman, *The Politics of Aristotle*, III.259; and Chester Starr, “The Decline of the Early Greek Kings,” *Historia* 10, no. 2 (1961), p. 137.

²⁶ Aristotle criticizes Plato’s *Republic* for leaving out “assigning justice” as a necessary function in his primitive city: there is already need of a judge, Aristotle says (1291a22, IV.4.13).

²⁷ At 1305a11, V.5.7, Aristotle mentions rhetorical skill as an ability lacked by the generals of ancient democracies, though the situation now is reversed. Excellent individuals presumably also have leadership qualities such as the authoritativeness that is said to be lacking in women at 1260a12, I.13.7. At 1308a8, V.8.5, Aristotle advises regimes of the few to bring into the regime those who “have the mark of leaders” from among the many.

A more practical mark of political ability might be found in the fact that, according to Aristotle, the heroic kingships were established because of some “benefaction” done by an individual “in connection with the arts or with war or by bringing them together or providing them land” (1285b6, III.14.12 Lord) or by keeping the city from being enslaved, by liberating the populace, by founding the city, or by acquiring territory (1310a35, V.10.8; see also 1329b12, VII.10.4). The benefactions, however, are singular events and might not guarantee continued virtue and ability in day-to-day operations. It is also not clear that benefactions elevate the heroic kings greatly in terms of virtue; Aristotle gives a list of how kings come to be based on various sorts of “merit” where benefactions are distinct from virtue: “individual virtue, virtue of family, benefactions, or these things together with capacity” (*kat axian gar estin, ē kat idian aretēn ē kata genous ē kat euergeias ē kata tauta te kai dunamin* 1310a31, V.10.7 Lord). One thing that kingship via benefaction suggests, however, is that kingly people need not have been “exceedingly

These descriptions (of political virtue and ability) are simply of people who “have virtue.” In order to create space for the exceptional individual, someone might offer a minimalistic or degraded understanding of this virtue as acceptable for warranting the descriptor “has virtue.”²⁸ However, those who defend the “virtuous subjects” interpretation do not seem to take this line. Rather, they seem to ascribe perfect virtue to the exceptional individual and then assume that the virtue of the people who “have virtue” is somehow less than this. Richard Kraut writes, “Since these extraordinary human beings never give way to passion, they can be relied upon always to see what must be done in each situation.” Brendan Nagle writes, “The best man’s will is supreme because he *always* makes the right decision.”²⁹

rare” (as Riesbeck, *Aristotle on Political Community*, p. 18, puts it); there might be such a person in any polis, the outstanding person who leads the community. But, of course, the leader of a community is not necessarily virtuous, and so, while there might historically be many exceptional individuals, only a few are exceptional in virtue, as Riesbeck suggests.

Aristotle is balancing historical, practical, and ideal conceptions of kingship, as he does with other topics in *Politics*. Aristotle’s account of *pambasileia*, as with his account of citizenship, refines historical examples into a theory that can be applied critically to historical practice: some so-called kingships were just while some were in fact tyrannies, and some “exceptional” individuals who contended for power were not exceptional. The notion of excellence itself is subject to change over time: A. W. H. Adkins (*Merit and Responsibility* [Oxford: Clarendon Press, 1960], chaps. IX and X) considers a shift in attitude concerning virtue, away from self-expressive greatness toward self-controlled civic management: “*Aristos* here [Euripides’s *Electra* 367] clearly commends self-control, a complete departure from traditional usage” (p. 177); “The self-controlled man is *agathos* because self-controlled men are best at the organization of their cities and their own houses in the interests of prosperity” (p. 195).

²⁸ The case that the virtuous person of *NE* is *not* perfect has been made by some scholars. For a summary and bibliography, see Christopher Horn, “Aristotle on the Possibility of Moral Perfection,” in *Aristotle’s Anthropology*, ed. Geert Keil (Cambridge: Cambridge University Press, 2019), pp. 200–218. I am sympathetic to these readings and would generally prefer that *Politics* were read before *NE* in order to give an initial understanding of excellence that is far from god-like.

²⁹ Brendan Nagle, “Alexander and Aristotle’s *Pambasileus*,” *L’Antiquité Classique* 69 (2000), p. 121; Richard Kraut, *Aristotle: Political Philosophy* (Oxford: Oxford University Press, 2002), p. 455.

The incommensurability of the *pambasileus*'s virtue and ability would presumably be built on this impeccable judgment. Rather than attempt these tasks on behalf of such scholars, it seems to me that the starting point of perfect virtue is not textually warranted. Aristotle entertains (and, I think, endorses) critiques of the exceptional man. The criticism comes in the discussion of kingship and of *pambasileia* versus law, to which we now turn.

Having introduced five types of kingship in III.14, Aristotle proposes at the opening of III.15 to “set aside” the three kingships between the Spartan general and the absolute king because the extent of their powers falls between the two. He then sets aside the Spartan general as being constitutionally governed and so not, in fact, a regime. This leaves only the fifth type of king—*pambasileia*—and so the “beginning point of the inquiry” is whether it is better “to be ruled by the best man or by the best laws” (1286a8, III.15.3 Lord; 1284b37, III.14.1).³⁰

There are two types of argument against *pambasileia* and in favor of law in III.15 and III.16. The first is familiar from III.9 and III.13, that justice disallows kingship when people are roughly equal in virtue. The second is that humans—all humans—are fallible in a way that law is not. Let us turn first to the latter as it pertains most directly to our question of the virtue of the exceptional individual.

Both humans and the law will have the same “universal account” (1286a16, III.15.5), Aristotle says, but only humans are afflicted by emotions. Aristotle writes that “spiritedness (*thumos*) perverts even the rule of the best men” (1287a30, III.16.5; 1286a16, III.15.5; 1286a33, III.15.8). In III.16 this is fleshed out to include exhibiting bias in their own case (1287b3, III.16.8; 1280a14, III.9.2) and toward their friends (1287a37, III.16.7; 1327b40–28a7, VII.7.5–6) where spirit is the source of friendliness and anger and rule. The issue of heredity provides another example of human inability to follow reason. Whether it is due to the affection that fathers feel for their sons or to the desire to see their legacy perpetuated, Aristotle thinks it would be “an act of virtue above the level of human nature” for a king not to

³⁰ Steve Wexler and Andrew Irvine contend that democracy rather than kingship is on Aristotle's mind when he asks this question; see Steve Wexler and Andrew Irvine, “Aristotle on the Rule of Law,” *Polis* 23, no. 1 (2006), p. 128. I prefer to take Aristotle at his word and think that while Aristotle is worried elsewhere in Book III about bad rule by multitudes, he is *here* concerned about imperfect rule by individuals.

pass the office on to his children even though the child of a king might not be as virtuous as the father (1286b25, III.15.14).³¹

As with rule by the lesser multitude in III.11, law follows on the heels of worries about corruption, since law is “intellect without appetite” (*aneu orexeōs nous* 1287a31, III.16.5 Lord; anticipated by 1254b7, I.5.6 and 1281a34, III.10.5).³² As a result, while the generality of laws means human deliberation and judgment are inevitable (1286a22, III.15.6), law should rule as much as possible.³³ We move thus to the question of who should deliberate about particulars: One person or more than one? It is argued that it is better to have a number of deliberators rather than just one (1286a27–35, III.15.7–8), so long as they are all “excellent of soul” and “good men” to avoid the possibility of faction (1286b2–7, III.15.10).³⁴ If the one best person is a perfect

³¹ W. R. Newell recasts the passionate element as “the leonine qualities of a lord and master”; see W. R. Newell, “Superlative Virtue: The Problem of Monarchy in Aristotle’s ‘Politics’,” *Western Political Quarterly* 40 (1987), p. 173.

³² See Thomas K. Lindsay, “The ‘God-Like Man’ Versus the ‘Best Laws’: Politics and Religion in Aristotle’s ‘Politics’,” *The Review of Politics* 53, no. 3 (1991), pp. 488–509, for a discussion of “the divine” in the line “One who asks law to rule, therefore, is held to be asking god and intellect alone to rule” (1287a29, III.16.5).

³³ Law might be given by an excellent individual who deliberates at length and is free from the partiality of particular circumstance, but law is upheld and interpreted over time by those who use it. Jill Frank argues that “the rule of law and the rule of men must be understood together”; see Jill Frank, “The Rule of Law and the Rule of Men,” *International Studies Review* 7, no. 3 (2005), p. 509. See also Jill Frank, *A Democracy of Distinction* (Chicago, IL: University of Chicago Press, 2005), chap. 4, and Jill Frank, “Aristotle on Constitutionalism and the Rule of Law,” *Theoretical Inquiries in Law* 8, no. 1 (2007), pp. 37–50. This accounts for the way in which law can appear to be an afterthought in *Politics*; as soon as one says “law should rule,” one immediately asks, “And which humans should be its guardians and interpreters?” Thus, the various discussions throughout *Politics* on *who* should rule (including rule by a multitude in III.11), even if rule by humans is secondary to rule by law.

³⁴ Aristotle, *Rhetoric*, trans. J. H. Freese (Cambridge: Loeb Classical Library, 1926), 1354a32–b11, I.1: “It is proper that laws, properly enacted, should themselves define the issue of all cases as far as possible, and leave as little as possible to the discretion of the judges; in the first place, because it is easier to

ruler, there ought to be no difference between one person deliberating and a group,³⁵ but Aristotle here recommends aristocracy over kingship on the grounds of increased incorruptibility and recommends that the rulers consider themselves “law-guardians and servants of the law” (1287a22, III.16.4; 1286b32, III.15.15).

However, deciding on the particulars within the scope of law indicates a constitutional regime (1287a1, III.16.1; “this is already law” 1287a18, III.16.3), and so Aristotle returns to the question of *absolute* kingship and goes back to the basic argument between law and the best man. Some new considerations in favor of law are added (the power of custom); some of the arguments from III.15 are repeated (that doctors are aware of their own bias; that two heads are better than one, and so the king will add people whenever he can); and some of them are subject to additional scrutiny, with more forceful arguments against absolute kingship. One argument against law in III.15 was that the law cannot decide particular cases, but Aristotle points out that “a human being could not decide them either” and that it is law that educates people so that they can give their best decision (1287a24, III.16.5). In III.15 it was argued that just as doctors may depart from the doctrine so lawyers may depart from the law, but in the case of medicine, Aristotle now adds, the doctor’s goal is still to heal the patient, whereas in politics the departure is often in order to act in one’s own interest (1287a33–41, III.16.6–7).

Aristotle concludes with a neutral-sounding sentence: “The arguments of those who dispute against kingship are, then, essentially these” (1287b35, III.16.13).³⁶ However, the argument seems to go to

find one or a few men of good sense, capable of framing laws and pronouncing judgements, than a large number [L]ove, hate, or personal interest is often involved, so that they are no longer capable of discerning the truth adequately, their judgement being obscured by their own pleasure or pain.”

³⁵ As mentioned already, in *Politics* III.11 the collective virtue of the first multitude is said (at 1281b3, III.11.2) to be equal or *better than* the virtue of the best few, and thus it qualifies (collectively) for inclusion in the authoritative offices, though not for individual offices.

³⁶ Aristotle, it seems, can be thought an early exponent of Lord Acton’s saying that “absolute power corrupts absolutely [everyone],” though he takes the corruption to be limited to cases of direct personal interest such as passing on rule to one’s son. We need not always find (as Acton goes on to say) “the greatest names coupled with the greatest crimes”; see John Emerich Edward

the proponents of law, as the arguments against law from III.15 are rebutted by the additional considerations in III.16. As far as the virtue of kingly individuals is concerned, it appears that such people are subject to the self-interest of which law is (or can be) devoid.

All I have done with this discussion of Aristotle on law versus the exceptional individual is reject the idea that the exceptional individual is ethically perfect. There might be space enough for an interpretation that would make the *pambasileus* very-but-not-perfectly virtuous and still allow that the subjects “have virtue” in such a way as to explain how the absolute king does not disenfranchise other virtuous people. I leave this as a challenge for those who think that the *pambasileus* rules over virtuous people and turn, instead, to the task of completing my own reading.³⁷ Of course, by arguing for the kingly individual’s imperfection, I have made it more difficult for my own reading to show how *pambasileia* does not violate political justice. Does it thus follow from III.16 that *pambasileia* is never appropriate? No. The upshot, at the opening of III.17, is that *pambasileia* is appropriate if the populace is “apt for kingship” (1287b37, III.17.1; 1288a9, III.17.4) and there is one person (or a few people) of exceptional virtue (1288a15, III.17.5). If we take the result from the preceding section—that the ruled populace is an agricultural multitude—we can still follow Aristotle to his conclusion. There can still be an incommensurable gap between ruler and ruled. Dispensing with law does not require perfect virtue; it only requires that the

Dalberg Acton, *Acton-Creighton Correspondence: Three Letters* (1887), Letter 1, accessed online at: <https://oll.libertyfund.org/title/acton-acton-creighton-correspondence>.

³⁷ Atack (in “The Discourse of Kingship in Classical Athenian Thought” and her “Aristotle’s *Pambasileia* and the Metaphysics of Monarchy,” *Polis* 32, no. 2 [2015], pp. 297–320) explores the tradition of perfection in kings in Greek political thought (specifically, Isocrates and Xenophon) in which the king is “the paradigm of virtue”: “Fourth-century rulers used as exemplars by Isocrates include Archidamus and Nicocles as speakers, and Jason of Pherae (*To Philip* 119–120), Dionysius of Sicily (*Nicocles* 23, *Philip* 65, *Archidamus* 44), Amyntas of Macedon (*Archidamus* 46, *Philip* 106), and Cyrus the Elder (*Philip* 66, 132, *Evagoras* 37–38), but Philip of Macedon assumes a central importance in his later work” (“The Discourse of Kingship in Classical Athenian Thought,” p. 300 n. 6). On my interpretation, Aristotle is less prone to this longing for perfection, and also less so than modern scholars who invoke a god-like *pambasileus*.

demands of political justice can be satisfied in the king's favor. If there is only one good man and the argument can be made that he differs in kind from the rest of the populace, the king would make the law himself and be held to it by himself.

5. Difference in Kind

If the reading of the two preceding sections is accepted, *pambasileia* turns out to be a regime in which a single person of complete but imperfect virtue rules without law over people without any excellence. To complete my reading I would like to return to the question of how the exclusive rule of the exceptional person can avoid violating the principle of political justice by being different in kind from those he rules.

To explore the possibility that there is a difference in kind, I turn to Aristotle's discussion of the household in I.12 and I.13. When Aristotle distinguishes the types of kingship (in III.14), he notes that *pambasileia* resembles household rule, which is a kind of "kingship over the house," and so absolute kingship is "household management for a city or a nation (or several nations)" (1285b32, III.14.15 Lord). Household management involves the male head of the household in three different relationships: with the wife, child, and slave. In each relationship the head rules and the other party is ruled, and in each case there is a difference *in kind* between the virtue of the ruler and the ruled. Aristotle writes, "Why should one of them rule once and for all and the other be ruled once and for all? (It cannot be that the difference between them is one of degree. Ruling and being ruled differ in kind [*eidei*], but things that differ in degree do not differ in that way)" (1259b35, I.13.4 Reeve).³⁸

³⁸ Aristotle begins *Politics* by criticizing certain unnamed theorists who think that the forms of political rule have the same nature as other human power-relationships (1252a7, I.1.2). One could perhaps use this fact to argue that importing the criterion of 'being different in kind' from these relationships to kingship is unfounded. Instead, I think that kingship is not a political relationship and precisely a ruler-ruled relationship, though its goal is different from the goal of the husband, father, or master. Much hay has been made over the "paradox of monarchy" which, in Riesbeck's formulation, alleges that Aristotle's theory of *pambasileia* suffers from two problems: normative and conceptual. The first is that *pambasileia* excludes the subjects from the political participation that is necessary for the good life and the second that monarchy is not political; see Riesbeck, *Aristotle on Political Community*, p. 8. I do not think (a would-be) *pambasileia* can exclude from

We are told that the householder rules over the slave because the slave lacks the deliberative element,³⁹ the wife has deliberation but it lacks authority (*akuros*), and the child's deliberation is "incomplete" (*ateles*) (1260a13, I.13.7). We are also told that the father rules over the child in a monarchical fashion, rule over the wife is republican (1259b10), and rule over the slave is despotic (1277a33, III.4.11).

If individual rule requires a difference in kind over the ruled, then the differences between the householder and the slave, child, and wife are all differences in kind. The difference with the slave who lacks deliberation is an obvious difference in kind, but so too, apparently, is the difference with the child, whose deliberation is incomplete. Newman explains the child's "incomplete" deliberation by reference to the *Nicomachean Ethics*'s claims that children "live at the prompting of desire" (*NE* 1119b6, III.12 Rackham) and in the absence of deliberate choice (*NE* 1111b8, III.2).⁴⁰ The first might provide a more satisfactory explanation of how the child's deliberation differs in kind from his father's. Similarly, the difference between husband and wife is not anything to do with their intelligence but with her rational faculty's lack of authority. Even if she and the husband consult with each other, the decision is ultimately his, due to his greater spirit (*thumos* 1328a6, VII.7.6) and expertise in leading (1259a42, I.12.1).⁴¹

governance anyone who could benefit from holding office and I embrace the idea that *pambasileia* is not political.

³⁹ Though the slave has the rational part of the soul because he apprehends reason (1254b22, I.5.9).

⁴⁰ Newman, *The Politics of Aristotle*, I.219. The child thus needs to develop in two ways: first, to associate pain with the improper impulses of the emotions, and second, to inculcate the ability to deliberate.

⁴¹ At 1259b9, I.12.2, Aristotle remarks that the relationship between the man and the woman in the household is like political rule where it happens to be one person's turn to rule and that, like Amasis's footpan-turned-statue, the quality doesn't depend on what exterior form is taken. See also his wry quotation of Sophocles's *Aias* 293 at 1260a30, I.13.11: wives are told by their *thumotic* husbands to shut up even when giving them good advice; see Sophia Connell, "Aristotle on Women," 94th Joint Session of the Mind Association and Aristotelian Society (2020), at 14 min. 45 sec.–16 min. 47 sec., accessed online at: <https://www.youtube.com/watch?v=L-f9IRf3ozc>. The quotation is "wry" because if he did not at least sometimes listen, the rule would be monarchical rather than political. As husband and father, the man rules in the

Each of these is a difference in kind that serves as a sufficient reason for the head of the household to rule and the other party to be ruled. What they have in common, of course, is some kind of deficiency, which means that an external source is needed to form or implement the decision: the slave cannot plan at all, the child cannot plan yet, and the woman (who is equal in intelligence to the man) fails to match the spiritedness of her husband. However, the type of ruling-and-ruled relationship that results is different in each case. Since the *pambasileus*'s rule over his subjects is monarchical, we should expect it to be the same as or similar to the relationship between the father and the child, and different from his relationships with the wife and the slave.

The subjects of the *pambasileus* are free, which means that they do not lack the deliberative element, though if they had it as the wife does, their relationship would be political rather than monarchical.⁴² Their deliberation might thus be lacking in some way, like the child's. One thing we do know about the subjects (as portrayed in Section 2 above) is that they engage in politics only when necessary and are private citizens more concerned with making a living for themselves and their households.⁴³ This might be enough to establish a difference in kind. In *Nicomachean Ethics* VI.8, Aristotle distinguishes practical wisdom—the most “characteristic function” of which is deliberation (*NE* 1141b10, VI.7 Ostwald)—from political wisdom (*politikē*), and political wisdom has various concerns: one's own person, the household, and politics (which is itself subdivided into legislative, deliberative, and judicial) (*NE* 1141b32, VI.8). Aristotle continues: “And yet, surely one's own good cannot exist without household management nor without a political system.” The ordinary householders over whom the absolute king rules, with their focus on

interests of the wife and child, but the father does not take the child's opinion on matters into consideration.

⁴² The multitude is composed of free people and is of the same stock as the best few (1259b11ff, I.12.3), as are the wife and the child: both the wife and the child are treated as free persons (1259a39, I.12.1) and the child (if not necessarily the wife) is of the same stock as the father.

⁴³ See the discussion of the domains of practical wisdom in *NE* VI.8.

private interests, have an incorrect view of their own well-being and fail to see the importance of the political.⁴⁴

If we need a word or a phrase to denote the difference between the deliberation of the *pambasileus* and the subjects, in the same way that the slave's deliberation is "absent," the wife's "not authoritative," and the child's "undeveloped," we might thus say that the subject's is "apolitical." The apolitical stance of the subjects can, in turn, be applied to deliberation and "political ability": if they have little interest and practice in politics and political functions, they would likely be unable to do the jobs that politics requires, whether legislating, deliberating, judging, or leading in war.

In sum, it seems possible to articulate a difference in kind between the *pambasileus* and his subjects. The best people can be *incomparably* better than the many, meaning that the best differ in kind from their subjects. The difference is that the best, despite their imperfections, are virtuous while the many over whom they rule are ordinary folk concerned with making a livelihood.

6. Conclusion

Law "must necessarily be concerned with persons who are equal (*peri tous isous*) in birth and ability" (1284a12, III.13.14; 1295b24, IV.11.8 says the same of the polis).⁴⁵ Thus, when there are a number of people, they should all be brought into government under legislation rather than being dominated by a single individual or sub-

⁴⁴ Perhaps like the child the subjects also have unruly desires, but against this we must remember that they recognize the king's excellence and become his willing subjects. In any case, it is not necessary to fit the child's deficiencies onto the subjects, but rather find a way in which the rule by someone different in kind can be monarchical.

⁴⁵ The idea that law is for equals allows for gathering inhabitants into different groups who are roughly equal and allocating to them roughly equal though different powers (though all are citizens). There are weaker senses of "authoritative" than having power over everything, such as holding only the most important functions of government or of having power to approve or reject but not to formulate law. The mark of a good polity is that it is difficult to tell whether the many or the few are dominant (1294b15, IV.9.6). However, in II.2 Aristotle notes that it would be better for the same people to rule continuously, but even a single body might require ruling and being ruled in turn when there is a large number of citizens. He likens the transition from some people ruling to others ruling to carpenters and shoemakers changing trades (1261a30–1261b3, II.2.4–6).

group.⁴⁶ Exceptional people do not fall within this principle, and so “they themselves are law” (1284a15, III.13.14; 1288a3, III.17.2) without violating the principle of political justice. In this article, I have attempted to describe what I take to be Aristotle’s understanding of “exceptionality” when it comes to virtue and leadership. Rather than supposing that the kingly individual differs from and rules over other virtuous people by somehow having an exalted level of virtue compared to theirs, I suggest that it is more sensible to think that for Aristotle an exceptional individual avoids unjustly disenfranchising others when the inhabitants of the polis are fit for kingship in the sense described here, that is, as a populace of politically unengaged individuals, not so good as to warrant authority and not so ambitious as to insist on some office (such as electing and auditing) in the face of a leader who has the interest of the polis in mind (and perhaps has achieved some great feat relating to it) but is capable of occasional self-dealing. He is a single excellent man in want of peers who might together with him constitute a political community and a code of law.

⁴⁶ Outstanding people cause a problem for the stability of regimes, and not just regimes based on virtue. Aristotle broadens his discussion of ostracism (in 1284) to include other forms of exceptionality besides virtue. Even a deviant regime that expels a person who is exceptional in terms of strength, wealth, or popularity (1284b28) does so justly, at least relative to the regime, because the constitution is under threat. Hence, democratic states ostracize powerful people (1284a17), as do monarchs (1284b14). The discussion of ostracism indicates that exceptionality is not an infrequent problem and can take many forms; it is a version of the basic problem with which we began (in the argument against exclusive rule), namely, that people want to rule over other people based on their individual or group superiority. I take it—though I do not argue for this here—that in the discussion of ostracism Aristotle thinks that it’s generally *not* true that the outstanding person is in fact better than everyone else (even taken collectively), even if he thinks he is. Aristotle writes that he would prefer if correct regimes were so constituted that ostracism did not need to be employed, which means that the regime should be constituted so that large gaps between people did not arise (1284b17, III.13.23; 1302b15, V.3.3; 1308b18, V.8.12). Newman (*The Politics of Aristotle*, III.244–45) lists the available measures as “avoid creating great offices held for long terms . . . equalize property . . . and increase the number of the moderately well-to-do.” The first of these measures deprives officeholders of the opportunity to abuse their power and increase it (1308a18–23, V.8.7 and 1310b20–25, V.10.5–6). Restrictions on the distribution of property will hopefully prevent inequalities of wealth, though, as Aristotle notes, it is better to moderate desire (1266b14–30, II.7.6–8).

When there is only one person who is good enough to make and interpret laws, there is no need for laws nor for law in the sense of a constitution.⁴⁷

We can't even really say that absolute kingship is in tension with the rule of law; it simply falls short of being a situation in which law is appropriate. This absence of law is built into the phrase tucked in at the beginning of the introduction to the exceptional man in III.13: an absolute ruler can only be appropriate when there is "one man . . . or more than one [person of exceptional virtue] but not enough to be able to make up a complete state" (1284a4–5, III.13.13 Rackham).⁴⁸ The "completeness" of a state does not essentially depend on having many people to perform all of the public functions, as there might be few functions or many, depending on the size of the polis; in a very small community, there might be need for only one ruler. Rather, it depends on whether a constitution is needed in order to distribute offices to people. At 1286b14, III.15.11, the rise of additional virtuous people in the polis leads them to seek "something common and to establish a *politeia*"⁴⁹ and "It is therefore just [that they rule and are ruled] by turns. But this is already law; for the arrangement [of ruling and being ruled] is law" (1287a18, III.16.3, again).

The growth of polises is Aristotle's explanation for the scarcity of kingships in contemporary times,⁵⁰ compared to when communities were small and lacked public treasuries (1286b20, III.15.13). One of

⁴⁷ Mulgan (*Aristotle's Political Theory*, pp. 87–88) puts the idea as follows: "If men were not sufficiently equal there would be no justification for political rule under law." Robinson (*Aristotle Politics: III and IV*, p. 65) gives two reasons for the king being law. One is the one employed here, that law is a matter for equals. The other is that law as a moral educator is not needed in the case of the exceptional individual. But this assumes perfection on the part of the king. He could, in fact, benefit from being held to the law by others, which is why on my account aristocracy is a better regime, though both are "best" in the sense of being rule by the virtuous.

⁴⁸ See also "in relation to the task, and whether they are able to administer the state, or sufficient to constitute a state" (at 1283b11–13, III.13.6 Rackham).

⁴⁹ Lord translates *politeia* here as "polity," while Rackham goes for "republican constitution." For discussion, see Brecht Buekenhout, "Aristotle's Peculiar Analysis of Monarchy," *History of Political Thought* 39, no. 2 (2018), p. 227 n. 28.

⁵⁰ Except in India, see 1332b23, VII.14.3.

Aristotle's potted histories of regimes says that "it was perhaps because of this that kingships existed in earlier times, that it was rare to find [a number of] men who were very outstanding in virtue, particularly as the polises that they lived in at that time were small" (1286b7-9, III.15.11 Lord). In larger polises, there are likely to be a greater number of "similar" people (b12) of this caliber and shared rule is appropriate. If this is not the case, one person might have to do without law and without the others who might check his self-interest and, instead, must rule alone.