

Laws governing our behaviour philosophy essay



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"...the very fact that a man obeys the law is due to his goodness." (Aquinas: 96) " The gap between how people actually behave and how people ought to behave is so great that anyone who ignores everyday reality in order to live up to an ideal will soon discover he has been taught how to destroy himself." (Machiavelli, The Prince, p. 48) " But fear restrains men because they are afraid of punishment, and this fear never leaves them." (Machiavelli, The Prince, p. 52) " It is essential that anyone setting up a republic and constitution for it should assume that all men are wicked and will always give vent to their evil impulses whenever they have the chance to do so." (Machiavelli, Discourses, p. 92) " Men never do anything good except when forced to." (Machiavelli, Discourses, p. 93) Laws do not make men good. Critically compare Aquinas and Machiavelli's responses to this claim

Laws cannot make people good and virtuous, it should be people who have to make laws good

Human beings do not just exist as biological creatures, they are also social creatures. Humans have to fulfill some responsibilities to live in a commune, for that reason every individual have to obey the spoken and the written rules.

Society without law is impossible to think of. It can only regulate and work properly with laws. However laws do not make men good. People do not need laws and rules to know what is right or wrong. This knowledge is to be inside of every individual. Basic issue that my term paper needs to examine is that laws make men good or not. I will explain Machiavelli's and Aquinas' response to these questions then I will explain my argument.

According to Machiavelli, *virtu* is skill and ability in ruling. It is not a moral thing. A man that has *virtu* means he is extremely good at what he is doing. To survive and lead to victory, he believes, sometimes prince should act unjustly. The virtuous man is the one who has the qualities that lead him to success in his actions. Prince is a decent man but sometimes he should act without morality. (Prince, 18). If he wants to hold on to power, he should learn how not to be good. Because, in some circumstances, his goodness would damage him if he cannot use it skillfully. But even virtue cannot guarantee success. So fortune is an important term for prince to achieve his goal. (Prince, 20). Some events happening in our lives and we are not able to change it. Machiavelli says that *fortuna* determines one half of our actions but it also leaves us to control the other half. (Prince, 74). A ruler who only depends on his luck will not survive long because when his *fortuna* changes, it will destroy him. If one knew how to change, as times and circumstances change will survive with his luck. *Virtu* depends on *fortuna* and Machiavelli's prince needs *fortuna* to survive long. Both luck and skill needed him to overcome problems. He says the way that people behave and should behave is different and they obey the rules not because they are good but because fear restrains them (Prince, 48).

Hence laws do not make men good, people pretend to act good and they only obey it because they are forced, we cannot say law contribute them to be act virtuously. People can easily corrupt and it is their nature to want to be ambitious and to be greedy. Where there is a freedom of choice, they will immediately abuse it. So they only act justly when they are forced to. (Prince,

93). Obeying rules does not make them just, they behave this way because they fear.

On the other hand, Aquinas supports that law is a measure and rule which governs people's acts.(Aquinas, 77). It is a kind of teacher that teaches people how to act virtuous. So for Aquinas, human laws are required not only to prevent the vicious acts, but also to lead them to be virtuous. Law, even by forcing and punishing, leads men to act good.(Aquinas, 100). For him, happiness is the final end of human life and lawful acts tend to produce happiness and blessedness to reach the final end.(79). He also believes there is a natural law in people. He points out that every individual understand what is good or bad for himself and human laws derive from the natural laws.

Laws are the guardians against the human nature because people would corrupt the freedom if they are not restrained. However rules are not enough to make people good. It just help us to understand people who are tend to bad things. We do not need rules and laws to know what is wrong or right. This knowledge we should have inside. If law compels citizens to act good and they only obey it because they are forced, we cannot say law contribute them to be act virtuously. It is a fact that human beings react in different circumstances in different way of acting. Virtue is something which people acts morally without any external force. So for that reason it frees people from obligation because virtuous person is choosing to act morally by his own. It is a fact that if laws restrain a man not to kill anyone it can never leads him to have virtue. It must be chosen voluntarily otherwise it does not make him good in real.

In conclusion, the thought of fear and punishment restrains people's acts. To ensure the peace, human laws are required. However when people act involuntarily good, it does not make them really good. Acting virtuously is a choice that people accept it freely. It is impossible to improve people as virtuous by putting control mechanisms. They may act just today but when things change they can easily corrupt and act the way they please. If some people who tend to act badly have the chance, will not hesitate to do what they pleased. So laws cannot make people good and virtuous, it should be people who have to make laws good.

Glossary

Prince: Machiavelli uses prince not to mean a king's son. His term means ruler. This ruler should be both loved and feared, but since it is difficult to be successful in both at the same time, it is much better to be feared.

Virtu: Machiavelli's understanding of virtue is quite different from the common understanding of the virtue. Of course his virtues include courage, justice, prudence and honesty but he accepts all these actions when they are successful. Virtu means for him skill and ability in ruling. It is not a moral thing. A man that has virtu means he is extremely good at what he is doing. To survive and lead to victory, he believes, sometimes Prince should act unjustly. The virtuous man is the one who has the qualities that lead him to success in his actions. Prince is a decent man but sometimes he should act without morality. (Prince, 18). If he wants to hold on to power, he should learn how not to be good. Because, in some circumstances, his goodness would damage him if he cannot use it skillfully. Both luck and skill enable him to overcome problems.

Fortuna: According to Machiavelli, even virtue cannot guarantee success. So fortune is an important term for prince to achieve his goal. (Prince, 20).

Some events happening in our lives without our reaction. Machiavelli says that fortuna determines one half of our actions but it also leaves us to control the other half. (Prince, 74). A ruler who only depends on his luck will not survive long because when his fortuna changes, it will destroy him. If one knew how to change, as times and circumstances change will survive with his luck. Virtu depends on fortuna and Machiavelli's prince needs fortuna to survive long.

Underlying problem

Basic issue that my term paper needs to examine is that if law makes men good or not. I will explain Aquinas and Machiavelli's response to this claim then I will critically discuss it in my argument. The questions that will help me;

Do people act justly because of they forced?

Is it beneficial to act justly?

Do laws always illustrate the rights?

Are there natural laws?

Philosopher's response

According to Machiavelli, the way that people behave and should behave is differ. Hence, they obey the rules not because they are good but because fear restrains them. (Prince, 48). Laws do not make men good. They act colorable. People are easily corrupted and they are selfish. Where there is a <https://assignbuster.com/laws-governing-our-behaviour-philosophy-essay/>

freedom of choice, they will immediately abuse it. So they only act justly when they are forced to.(Prince, 93). But acting justly does not make them just because they behave this way because they fear. On the other hand, Aquinas claims that law is a measure which governs people's acts. It is a kind of teacher that teaches people how to act virtuous. So for Aquinas, human laws are required not only to prevent the vicious acts, but also to lead them to virtue.

My Argument

In my essay, I will support the Machiavelli's idea and will refuse the idea of Aquinas. I will argue that laws do not make men good. Laws cannot make people good and virtuous; it should be people who have to make laws good. Of course there are natural laws exist which accepted by majority. They are unique and inconvertible. But natural laws are not enough for ruling the city. So to ensure the peace, human laws are required. Fear and punishment restrain people's acts and lead them to act just. However when people act involuntary good, it is impossible to say that they are virtuous.