

The Rule of Law in Nature and Society

by Dr. Mizanur Rahman Shelley

THE ceaseless struggle between the ideal and the real has been one of everlasting fascination. I, for one can never cease to wonder at the many contradictions that this titanic conflict relentlessly produces.

As a student of Political Science I was initiated into the beauties of Plato's thoughts during the early sixties. That great teacher of all times conceived the Ideal as the Eternally Abiding. He put forth the concept of the Idea of Good or the Ultimate Reality the understanding of which gives the philosopher-king the eminent right and reason to rule the ideal polity without a constitution. For if the ideal is actualized and Reason reigns supreme aren't laws, rules and regulation transparently irrelevant and useless? The Platonic dictum in fact restated the old affirmation that "Rules are for brains fall".

But (as Plato himself found) life is less than perfect and the real world falls far short of the ideal. In his own life-time Plato concluded that fallible human beings could not comprehend and appreciate the worth and uses of pure reason and the well-intentioned acts of even the most reasonable philosopher-turned ruler.

So in his matured years, Plato wrote "Laws" in which he drew the outlines of a less ideal polity than he had earlier sketched in the Republic with its challenging idea of the philosopher-king.

In the society outlined in "Laws" the arbiter is not a philosopher-king but a set of laws and rules, a Constitution.

Plato's eminent student, the practical observer and analyst, Aristotle took pragmatism a step further. He studied and compared, evaluated and analysed more than a hundred and fifty constitutions of as many city-states of ancient Greece. He consistently maintained that saintly detachment and neutrality were the hallmarks of a non-involved scientist of society.

This detachment and objectivity made it possible for Aristotle to emerge as the virtual precursor of Machiavelli, that sixteenth century enigma whose cool, composed and almost cold counsels to the ruthless and cunning ruler seemed diabolical to many an idealist and moralist.

The fact of the matter is that both Aristotle and Machiavelli were amoral rather than immoral. They told it like it was. In most cases, despite their captivity in their times and societies, they were as objective, as unencumbered by value judgment as modern natural scientists.

Value judgements are of no effect, and, therefore, of no use to scientists of nature. As science-

fiction writer Tom Godwin aptly asserted in his memorable short-story, "The Cold Equations."

Existence required Order and there was Order; the laws of nature, irrevocable and immutable, men could learn to use them but men could not change them. The circumference of a circle was always PI times the diameter and no science of Man could ever make it otherwise. The combination of chemical A with chemical B under condition C invariably produced reaction. The law of gravitation was a rigid equation and it made no distinction between the fall of a leaf and the ponderous circling of a binary star system..... The laws were and the universe moved in obedience to them."

It is easy thus to understand and appreciate why even a dedicated idealist in his capacity as a physicist or chemist remains (as he must) detached and objective.

pretend at least to an interest in public welfare and at all events to avoid the public exhibition of a tyrant's vices".

Aristotle advised the tyrant to cut the ear of the corn before it grew long. Machiavelli counselled the permanent crushing down of the enemy. Both advised diversion of public attention to festivities so that more serious matters would not come under close popular scrutiny. Machiavelli wrote: "...the prince should ... determine to avoid anything which will make him hated and despised. So long as he does, so will he have done what he should and he will run no risk whatsoever... He will be hated above all if he is rapacious and aggressive with regard to property and the women of his subjects. He should refrain from these. As long as he does not rob the great majority of their property or their honour, they remain content. He then has

The conclusion thus is inevitable that between Plato and Aristotle, the Idealist and the Realist there is not much of a difference. The truth remains the same. It operates with equal force and detachment on both the believer and non-believer. It does not matter whether one believes or not in the mathematical formula that the circumference of a circle will always be PI-times the diameter; it will always be so.

Similarly it does not matter whether one believes in the Aristotelian dictum that the forces of talented aristocracy, oligarchy and meritocracy when wedded to the force of number produce an enduring political society. The fact is that such a political society does endure and has the best chance to develop. What Aristotle underscored as a pragmatic analyst of socio-political systems was the fact that no state, no government survives long until and unless it has the consent and support of the principal politico-economic forces in the society. The middle class thus is the key to the building of an enduring politico-social order for it alone can combine both quality and quantity.

Modern industrialized and technologically advanced states are well aware of this inescapable force. These states follow (to their lasting advantage) the Aristotelian dictum that "it is the extreme in any direction that ruins states... if not actually a middle-class government, the state must be as like middle-class government as it can"....

The middle path the Confucian Golden Mean is after all a perfect blend of the Ideal and Real. It is not only practical but also inexorable that the rulers of the Third World Nations follow the dictates of this undeniable truth. Others more economically and technologically advanced have done the same. They could not do otherwise for like it or not the Superpowers and Great Powers, the rich and mighty had to do the same for that was the requirement of the inescapable law of society.

There are certain things Nature will not simply take such as the defiance of the Laws of Gravitation or Magnetism. Similarly there are parameters of social tolerance.

A tyrant can rule only as long as he does not seem to be a tyrant or, in other words, he does not behave and act like a tyrant. In order to rule longer, therefore, Aristotle and Machiavelli said, even an autocrat must rule according to time-honoured laws, rules and customs whether or not he introduces a constitution which is above him.

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As in Nature so in society the laws are inexorable : Gravitation must operate, Magnetism must be inescapable, autocracy cannot survive, people, both quantitatively and qualitatively, must determine the nature and destiny of their society.

to contend with the restlessness of a few, and that can be dealt with easily and in a variety of ways."

What do such counsels coming from such pragmatic and able analysts of society as Aristotle or Machiavelli signify? To my mind these stand for nothing but their profound awareness that as in Nature so in human society there are inexorable 'laws'. Society too has certain governing rules irrespective of the likes and dislikes of the rulers and the ruled which cannot be violated with impunity. Governor or governed, people within a society must understand and follow these immutable laws whether these are encoded in a given political system or not.

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