Aristotle's Concept of Polity and Its Relevance to the 2550 B.E. Constitution of the Kingdom of Thailand

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Abstract

This research aimed to put forward the arguments for and against Aristotle's concept of polity, in the context of the development of the 'Greek's City-State' as well as the relevance of Aristotle's concept of Polity to the 2550 B.E. Constitution of the Kingdom of Thailand. According to Aristotle, the concept of 'polity' referred to the rule by the many for common interests. Polity distinguished rulers from the ruled based on their perfect virtues. The goal of Aristotle's concept of 'polity' was not only to accomplish the best possible form of government, but also to achieve the form of the best life. Meanwhile, polity was against totalitarianism by upholding a participation of the citizens and setting-up laws to limit the abuse of power and to ensure that any bad government could be deposed and replaced peacefully. As for as the relevance of Aristotle's concept of Polity and its relevance to the 2550 B.E. Constitution of the Kingdom of Thailand, it was argued that almost all Aristotle's key characteristics of polity are relevant to the 2550 B.E. Constitution of the Kingdom of Thailand.

Keyword: Polity, Aristotle, Constitution of the Kingdom of Thailand.

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แนวคิดรูปแบบรัฐธรรมนูญของอริสโตเติลกับเจตนารมณ์ของรัฐธรรมนูญแห่งราชอาณาจักรไทย พ.ศ. 2550

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บทคัดย่อ

บทความวิจัยนี้มีวัตถุประสงค์เพื่อนำเสนอ ข้อสนับสนุนตลอดจนข้อโต้แย้งของแนวคิด "โพลิตี้" ของอริสโตเติล ในบริบทการพัฒนา "นครรัฐกรีก" รวมทั้งการตรวจสอบและถกเถียงแนวคิด "โพลิตี้" ของอริสโตเติลในประเด็นที่เกี่ยวข้องและสัมพันธ์กับเจตนารมณ์ของรัฐธรรมนูญแห่งราชอาณาจักรไทยปี พ.ศ. 2550 ในทัศนของอริสโตเติลแนวคิด "รูปแบบรัฐธรรมนูญของอริสโตเติล" คือ การปกครองโดยคนจำนวนมากเพื่อประโยชน์ส่วนรวม "รูปแบบรัฐธรรมนูญของอริสโตเติล" แยกแยะผู้ปกครองจากผู้ได้รับการปกครองบนพื้นฐานคุณธรรมที่สมบูรณ์แบบ จุดหมายแนวคิดรูปแบบรัฐธรรมนูญของอริสโตเติลไม่ได้เป็นเพียงเพื่อให้บรรลุรูปแบบที่ดีที่สุดของการปกครองแต่ยังเพื่อให้บรรลุรูปแบบของชีวิตที่ดีที่สุด ในขณะเดียวกัน "รูปแบบรัฐธรรมนูญของอริสโตเติล" ยังต่อต้านลัทธิเผด็จการโดยสนับสนุนการมีส่วนร่วมของประชาชนและการจัดตั้งกฎหมายเพื่อจำกัดการใช้อำนาจในทางที่ผิดและเพื่อให้แน่ใจว่ารัฐบาลใด ๆ ที่ไม่ดีสามารถถูกปลดและถูกเปลี่ยนโดยความสงบเรียบร้อยและสันติ ในส่วนที่เกี่ยวข้องและสัมพันธ์ของแนวคิดรูปแบบรัฐธรรมนูญของอริสโตเติลกับเจตนารมณ์ของรัฐธรรมนูญแห่งราชอาณาจักรไทยปี พ.ศ. 2550 พบว่าเกือบทุกคุณลักษณะสำคัญของแนวคิดรูปแบบรัฐธรรมนูญของอริสโตเติลมีความสัมพันธ์กันกับเจตนารมณ์ของรัฐธรรมนูญแห่งราชอาณาจักรไทยปี พ.ศ. 2550

คำสำคัญ: การเมือง อริสโตเติล รัฐธรรมนูญแห่งราชอาณาจักรไทย

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Introduction

Democracy has emerged and is recognized to be the best model of government to govern a nation-state over other modes of government. Its foundations rooted in providing citizens with equal rights and freedom, along with fair treatment. Thus, these traits are not evident in other political systems. A 'democratic government' is expected to ensure the protection of citizens from a despotic use of political power that resorts to the use of political power for self-gain. Modern democracies could, therefore, be defined as the constitutional exercises of governments to cater for the entire population of a state, represented by the polled majority, whilst simultaneously taking into consideration the rights of the minority. As a governmental institution, the democratic process is susceptible to vices such as promoting personal interests of the certain stakeholders, instead of working Public interests. In reality, democratic government has gradually evolved from rule by the one (monarchy), to rule by the few (oligarchy), until finally it has become rule by the many (democracy). As such, the seeds of the monarchy and oligarchy are still present in democracy. However, democracy is not the exclusive property of a particular group, but it is the right and desire of all communities.

Background and Significance of the Study

There is no the perfect form of government on earth. And until this day, no other form of government has been invented that could regulate public affairs better than democracy. As Sir Winston Churchill (1874-1965), former British Prime Minister, on his famous quote from his commenting on democracy in 1947 stated: "Many forms of Government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time." (Churchill, 1947)

Democracy, in practice, a number of key questions is raised, such as: Is democracy the best form of government for all nations? Does sovereignty belong to the people or the ruler? Does good constitution dismiss moral principles? And must governments respond to and adopt the common benefit, and accomplish the happiness and well-being of their citizens? These contentious and sensitive questions need to be addressed, and are attune to the

ethical behaviours of governments and political leaders.

Today, there is an almost universal demand for good government. In order to form a good government, a virtuous ruler and a good constitution are indispensable. Aristotle's concept of 'Polity,' as written appeared in his universally famous work, *Politics and Nicomachean Ethics.* His concept of polity emphasized on the rule by the many, in the condition and rights of a citizen, for the common interest. And thus, polity was the best possible form of government according to Aristotle. This paper intends to investigate whether Aristotle's concept of polity is the best possible form of government and whether it still hold relevanc to our contemporary understanding of democracy.
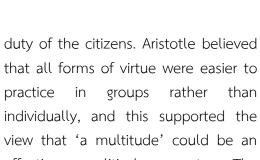
Objectives of the Study

This paper looks at the concept of polity in Aristotle's *Politics and Nicomachean Ethics*, put forward arguments for and against Aristotle's concept of polity, and examine and discuss the relevance of Aristotle's concept of polity the framework of the 2007.

Aristotle's Concept of Polity

In *Politics and Nicomachean Ethics* the best Aristotle proposed form of government. The principal objective of politics and statesman was to establish the best practicable regime. He classified the good and bad regimes by the ethical qualities of the holders of power. Aristotle merged politics with ethics and his political thought is based on his virtue-ethics (Aristotle, NE., a and b). And thus, it is not only to accomplish the best form of government but it is also to achieve a good life of the citizens, a life consisting of noble actions (Aristotle, No date, b). Aristotle's virtue-ethics presented the doctrine of 'mean' as individual's moral standard to find meeting ground between two extremes and it was likewise the basic tool in the form of "mixed regime" and "middle regime" in polity.

Moreover, polity distinguished rulers from the ruled based on their virtues and the benefits of common interests. In Aristotle's view that no single class had the totality of valid claim to power, but each one could have a claim that could be ignored because the position of power or sovereignty must be accorded to the law. Furthermore in polity, citizens were allowed to participate in political power, a balance of power and thus a

duty of the citizens. Aristotle believed that all forms of virtue were easier to practice in groups rather than individually, and this supported the view that 'a multitude' could be an effective political agent. The constituency of Aristotle's concept of polity comprised key characteristics namely, (1) Rule of Law by Constitution, (2) Common interests, (3) Participation of all citizens in ruling, (4) Constitution and laws, (5) Mean is the moral standard to prevent extremes, and (6) Public and proper education for all citizens Besides, the assurance of the state prosperity and the preservation of its constitution were based on not only well organized of the ruler only but also need to be based on an educational framework too. Thus, education has an elemental responsibility to preach the gospel of "the common good".

Arguments against and for Aristotle's Polity

Aristotle's polity asserted that absolute sovereign and totalitarianism were the forms of regime which did not act within the best interests of the citizens of a state, but, in fact, acted only for the rulers themselves. The political theories of Niccolo Machiavelli and Thomas Hobbes put forth views on the nature of the state and human beings and their forms of government

which significantly contrast with those of Aristotle. Both portray theories that assign too much negativity to the attitudes of human beings, as well as presenting negative aspects of human sociality (Hobbes, 1958). Therefore, Machiavelli reiterated that goodness and righteousness were not sufficient to achieve and maintain political activity. For him, a ruler should be feared in his securing of power instead of being virtuous (Machiavelli, 1985: 60). He believed that the proper application of power could make individuals obey and the ruler was able to maintain the state in safety and security.

According to Aristotle's view, Machiavelli's model of a principality could either be monarchy or tyranny for a monarch had the potential to become a tyranny - the worst form of government (Aristotle, Nodate, b). A prince should be guided to maintain power regardless of any moral law but to focus only on the result, in other words, the end justified the means. The highest goal of the prince was to remain in power which was in contrary to Aristotle. For Aristotle, the highest goal was to seek happiness through the development of ethical virtues. Aristotle focused on the necessity of virtue in attaining the result, i.e, the means justifies the end. In Aristotle's view, totalitarianism could not

maintain long stability. He believed that both ruler and citizens' virtue and common interests had to come before self-interest.

Hobbes also argued that absolute monarchy was the best form of government and the only form that could guarantee peace and to prevent the dissolution of society into civil war – the state of nature. His State of Nature was that man was in the State of War – man against man (Hobbes, 1958: 106). The only way to overcoming the State of War was to secure peace and security in civil society. This argument led to his conclusion that the sovereign should be absolute and possessed the ultimate power. Therefore, he advocated all the members of society submit and empowered the absolute sovereign whose reign was absolute and permanent to run the government and to determine all laws (Hobbes, 1958: 142). Thus, obedience to the sovereign was directly tied to peace in all realms.

Aristotle asserted further that the state arose out of a utilization of human nature, in that human nature is social and cooperative under Natural Law. Humans were naturally rational creatures whose rational capacity was Natural Law. Besides, the absence of government in a State of Nature did not imply a State of War. Thus, for Aristotle, Natural State was not a State of War but in fact it was a State of Peace. Hobbes misunderstood the State of Nature in his view on human nature, therefore, his main aim was to give the sovereign absolute power over its subjects. Aristotle responded to Hobbes' model of absolute sovereign by criticizing his model that there was no dimension to the rights or liberty of the subjects, instead, they were defined strictly in terms of power and punishment and order. For Aristotle, citizens must have the rights to administer and to criticize the government if the polity was to function properly for the common interest of the whole.

However, both Machiavelli and Hobbes' political theories of government cannot be practical in reality, for the people cannot have the liberty to disobey. They are bound to obey the laws set for them not by them or, the 'rule by law' that benefits only the sovereign. Both Machiavelli and Hobbes pave the way to power centrality which in turn enhances arbitration, dictatorship, and totalitarianism. An absolute sovereign and totalitarianism are unconstitutional. Such governments think of themselves as being above the law, and therefore see no necessity to separation of powers

or a participation process. Good constitution provides a foundation of well-being for the majority of people in society as it aims for the common interest and take state towards virtue and happiness. Law enforced by such a government helps make citizens good and just. Hence, Aristotle repeatedly said that in Politics that different kinds of constitution involved different conceptions of justice (Aristotle, n.a., b) but only under the correct forms of constitution would we find justice.

In the researcher's opinion, Aristotle's concept of polity, is the form of government which brings stability to the ruler because the citizens have the right to participate and administer in the government in that, the participation of the citizens are the most appropriate way to prevent a totalitarianism. Polity protects basic human rights and holds rulers accountable for their actions. Moreover, Aristotle's concept of polity addresses ethical issues and political issues which adhere to a 'rule of law' safeguarded by the constitution for the common interest of the country.

The Relevance of Aristotle's Concept of Polity to the 2007 Constitution of the Kingdom of Thailand

The researcher intends to examine Aristotle's concept of polity in relations to the 2007 Constitution of the kingdom of Thailand in four main aspects. (Somkit, 2007):

1.To protect, promote and expand the rights and freedoms of the people.

2.To reduce the monopoly of state power, elimination of illegitimate acts of power abuse, and foster the empowerment of the people.

3.To emphasize political transparency, morality and ethics.

4.To ensure that audit organizations and systems have independence, strength, and are able to monitor the efficiency of government bodies

The above intentions of the 2007 Constitution are to prevent the monopolization of power, to create the greatest social benefit, and to safeguard the interests of the Thai peoples. In the researcher's opinion, the 2007 constitution the kingdom of Thailand is consistent with Aristotle's concept of polity as follows:

1)The basis of 'common interests' as a whole together with 'public and proper education for all citizens' are relevant in accordance with the first intention to protect, promote and expand the rights and freedoms of the people.

2) "Rule of Law by Constitution" and "the participation of all citizens in ruling" are relevant in order to prevent reduce monopoly, the state power, and unjust power.

3) "Constitution and laws enhance the virtuous" and "the participation of all citizens" are relevant in accordance with the third intention which is to emphasize leveraged political transparency, morals and ethics.

4) "The participation of all citizens in ruling" is relevant in accordance with the fourth intention which focuses upon the auditing of organizations and systems which have independence and strength, as well as efficiently working independently.

Therefore, almost all of the key characteristic elements of Aristotle's concept of polity are relevant to the four main intentions of the 2007 Constitution of the Kingdom of Thailand. In addition, the researcher finds that 'the participation of all citizens in ruling' as a key element is most relevant to those four intentions of the 2007 Constitution of the Kingdom of Thailand. Thus, participation by the people is the key to success in good government. Moreover, Jane Mansbridge (1995), professor of sociology and political science at Northwestern University,

asserted in her paper that participation did make for better citizens. What Mansbridge did credibly note was that participation offered experience which permitted personal change, especially concerning character building (Mansbridge, 1995). And at the same time, political participation built "collective wisdom" that helped to enhance better and more just decision-making. This view was supported by Jeremy Waldron (1995) who maintained that a greater variety of contributors could produce a better result, and from the diverse knowledge of the whole group there could emerge the "widest possible acquaintance with the pros and cons," which rerulted in the best possible decision (Waldron, 1995; 1999).

However, one of the key characteristic elements that "the mean is the moral standard to prevent extremes" is not relevant to the 2007 Constitution's intentions.

Aristotle's Concept of Polity and Thai Politics.

As outlined above, the intentions of the 2007 Constitution of the Kingdom of Thailand are closely aligned with the key elements and characteristics of Aristotle's concept of polity. Regarding the advantage of the key element, mean is the moral

standard to prevent extremes. It the government and administration and enable them to respond in a balanced and appropriate way whenever extreme issue or conflict occurs. Moreover, Thailand is a Buddhist country and Buddhism emphasizes "middle way," there is somewhat similar to Aristotle's doctrine of mean. Furthermore, H. M. King Bhumibol Adulyadej of Thailand stresses a "Sufficiency Economy" as the overriding principle for appropriate conduct and a way of life at all levels: individual, family and community (NESDB, 2007: 5-6). Additionally, the frame of the Constitution could apply such a "mean" when writing and amending the Constitution so that the Constitution of the Kingdom of Thailand would be moderate and create a balance of power between the rich, the middle-class, the poor, and those who hold completely contrasting principles. Apart from this, the government can apply "mean" to the formulation process of public policies in order to make a policy just, transparent, and accountable as well as responding public interest.

Nevertheless, the intentions of the 2007 Constitution of the Kingdom of Thailand are stated only writing, it is up to the government to implement it through concrete action. In order to implement such ideals through

concrete action, the government needs to build a correct set of norms and a governing culture. The administration of a country must utilize what will bring the highest benefits to both the people and the country. Therefore, the following guidelines are recommended if a government is to fruitfully implement the concept of polity and in concrete ways.

1)Stimulate its citizens to increase their political participation at every level of government organizations. Such stimulation and encouragement will lead to political diversity and strengthen the society, wherein the people will seek and discuss information which can make them more knowledgeable and alert. Such alertness from the general populace will lead to supervision of politicians' behavior and more control over corruption and misuse of power.

2)Decentralization of power. The structure of a new public administration must clearly separate the powers from responsibility at every level of government agencies and local authorities. Activating and empowering citizens and civic groups to achieve an appropriate balance of power between citizens and government.

3)Government operations must be open to disclosure, be straight

forward in their actions and be ready for scrutiny. When the general populace enters more proactively into political participation the government should provide checks and balances in their exercise of power. The state must operate transparently and in a straight forward manner, by following clear regulations and being motivated and directed primarily by the interests of the country. Finally, corruption, misuse of power, as well as connections and networks interests not pertaining to the best interest of the country be eradicated.

4)Make tangible improvements by providing citizens with training courses on "citizen participation in politics" to increase and strengthen citizen participation. Doing democratic governance work requires informed and active citizens who understand how to voice their interests, act collectively and hold public officials accountable. Citizens should understand the basis of citizenship, politics and government. They need the knowledge to make decisions about policies and the proper use of authority, along with the skills to voice their concerns, act collectively and hold public officials accountable.

5)Human development. The human development issue is one that is unavoidable in contemporary times and it is one of the main responsibilities of the government. For the more developed countries, its people require quality of life. A participation process in the government of a country, in fact, requires human development. Education is the first priority for human development but, simultaneously, morality is also important. One who has a quality education but lacks of morality will cause more problems and thus, be more harmful than advantageous to society. The government must set up policies that support the teaching of morality, ethics and honesty through educational procedures. Educational institutions, at all levels, must improve their curricula concerning morals and ethics, and cultivate moral and ethical teachings that are appropriate to learners of different ages. True democracy is dependent upon the quality of its citizen, and the quality of the citizen depends upon the intellect. Therefore, such action will ensure a better quality of people who will carry morals and ethics into the future.

Contemporary democracy in Thailand is a representative democracy – a system of government in which all eligible citizens vote for citizen representatives to form a government,

administrate and to pass laws for the benefit of the whole nation. Sovereign power is in the hands of representatives who are selected by eligible citizens in elections. However, the problem or question remains of whether the elected representatives do, in fact, act for the common interest of the nation or not. Indeed, some critics argue that the true function of representative democracy is to legitimize oligarchical rule instead of true democracy. For this reason, citizens' participation is an important tool to strengthen democracy – as well as to build accountability of the government and also encourage priority of justice and public good.

Summary:

There are different kinds of democratic governments in today's world. A constitution is not merely a document introduced by authoritarian regimes to justify arbitrary rule. The true constitutional government rests on the sovereignty and the rule of law to serve the common interest of the country. Hence, any government's fundamental role is to protect citizens from the despotic use of political power so as to ensure the rights and benefits of people while being wary of personal and crony benefits. Therefore the government should not govern with desires, passions, and selfishness, but instead decide what society needs or what can be done for public interests and the happiness of its people. The government must adopt standards of good practices, as the shining model, for the benefit of the whole.

In the complexity of today's world, many countries try to promote their extreme democracy to be a good democracy by giving more participation, virtues, and morality to the rulers and the people. Therefore, Aristotle's concept of polity is currently highly relevant in order to enhance accountability, and transparency in the government, as well as to prevent totalitarianism by means of citizens' participation process. In addition, Aristotle's political thought is based on virtue-ethics; in that he wants to prevent the outbreak of violence by basing his political principles upon morality aimed at finding happiness through ethical virtues.

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