

Review Article



All the King's Men (and Citizens): Aristotle's Kingship and the Political

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1 Republican and Monarchic Aristotelianism

There was a time in which the general consensus was that Aristotle is a natural-born republican. In our own age, John G. A. Pocock's remarkable study, *The Machiavellian Moment*, following in the footsteps of Hannah Arendt,¹ argues that Aristotle adheres to a civic, participatory version of human political naturalism. This is why Pocock claims that a 'cardinal assertion of Western thought has been that man is naturally a citizen – κατά φύσιν ζῶον πολιτικόν'.² Actually, it was Leonardo Bruni's Latin translation of Aristotle's *Politics* (1437) that made Italian humanists of the fifteenth century employ the term *respublica* to refer

1 See Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1958), pp. 22-8.

2 John G. A. Pocock, *The Machiavellian Moment. Florentine Political Thought and the Atlantic Tradition* (Princeton NJ: Princeton University Press, 1975), p. 335.

to Aristotle's *politeia*, not in the general sense of constitution but rather in the particular sense of an institutional design without a king or a prince.³

Certainly, the association between republican discourse and Aristotle goes all the way down to the medieval reception of his *Politics*. For instance, Bartolous of Saxoferrato was a staunch supporter of republicanism and made a point of putting Aristotle's politics to work in order to diagnose and remedy the internal weaknesses of the Italian City Republics.⁴ Remigio of Girolami, for his part, unmistakably brings republicanism and Aristotelianism together as he claims that whoever loses the quality of citizen necessarily loses that of man too, since nobody could possibly lead a proper human life without being a citizen: '*Et si non est civis non est homo, quia 'homo est naturaliter animal civile', secundum philosophum in VIII Ethic. et in I Polit.*'⁵

Nowadays, however, scholars as a rule are not quite as confident as they used to be regarding the link between Aristotle's politics and classical republicanism. In fact, quite distinguished voices have argued that Aristotle's political theory is all too Greek to them for it to be able to fall under the original roman notion of *res publica* and also far too ethical to accommodate genuine political conflict – viz. the distinctively republican tenet that in political debate it is always possible to argue on both sides of a case.⁶

On the other hand, there is also a monarchist reception of Aristotle's *Politics* that seems to be quite as old and venerable as its republican counterpart. Indeed, given Aristotle's own views on monarchy in the last chapters of Book III of the *Politics*, it is hardly surprising that not a few medieval and some early modern scholars brought Aristotle's views on the political together with the notion of kingship. To give just a taste of the quality of this association, Sir

3 See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge MA: Harvard University Press, 2010), p. 142; *The royalist revolution: monarchy and the American founding* (Cambridge MA: Harvard University Press, 2014), p. 116.

4 See Quentin Skinner, *The Foundations of Modern Political Thought: I. The Renaissance* (Cambridge: Cambridge University Press, 1978), pp. 51-52.

5 Remigio de Girolami, *Tractatus de bono communi* (1304), in Maria C. De Matteis, *La teologia politica comunale di Remigio de Girolami* (Bologna, 1977), p. 18, cited in Maurizio Viroli, *From Politics to Reason of State. The Acquisition and Transformation of the Language of Politics 1250-1600* (Cambridge: Cambridge University Press, 1992), p. 47, n. 119.

6 For the pedigree of republicanism see Quentin Skinner, *Visions of Politics II: Renaissance Virtues* (Cambridge: Cambridge University Press, 2002), pp. 10-38; for a brief and general description of the differences between political Aristotelianism and republicanism see e.g., Marco Geuna, 'Skinner, pre-humanist rhetorical culture and Machiavelli', in A. Brett and J. Tully (eds.), *Rethinking the Foundations of Modern Political Thought* (Cambridge: Cambridge University Press, 2006), p. 67.

John Fortescue argued in the 1460s that the English monarchy was 'regal' and 'political' at the same time.⁷

Venerable and old as this monarchist reading is, it is not quite carefree. Whereas Aristotle sees political community as entailing a significant degree of to-and-fro in the exercise of authority, the notion of monarchy appears to reserve all the 'to' to subjects and all the 'fro' to the king himself. Actually, the strict linkage between ruling and being ruled, ἄρχειν and ἄρχεσθαι, seems to apply only to πολιτεία, at least as far as correct constitutions are concerned.⁸ Apparently, then, republicans were right after all. This might be a reason why in his commentary on Aristotle's *Politics*, while opposing both political and legal forms of government to despotism, Thomas Aquinas keeps political rule and legal government clearly asunder by claiming that whereas in the former 'the one who rules has power which is limited by certain laws of the state', in the latter the ruler has 'plenary power'.⁹

The book under review, David Riesbeck's *Aristotle on Political Community*, which derives from a doctoral dissertation at the University of Texas at Austin, takes upon itself the daunting enterprise of reconciling Aristotle's apparently quite exclusive views on absolute monarchy and aristocracy with Aristotle's own rather inclusive theory of politics which seems to welcome all citizens into the political. Riesbeck argues that 'the apparent incompatibility of political and monarchic forms of rule' will be cleared up once we get 'a clear view of what it is that makes political rule and specifically political standards of justice distinctive from others' (p. 134).¹⁰ Once we have managed to do that, we shall realize that 'kingship turns out to be more inclusive and political in Aristotle's sense than many have supposed, and its prominence in book 3 of the *Politics* becomes more intelligible' (p. 10).¹¹

7 See, e.g., Antony Black, *Political thought in Europe 1250-1450* (Cambridge: Cambridge University Press, 1992), p. 155.

8 See, e.g., Carl Schmitt, *Constitutional theory*, translated by Jeffrey Seitzer (Durham: Duke University Press, 2008), p. 249.

9 Aquinas, *Sententia Libri Politicorum*, cited in John Finnis, *Aquinas. Moral, political, and legal theory* (Oxford: Oxford University Press, 1998), p. 259.

10 Hereafter all parenthetical numbers without further specifications refer to pages of the book under review. As far as I am concerned there are only two typos in the book. At p. 188 there seems to be missing 'in' before 'Chapter 3.4' in the sentence that goes right behind the title of the second section '2. Aristotle's Rejection of "Second-Class Citizens": 'In *Politics* 3.5, Aristotle turns from the account of citizen virtue developed Chapter 3.4...'. At p. 238 there appears to be a 't' instead of an 'f' in the following sentence, line 18 from the bottom: 'I identity that aim as primarily ...'.

11 To be sure, the very title of the book makes it clear that Riesbeck is interested in putting forward a general theory of political community in Aristotle. The content of the

When it comes to Riesbeck's approach to the history of political thought, he seems to feel more comfortable within the frame of 'mainstream analytic historians of philosophy'. In effect, Riesbeck sets out 'to understand the conceptual structure of Aristotle's thought in terms of the reasons and arguments that he does, can, or should give in support of his claims' (p. 15). This is why Riesbeck proceeds 'on the basis of the principle of charity, a strong but defensible presumption of consistency and coherence'. Unlike most analytic historians of philosophy, however, Riesbeck operates 'with a heightened sense of Aristotle's alterity and of the distance between his thought and contemporary Anglo-American academic philosophy'. In other words, although Riesbeck does assume that Aristotle has a thing or two to tell us about politics as such and Riesbeck is 'all for neo-Aristotelian theorizing' (p. 16), it is not by inviting Aristotle to give us a lecture on contemporary topics that we will make the most of him but rather by listening to him in his own voice about the topics he chose to work on.

Mind you, Riesbeck does not claim that his account of the political in Aristotle delivers a demonstrative blow that no one can resist should they happen to have the wit to understand. In fact, Riesbeck's aims look far less unpretentious. For instance, his reading does not quite resolve the ambiguities in main Aristotelian terms like citizen, rule, and constitution, but rather it makes 'their presence less surprising than alternative accounts' (p. 228). According to Riesbeck, then, it would 'be foolish to claim that the view of Aristotle's political philosophy' defended in this book 'is the only plausible, let alone possible, interpretation'. Riesbeck's point, instead, is 'the more modest but still quite strong one that the texts, when taken together, are *most* plausibly read' as read by him here (p. 288).

In what follows I shall first (II) give an outline of the bountiful structure and content of this quite challenging book, only to focus upon just a couple of the many fascinating issues raised by this book: sharing in political rule (III, IV) and total kingship and the rule of law (V).

books also confirms that Riesbeck is interested in establishing 'what is and is not a part of Aristotle's own conception of political community' (p. 289). However, I shall mainly concentrate on Riesbeck's views on monarchy on the assumption that if we can make a case for the truly political nature of total kingship, Riesbeck's victory in the battle for aristocracy, the other regime not easily reconciled with an inclusive notion of the political, would seem like a foregone conclusion. After all, Riesbeck is quite right in approaching kingship as though it were 'a kind of aristocracy of one' (p. 239).

2 Structure and Content

Chapter 1, 'Paradoxes of Kingship', sets out to put forward the two main paradoxes or problems that this book is meant to tackle and clear up. A first issue raised by the attempt to accommodate kingship within Aristotle's theory of the political is what Riesbeck calls the 'normative problem' which seriously affects the value of political community. The civic exclusion provoked by a monarchic institutional design leads to people being denied a good such as political participation that Aristotle takes to be a crucial aspect of human well-being, since without political participation we cannot flourish as animal rationals (p. 45).

The second issue raised by the project of accommodating kingship within Aristotle's conception of the political is what Riesbeck calls the 'conceptual problem', a problem that seriously mars the very nature of political community. Indeed, civic exclusion not only affects the value of political community but it also downsizes the political to a very few people, and sometimes literally to just one person at that, bringing thereby the political to the brink of extinction (p. 8).

Since political activity takes place necessarily in a community, Chapter 2, 'Community, Friendship, and Justice', examines Aristotle's general notion of community. This chapter shows that friendship, justice, and community are coextensive in Aristotle's eyes and therefore Riesbeck argues in favour of a strong conceptual connection in Aristotle's thought 'between community as the cooperative sharing of goods, friendship as the active disposition to wish goods to another, and justice as the common good or proportionately equal mutual benefit of the participants in a community' (p. 11).

The rest of the book takes a distinctively political course. Indeed, Chapter 3 proceeds on the assumption that the transition 'From the Household to a City' is a vantage point from which to appreciate Aristotle's concept of the political. This is why *Politics* I gets centre stage since it is there 'that Aristotle most fully elaborates his conception of the distinctively political' (p. 98). 'The short answer' is that unlike pre – and post-political communities, the political community 'aims at the good life, and its participants are naturally free adult males who share in exercising rule in the community' (p. 12).

In effect, Aristotle's predecessors were led to 'neglect the heterogeneity of [political] rule and authority' (p. 97) because they failed to appreciate what distinguishes political communities from other kinds of communities. Political community differs from the communities it embraces not merely on the grounds that it figures at the top of a chain of command, which is quite the case with the modern political institution par excellence, such as the state. Instead, in Aristotle's eyes, for us to ascertain that an organization is

political, we must consider not only its authority but also and fundamentally the goals for the sake of which people cooperate in that particular community and the wherewithal (the agents themselves and their resources, abilities, capacities, etc.) that makes it possible for people to cooperate in it in the first place (p. 97, 98). Aristotle's decisive point then is that 'human beings must live together in political communities if they are to develop and exercise their essential capacities as rational animals' (p. 110).

I could not possibly leave this chapter behind without mentioning very briefly alas one of many highlights of this book. Mainly on the basis of *Pol.* 1257b40-1258a14, Riesbeck does a terrific job at preventing us from synchronizing Aristotle's distinction between living and living well with his distinction between survival and human flourishing (pp. 123-132).

Chapter 4, 'Rule and Justice in the Household and the City', dwells on the concept of political rule in terms of initiating collective action by issuing an order to act in accordance with the decision made by the ruling agent. This account allows for distinctions between kinds of rule on the basis of the difference between (a) the ruler's aims and (b) kinds of mutuality and reciprocity that mark the interaction between ruler and ruled (p. 12). Needless to say, Aristotle would have been horrified at this most unfortunate contemporary saying: 'everything is political'. Thus, Riesbeck is right in reminding us that not every form of rule is political as such. We have every reason to talk about sharing in political rule if the ruled is free, i.e. if the nature of the ruled is up to scratch in terms of higher-order deliberative rationality which allows him at the very least to partake in deliberation *en route* to a decision being made, and if the aim of that ruling provides for the good of the ruled agent (pp. 141-142).

In spite of what many Arendtians seem to have claimed in the last forty years or so, as far as Aristotle is concerned political activity and hence political rule are not choiceworthy for their own sake but as a means towards human flourishing (p. 172). Thus, Aristotle's conception of the political favors civic inclusion mainly as a matter of justice rather than as an opportunity for partaking in an activity that is good in itself. Aristotle's views on civic participation, as portrayed by Riesbeck, might then be described as republican after all, to the extent that civic participation is not so much an end in itself as a way of preventing domination (pp. 180, 235).

It is at this juncture that Riesbeck deploys for the first time the ace he has up his sleeve: Aristotelian political citizenship is quite inclusive but in degrees. Indeed, although as far as Aristotle is concerned, citizenship as such comes with an office (pp. 156, 252), not all offices are created equal. For instance, even a monarchic constitution is a correct one in that it does not limit citizenship to the king but rather it satisfies the requirement that free adult male inhabitants

share in rule. To be sure, a monarchic constitution does not quite meet the requirement that *all* free adult male inhabitants share in rule, but neither does polity – or democracy, for that matter. The point is, nevertheless, that the conceptual and normative problems of monarchy are put paid to: if the king is not the only citizen in town, then the political community *exists*, it is open for business and it is *good* for the business of citizens – or rather, the well-being of its citizens and free adult male inhabitants in general.

In this very chapter Riesbeck goes back to the household since Aristotle's concept of the political makes a very illuminating appearance in the *οἶκος* of all places, in the context of the relationship between husband and wife, to be more precise. Riesbeck's point seems to be that if you want to understand political rule, *cherchez la femme*: 'a husband's rule over his wife, though not strictly a form of political rule, closely resembles it, and hence differs markedly from a father's rule over his children, because the wife shares in ruling as well as being ruled, and the respective shares of husband and wife are allotted in accordance with their proportional equality' (p. 148). It is the '*permanent* subordination of one to another in the community of husband and wife', the husband's 'unchecked superiority' over the wife (p. 155), however, that prevents the rule of husband over wife to be fully political.

Chapter 5, 'Citizenship, Constitutions, and Political Justice', aims at showing the consistency between Aristotle's constitutional theory and Aristotle's principle that all citizens are to be granted their day in rule (p. 180). The principle of political rule actually is not simply consistent with but actually requires the injunction that all naturally 'free adult male permanent inhabitants who are not metics' are to share somehow in rule (p. 228) if we want to prevent despotic rule over citizens. Naturally, political justice does not encompass natural slaves but only 'all of a city's free native inhabitants. Foreigners who are not permanent resident fall outside the bounds of specifically political justice precisely because they are citizens of other cities' (p. 209).¹²

Riesbeck argues that the textual support for the second-class citizenship reading that has curried so much favour with not a few contemporary Aristotelian scholars, is not only weak but it also carries some counterintuitive

12 Elsewhere, however, Riesbeck argues that 'Aristotle's theory of correct and deviant constitutions is in fact consistent with, and even requires, the principle that all naturally free adult male permanent inhabitants of a city should be granted a share in rule' (p. 180), without specifying whether metics are to be counted among these 'naturally free adult male permanent inhabitants'. Indeed, in chapter 4, Riesbeck is happy to consider metics as 'long-term and even permanent residents of city' (p. 210). Perhaps Riesbeck distinction between inhabitants and residents, and/or his conception of sharing in rule at p. 180 is broad enough to encompass the common good and not just strictly political activity.

implications rejected by Aristotle.¹³ In Riesbeck's eyes, instead, Aristotle's considered account of citizenship lacks the troublesome implication often chalked up to it, particularly the idea that the citizen body and the ruling class are coextensive. As we have seen, Aristotle's constitutional theory is not quite about limiting citizenship to some happy few individuals, let alone one, but about distinguishing between different types of rules or offices, some more authoritative than others. This is why the principle of justice that presides over the distribution of political authority is not only incompatible with but actually forbids the outright exclusion of the free multitude even in an aristocracy or a kingship (p. 182). Besides, the presence of metics, naturally free agents who are not citizens and hence do not share in rule – at least in the city they happen to live – explains the full scope of the common good that enables us to tell between correct and incorrect constitutions (p. 225).

For all we know so far, Chapters 4 and 5 may well have made some considerable conceptual and normative room for kingship in Aristotle's politics. However, it does not follow from the fact that total kingship is conceptually and normatively out of the woods that its ontology is home and dry as well. This is why the job description of Chapter 6, 'Kingship as Political Rule and Political Community', is to allay the following misgivings.

To start with, since both tyranny and kingship feature a plurality of citizens, we do need a criterion to tell kingship clearly from tyranny. The fact that the total king rules 'simply and not in part' (*Pol.* 3.17.1288a28-9) does not seem to pave the way either for a distinctively political understanding of community and its attendant idea of ruling and being ruled in turn. The king's status as *legibus solutus*, so to speak, does not quite sound all that political either. Besides, if Aristotle means business as he compares the total king to a (demi) god, such an agent could hardly enter into a relationship of equality such as political community is supposed to instantiate. On top of this, his usual comparison of kingship to the rule of the household seems to conflate the former and the latter, thereby not making things any easier for validating the political credentials of monarchy.

It is also in this chapter that Riesbeck explains why if total kingship, due to the development of political communities, did not stand a chance by Aristotle's own time, Aristotle goes all the same to such a length in discussing it. Riesbeck's argues first of all that 'By illustrating just how outstanding an

13 Briefly stated, second-class citizenship enables us to tell the difference between just and unjust constitutions: whereas all correct constitutions aim at the good of both first-class and second-class citizens, they differ in the number of people who get first-class citizenship (p. 186).

individual would need to be in order to merit kingship, Aristotle effectively disposes of most possible claims to monarchic entitlement' (p. 275). Riesbeck adds besides this negative critical function, Aristotle's account of total kingship also plays 'a role as a regulative ideal that existing arrangements can seek to approximate, albeit in a less programmatic or generally applicable way than the best constitution of books 7 and 8' (p. 276). As a result, 'while the negative critical function of that account shows us that most monarchies are unjust, its positive function directs us toward the amelioration of their worst features' (p. 281).

When it comes to what is Aristotle actually doing when he goes to such a length in discussing total monarchy, Riesbeck argues that the explanation is that Aristotle is engaged in a critical response to Plato's ideal of a philosopher-king as depicted in the *Statesman*. Indeed, quite like Plato's ideal statesman, Aristotle's total king is a 'theoretically possible but practically improbable ideal who serves as a standard for critiquing existing arrangements and rejecting would-be monarchs'. Unlike Plato, however, Aristotle 'insists even at the level of ideal theory that rulership is not simply a matter of knowledge and authoritative command. Aristotelian political rule is not most fundamentally the exercise and application of theoretical or technical expertise, but an inherently reciprocal mode of authority exercised via the nonscientific and nontechnical processes of practical deliberation and judgment' (p. 238).

Finally, in the Conclusion, 'Ruling and Being Ruled', the author makes quite a short but persuasive case for the relevance of Aristotle's conception of the political for our own age.

3 Five Degrees of Sharing in Political Rule

Before going into what I think is a dilemma posed by Riesbeck's account of sharing in political rule, I would first like to reconstruct what I take to be its five stages, in order of appearance: deliberation, decision, implementation and application, consent, and last, but definitely not least, accountability. *Deliberation*. If Aristotle's monarchy seems to give the impression that it is not quite political, perhaps we ourselves may well be to blame by having concentrated mainly on the final product of kingly decision-making, viz. the decision itself once it has been made by the king. Were we to see kingly decision-making literally in the making, things might look quite differently. Even if citizen C is ruled by total king TK in the sense that he is to abide by TK's decisions, C shares in that very rule himself to the extent that he contributes to shaping TK's ruling decision. To say much the same thing but the other way around, TK

rules C in a political way if at the very least C is the right kind of agent, TK takes consultation with C, and finally TK makes a decision for the sake of C.

This is why, as we have seen, in Aristotle's eyes, 'The husband's rule is comparable to political rule because he not only rules, but is also ruled; he does not make all of the important decisions on the basis of his own deliberation alone, but engages in cooperative deliberation with his wife. The wife exercises a degree of rule over her husband because her own deliberative contributions can shape the decisions that are the source of household's collective actions' (p. 152). In this way, 'This suggests that what is distinctive of political community and rule is precisely this sharing and mutuality' (p. 153).

This is a win-win situation. 'Being ruled is valuable even for adults of stable and decent character because living well requires participation in the complex network of cooperative interaction that is political community, and one cannot participate in it without being ruled' (p. 152), and, unlike what happens with theoretical and technical knowledge, in the realm of action and deliberation 'even the wise may benefit from sharing in deliberation with others' (p. 285).¹⁴ Thus, 'the Aristotelian king would not refuse to deliberate unless isolated and secluded in a palace like Herodotus's Deioces, but will hear proposals and consult advisers' (p. 286). In a nutshell, participating in political deliberation, then, is what distinguishes a free agent from a slave: 'To be deprived of *any* role in determining the decisions that structure and guide one's life and actions is, in effect, to be treated as a slave' (emphasis added, p. 176).

Decision. Whereas all relevant voices have been heard in the previous stage, at this level decisions are literally made. Someone calls the shots or has the last word. Riesbeck is right on the money as he holds on the basis of *Met.* 5.1.1013a10-14, that in Aristotle's eyes, ruling 'does not altogether exclude the ruled agent's making any decisions; what it excludes is the ruled agent's determining the *content* [emphasis added] of the particular decision that directs his action in the relevant circumstance'. Riesbeck illustrates this point by referring to the case of Socrates: 'when Socrates accepts his death sentence', he is ruled because he is 'not the *source* of the decisions *in accordance with* which' he eventually acted emphasis added (p. 139).

At first sight there seems a divergence between the description of rule and the example given to show how it works. After all, whereas in the former the *content* of a reason for action refers to its value, say to its intrinsic rationality or

14 The deliberative nature of monarchy used to be a topic of French medieval and Renaissance monarchist political discourse up to the emergence of absolutism. See Arlette Jouanna, *Le pouvoir absolu. Naissance de l'imaginaire politique de la royauté* (Paris: Gallimard, 2013), pp. 71, 72, 85.

moral force – as opposed to its arbitrariness, in the latter the *source* of a reason for action can be referred to by way of a sheer description about the fact that a decision has been simply made – as opposed to what happens spontaneously.¹⁵

Now although the emphasis has moved in the same paragraph from the content of the decision to its source, this does not spell trouble for Riesbeck at all since it may well be the case that we are to refrain from assessing the *content* of some apparently authoritative reason for action precisely because of the *source* of that reason for action. Riesbeck himself says as much when he talks about the 'cooperative character' of legal disputes in spite or rather because of the fact that disputants submit 'the dispute to the judgment of an arbiter or a more legal institution' (p. 91). Indeed, no genuine legal dispute could possibly be resolved by going through the content of the arguments once more. It is the source of a decision, the fact that it has been made by an arbiter, not its content, that enables arbitration to do its job, i.e. to resolve disputes. Aristotle's explanation at *EN* 1134b18-24 regarding how the legal works also seems to imply that source is the key to understanding the authority of law: 'The legal originally makes no difference [whether it is done] one way or another, but makes a difference whenever people have laid down the rule – that a mina is the price of a ransom, for instance, or that a goat rather than two sheep should be sacrificed'.¹⁶

Having said this, however, Riesbeck does seem to backslide from a source-oriented approach into a content-dependent one as he claims elsewhere in relation to the absolute king that 'To rule justly over mature rational agents is to present them with directives that they can be expected to embrace for good reason' (p. 247). If we all could agree on some reason(s) we can be expected to embrace, there would be no point in having political authority, at least regarding those very reasons. Naturally, we can all agree on or have good reasons for acting on authoritative reasons in general. But in this case it is not the directives issued by political authority that we embrace, viz. the content of political authority, but its source, namely political authority itself.

15 See, e.g., James Bernard Murphy, *The philosophy of positive law: foundations of positive law* (New Haven: Yale University Press, 2005), pp. 5-6.

16 Aristotle, *Nicomachean Ethics*, trans. Terence Irwin, 2nd edn (Indianapolis: Hackett, 1999), p. 78. Richard Kraut is right on the money as he warns us that 'The examples of legal justice that Aristotle gives in *NE* v.7 may mislead us into supposing that these conventions always regulate matters of little concern, and that their arbitrariness is easily recognized. But that may not be the case. For example, at *Pol.* VII.16 1335b19-25, he implies that prohibiting the exposure of normal infants is a matter of legal but not natural justice' (Richard Kraut, *Aristotle. Political Philosophy* (Oxford: Oxford University Press, 2002), p. 128, n. 33).

This backsliding into content-dependent country seems to have been foreshadowed as it were by the expression ‘in accordance with’ that accompanies the reference to source. Indeed, Riesbeck recaps his elegant account of rule by saying that it ‘is paradigmatically a matter of one agent’s initiating the action of another by issuing an order to act *in accordance with* a decision that the ruling agent has made’ (emphasis added, p. 139). But we can act in accordance with a decision without quite being ruled by it. For instance, as Hobbes explains, those who ‘cannot obey their Princes until they have decided for themselves whether his orders conform to scripture or not’, ‘either they do not obey or they obey at their own discretion, i.e. they obey themselves not the commonwealth’.¹⁷ To be sure, Hobbes’s point is definitely dated, but his structural point seems to stand the test of time.

Implementation and application. A standard objection against the political nature of Aristotle’s total kingship is that, at the end of the day, the king is the only citizen in town, in spite of the fact that in Aristotle’s eyes any citizenship comes with a office. However, as we have seen, this objection overlooks the fact that the king’s subjects do not fail to be citizens in the Aristotelian and quite strong sense of the word as they hold offices and thereby rule in their own right. These offices, naturally since we are talking about monarchy, are subordinate in nature. So the king does make up by himself the entire ruling body by holding the most authoritative office, but there is plenty of room for the implementation and application of the decisions made by the king not before having taken proper consultation with his citizens, such as sitting in juries, auditing and overseeing in general, etc. (p. 239). These may well be the “officials appointed by him” (3.16.1278b9), his “fellow rulers” (συνάρχους, 3.16.1278b31), ... subordinate to the monarch rather than his equals in authority’ (p. 240). This should hardly come as a surprise since ‘No monarchy could function if a single person tried to manage all of the tasks ordinarily assigned to different officials. Mere practicality therefore demands that at least some of these tasks be delegated to others’ (p. 239).

Once we keep in mind the difference in degree between the kingly office and these other subordinate ones, we have every reason to apply what has been said about decision in turn to the offices in charge of implementing and applying the king’s decisions.

Consent. If deliberation is a form of preventive control, consent works as a kind of informal or non-institutional way of keeping total kingship political and at bay (p. 239). After all, civic consent is one of the typical marks that help

17 Thomas Hobbes, *On the citizen*, ed. Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998), p. 230.

us distinguish between kingship and tyranny. Indeed, 'The role of consent in distinguishing kingship from tyranny shows that even the subjects of a king can be said to share in rule. So far from mere passive subjects or fully dependent delegates, citizens in a kingship legitimate the king's rule through their consent and continued approval. Kingship thereby retains the shared and reciprocal character of distinctively political rule' (p. 248). Again, 'Ruling and being ruled are specifically political when all parties contribute to the formation and decisions that guide their actions, even when, for some, that contribution comes only in the form of consent and approval' (p. 289). Actually, Riesbeck does not rule out the possibility of an elected king (p. 239). To be sure, Aristotle's point in passages like 1295a19-23 and 1313a3-10 is that 'citizens do not accept tyranny willingly because it is deviant' rather than the other way around. Hence, at the end of the day, Aristotle explains 'consent by appeal to correctness rather than the other way around' (p. 244).

Accountability. At this final stage, we encounter a formal or institutional way of testing the decisions made by the total king and thereby we find out that not even Aristotle's total king is exempted from ex-post supervision by his citizens. Actually, a king is not a husband precisely because his superiority is held in check. To be sure, 'Aristotle has nothing to say about the institution structure of audits in a kingship'. However, Aristotle's explicit appeal to accountability – among other things – at 1293a20 to distinguish total kingship from tyranny 'has bite because it insists on the preservation of the reciprocity and mutuality in political rule that tyranny surreptitiously suspends when it does not openly violate. Short on institutional detail as it may be, the accountability criterion makes clear that kingship is not imposed upon the citizens from above and unconstrained in its operations, but essentially dependent on their recognition and approval'. Thus, we could say that 'In virtue of these powers, the system also gives the auditors themselves a measure of power and authority over' Aristotle's total king by making him dependent on those over whom he exercises his authority and 'provides a counterweight to the asymmetry of power that inevitably results whenever some members are granted special authority and privilege' (p. 242). When we come to think of it, the king's accountability empowers the other citizens dramatically even if they had not been consulted regarding or approved the decision in question.¹⁸

18 Contemporary political theory is pointing precisely in this direction. See, e.g., Philip Pettit, *Republicanism: a theory of freedom and government* (Oxford: Oxford University Press, 1997), pp. 62-63, 184-185; Pierre Rosanvallon, *Counter-democracy: politics in an age of distrust*, trans. Arthur Goldhammer (Cambridge: Cambridge University Press, 2008).

As we can see, Riesbeck offers a somewhat ample account of sharing in political rule to make sure that monarchy can aspire to be considered a truly political regime. This extensive use of sharing in political rule, however, might give rise to the suspicion that even though it may well be true that a total king TK will have made a particular decision because some other citizen C will have provided him with some information first, that fact does not in and for itself grant that C was actually shared in political rule. Perhaps C's brief to TK was quite a *conditio sine qua non* for political decision-making, not political decision-making as such.

In order to illustrate this point let us take, for instance, the activity of scoring a goal in football. It is highly likely that Maradona would have never scored his second and definitely kosher goal for Argentina against England in the 1986 World Cup quarterfinal, had Héctor Enrique not passed him the ball. However, not many people would say that Enrique truly shared in the activity at stake (scoring) since after Enrique passed him the ball ten meters inside his own half, Maradona did score a goal all right but not without having dodged almost half the English team in a ten-second sprint.

Thus, according to this somewhat ample notion of sharing in X, only the subjects of a truly self-reliant monarch, viz. of someone who exclusively would act on his own deliberation so much so that he would listen to absolute no one before making up his mind and acting, would fail to be considered to be sharing in political rule. For all we know, Hitler and Stalin were many things definitely but not quite self-reliant in this sense of the word.

4 Sharing in a Dilemma

Now, even if the portrait of Aristotle's theory of sharing in political rule offered in this book turns out to be accurate, it looks as if Riesbeck's portrait of absolute kingship would seem to be exposed to a normative and a conceptual paradox of its own. This might spell some trouble for Riesbeck since, although he has made it quite clear that he is in the history of philosophy business (p. 289), not into neo-Aristotelian theorizing (p. 16), we have already seen that he has pledged nevertheless 'to understand the conceptual structure of Aristotle's thought in terms of the reasons and arguments that he does, can, or should give in support of his claims' (p. 16). In fact, since Riesbeck has done overall a wonderful job of defending Aristotle against various objections, there is reason to believe he would agree that Aristotle could use a defence in the following regards.

Although we have seen that even a perfect agent like the total king could use some advice on how to make a political decision, it is not all that clear what would be the point of checking the superiority of the best agent money can(not) buy, namely the absolute king. Surely there is no need to deter a truly *plus quam perfectus* officer from abusing his position or let alone to punish him for any such abuse. Thus, in time, such an inquest is bound to turn into a true ritual, a sheer ceremony. To be sure, there is nothing wrong with rituals and ceremonies; we cannot live without them. But the very idea of putting someone through a test, rather than a ceremony, assumes that it is not impossible for the test to go both ways. The king himself, being the best kind of agent, would not mind at all being put to the test but may well wonder about the point of it all.¹⁹

On the other hand, were we to agree that the stage of control is not redundant, then the absolute king would not be the paradigm of virtue we took him to be and thus he would be normatively at fault, perhaps because, as Aristotle himself says at *Pol.* III.16.1287a32, 'passion perverts rulers even when they are the best men.' *EN* IX.3.1165b13 also foresees a fall-off in virtue by considering the possibility of a good person who eventually becomes vicious.

Furthermore, on top of being normatively at fault, Riesbeck's portrait of absolute kingship may turn out to be conceptually incoherent in that the absolute king would be allegedly released from the law and yet subject to it at the same time. In effect, it is not only that we might have to face up to reality and accept that our perfect king is not all that perfect after all, but we should also admit that there would be no point in pressing on either with the idea that 'total kingship is not circumscribed by other offices or even laws that limit its exercise' (p. 255). After all, it is some other office that has the job of calling the total king to account. So there is quite a realistic sense in which the total king turns out to be circumscribed by other offices and/or there are laws that limit his decision-making attributions, or the former due to the latter.

19 Bentham could 'scarcely conceive', how officers like judges 'can dare to use such language as this: 'Trust blindly to my integrity; I am above the reach of temptation, or error, or weakness; I am my own security; repose implicit faith in my more than human virtues'. The true honour of a judge consists in never demanding a confidence like this, in refusing it even when it is offered to him, in putting himself above suspicion, by cutting off every cause of suspicion, in placing his virtue and his conscience under the care of the public voice' (Jeremy Bentham, *A treatise on judicial evidence*, ed. M. Dumont, (London, 1825), p. 72). But, precisely, if we have reason to suspect Aristotle's total king, at the same time we shall surely wonder about his 'more than human virtues'.

In fact, if there is an office in charge of calling the total king to account so that the fate of the king is in its hand, then it is not the monarchy but this office that happens to call the shots in this apparently kingly institutional design, if, of course, this office does not happen to be accountable in turn to some further office. Moreover, it is highly likely that such a controlling office, like the ephorate, would 'hold the constitution together, for the people remain contented because they participate in the most important office' (1270b18-19; cf. 1313a18-33).²⁰ Thus, what appeared to be a rather garden-variety office of implementation and application would turn out to call the shots and be the most authoritative or sovereign office in kingly town.

To be sure, it does not necessarily follow from the fact that office O calls to account total king TK that O turns out to be sovereign over TK and/or O is the most authoritative office in what appeared to be kingly town. After all, we could fairly assume that auditing officers do not act arbitrarily but actually apply faithfully the law, viz. they engage in ordinary rule-following. We may fruitfully compare the auditing officers' business with judicial reasoning in a criminal case rather than with constitutional reasoning, which tends to be much more controversial. Indeed, whereas standard judicial reasoning foresees basically a whodunit scenario, a matter of fact, and therefore remains fundamentally nonpolitical to the extent that it simply applies the law to a particular case, the subject-matter of constitutional reasoning usually is the law itself and hence it is bound to deal with highly contested moral and political issues. But even so, the point is that our total king would still be circumscribed by some other office and subject to law. Furthermore, should total king happen to be subject to constitutional and hence political scrutiny, the authoritative status of the auditing office would thereby only be strengthened all the more at the expense of absolute monarchy.

To be sure, there is a circumscription and subjection of sorts that is not quite irreconcilable with absolute kingship but rather it is quite presupposed by it without thereby losing its absolute character. In fact, this kind of control has been somewhat intimated by the fourth stage in political decision-making mentioned above. At the end of the day, as a matter of historical record and stability of political regimes, not only total kingships but *all* political regimes are in the hands of their subjects and hence political authority should be explained from the bottom up, even if the subjects, for some reason, assume that political authority falls down on them. To paraphrase Riesbeck's own words, no political regime can be imposed on all citizens from above and hence be totally unconstrained in its operations (p. 242). To be sure, Riesbeck holds

²⁰ Aristotle, *Politics*, trans. C.D.C. Reeve (Indianapolis: Hackett, 1998), p. 52.

that an absolute king, viz. 'a superlatively virtuous individual will refuse to be king over a body of citizens who staunchly reject his rule' (p. 274).²¹ However, this kind of circumscription and subjection is empirical rather than normative in nature and it would take us back anyway to the same horns of our previous dilemma: it would still be either redundant or counter-productive.

5 The Rule of Law or the Law of Rule

A second major and related issue raised by Riesbeck's portrait of Aristotle's conception of the political is if and how does Aristotle manage to reconcile his political account of kingship with the somewhat relaxed attitude of total kingship towards the rule of law. Riesbeck's point seems to be that, when we come to think of it, this is a red herring. Yes, a total king apparently 'rules everything according to his own will' (*Pol.* 3.16.1278a9-10, quoted at p. 253). If we are looking at total kingship, then we can be sure that in that regime 'one man's personal judgment takes the place of law' (p. 253). But even such an arrangement does not fail to be part of an institutional design or constitution. It is the constitution itself, a ground rule after all, that stipulates that one man will rule without rules. So it would not be accurate to say that total kingship 'does away with laws' since even under absolute kingship there are laws, only that the king has authority over them (p. 257). Apparently, this is also what Riesbeck has in mind as he claims that 'Aristotle's king is not a semi divine "Superman" who transcends political community' and 'dispenses with laws' (p. 269).

Now Riesbeck has a point when he argues that this is exactly what happens in other constitutions as well. No one can throw the first stone: 'in this respect the king does not differ from the few virtuous rulers in aristocracy or the multitude in a polity; in all these cases, the ruling body has the authority to make or revise laws'. Then it is not so much a matter of choosing between rules and human beings as deciding how many human beings will be at the realm.

However, to claim, as Riesbeck does, that 'The defender of the rule of law must acknowledge that no set of laws could avoid the need for correction and application to particular circumstances or for possible amendment and reformulation' and that 'In having this kind of authority over the laws, the total king

21 This might be one reason why Aristotle reserves his advice on how much force should a monarch have for monarchs who act in accord with the law ('In the case of *this sort of king*', emphasis added, 1286b34), since an absolute king apparently would lose any interest the minute he would have to go violent on his subjects: 'He should have a force, but a force of such a kind as to be stronger than an individual, whether by himself or together with many, but weaker than the multitude' (1286b35-37, Reeve trans.).

does not stand above them any more than the ruling body of any constitution does' (p. 257), might turn out to be a long shot.

Let us take, for instance, the following statement attributed to the medieval jurist Henry Bracton about the primacy of law over kingship: '*Ipse autem rex non debet esse sub homine sed sub deo et sub lege quia lex facit regem*'. At first sight, one could not possibly put the idea of the primacy of law more strongly: the king does not make the law, the law makes the king.²² However, a king can be *sub lege* in two quite different ways. Constitutions that go with what we might call the standard or strong version of the rule of law do foresee amendment and reformulation for legal rules but these very rules are to be abided by until amended or reformed according to some institutional procedure, viz. some other legal rule, laid down by the ruling body by way of self-binding. This is, after all, what we usually mean by the English expression 'rule of law'. Our total king, on the contrary, may pass retroactive legislation and cherry pick all he likes without waiting for some institutional procedure to do the trick, not even one institutional procedure set up by himself. To be sure, it is the law itself that allows him to indulge in picking and choosing, but this is a rather soft version of the rule of law. Moreover, if it is true that the king is really a or the law unto himself, that would take us back to our previous discussion on the uneasy relationship between total kingship and accountability and its attendant dilemma regarding the redundant or counterproductive nature of accountability.

Perhaps it was about time to make an issue of the good press usually attracted by the rule of law. After all, as we have seen, there may well exist a law that makes arrangements for just one person to rule as she pleases. If the rule of law is to maintain its ravishing reviews, however, there must be something about its very form that leads us to believe that any rule of law beats the hell out of human rule pure and simple, as though the law had a built-in property, an 'internal morality' of sorts, that prevents it from being used in a wrong way.²³ In that case, we should have reason to believe that, unlike straight human rule, then, the rule of law cannot be manipulated at will. This is what Aristotle seems to have in mind as he famously claims that 'Anyone who instructs law to rule would seem to be asking god and the understanding alone to rule; whereas someone who asks a human beings asks a wild beast as well'

22 Henry Bracton, *De legibus et consuetudinibus Angliae*, II, cited in Norberto Bobbio, *The future of democracy*, trans. Roger Griffin (Minneapolis: University of Minnesota Press, 1987), p. 142.

23 See Lon Fuller, *The internal morality of law*, rev. ed. (New Haven: Yale University Press, 1969), and the recent and quite compelling case made on behalf of Fuller's theory by Kristen Rundle, *Forms Liberate* (Oxford: Hart Publishing, 2012).

(1287a28-30. Reeve trans.). It must be something definitely about its form since (a) laws themselves are made by humans and (b) if it were all about its content the praises usually song of the rule of law as such would be question-begging: it would not be the law as such but laws only with a particular content. Besides, we should never forget that slavery used to be a if not *the* legal institution literally for thousands of years.

However, if the rule of law itself turns out to be somewhat overrated, the sheer fact that total kingship is backed by the law would not be able to allay our misgivings about its apparent personalism either. At the end of the day, then, it seems that much the same dilemma that seems to bear upon Riesbeck's portrait of sharing in political rule, is also haunting Riesbeck's case for the constitutional nature of kingship: it is either redundant since there is a sense in which every kind of political regime proceeds on the assumption of some rule or constitution, or counter-productive in that the difference made by legal rules does not quite have the moral bite alluded to by supporters of the internal morality thesis.

6 Conclusion

There is hardly a page in Riesbeck's book that fails to be literally thought-provoking. This is a book that will give every reader interested in Aristotle's *Politics* a very good run for his or her money. Even most of the very footnotes of the book are nothing but self-standing mini-treatises on particular topics on Aristotle's politics. Particularly, this monograph is bound to become a very hard act to follow for anyone interested in understanding Aristotle's somewhat inclusive conception of the political and reconciling it with Aristotle's rather aristocratic views on political authority and justice. Moreover, not even those who are mainly interested in contemporary political theory would come empty-handed from reading Riesbeck's book, be it because they will find a very convincing exhibition of a different conception of the political from the one popular in our own days, or because there are some problems in political life that are quite persistent. Bottom line, this is a most welcome addition to the expanding literature on Aristotle's *Politics*.

