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THE NICOMACHEAN ETHICS OF
ARISTOTLE

2 These are the reflections which give rise to the difficulty about what is equitable. Now, in a way, they are all correct and not incompatible with one another; for that which is equitable, though it is better than that which is just (in one sense of the word), is yet itself just, and is not better than what is just in the sense of being something generically distinct from it. What is just, then, and what is equitable are generically the same, and both are good, though what is equitable is better.

3 But what obscures the matter is that though what is equitable is just, it is not identical with, but a correction of, that which is just according to law.

4 The reason of this is that every law is laid down in general terms, while there are matters about which it is impossible to speak correctly in general terms. Where, then, it is necessary to speak in general terms, but impossible to do so correctly, the legislator lays down that which holds good for the majority of cases, being quite aware that it does not hold good for all.

The law, indeed, is none the less correctly laid down because of this defect; for the defect lies not in the law, nor in the lawgiver, but in the nature of the subject-matter, being necessarily involved in the very conditions of human action.

5 When, therefore, the law lays down a general rule, but a particular case occurs which is an exception to this rule, it is right, where the legislator fails and is in error through speaking without qualification, to make good this deficiency, just as the lawgiver himself would do if he were present, and as he would

have provided in the law itself if the case had occurred to him.

What is equitable, then, is just, and better than 6 what is just in one sense of the word—not better than what is absolutely just, but better than that which fails through its lack of qualification. And the essence of what is equitable is that it is an amendment of the law, in those points where it fails through the generality of its language.

The reason why the law does not cover all cases is that there are matters about which it is impossible to lay down a law, so that they require a special decree. For that which is variable needs a variable 7 rule, like the leaden rule employed in the Lesbian style of masonry ; as the leaden rule has no fixed shape, but adapts itself to the outline of each stone, so is the decree adapted to the occasion.

We have ascertained, then, what the equitable 8 course is, and have found that it is just, and also better than what is just in a certain sense of the word. And after this it is easy to see what the equitable man is: he who is apt to choose such a course and to follow it, who does not insist on his rights to the damage of others, but is ready to take less than his due, even when he has the law to back him, is called an equitable man; and this type of character is called equitableness, being a sort of justice, and not a different kind of character.

*Can a man
wrong him-
self?*

11. The foregoing discussion enables us to answer 1 the question whether it be possible or not for a man to act unjustly to himself.

That which is just in one sense of the word we

found to be those manifestations of the several virtues which the law prescribes : *e.g.* the law does not order a man to kill himself ; and what the law does not
2 order it forbids : and, further, when a man, contrary to the law, voluntarily inflicts hurt without provocation, he acts unjustly (voluntarily meaning with knowledge of the person and the instrument). Now, the man who kills himself in a rage voluntarily acts thus against right reason and does what the law forbids : he acts unjustly therefore.

3 But unjustly to whom ? To the state surely, not to himself ; for he suffers voluntarily, but no one can have an injustice done him voluntarily. And upon this ground the state actually punishes him, *i.e.* it pronounces a particular kind of disfranchisement upon the man who destroys himself, as one who acts unjustly towards the state.

4 Again, if we take the word unjust in the other sense, in which it is used to designate not general badness, but a particular species of vice, we find that in this sense also it is impossible to act unjustly to one's self. (This, we found, is different from the former sense of the word : the unjust man in this second sense is bad in the same way as the coward is bad, *i.e.* as having a particular form of vice, not as having a completely vicious character, nor do we mean to say that he displays a completely vicious character when we say that he acts unjustly). For if it were possible, it would be possible for the same thing at the same time to be taken from and added to the same person. But this is impossible ; and, in fact, a just deed or an unjust deed always implies more persons than one.