

Questions of subordination and law in early political thought



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In “ The Politics” Aristotle made an explicit rationale for subordination. He suggested that some human beings may possess an innate fitness for either slavery or rule, and that those who are enslaved deserve to be so entirely because they have been dominated by a stronger power. Aristotle’s justification rests in part on the example of the perceived properness of the inanimate soul’s rule over the body and the mind’s rule over the appetite. Since these are beneficial ordinations, he argued, it follows that parallel ordinations, such as a statesman leading a populace and a slave obeying a master, are beneficial as well. Moreover, distinct classes in society, particularly rulers and manual laborers, are understood to possess different skill sets — one for governance, another for labor. Good rulers (i. e., rulers who possess the appropriate skills and qualities for leadership, such as prudence and experience) ought to be obeyed because they are best suited in society to give orders. Since Aristotle believed that such civic arrangements had the end of common happiness (reaping the benefits of communality and the good life) and safety, it follows that monarchs and masters ought to be obeyed in order to reach this end; in other words, if this is indeed an ideal system and a true conception of the nature of man, as Aristotle argued, then obedience to it promotes stability. In a similar fashion, St. Augustine conceived peace as a basic end, albeit in an early Christian context. St. Augustine viewed the world as composed of two Cities, one secular and caused by the love of self, the other heavenly and caused by the love of God. The former is best represented by the Roman Empire, the latter by the Christian Church. Both cities are concerned with politics as a means to peace, described by St. Augustine as contentment, security, and joy. Yet for the earthly city, “ peace” does not involve the end of war, but rather a sort of

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equilibrium of power, an ideal state of relations between one and one's neighbors that is desired "for the sake of enjoying earthly goods." For the heavenly city, peace and joy are desirable, yet the ultimate aim is to reach Heaven in the afterlife through the love of God and the avoidance of sin. Both cities involve similar structures of governance with rulers and subjects, yet in the earthly city, princes and nations "are ruled by the love of ruling," and in the heavenly city, princes and obedient subjects "serve one another in love." In worshiping God, the heavenly city is capable of living in peace. Members of the worldly city, meanwhile, achieve peace through wars and conquest with the aim of reaching some comfortable state of ownership such that they can enjoy worldly goods, a similar end to which Aristotle argued. Inevitably it comes to pass that godly people are dominated by ungodly rulers. St. Augustine stated explicitly that the "dominion of bad men harms themselves" in committing immoral and unfaithful deeds while those subjugated by bad men "are not hurt except by their own iniquities." By this reason, the good slave can be considered free while the bad master can be considered enslaved by his vices; one stands to inherit Heaven, the other Hell. St. Augustine's arguments lead to the notion that a Christian is obligated totally to the worship of God, whose laws, and not the laws of an ungodly ruler, dictate proper action. St. Augustine suggested that ungodly people, as in the Roman republic, are incapable of acting with (God's) justice, and that this lack of justice de-legitimizes rule. In other words, there is no right without justice and no justice without God. Therefore, obedient members of the godly city do not owe obedience to such rule, particularly if it violates God's laws. Thomas Aquinas, writing nearly a millennium after St. Augustine, referred to the human expression of God's divine law as natural law. This law

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is imbued in human beings from their Creator and reaches where man-made law cannot; that is, into the inner motivations of humans, with the intention of having citizens be good. Natural law is “ a dictate of a superior [i. e., God] over his subjects [i. e., humanity],” but Aquinas cautioned that such obedience “ is a good that is not absolute, but only relative.” This is the law of St. Augustine’s city of heaven. By contrast, secular, human law has no affect on one’s salvation, and exists entirely to make society function properly; thus, Aquinas’ basis for human law is analogous to Aristotle’s basis for social obedience. While human law restricts much of what natural law restricts (such as murder), human law is not a mirror image of natural law because individual humans exist at differing levels of virtue, and “ many things are allowed to men who are not advanced in virtue that would not be tolerated in a virtuous man.” Aquinas wrote that human law can be safely ignored if it is unjust, if it is made by a ruler for reasons besides the benefit of the community, or if it places unequal burdens on the community, or if it is contrary to divine law. Aquinas thus agreed with Augustine that the rule of Augustine’s city of earth over the righteous did not extend to unjust laws. However, Aquinas quoted Matthew in arguing that one must follow even unjust laws in order to “ avoid scandal or disorder” — yet under no circumstances can a Christian violate divine law. In a situation such as this (e. g. institutional pagan worship), a Christian may not obey such a law, even if disorder would be caused.