

**ПЛАТОН**

LAWS

# Платон

# Laws

*[http://www.litres.ru/pages/biblio\\_book/?art=25293203](http://www.litres.ru/pages/biblio_book/?art=25293203)*

*Laws:*

# Содержание

INTRODUCTION AND ANALYSIS

4

Конец ознакомительного фрагмента.

200

# Plato

## Laws

### INTRODUCTION AND ANALYSIS

The genuineness of the Laws is sufficiently proved (1) by more than twenty citations of them in the writings of Aristotle, who was residing at Athens during the last twenty years of the life of Plato, and who, having left it after his death (B.C. 347), returned thither twelve years later (B.C. 335); (2) by the allusion of Isocrates

(Oratio ad Philippum missa, p.84: To men tais paneguresin enochlein kai pros apantas legein tous sunprechontas en autais pros oudena legein estin, all omoios oi toioutoi ton logon (sc. speeches in the assembly) akuroi tugchanousin ontes tois nomois kai tais politeiais tais upo ton sophiston gegrammenais.) – writing 346 B.C., a year after the death of Plato, and probably not more than three or four years after the composition of the Laws – who speaks of the Laws and Republics written by philosophers (upo ton sophiston); (3) by the reference (Athen.) of the comic poet Alexis, a younger contemporary of Plato (fl. B.C 356-306), to the enactment about prices, which occurs in Laws xi., viz that the same goods should not be offered at two prices on the same day

(Ou gegone kreitton nomothetes tou plousiou

Aristonikou titthesi gar nuni nomon, ton ichthuopolon ostis an polon tini ichthun upotimesas apodot elattonos es eipe times, eis to desmoterion euthus apagesthai touton, ina dedoikotes tes axias agaposin, e tes esperas saprous apantas apopherosin oikade.

Meineke, Frag. Com. Graec.); (4) by the unanimous voice of later antiquity and the absence of any suspicion among ancient writers worth speaking of to the contrary; for it is not said of Philippus of Opus that he composed any part of the Laws, but only that he copied them out of the waxen tablets, and was thought by some to have written the *Epinomis* (Diog. Laert.) That the longest and one of the best writings bearing the name of Plato should be a forgery, even if its genuineness were unsupported by external testimony, would be a singular phenomenon in ancient literature; and although the critical worth of the consensus of late writers is generally not to be compared with the express testimony of contemporaries, yet a somewhat greater value may be attributed to their consent in the present instance, because the admission of the Laws is combined with doubts about the *Epinomis*, a spurious writing, which is a kind of epilogue to the larger work probably of a much later date. This shows that the reception of the Laws was not altogether indiscriminating.

The suspicion which has attached to the Laws of Plato in the judgment of some modern writers appears to rest partly (1) on differences in the style and form of the work, and (2) on differences of thought and opinion which they observe

in them. Their suspicion is increased by the fact that these differences are accompanied by resemblances as striking to passages in other Platonic writings. They are sensible of a want of point in the dialogue and a general inferiority in the ideas, plan, manners, and style. They miss the poetical flow, the dramatic verisimilitude, the life and variety of the characters, the dialectic subtlety, the Attic purity, the luminous order, the exquisite urbanity; instead of which they find tautology, obscurity, self-sufficiency, sermonizing, rhetorical declamation, pedantry, egotism, uncouth forms of sentences, and peculiarities in the use of words and idioms. They are unable to discover any unity in the patched, irregular structure. The speculative element both in government and education is superseded by a narrow economical or religious vein. The grace and cheerfulness of Athenian life have disappeared; and a spirit of moroseness and religious intolerance has taken their place. The charm of youth is no longer there; the mannerism of age makes itself unpleasantly felt. The connection is often imperfect; and there is a want of arrangement, exhibited especially in the enumeration of the laws towards the end of the work. The Laws are full of flaws and repetitions. The Greek is in places very ungrammatical and intractable. A cynical levity is displayed in some passages, and a tone of disappointment and lamentation over human things in others. The critics seem also to observe in them bad imitations of thoughts which are better expressed in Plato's other writings. Lastly, they wonder how the mind which conceived

the Republic could have left the Critias, Hermocrates, and Philosophus incomplete or unwritten, and have devoted the last years of life to the Laws.

The questions which have been thus indirectly suggested may be considered by us under five or six heads: I, the characters; II, the plan; III, the style; IV, the imitations of other writings of Plato; V; the more general relation of the Laws to the Republic and the other dialogues; and VI, to the existing Athenian and Spartan states.

I. Already in the Philebus the distinctive character of Socrates has disappeared; and in the Timaeus, Sophist, and Statesman his function of chief speaker is handed over to the Pythagorean philosopher Timaeus, and to the Eleatic Stranger, at whose feet he sits, and is silent. More and more Plato seems to have felt in his later writings that the character and method of Socrates were no longer suited to be the vehicle of his own philosophy. He is no longer interrogative but dogmatic; not 'a hesitating enquirer,' but one who speaks with the authority of a legislator. Even in the Republic we have seen that the argument which is carried on by Socrates in the old style with Thrasymachus in the first book, soon passes into the form of exposition. In the Laws he is nowhere mentioned. Yet so completely in the tradition of antiquity is Socrates identified with Plato, that in the criticism of the Laws which we find in the so-called Politics of Aristotle he is supposed by the writer still to be playing his part of the chief speaker (compare Pol.).

The Laws are discussed by three representatives of Athens, Crete, and Sparta. The Athenian, as might be expected, is the protagonist or chief speaker, while the second place is assigned to the Cretan, who, as one of the leaders of a new colony, has a special interest in the conversation. At least four-fifths of the answers are put into his mouth. The Spartan is every inch a soldier, a man of few words himself, better at deeds than words. The Athenian talks to the two others, although they are his equals in age, in the style of a master discoursing to his scholars; he frequently praises himself; he entertains a very poor opinion of the understanding of his companions. Certainly the boastfulness and rudeness of the Laws is the reverse of the refined irony and courtesy which characterize the earlier dialogues. We are no longer in such good company as in the *Phaedrus* and *Symposium*. Manners are lost sight of in the earnestness of the speakers, and dogmatic assertions take the place of poetical fancies.

The scene is laid in Crete, and the conversation is held in the course of a walk from Cnosus to the cave and temple of Zeus, which takes place on one of the longest and hottest days of the year. The companions start at dawn, and arrive at the point in their conversation which terminates the fourth book, about noon. The God to whose temple they are going is the lawgiver of Crete, and this may be supposed to be the very cave at which he gave his oracles to Minos. But the externals of the scene, which are briefly and inartistically described, soon disappear, and we plunge abruptly into the subject of the dialogue. We



are reminded by contrast of the higher art of the Phaedrus, in which the summer's day, and the cool stream, and the chirping of the grasshoppers, and the fragrance of the agnus castus, and the legends of the place are present to the imagination throughout the discourse.

The typical Athenian apologizes for the tendency of his countrymen 'to spin a long discussion out of slender materials,' and in a similar spirit the Lacedaemonian Megillus apologizes for the Spartan brevity (compare Thucydid.), acknowledging at the same time that there may be occasions when long discourses are necessary. The family of Megillus is the proxenus of Athens at Sparta; and he pays a beautiful compliment to the Athenian, significant of the character of the work, which, though borrowing many elements from Sparta, is also pervaded by an Athenian spirit. A good Athenian, he says, is more than ordinarily good, because he is inspired by nature and not manufactured by law. The love of listening which is attributed to the Timocrat in the Republic is also exhibited in him. The Athenian on his side has a pleasure in speaking to the Lacedaemonian of the struggle in which their ancestors were jointly engaged against the Persians. A connexion with Athens is likewise intimated by the Cretan Cleinias. He is the relative of Epimenides, whom, by an anachronism of a century, – perhaps arising as Zeller suggests (Plat. Stud.) out of a confusion of the visit of Epimenides and Diotima (Symp.), – he describes as coming to Athens, not after the attempt of Cylon, but ten years before the Persian war.

The Cretan and Lacedaemonian hardly contribute at all to the argument of which the Athenian is the expounder; they only supply information when asked about the institutions of their respective countries. A kind of simplicity or stupidity is ascribed to them. At first, they are dissatisfied with the free criticisms which the Athenian passes upon the laws of Minos and Lycurgus, but they acquiesce in his greater experience and knowledge of the world. They admit that there can be no objection to the enquiry; for in the spirit of the legislator himself, they are discussing his laws when there are no young men present to listen. They are unwilling to allow that the Spartan and Cretan lawgivers can have been mistaken in honouring courage as the first part of virtue, and are puzzled at hearing for the first time that 'Goods are only evil to the evil.' Several times they are on the point of quarrelling, and by an effort learn to restrain their natural feeling (compare Shakespeare, *Henry V*, act iii. sc. 2). In Book vii., the Lacedaemonian expresses a momentary irritation at the accusation which the Athenian brings against the Spartan institutions, of encouraging licentiousness in their women, but he is reminded by the Cretan that the permission to criticize them freely has been given, and cannot be retracted. His only criterion of truth is the authority of the Spartan lawgiver; he is 'interested,' in the novel speculations of the Athenian, but inclines to prefer the ordinances of Lycurgus.

The three interlocutors all of them speak in the character of old men, which forms a pleasant bond of union between

them. They have the feelings of old age about youth, about the state, about human things in general. Nothing in life seems to be of much importance to them; they are spectators rather than actors, and men in general appear to the Athenian speaker to be the playthings of the Gods and of circumstances. Still they have a fatherly care of the young, and are deeply impressed by sentiments of religion. They would give confidence to the aged by an increasing use of wine, which, as they get older, is to unloose their tongues and make them sing. The prospect of the existence of the soul after death is constantly present to them; though they can hardly be said to have the cheerful hope and resignation which animates Socrates in the *Phaedo* or *Cephalus* in the *Republic*. Plato appears to be expressing his own feelings in remarks of this sort. For at the time of writing the first book of the *Laws* he was at least seventy-four years of age, if we suppose him to allude to the victory of the Syracusans under Dionysius the Younger over the Locrians, which occurred in the year 356. Such a sadness was the natural effect of declining years and failing powers, which make men ask, 'After all, what profit is there in life?' They feel that their work is beginning to be over, and are ready to say, 'All the world is a stage;' or, in the actual words of Plato, 'Let us play as good plays as we can,' though 'we must be sometimes serious, which is not agreeable, but necessary.' These are feelings which have crossed the minds of reflective persons in all ages, and there is no reason to connect the *Laws* any more than other parts of Plato's writings with

the very uncertain narrative of his life, or to imagine that this melancholy tone is attributable to disappointment at having failed to convert a Sicilian tyrant into a philosopher.

II. The plan of the *Laws* is more irregular and has less connexion than any other of the writings of Plato. As Aristotle says in the *Politics*, 'The greater part consists of laws'; in Books v, vi, xi, xii the dialogue almost entirely disappears. Large portions of them are rather the materials for a work than a finished composition which may rank with the other Platonic dialogues. To use his own image, 'Some stones are regularly inserted in the building; others are lying on the ground ready for use.' There is probably truth in the tradition that the *Laws* were not published until after the death of Plato. We can easily believe that he has left imperfections, which would have been removed if he had lived a few years longer. The arrangement might have been improved; the connexion of the argument might have been made plainer, and the sentences more accurately framed. Something also may be attributed to the feebleness of old age. Even a rough sketch of the *Phaedrus* or *Symposium* would have had a very different look. There is, however, an interest in possessing one writing of Plato which is in the process of creation.

We must endeavour to find a thread of order which will carry us through this comparative disorder. The first four books are described by Plato himself as the preface or preamble. Having arrived at the conclusion that each law should have a preamble, the lucky thought occurs to him at the end of the fourth book

that the preceding discourse is the preamble of the whole. This preamble or introduction may be abridged as follows: —

The institutions of Sparta and Crete are admitted by the Lacedaemonian and Cretan to have one aim only: they were intended by the legislator to inspire courage in war. To this the Athenian objects that the true lawgiver should frame his laws with a view to all the virtues and not to one only. Better is he who has temperance as well as courage, than he who has courage only; better is he who is faithful in civil broils, than he who is a good soldier only. Better, too, is peace than war; the reconciliation than the defeat of an enemy. And he who would attain all virtue should be trained amid pleasures as well as pains. Hence there should be convivial intercourse among the citizens, and a man's temperance should be tested in his cups, as we test his courage amid dangers. He should have a fear of the right sort, as well as a courage of the right sort.

At the beginning of the second book the subject of pleasure leads to education, which in the early years of life is wholly a discipline imparted by the means of pleasure and pain. The discipline of pleasure is implanted chiefly by the practice of the song and the dance. Of these the forms should be fixed, and not allowed to depend on the fickle breath of the multitude. There will be choruses of boys, girls, and grown-up persons, and all will be heard repeating the same strain, that 'virtue is happiness.' One of them will give the law to the rest; this will be the chorus of aged minstrels, who will sing the most beautiful and the most

useful of songs. They will require a little wine, to mellow the austerity of age, and make them amenable to the laws.

After having laid down as the first principle of politics, that peace, and not war, is the true aim of the legislator, and briefly discussed music and festive intercourse, at the commencement of the third book Plato makes a digression, in which he speaks of the origin of society. He describes, first of all, the family; secondly, the patriarchal stage, which is an aggregation of families; thirdly, the founding of regular cities, like Ilium; fourthly, the establishment of a military and political system, like that of Sparta, with which he identifies Argos and Messene, dating from the return of the Heraclidae. But the aims of states should be good, or else, like the prayer of Theseus, they may be ruinous to themselves. This was the case in two out of three of the Heracleid kingdoms. They did not understand that the powers in a state should be balanced. The balance of powers saved Sparta, while the excess of tyranny in Persia and the excess of liberty at Athens have been the ruin of both... This discourse on politics is suddenly discovered to have an immediate practical use; for Cleinias the Cretan is about to give laws to a new colony.

At the beginning of the fourth book, after enquiring into the circumstances and situation of the colony, the Athenian proceeds to make further reflections. Chance, and God, and the skill of the legislator, all co-operate in the formation of states. And the most favourable condition for the foundation of a new one is when the government is in the hands of a virtuous tyrant who

has the good fortune to be the contemporary of a great legislator. But a virtuous tyrant is a contradiction in terms; we can at best only hope to have magistrates who are the servants of reason and the law. This leads to the enquiry, what is to be the polity of our new state. And the answer is, that we are to fear God, and honour our parents, and to cultivate virtue and justice; these are to be our first principles. Laws must be definite, and we should create in the citizens a predisposition to obey them. The legislator will teach as well as command; and with this view he will prefix preambles to his principal laws.

The fifth book commences in a sort of dithyramb with another and higher preamble about the honour due to the soul, whence are deduced the duties of a man to his parents and his friends, to the suppliant and stranger. He should be true and just, free from envy and excess of all sorts, forgiving to crimes which are not incurable and are partly involuntary; and he should have a true taste. The noblest life has the greatest pleasures and the fewest pains...Having finished the preamble, and touched on some other preliminary considerations, we proceed to the Laws, beginning with the constitution of the state. This is not the best or ideal state, having all things common, but only the second-best, in which the land and houses are to be distributed among 5040 citizens divided into four classes. There is to be no gold or silver among them, and they are to have moderate wealth, and to respect number and numerical order in all things.

In the first part of the sixth book, Plato completes his sketch

of the constitution by the appointment of officers. He explains the manner in which guardians of the law, generals, priests, wardens of town and country, ministers of education, and other magistrates are to be appointed; and also in what way courts of appeal are to be constituted, and omissions in the law to be supplied. Next – and at this point the Laws strictly speaking begin – there follow enactments respecting marriage and the procreation of children, respecting property in slaves as well as of other kinds, respecting houses, married life, common tables for men and women. The question of age in marriage suggests the consideration of a similar question about the time for holding offices, and for military service, which had been previously omitted.

Resuming the order of the discussion, which was indicated in the previous book, from marriage and birth we proceed to education in the seventh book. Education is to begin at or rather before birth; to be continued for a time by mothers and nurses under the supervision of the state; finally, to comprehend music and gymnastics. Under music is included reading, writing, playing on the lyre, arithmetic, geometry, and a knowledge of astronomy sufficient to preserve the minds of the citizens from impiety in after-life. Gymnastics are to be practised chiefly with a view to their use in war. The discussion of education, which was lightly touched upon in Book ii, is here completed.

The eighth book contains regulations for civil life, beginning with festivals, games, and contests, military exercises and the



like. On such occasions Plato seems to see young men and maidens meeting together, and hence he is led into discussing the relations of the sexes, the evil consequences which arise out of the indulgence of the passions, and the remedies for them. Then he proceeds to speak of agriculture, of arts and trades, of buying and selling, and of foreign commerce.

The remaining books of the Laws, ix-xii, are chiefly concerned with criminal offences. In the first class are placed offences against the Gods, especially sacrilege or robbery of temples: next follow offences against the state, – conspiracy, treason, theft. The mention of thefts suggests a distinction between voluntary and involuntary, curable and incurable offences. Proceeding to the greater crime of homicide, Plato distinguishes between mere homicide, manslaughter, which is partly voluntary and partly involuntary, and murder, which arises from avarice, ambition, fear. He also enumerates murders by kindred, murders by slaves, wounds with or without intent to kill, wounds inflicted in anger, crimes of or against slaves, insults to parents. To these, various modes of purification or degrees of punishment are assigned, and the terrors of another world are also invoked against them.

At the beginning of Book x, all acts of violence, including sacrilege, are summed up in a single law. The law is preceded by an admonition, in which the offenders are informed that no one ever did an unholy act or said an unlawful word while he retained his belief in the existence of the Gods; but either he denied their

existence, or he believed that they took no care of man, or that they might be turned from their course by sacrifices and prayers. The remainder of the book is devoted to the refutation of these three classes of unbelievers, and concludes with the means to be taken for their reformation, and the announcement of their punishments if they continue obstinate and impenitent.

The eleventh book is taken up with laws and with admonitions relating to individuals, which follow one another without any exact order. There are laws concerning deposits and the finding of treasure; concerning slaves and freedmen; concerning retail trade, bequests, divorces, enchantments, poisonings, magical arts, and the like. In the twelfth book the same subjects are continued. Laws are passed concerning violations of military discipline, concerning the high office of the examiners and their burial; concerning oaths and the violation of them, and the punishments of those who neglect their duties as citizens. Foreign travel is then discussed, and the permission to be accorded to citizens of journeying in foreign parts; the strangers who may come to visit the city are also spoken of, and the manner in which they are to be received. Laws are added respecting sureties, searches for property, right of possession by prescription, abduction of witnesses, theatrical competition, waging of private warfare, and bribery in offices. Rules are laid down respecting taxation, respecting economy in sacred rites, respecting judges, their duties and sentences, and respecting sepulchral places and ceremonies. Here the Laws end. Lastly, a

Nocturnal Council is instituted for the preservation of the state, consisting of older and younger members, who are to exhibit in their lives that virtue which is the basis of the state, to know the one in many, and to be educated in divine and every other kind of knowledge which will enable them to fulfil their office.

III. The style of the Laws differs in several important respects from that of the other dialogues of Plato: (1) in the want of character, power, and lively illustration; (2) in the frequency of mannerisms (compare Introduction to the *Philebus*); (3) in the form and rhythm of the sentences; (4) in the use of words. On the other hand, there are many passages (5) which are characterized by a sort of ethical grandeur; and (6) in which, perhaps, a greater insight into human nature, and a greater reach of practical wisdom is shown, than in any other of Plato's writings.

1. The discourse of the three old men is described by themselves as an old man's game of play. Yet there is little of the liveliness of a game in their mode of treating the subject. They do not throw the ball to and fro, but two out of the three are listeners to the third, who is constantly asserting his superior wisdom and opportunities of knowledge, and apologizing (not without reason) for his own want of clearness of speech. He will 'carry them over the stream;' he will answer for them when the argument is beyond their comprehension; he is afraid of their ignorance of mathematics, and thinks that gymnastic is likely to be more intelligible to them; – he has repeated his words several times, and yet they cannot understand him. The subject did not

properly take the form of dialogue, and also the literary vigour of Plato had passed away. The old men speak as they might be expected to speak, and in this there is a touch of dramatic truth. Plato has given the Laws that form or want of form which indicates the failure of natural power. There is no regular plan – none of that consciousness of what has preceded and what is to follow, which makes a perfect style, – but there are several attempts at a plan; the argument is 'pulled up,' and frequent explanations are offered why a particular topic was introduced.

The fictions of the Laws have no longer the verisimilitude which is characteristic of the *Phaedrus* and the *Timaeus*, or even of the *Statesman*. We can hardly suppose that an educated Athenian would have placed the visit of Epimenides to Athens ten years before the Persian war, or have imagined that a war with Messene prevented the Lacedaemonians from coming to the rescue of Hellas. The narrative of the origin of the Dorian institutions, which are said to have been due to a fear of the growing power of the Assyrians, is a plausible invention, which may be compared with the tale of the island of Atlantis and the poem of Solon, but is not accredited by similar arts of deception. The other statement that the Dorians were Achaean exiles assembled by Dorieus, and the assertion that Troy was included in the Assyrian Empire, have some foundation (compare for the latter point, *Diod. Sicul.*). Nor is there anywhere in the Laws that lively *enargeia*, that vivid *mise en scene*, which is as characteristic of Plato as of some modern novelists.

The old men are afraid of the ridicule which 'will fall on their heads more than enough,' and they do not often indulge in a joke. In one of the few which occur, the book of the Laws, if left incomplete, is compared to a monster wandering about without a head. But we no longer breathe the atmosphere of humour which pervades the Symposium and the Euthydemus, in which we pass within a few sentences from the broadest Aristophanic joke to the subtlest refinement of wit and fancy; instead of this, in the Laws an impression of baldness and feebleness is often left upon our minds. Some of the most amusing descriptions, as, for example, of children roaring for the first three years of life; or of the Athenians walking into the country with fighting-cocks under their arms; or of the slave doctor who knocks about his patients finely; and the gentleman doctor who courteously persuades them; or of the way of keeping order in the theatre, 'by a hint from a stick,' are narrated with a commonplace gravity; but where we find this sort of dry humour we shall not be far wrong in thinking that the writer intended to make us laugh. The seriousness of age takes the place of the jollity of youth. Life should have holidays and festivals; yet we rebuke ourselves when we laugh, and take our pleasures sadly. The irony of the earlier dialogues, of which some traces occur in the tenth book, is replaced by a severity which hardly condescends to regard human things. 'Let us say, if you please, that man is of some account, but I was speaking of him in comparison with God.'

The imagery and illustrations are poor in themselves, and are

not assisted by the surrounding phraseology. We have seen how in the Republic, and in the earlier dialogues, figures of speech such as 'the wave,' 'the drone,' 'the chase,' 'the bride,' appear and reappear at intervals. Notes are struck which are repeated from time to time, as in a strain of music. There is none of this subtle art in the Laws. The illustrations, such as the two kinds of doctors, 'the three kinds of funerals,' the fear potion, the puppet, the painter leaving a successor to restore his picture, the 'person stopping to consider where three ways meet,' the 'old laws about water of which he will not divert the course,' can hardly be said to do much credit to Plato's invention. The citations from the poets have lost that fanciful character which gave them their charm in the earlier dialogues. We are tired of images taken from the arts of navigation, or archery, or weaving, or painting, or medicine, or music. Yet the comparisons of life to a tragedy, or of the working of mind to the revolution of the self-moved, or of the aged parent to the image of a God dwelling in the house, or the reflection that 'man is made to be the plaything of God, and that this rightly considered is the best of him,' have great beauty.

2. The clumsiness of the style is exhibited in frequent mannerisms and repetitions. The perfection of the Platonic dialogue consists in the accuracy with which the question and answer are fitted into one another, and the regularity with which the steps of the argument succeed one another. This finish of style is no longer discernible in the Laws. There is a want of variety in the answers; nothing can be drawn out of the

respondents but 'Yes' or 'No,' 'True,' 'To be sure,' etc.; the insipid forms, 'What do you mean?' 'To what are you referring?' are constantly returning. Again and again the speaker is charged, or charges himself, with obscurity; and he repeats again and again that he will explain his views more clearly. The process of thought which should be latent in the mind of the writer appears on the surface. In several passages the Athenian praises himself in the most unblushing manner, very unlike the irony of the earlier dialogues, as when he declares that 'the laws are a divine work given by some inspiration of the Gods,' and that 'youth should commit them to memory instead of the compositions of the poets.' The prosopopoeia which is adopted by Plato in the Protagoras and other dialogues is repeated until we grow weary of it. The legislator is always addressing the speakers or the youth of the state, and the speakers are constantly making addresses to the legislator. A tendency to a paradoxical manner of statement is also observable. 'We must have drinking,' 'we must have a virtuous tyrant' – this is too much for the duller wits of the Lacedaemonian and Cretan, who at first start back in surprise. More than in any other writing of Plato the tone is hortatory; the laws are sermons as well as laws; they are considered to have a religious sanction, and to rest upon a religious sentiment in the mind of the citizens. The words of the Athenian are attributed to the Lacedaemonian and Cretan, who are supposed to have made them their own, after the manner of the earlier dialogues. Resumptions of subjects which

have been half disposed of in a previous passage constantly occur: the arrangement has neither the clearness of art nor the freedom of nature. Irrelevant remarks are made here and there, or illustrations used which are not properly fitted in. The dialogue is generally weak and laboured, and is in the later books fairly given up, apparently, because unsuited to the subject of the work. The long speeches or sermons of the Athenian, often extending over several pages, have never the grace and harmony which are exhibited in the earlier dialogues. For Plato is incapable of sustained composition; his genius is dramatic rather than oratorical; he can converse, but he cannot make a speech. Even the *Timaeus*, which is one of his most finished works, is full of abrupt transitions. There is the same kind of difference between the dialogue and the continuous discourse of Plato as between the narrative and speeches of Thucydides.

3. The perfection of style is variety in unity, freedom, ease, clearness, the power of saying anything, and of striking any note in the scale of human feelings without impropriety; and such is the divine gift of language possessed by Plato in the *Symposium* and *Phaedrus*. From this there are many fallings-off in the *Laws*: first, in the structure of the sentences, which are rhythmical and monotonous, – the formal and sophistical manner of the age is superseding the natural genius of Plato: secondly, many of them are of enormous length, and the latter end often forgets the beginning of them, – they seem never to have received the second thoughts of the author; either the



emphasis is wrongly placed, or there is a want of point in a clause; or an absolute case occurs which is not properly separated from the rest of the sentence; or words are aggregated in a manner which fails to show their relation to one another; or the connecting particles are omitted at the beginning of sentences, the uses of the relative and antecedent are more indistinct, the changes of person and number more frequent, examples of pleonasm, tautology, and periphrasis, antitheses of positive and negative, false emphasis, and other affectations, are more numerous than in the other writings of Plato; there is also a more common and sometimes unmeaning use of qualifying formulae, *os epos eipein*, *kata dunamin*, and of double expressions, *pante pantos*, *oudame oudamos*, *opos kai ope* – these are too numerous to be attributed to errors in the text; again, there is an over-curious adjustment of verb and participle, noun and epithet, and other artificial forms of cadence and expression take the place of natural variety: thirdly, the absence of metaphorical language is remarkable – the style is not devoid of ornament, but the ornament is of a debased rhetorical kind, patched on to instead of growing out of the subject; there is a great command of words, and a laboured use of them; forced attempts at metaphor occur in several passages, – e.g. *parocheteuein logos*; *ta men os tithemena ta d os paratithemena*; *oinos kolazomenos upo nephontos eterou theou*; the plays on the word *nomos* = *nou dianome*, *ode etara*: fourthly, there is a foolish extravagance of language in other passages, – 'the swinish ignorance of arithmetic;' 'the justice and

suitableness of the discourse on laws;' over-emphasis; 'best of Greeks,' said of all the Greeks, and the like: fifthly, poor and insipid illustrations are also common: sixthly, we may observe an excessive use of climax and hyperbole, *aischron legein chre pros autous doulon te kai doulon kai paida kai ei pos oion te olen ten oikian: dokei touto to epitedeuma kata phusin tas peri ta aphrodisia edonas ou monon anthropon alla kai therion diephtharkenai*.

4. The peculiarities in the use of words which occur in the Laws have been collected by Zeller (*Platonische Studien*) and Stallbaum (*Legg.*): first, in the use of nouns, such as *allodemia*, *apeniautesis*, *glukuthumia*, *diatheter*, *thrasuxenia*, *koros*, *megalonoia*, *paidourgia*: secondly, in the use of adjectives, such as *aistor*, *biodotes*, *echthodopos*, *eitheos*, *chronios*, and of adverbs, such as *aniditi*, *anatei*, *nepoivei*: thirdly, in the use of verbs, such as *athurein*, *aissein* (*aixeien eipein*), *euthemoneisthai*, *parapodizesthai*, *sebein*, *temelein*, *tetan*. These words however, as Stallbaum remarks, are formed according to analogy, and nearly all of them have the support of some poetical or other authority.

Zeller and Stallbaum have also collected forms of words in the Laws, differing from the forms of the same words which occur in other places: e.g. *blabos* for *blabe*, *abios* for *abiotos*, *acharistos* for *acharis*, *douleios* for *doulikos*, *paidelos* for *paidikos*, *exagrio* for *exagriaino*, *ileoumai* for *ilaskomai*, and the Ionic word *sophronistus*, meaning 'correction.' Zeller has

noted a fondness for substantives ending in – ma and – sis, such as georgema, diapauma, epithumema, zemioma, komodema, omilema; blapsis, loidoresis, paraggelsis, and others; also a use of substantives in the plural, which are commonly found only in the singular, maniai, atheotetes, phthonoi, phoboi, phuseis, also, a peculiar use of prepositions in composition, as in eneirgo, apoblpto, dianomotheteo, dieiretai, dieulabeisthai, and other words; also, a frequent occurrence of the Ionic datives plural in – aisi and – oisi, perhaps used for the sake of giving an ancient or archaic effect.

To these peculiarities of words he has added a list of peculiar expressions and constructions. Among the most characteristic are the following: athuta pallakon spermata; amorphoi edrai; osa axiomata pros archontas; oi kata polin kairoi; muthos, used in several places of 'the discourse about laws;' and connected with this the frequent use of paramuthion and paramutheisthai in the general sense of 'address,' 'addressing'; aimulos eros; ataphoi praxeis; muthos akephalos; ethos euthuporon. He remarks also on the frequent employment of the abstract for the concrete; e.g. uperesia for uperetai, phugai for phugades, mechanai in the sense of 'contrivers,' douleia for douloi, basileiai for basileis, mainomena kedeumata for ganaika mainomenen; e chreia ton paidon in the sense of 'indigent children,' and paidon ikanotes; to ethos tes apeirias for e eiouthia apeiria; kuparitton upse te kai kalle thaumasia for kuparittoi mala upselai kai kalai. He further notes some curious uses of the genitive case, e.g.

philias omologiai, maniai orges, laimargiai edones, cheimonon anupodesiai, anosioi plegon tolmai; and of the dative, omiliai echthrois, nomothesiai, anosioi plegon tolmai; and of the dative omiliai echthrois, nomothesiai epitropois; and also some rather uncommon periphrases, thremmata Neilou, xuggenneton teknon for alochos, Mouses lexis for poiesis, zographon paides, anthropon spermata and the like; the fondness for particles of limitation, especially tis and ge, sun tisi charisi, tois ge dunamenois and the like; the pleonastic use of tanun, of os, of os eros eipein, of ekastote; and the periphrastic use of the preposition peri. Lastly, he observes the tendency to hyperbata or transpositions of words, and to rhythmical uniformity as well as grammatical irregularity in the structure of the sentences.

For nearly all the expressions which are adduced by Zeller as arguments against the genuineness of the Laws, Stallbaum finds some sort of authority. There is no real ground for doubting that the work was written by Plato, merely because several words occur in it which are not found in his other writings. An imitator may preserve the usual phraseology of a writer better than he would himself. But, on the other hand, the fact that authorities may be quoted in support of most of these uses of words, does not show that the diction is not peculiar. Several of them seem to be poetical or dialectical, and exhibit an attempt to enlarge the limits of Greek prose by the introduction of Homeric and tragic expressions. Most of them do not appear to have retained any hold on the later language of Greece. Like several experiments

in language of the writers of the Elizabethan age, they were afterwards lost; and though occasionally found in Plutarch and imitators of Plato, they have not been accepted by Aristotle or passed into the common dialect of Greece.

5. Unequal as the Laws are in style, they contain a few passages which are very grand and noble. For example, the address to the poets: 'Best of strangers, we also are poets of the best and noblest tragedy; for our whole state is an imitation of the best and noblest life, which we affirm to be indeed the very truth of tragedy.' Or again, the sight of young men and maidens in friendly intercourse with one another, suggesting the dangers to which youth is liable from the violence of passion; or the eloquent denunciation of unnatural lusts in the same passage; or the charming thought that the best legislator 'orders war for the sake of peace and not peace for the sake of war;' or the pleasant allusion, 'O Athenian – inhabitant of Attica, I will not say, for you seem to me worthy to be named after the Goddess Athene because you go back to first principles;' or the pithy saying, 'Many a victory has been and will be suicidal to the victors, but education is never suicidal;' or the fine expression that 'the walls of a city should be allowed to sleep in the earth, and that we should not attempt to disinter them;' or the remark that 'God is the measure of all things in a sense far higher than any man can be;' or that 'a man should be from the first a partaker of the truth, that he may live a true man as long as possible;' or the principle repeatedly laid down, that 'the sins of the fathers

are not to be visited on the children;' or the description of the funeral rites of those priestly sages who depart in innocence; or the noble sentiment, that we should do more justice to slaves than to equals; or the curious observation, founded, perhaps, on his own experience, that there are a few 'divine men in every state however corrupt, whose conversation is of inestimable value;' or the acute remark, that public opinion is to be respected, because the judgments of mankind about virtue are better than their practice; or the deep religious and also modern feeling which pervades the tenth book (whatever may be thought of the arguments); the sense of the duty of living as a part of a whole, and in dependence on the will of God, who takes care of the least things as well as the greatest; and the picture of parents praying for their children – not as we may say, slightly altering the words of Plato, as if there were no truth or reality in the Gentile religions, but as if there were the greatest – are very striking to us. We must remember that the Laws, unlike the Republic, do not exhibit an ideal state, but are supposed to be on the level of human motives and feelings; they are also on the level of the popular religion, though elevated and purified: hence there is an attempt made to show that the pleasant is also just. But, on the other hand, the priority of the soul to the body, and of God to the soul, is always insisted upon as the true incentive to virtue; especially with great force and eloquence at the commencement of Book v. And the work of legislation is carried back to the first principles of morals.

6. No other writing of Plato shows so profound an insight into the world and into human nature as the Laws. That 'cities will never cease from ill until they are better governed,' is the text of the Laws as well as of the Statesman and Republic. The principle that the balance of power preserves states; the reflection that no one ever passed his whole life in disbelief of the Gods; the remark that the characters of men are best seen in convivial intercourse; the observation that the people must be allowed to share not only in the government, but in the administration of justice; the desire to make laws, not with a view to courage only, but to all virtue; the clear perception that education begins with birth, or even, as he would say, before birth; the attempt to purify religion; the modern reflections, that punishment is not vindictive, and that limits must be set to the power of bequest; the impossibility of undeceiving the victims of quacks and jugglers; the provision for water, and for other requirements of health, and for concealing the bodies of the dead with as little hurt as possible to the living; above all, perhaps, the distinct consciousness that under the actual circumstances of mankind the ideal cannot be carried out, and yet may be a guiding principle – will appear to us, if we remember that we are still in the dawn of politics, to show a great depth of political wisdom.

IV. The Laws of Plato contain numerous passages which closely resemble other passages in his writings. And at first sight a suspicion arises that the repetition shows the unequal hand of the imitator. For why should a writer say over again, in a more

imperfect form, what he had already said in his most finished style and manner? And yet it may be urged on the other side that an author whose original powers are beginning to decay will be very liable to repeat himself, as in conversation, so in books. He may have forgotten what he had written before; he may be unconscious of the decline of his own powers. Hence arises a question of great interest, bearing on the genuineness of ancient writers. Is there any criterion by which we can distinguish the genuine resemblance from the spurious, or, in other words, the repetition of a thought or passage by an author himself from the appropriation of it by another? The question has, perhaps, never been fully discussed; and, though a real one, does not admit of a precise answer. A few general considerations on the subject may be offered: —

(a) Is the difference such as might be expected to arise at different times of life or under different circumstances? — There would be nothing surprising in a writer, as he grew older, losing something of his own originality, and falling more and more under the spirit of his age. 'What a genius I had when I wrote that book!' was the pathetic exclamation of a famous English author, when in old age he chanced to take up one of his early works. There would be nothing surprising again in his losing somewhat of his powers of expression, and becoming less capable of framing language into a harmonious whole. There would also be a strong presumption that if the variation of style was uniform, it was attributable to some natural cause, and not to the arts of



the imitator. The inferiority might be the result of feebleness and of want of activity of mind. But the natural weakness of a great author would commonly be different from the artificial weakness of an imitator; it would be continuous and uniform. The latter would be apt to fill his work with irregular patches, sometimes taken verbally from the writings of the author whom he personated, but rarely acquiring his spirit. His imitation would be obvious, irregular, superficial. The patches of purple would be easily detected among his threadbare and tattered garments. He would rarely take the pains to put the same thought into other words. There were many forgeries in English literature which attained a considerable degree of success 50 or 100 years ago; but it is doubtful whether attempts such as these could now escape detection, if there were any writings of the same author or of the same age to be compared with them. And ancient forgers were much less skilful than modern; they were far from being masters in the art of deception, and had rarely any motive for being so.

(b) But, secondly, the imitator will commonly be least capable of understanding or imitating that part of a great writer which is most characteristic of him. In every man's writings there is something like himself and unlike others, which gives individuality. To appreciate this latent quality would require a kindred mind, and minute study and observation. There are a class of similarities which may be called undesigned coincidences, which are so remote as to be incapable of being borrowed from one another, and yet, when they are compared,

find a natural explanation in their being the work of the same mind. The imitator might copy the turns of style – he might repeat images or illustrations, but he could not enter into the inner circle of Platonic philosophy. He would understand that part of it which became popular in the next generation, as for example, the doctrine of ideas or of numbers: he might approve of communism. But the higher flights of Plato about the science of dialectic, or the unity of virtue, or a person who is above the law, would be unintelligible to him.

(c) The argument from imitation assumes a different character when the supposed imitations are associated with other passages having the impress of original genius. The strength of the argument from undesigned coincidences of style is much increased when they are found side by side with thoughts and expressions which can only have come from a great original writer. The great excellence, not only of the whole, but even of the parts of writings, is a strong proof of their genuineness – for although the great writer may fall below, the forger or imitator cannot rise much above himself. Whether we can attribute the worst parts of a work to a forger and the best to a great writer, – as for example, in the case of some of Shakespeare's plays, – depends upon the probability that they have been interpolated, or have been the joint work of two writers; and this can only be established either by express evidence or by a comparison of other writings of the same class. If the interpolation or double authorship of Greek writings in the time of Plato could be

shown to be common, then a question, perhaps insoluble, would arise, not whether the whole, but whether parts of the Platonic dialogues are genuine, and, if parts only, which parts. Hebrew prophecies and Homeric poems and Laws of Manu may have grown together in early times, but there is no reason to think that any of the dialogues of Plato is the result of a similar process of accumulation. It is therefore rash to say with Oncken (*Die Staatslehre des Aristoteles*) that the form in which Aristotle knew the Laws of Plato must have been different from that in which they have come down to us.

It must be admitted that these principles are difficult of application. Yet a criticism may be worth making which rests only on probabilities or impressions. Great disputes will arise about the merits of different passages, about what is truly characteristic and original or trivial and borrowed. Many have thought the Laws to be one of the greatest of Platonic writings, while in the judgment of Mr. Grote they hardly rise above the level of the forged epistles. The manner in which a writer would or would not have written at a particular time of life must be acknowledged to be a matter of conjecture. But enough has been said to show that similarities of a certain kind, whether criticism is able to detect them or not, may be such as must be attributed to an original writer, and not to a mere imitator.

(d) Applying these principles to the case of the Laws, we have now to point out that they contain the class of refined or unconscious similarities which are indicative of genuineness. The

parallelisms are like the repetitions of favourite thoughts into which every one is apt to fall unawares in conversation or in writing. They are found in a work which contains many beautiful and remarkable passages. We may therefore begin by claiming this presumption in their favour. Such undesigned coincidences, as we may venture to call them, are the following. The conception of justice as the union of temperance, wisdom, courage (Laws; Republic): the latent idea of dialectic implied in the notion of dividing laws after the kinds of virtue (Laws); the approval of the method of looking at one idea gathered from many things, 'than which a truer was never discovered by any man' (compare Republic): or again the description of the Laws as parents (Laws; Republic): the assumption that religion has been already settled by the oracle of Delphi (Laws; Republic), to which an appeal is also made in special cases (Laws): the notion of the battle with self, a paradox for which Plato in a manner apologizes both in the Laws and the Republic: the remark (Laws) that just men, even when they are deformed in body, may still be perfectly beautiful in respect of the excellent justice of their minds (compare Republic): the argument that ideals are none the worse because they cannot be carried out (Laws; Republic): the near approach to the idea of good in 'the principle which is common to all the four virtues,' a truth which the guardians must be compelled to recognize (Laws; compare Republic): or again the recognition by reason of the right pleasure and pain, which had previously been matter of habit (Laws; Republic):

or the blasphemy of saying that the excellency of music is to give pleasure (Laws; Republic): again the story of the Sidonian Cadmus (Laws), which is a variation of the Phoenician tale of the earth-born men (Republic): the comparison of philosophy to a yelping she-dog, both in the Republic and in the Laws: the remark that no man can practise two trades (Laws; Republic): or the advantage of the middle condition (Laws; Republic): the tendency to speak of principles as moulds or forms; compare the ekmageia of song (Laws), and the tupoi of religion (Republic): or the remark (Laws) that 'the relaxation of justice makes many cities out of one,' which may be compared with the Republic: or the description of lawlessness 'creeping in little by little in the fashions of music and overturning all things,' – to us a paradox, but to Plato's mind a fixed idea, which is found in the Laws as well as in the Republic: or the figure of the parts of the human body under which the parts of the state are described (Laws; Republic): the apology for delay and diffuseness, which occurs not unfrequently in the Republic, is carried to an excess in the Laws (compare Theaet.): the remarkable thought (Laws) that the soul of the sun is better than the sun, agrees with the relation in which the idea of good stands to the sun in the Republic, and with the substitution of mind for the idea of good in the Philebus: the passage about the tragic poets (Laws) agrees generally with the treatment of them in the Republic, but is more finely conceived, and worked out in a nobler spirit. Some lesser similarities of thought and manner should not be omitted, such as the mention

of the thirty years' old students in the Republic, and the fifty years' old choristers in the Laws; or the making of the citizens out of wax (Laws) compared with the other image (Republic); or the number of the tyrant (729), which is NEARLY equal with the number of days and nights in the year (730), compared with the 'slight correction' of the sacred number 5040, which is divisible by all the numbers from 1 to 12 except 11, and divisible by 11, if two families be deducted; or once more, we may compare the ignorance of solid geometry of which he complains in the Republic and the puzzle about fractions with the difficulty in the Laws about commensurable and incommensurable quantities – and the malicious emphasis on the word *gunaikeios* (Laws) with the use of the same word (Republic). These and similar passages tend to show that the author of the Republic is also the author of the Laws. They are echoes of the same voice, expressions of the same mind, coincidences too subtle to have been invented by the ingenuity of any imitator. The force of the argument is increased, if we remember that no passage in the Laws is exactly copied, – nowhere do five or six words occur together which are found together elsewhere in Plato's writings.

In other dialogues of Plato, as well as in the Republic, there are to be found parallels with the Laws. Such resemblances, as we might expect, occur chiefly (but not exclusively) in the dialogues which, on other grounds, we may suppose to be of later date. The punishment of evil is to be like evil men (Laws), as he says also in the Theaetetus. Compare again the dependence of tragedy and

comedy on one another, of which he gives the reason in the Laws – 'For serious things cannot be understood without laughable, nor opposites at all without opposites, if a man is really to have intelligence of either'; here he puts forward the principle which is the groundwork of the thesis of Socrates in the Symposium, 'that the genius of tragedy is the same as that of comedy, and that the writer of comedy ought to be a writer of tragedy also.' There is a truth and right which is above Law (Laws), as we learn also from the Statesman. That men are the possession of the Gods (Laws), is a reflection which likewise occurs in the Phaedo. The remark, whether serious or ironical (Laws), that 'the sons of the Gods naturally believed in the Gods, because they had the means of knowing about them,' is found in the Timaeus. The reign of Cronos, who is the divine ruler (Laws), is a reminiscence of the Statesman. It is remarkable that in the Sophist and Statesman (Soph.), Plato, speaking in the character of the Eleatic Stranger, has already put on the old man. The madness of the poets, again, is a favourite notion of Plato's, which occurs also in the Laws, as well as in the Phaedrus, Ion, and elsewhere. There are traces in the Laws of the same desire to base speculation upon history which we find in the Critias. Once more, there is a striking parallel with the paradox of the Gorgias, that 'if you do evil, it is better to be punished than to be unpunished,' in the Laws: 'To live having all goods without justice and virtue is the greatest of evils if life be immortal, but not so great if the bad man lives but a short time.'

The point to be considered is whether these are the kind of parallels which would be the work of an imitator. Would a forger have had the wit to select the most peculiar and characteristic thoughts of Plato; would he have caught the spirit of his philosophy; would he, instead of openly borrowing, have half concealed his favourite ideas; would he have formed them into a whole such as the Laws; would he have given another the credit which he might have obtained for himself; would he have remembered and made use of other passages of the Platonic writings and have never deviated into the phraseology of them? Without pressing such arguments as absolutely certain, we must acknowledge that such a comparison affords a new ground of real weight for believing the Laws to be a genuine writing of Plato.

V. The relation of the Republic to the Laws is clearly set forth by Plato in the Laws. The Republic is the best state, the Laws is the best possible under the existing conditions of the Greek world. The Republic is the ideal, in which no man calls anything his own, which may or may not have existed in some remote clime, under the rule of some God, or son of a God (who can say?), but is, at any rate, the pattern of all other states and the exemplar of human life. The Laws distinctly acknowledge what the Republic partly admits, that the ideal is inimitable by us, but that we should 'lift up our eyes to the heavens' and try to regulate our lives according to the divine image. The citizens are no longer to have wives and children in common, and are no longer to be under the government of philosophers. But the



spirit of communism or communion is to continue among them, though reverence for the sacredness of the family, and respect of children for parents, not promiscuous hymeneals, are now the foundation of the state; the sexes are to be as nearly on an equality as possible; they are to meet at common tables, and to share warlike pursuits (if the women will consent), and to have a common education. The legislator has taken the place of the philosopher, but a council of elders is retained, who are to fulfil the duties of the legislator when he has passed out of life. The addition of younger persons to this council by co-optation is an improvement on the governing body of the Republic. The scheme of education in the Laws is of a far lower kind than that which Plato had conceived in the Republic. There he would have his rulers trained in all knowledge meeting in the idea of good, of which the different branches of mathematical science are but the hand-maidens or ministers; here he treats chiefly of popular education, stopping short with the preliminary sciences, – these are to be studied partly with a view to their practical usefulness, which in the Republic he holds cheap, and even more with a view to avoiding impiety, of which in the Republic he says nothing; he touches very lightly on dialectic, which is still to be retained for the rulers. Yet in the Laws there remain traces of the old educational ideas. He is still for banishing the poets; and as he finds the works of prose writers equally dangerous, he would substitute for them the study of his own laws. He insists strongly on the importance of mathematics as an educational instrument.

He is no more reconciled to the Greek mythology than in the Republic, though he would rather say nothing about it out of a reverence for antiquity; and he is equally willing to have recourse to fictions, if they have a moral tendency. His thoughts recur to a golden age in which the sanctity of oaths was respected and in which men living nearer the Gods were more disposed to believe in them; but we must legislate for the world as it is, now that the old beliefs have passed away. Though he is no longer fired with dialectical enthusiasm, he would compel the guardians to 'look at one idea gathered from many things,' and to 'perceive the principle which is the same in all the four virtues.' He still recognizes the enormous influence of music, in which every youth is to be trained for three years; and he seems to attribute the existing degeneracy of the Athenian state and the laxity of morals partly to musical innovation, manifested in the unnatural divorce of the instrument and the voice, of the rhythm from the words, and partly to the influence of the mob who ruled at the theatres. He assimilates the education of the two sexes, as far as possible, both in music and gymnastic, and, as in the Republic, he would give to gymnastic a purely military character. In marriage, his object is still to produce the finest children for the state. As in the Statesman, he would unite in wedlock dissimilar natures – the passionate with the dull, the courageous with the gentle. And the virtuous tyrant of the Statesman, who has no place in the Republic, again appears. In this, as in all his writings, he has the strongest sense of the degeneracy and incapacity of the rulers

of his own time.

In the Laws, the philosophers, if not banished, like the poets, are at least ignored; and religion takes the place of philosophy in the regulation of human life. It must however be remembered that the religion of Plato is co-extensive with morality, and is that purified religion and mythology of which he speaks in the second book of the Republic. There is no real discrepancy in the two works. In a practical treatise, he speaks of religion rather than of philosophy; just as he appears to identify virtue with pleasure, and rather seeks to find the common element of the virtues than to maintain his old paradoxical theses that they are one, or that they are identical with knowledge. The dialectic and the idea of good, which even Glaucon in the Republic could not understand, would be out of place in a less ideal work. There may also be a change in his own mind, the purely intellectual aspect of philosophy having a diminishing interest to him in his old age.

Some confusion occurs in the passage in which Plato speaks of the Republic, occasioned by his reference to a third state, which he proposes (D.V.) hereafter to expound. Like many other thoughts in the Laws, the allusion is obscure from not being worked out. Aristotle (Polit.) speaks of a state which is neither the best absolutely, nor the best under existing conditions, but an imaginary state, inferior to either, destitute, as he supposes, of the necessities of life – apparently such a beginning of primitive society as is described in Laws iii. But it is not clear that by this the third state of Plato is intended. It is possible that Plato may

have meant by his third state an historical sketch, bearing the same relation to the Laws which the unfinished Critias would have borne to the Republic; or he may, perhaps, have intended to describe a state more nearly approximating than the Laws to existing Greek states.

The Statesman is a mere fragment when compared with the Laws, yet combining a second interest of dialectic as well as politics, which is wanting in the larger work. Several points of similarity and contrast may be observed between them. In some respects the Statesman is even more ideal than the Republic, looking back to a former state of paradisiacal life, in which the Gods ruled over mankind, as the Republic looks forward to a coming kingdom of philosophers. Of this kingdom of Cronos there is also mention in the Laws. Again, in the Statesman, the Eleatic Stranger rises above law to the conception of the living voice of the lawgiver, who is able to provide for individual cases. A similar thought is repeated in the Laws: 'If in the order of nature, and by divine destiny, a man were able to apprehend the truth about these things, he would have no need of laws to rule over him; for there is no law or order above knowledge, nor can mind without impiety be deemed the subject or slave of any, but rather the lord of all.' The union of opposite natures, who form the warp and the woof of the political web, is a favourite thought which occurs in both dialogues (Laws; Statesman).

The Laws are confessedly a Second-best, an inferior Ideal, to which Plato has recourse, when he finds that the city

of Philosophers is no longer 'within the horizon of practical politics.' But it is curious to observe that the higher Ideal is always returning (compare Arist. Polit.), and that he is not much nearer the actual fact, nor more on the level of ordinary life in the Laws than in the Republic. It is also interesting to remark that the new Ideal is always falling away, and that he hardly supposes the one to be more capable of being realized than the other. Human beings are troublesome to manage; and the legislator cannot adapt his enactments to the infinite variety of circumstances; after all he must leave the administration of them to his successors; and though he would have liked to make them as permanent as they are in Egypt, he cannot escape from the necessity of change. At length Plato is obliged to institute a Nocturnal Council which is supposed to retain the mind of the legislator, and of which some of the members are even supposed to go abroad and inspect the institutions of foreign countries, as a foundation for changes in their own. The spirit of such changes, though avoiding the extravagance of a popular assembly, being only so much change as the conservative temper of old members is likely to allow, is nevertheless inconsistent with the fixedness of Egypt which Plato wishes to impress upon Hellenic institutions. He is inconsistent with himself as the truth begins to dawn upon him that 'in the execution things for the most part fall short of our conception of them' (Republic).

And is not this true of ideals of government in general? We are always disappointed in them. Nothing great can be accomplished

in the short space of human life; wherefore also we look forward to another (Republic). As we grow old, we are sensible that we have no power actively to pursue our ideals any longer. We have had our opportunity and do not aspire to be more than men: we have received our 'wages and are going home.' Neither do we despair of the future of mankind, because we have been able to do so little in comparison of the whole. We look in vain for consistency either in men or things. But we have seen enough of improvement in our own time to justify us in the belief that the world is worth working for and that a good man's life is not thrown away. Such reflections may help us to bring home to ourselves by inward sympathy the language of Plato in the Laws, and to combine into something like a whole his various and at first sight inconsistent utterances.

VI. The Republic may be described as the Spartan constitution appended to a government of philosophers. But in the Laws an Athenian element is also introduced. Many enactments are taken from the Athenian; the four classes are borrowed from the constitution of Cleisthenes, which Plato regards as the best form of Athenian government, and the guardians of the law bear a certain resemblance to the archons. In the constitution of the Laws nearly all officers are elected by a vote more or less popular and by lot. But the assembly only exists for the purposes of election, and has no legislative or executive powers. The Nocturnal Council, which is the highest body in the state, has several of the functions of the ancient Athenian Areopagus, after

which it appears to be modelled. Life is to wear, as at Athens, a joyous and festive look; there are to be Bacchic choruses, and men of mature age are encouraged in moderate potations. On the other hand, the common meals, the public education, the *crypteia* are borrowed from Sparta and not from Athens, and the superintendence of private life, which was to be practised by the governors, has also its prototype in Sparta. The extravagant dislike which Plato shows both to a naval power and to extreme democracy is the reverse of Athenian.

The best-governed Hellenic states traced the origin of their laws to individual lawgivers. These were real persons, though we are uncertain how far they originated or only modified the institutions which are ascribed to them. But the lawgiver, though not a myth, was a fixed idea in the mind of the Greek, – as fixed as the Trojan war or the earth-born Cadmus. 'This was what Solon meant or said' – was the form in which the Athenian expressed his own conception of right and justice, or argued a disputed point of law. And the constant reference in the *Laws* of Plato to the lawgiver is altogether in accordance with Greek modes of thinking and speaking.

There is also, as in the *Republic*, a Pythagorean element. The highest branch of education is arithmetic; to know the order of the heavenly bodies, and to reconcile the apparent contradiction of their movements, is an important part of religion; the lives of the citizens are to have a common measure, as also their vessels and coins; the great blessing of the state is the number 5040.

Plato is deeply impressed by the antiquity of Egypt, and the unchangeableness of her ancient forms of song and dance. And he is also struck by the progress which the Egyptians had made in the mathematical sciences – in comparison of them the Greeks appeared to him to be little better than swine. Yet he censures the Egyptian meanness and inhospitality to strangers. He has traced the growth of states from their rude beginnings in a philosophical spirit; but of any life or growth of the Hellenic world in future ages he is silent. He has made the reflection that past time is the maker of states (Book iii.); but he does not argue from the past to the future, that the process is always going on, or that the institutions of nations are relative to their stage of civilization. If he could have stamped indelibly upon Hellenic states the will of the legislator, he would have been satisfied. The utmost which he expects of future generations is that they should supply the omissions, or correct the errors which younger statesmen detect in his enactments. When institutions have been once subjected to this process of criticism, he would have them fixed for ever.

### THE PREAMBLE.

BOOK I. Strangers, let me ask a question of you – Was a God or a man the author of your laws? 'A God, Stranger. In Crete, Zeus is said to have been the author of them; in Sparta, as Megillus will tell you, Apollo.' You Cretans believe, as Homer says, that Minos went every ninth year to converse with his Olympian sire, and gave you laws which he brought from him. 'Yes; and there was Rhadamanthus, his brother, who



is reputed among us to have been a most righteous judge.' That is a reputation worthy of the son of Zeus. And as you and Megillus have been trained under these laws, I may ask you to give me an account of them. We can talk about them in our walk from Cnosus to the cave and temple of Zeus. I am told that the distance is considerable, but probably there are shady places under the trees, where, being no longer young, we may often rest and converse. 'Yes, Stranger, a little onward there are beautiful groves of cypresses, and green meadows in which we may repose.'

My first question is, Why has the law ordained that you should have common meals, and practise gymnastics, and bear arms? 'My answer is, that all our institutions are of a military character. We lead the life of the camp even in time of peace, keeping up the organization of an army, and having meals in common; and as our country, owing to its ruggedness, is ill-suited for heavy-armed cavalry or infantry, our soldiers are archers, equipped with bows and arrows. The legislator was under the idea that war was the natural state of all mankind, and that peace is only a pretence; he thought that no possessions had any value which were not secured against enemies.' And do you think that superiority in war is the proper aim of government? 'Certainly I do, and my Spartan friend will agree with me.' And are there wars, not only of state against state, but of village against village, of family against family, of individual against individual? 'Yes.' And is a man his own enemy? 'There you come to first principles, like a true votary of the goddess Athene; and this is all the better, for

you will the sooner recognize the truth of what I am saying – that all men everywhere are the enemies of all, and each individual of every other and of himself; and, further, that there is a victory and defeat – the best and the worst – which each man sustains, not at the hands of another, but of himself.' And does this extend to states and villages as well as to individuals? 'Certainly; there is a better in them which conquers or is conquered by the worse.' Whether the worse ever really conquers the better, is a question which may be left for the present; but your meaning is, that bad citizens do sometimes overcome the good, and that the state is then conquered by herself, and that when they are defeated the state is victorious over herself. Or, again, in a family there may be several brothers, and the bad may be a majority; and when the bad majority conquer the good minority, the family are worse than themselves. The use of the terms 'better or worse than himself or themselves' may be doubtful, but about the thing meant there can be no dispute. 'Very true.' Such a struggle might be determined by a judge. And which will be the better judge – he who destroys the worse and lets the better rule, or he who lets the better rule and makes the others voluntarily obey; or, thirdly, he who destroys no one, but reconciles the two parties? 'The last, clearly.' But the object of such a judge or legislator would not be war. 'True.' And as there are two kinds of war, one without and one within a state, of which the internal is by far the worse, will not the legislator chiefly direct his attention to this latter? He will reconcile the contending factions, and unite them

against their external enemies. 'Certainly.' Every legislator will aim at the greatest good, and the greatest good is not victory in war, whether civil or external, but mutual peace and good-will, as in the body health is preferable to the purgation of disease. He who makes war his object instead of peace, or who pursues war except for the sake of peace, is not a true statesman. 'And yet, Stranger, the laws both of Crete and Sparta aim entirely at war.' Perhaps so; but do not let us quarrel about your legislators – let us be gentle; they were in earnest quite as much as we are, and we must try to discover their meaning. The poet Tyrtaeus (you know his poems in Crete, and my Lacedaemonian friend is only too familiar with them) – he was an Athenian by birth, and a Spartan citizen: – 'Well,' he says, 'I sing not, I care not about any man, however rich or happy, unless he is brave in war.' Now I should like, in the name of us all, to ask the poet a question. Oh Tyrtaeus, I would say to him, we agree with you in praising those who excel in war, but which kind of war do you mean? – that dreadful war which is termed civil, or the milder sort which is waged against foreign enemies? You say that you abominate 'those who are not eager to taste their enemies' blood,' and you seem to mean chiefly their foreign enemies. 'Certainly he does.' But we contend that there are men better far than your heroes, Tyrtaeus, concerning whom another poet, Theognis the Sicilian, says that 'in a civil broil they are worth their weight in gold and silver.' For in a civil war, not only courage, but justice and temperance and wisdom are required, and all virtue is better

than a part. The mercenary soldier is ready to die at his post; yet he is commonly a violent, senseless creature. And the legislator, whether inspired or uninspired, will make laws with a view to the highest virtue; and this is not brute courage, but loyalty in the hour of danger. The virtue of Tyrtaeus, although needful enough in his own time, is really of a fourth-rate description. 'You are degrading our legislator to a very low level.' Nay, we degrade not him, but ourselves, if we believe that the laws of Lycurgus and Minos had a view to war only. A divine lawgiver would have had regard to all the different kinds of virtue, and have arranged his laws in corresponding classes, and not in the modern fashion, which only makes them after the want of them is felt, – about inheritances and heiresses and assaults, and the like. As you truly said, virtue is the business of the legislator; but you went wrong when you referred all legislation to a part of virtue, and to an inferior part. For the object of laws, whether the Cretan or any other, is to make men happy. Now happiness or good is of two kinds – there are divine and there are human goods. He who has the divine has the human added to him; but he who has lost the greater is deprived of both. The lesser goods are health, beauty, strength, and, lastly, wealth; not the blind God, Pluto, but one who has eyes to see and follow wisdom. For mind or wisdom is the most divine of all goods; and next comes temperance, and justice springs from the union of wisdom and temperance with courage, which is the fourth or last. These four precede other goods, and the legislator will arrange all his

ordinances accordingly, the human going back to the divine, and the divine to their leader mind. There will be enactments about marriage, about education, about all the states and feelings and experiences of men and women, at every age, in weal and woe, in war and peace; upon all the law will fix a stamp of praise and blame. There will also be regulations about property and expenditure, about contracts, about rewards and punishments, and finally about funeral rites and honours of the dead. The lawgiver will appoint guardians to preside over these things; and mind will harmonize his ordinances, and show them to be in agreement with temperance and justice. Now I want to know whether the same principles are observed in the laws of Lycurgus and Minos, or, as I should rather say, of Apollo and Zeus. We must go through the virtues, beginning with courage, and then we will show that what has preceded has relation to virtue.

'I wish,' says the Lacedaemonian, 'that you, Stranger, would first criticize Cleinias and the Cretan laws.' Yes, is the reply, and I will criticize you and myself, as well as him. Tell me, Megillus, were not the common meals and gymnastic training instituted by your legislator with a view to war? 'Yes; and next in the order of importance comes hunting, and fourth the endurance of pain in boxing contests, and in the beatings which are the punishment of theft. There is, too, the so-called Crypteia or secret service, in which our youth wander about the country night and day unattended, and even in winter go unshod and have no beds to lie on. Moreover they wrestle and exercise under a blazing sun,

and they have many similar customs.' Well, but is courage only a combat against fear and pain, and not against pleasure and flattery? 'Against both, I should say.' And which is worse, – to be overcome by pain, or by pleasure? 'The latter.' But did the lawgivers of Crete and Sparta legislate for a courage which is lame of one leg, – able to meet the attacks of pain but not those of pleasure, or for one which can meet both? 'For a courage which can meet both, I should say.' But if so, where are the institutions which train your citizens to be equally brave against pleasure and pain, and superior to enemies within as well as without? 'We confess that we have no institutions worth mentioning which are of this character.' I am not surprised, and will therefore only request forbearance on the part of us all, in case the love of truth should lead any of us to censure the laws of the others. Remember that I am more in the way of hearing criticisms of your laws than you can be; for in well-ordered states like Crete and Sparta, although an old man may sometimes speak of them in private to a ruler or elder, a similar liberty is not allowed to the young. But now being alone we shall not offend your legislator by a friendly examination of his laws. 'Take any freedom which you like.'

My first observation is, that your lawgiver ordered you to endure hardships, because he thought that those who had not this discipline would run away from those who had. But he ought to have considered further, that those who had never learned to resist pleasure would be equally at the mercy of those who

had, and these are often among the worst of mankind. Pleasure, like fear, would overcome them and take away their courage and freedom. 'Perhaps; but I must not be hasty in giving my assent.'

Next as to temperance: what institutions have you which are adapted to promote temperance? 'There are the common meals and gymnastic exercises.' These are partly good and partly bad, and, as in medicine, what is good at one time and for one person, is bad at another time and for another person. Now although gymnastics and common meals do good, they are also a cause of evil in civil troubles, and they appear to encourage unnatural love, as has been shown at Miletus, in Boeotia, and at Thurii. And the Cretans are said to have invented the tale of Zeus and Ganymede in order to justify their evil practices by the example of the God who was their lawgiver. Leaving the story, we may observe that all law has to do with pleasure and pain; these are two fountains which are ever flowing in human nature, and he who drinks of them when and as much as he ought, is happy, and he who indulges in them to excess, is miserable. 'You may be right, but I still incline to think that the Lacedaemonian lawgiver did well in forbidding pleasure, if I may judge from the result. For there is no drunken revelry in Sparta, and any one found in a state of intoxication is severely punished; he is not excused as an Athenian would be at Athens on account of a festival. I myself have seen the Athenians drunk at the Dionysia – and at our colony, Tarentum, on a similar occasion, I have beheld the whole city in a state of intoxication.' I admit that these festivals should

be properly regulated. Yet I might reply, 'Yes, Spartans, that is not your vice; but look at home and remember the licentiousness of your women.' And to all such accusations every one of us may reply in turn: – 'Wonder not, Stranger; there are different customs in different countries.' Now this may be a sufficient answer; but we are speaking about the wisdom of lawgivers and not about the customs of men. To return to the question of drinking: shall we have total abstinence, as you have, or hard drinking, like the Scythians and Thracians, or moderate potations like the Persians? 'Give us arms, and we send all these nations flying before us.' My good friend, be modest; victories and defeats often arise from unknown causes, and afford no proof of the goodness or badness of institutions. The stronger overcomes the weaker, as the Athenians have overcome the Ceans, or the Syracusans the Locrians, who are, perhaps, the best governed state in that part of the world. People are apt to praise or censure practices without enquiring into the nature of them. This is the way with drink: one person brings many witnesses, who sing the praises of wine; another declares that sober men defeat drunkards in battle; and he again is refuted in turn. I should like to conduct the argument on some other method; for if you regard numbers, there are two cities on one side, and ten thousand on the other. 'I am ready to pursue any method which is likely to lead us to the truth.' Let me put the matter thus: Somebody praises the useful qualities of a goat; another has seen goats running about wild in a garden, and blames a goat or any other animal which happens



to be without a keeper. 'How absurd!' Would a pilot who is seasick be a good pilot? 'No.' Or a general who is sick and drunk with fear and ignorant of war a good general? 'A general of old women he ought to be.' But can any one form an estimate of any society, which is intended to have a ruler, and which he only sees in an unruly and lawless state? 'No.' There is a convivial form of society – is there not? 'Yes.' And has this convivial society ever been rightly ordered? Of course you Spartans and Cretans have never seen anything of the kind, but I have had wide experience, and made many enquiries about such societies, and have hardly ever found anything right or good in them. 'We acknowledge our want of experience, and desire to learn of you.' Will you admit that in all societies there must be a leader? 'Yes.' And in time of war he must be a man of courage and absolutely devoid of fear, if this be possible? 'Certainly.' But we are talking now of a general who shall preside at meetings of friends – and as these have a tendency to be uproarious, they ought above all others to have a governor. 'Very good.' He should be a sober man and a man of the world, who will keep, make, and increase the peace of the society; a drunkard in charge of drunkards would be singularly fortunate if he avoided doing a serious mischief. 'Indeed he would.' Suppose a person to censure such meetings – he may be right, but also he may have known them only in their disorderly state, under a drunken master of the feast; and a drunken general or pilot cannot save his army or his ships. 'True; but although I see the advantage of an army having a good general, I do not

equally see the good of a feast being well managed.' If you mean to ask what good accrues to the state from the right training of a single youth or a single chorus, I should reply, 'Not much'; but if you ask what is the good of education in general, I answer, that education makes good men, and that good men act nobly and overcome their enemies in battle. Victory is often suicidal to the victors, because it creates forgetfulness of education, but education itself is never suicidal. 'You imply that the regulation of convivial meetings is a part of education; how will you prove this?' I will tell you. But first let me offer a word of apology. We Athenians are always thought to be fond of talking, whereas the Lacedaemonian is celebrated for brevity, and the Cretan is considered to be sagacious and reserved. Now I fear that I may be charged with spinning a long discourse out of slender materials. For drinking cannot be rightly ordered without correct principles of music, and music runs up into education generally, and to discuss all these matters may be tedious; if you like, therefore, we will pass on to another part of our subject. 'Are you aware, Athenian, that our family is your proxenus at Sparta, and that from my boyhood I have regarded Athens as a second country, and having often fought your battles in my youth, I have become attached to you, and love the sound of the Attic dialect? The saying is true, that the best Athenians are more than ordinarily good, because they are good by nature; therefore, be assured that I shall be glad to hear you talk as much as you please.' 'I, too,' adds Cleinias, 'have a tie which binds me to you. You know

that Epimenides, the Cretan prophet, came and offered sacrifices in your city by the command of an oracle ten years before the Persian war. He told the Athenians that the Persian host would not come for ten years, and would go away again, having suffered more harm than they had inflicted. Now Epimenides was of my family, and when he visited Athens he entered into friendship with your forefathers.' I see that you are willing to listen, and I have the will to speak, if I had only the ability. But, first, I must define the nature and power of education, and by this road we will travel on to the God Dionysus. The man who is to be good at anything must have early training; – the future builder must play at building, and the husbandman at digging; the soldier must learn to ride, and the carpenter to measure and use the rule, – all the thoughts and pleasures of children should bear on their after-profession. – Do you agree with me? 'Certainly.' And we must remember further that we are speaking of the education, not of a trainer, or of the captain of a ship, but of a perfect citizen who knows how to rule and how to obey; and such an education aims at virtue, and not at wealth or strength or mere cleverness. To the good man, education is of all things the most precious, and is also in constant need of renovation. 'We agree.' And we have before agreed that good men are those who are able to control themselves, and bad men are those who are not. Let me offer you an illustration which will assist our argument. Man is one; but in one and the same man are two foolish counsellors who contend within him – pleasure and pain, and of either he has

expectations which we call hope and fear; and he is able to reason about good and evil, and reason, when affirmed by the state, becomes law. 'We cannot follow you.' Let me put the matter in another way: Every creature is a puppet of the Gods – whether he is a mere plaything or has any serious use we do not know, but this we do know, that he is drawn different ways by cords and strings. There is a soft golden cord which draws him towards virtue – this is the law of the state; and there are other cords made of iron and hard materials drawing him other ways. The golden reasoning influence has nothing of the nature of force, and therefore requires ministers in order to vanquish the other principles. This explains the doctrine that cities and citizens both conquer and are conquered by themselves. The individual follows reason, and the city law, which is embodied reason, either derived from the Gods or from the legislator. When virtue and vice are thus distinguished, education will be better understood, and in particular the relation of education to convivial intercourse. And now let us set wine before the puppet. You admit that wine stimulates the passions? 'Yes.' And does wine equally stimulate the reasoning faculties? 'No; it brings the soul back to a state of childhood.' In such a state a man has the least control over himself, and is, therefore, worst. 'Very true.' Then how can we believe that drinking should be encouraged? 'You seem to think that it ought to be.' And I am ready to maintain my position. 'We should like to hear you prove that a man ought to make a beast of himself.' You are speaking of the degradation of

the soul: but how about the body? Would any man willingly degrade or weaken that? 'Certainly not.' And yet if he goes to a doctor or a gymnastic master, does he not make himself ill in the hope of getting well? for no one would like to be always taking medicine, or always to be in training. 'True.' And may not convivial meetings have a similar remedial use? And if so, are they not to be preferred to other modes of training because they are painless? 'But have they any such use?' Let us see: Are there not two kinds of fear – fear of evil and fear of an evil reputation? 'There are.' The latter kind of fear is opposed both to the fear of pain and to the love of pleasure. This is called by the legislator reverence, and is greatly honoured by him and by every good man; whereas confidence, which is the opposite quality, is the worst fault both of individuals and of states. This sort of fear or reverence is one of the two chief causes of victory in war, fearlessness of enemies being the other. 'True.' Then every one should be both fearful and fearless? 'Yes.' The right sort of fear is infused into a man when he comes face to face with shame, or cowardice, or the temptations of pleasure, and has to conquer them. He must learn by many trials to win the victory over himself, if he is ever to be made perfect. 'That is reasonable enough.' And now, suppose that the Gods had given mankind a drug, of which the effect was to exaggerate every sort of evil and danger, so that the bravest man entirely lost his presence of mind and became a coward for a time: – would such a drug have any value? 'But is there such a drug?' No; but

suppose that there were; might not the legislator use such a mode of testing courage and cowardice? 'To be sure.' The legislator would induce fear in order to implant fearlessness; and would give rewards or punishments to those who behaved well or the reverse, under the influence of the drug? 'Certainly.' And this mode of training, whether practised in the case of one or many, whether in solitude or in the presence of a large company – if a man have sufficient confidence in himself to drink the potion amid his boon companions, leaving off in time and not taking too much, – would be an equally good test of temperance? 'Very true.' Let us return to the lawgiver and say to him, 'Well, lawgiver, no such fear-producing potion has been given by God or invented by man, but there is a potion which will make men fearless.' 'You mean wine.' Yes; has not wine an effect the contrary of that which I was just now describing, – first mellowing and humanizing a man, and then filling him with confidence, making him ready to say or do anything? 'Certainly.' Let us not forget that there are two qualities which should be cultivated in the soul – first, the greatest fearlessness, and, secondly, the greatest fear, which are both parts of reverence. Courage and fearlessness are trained amid dangers; but we have still to consider how fear is to be trained. We desire to attain fearlessness and confidence without the insolence and boldness which commonly attend them. For do not love, ignorance, avarice, wealth, beauty, strength, while they stimulate courage, also madden and intoxicate the soul? What better and more innocent test of character is there than festive

intercourse? Would you make a bargain with a man in order to try whether he is honest? Or would you ascertain whether he is licentious by putting your wife or daughter into his hands? No one would deny that the test proposed is fairer, speedier, and safer than any other. And such a test will be particularly useful in the political science, which desires to know human natures and characters. 'Very true.'

BOOK II. And are there any other uses of well-ordered potations? There are; but in order to explain them, I must repeat what I mean by right education; which, if I am not mistaken, depends on the due regulation of convivial intercourse. 'A high assumption.' I believe that virtue and vice are originally present to the mind of children in the form of pleasure and pain; reason and fixed principles come later, and happy is he who acquires them even in declining years; for he who possesses them is the perfect man. When pleasure and pain, and love and hate, are rightly implanted in the yet unconscious soul, and after the attainment of reason are discovered to be in harmony with her, this harmony of the soul is virtue, and the preparatory stage, anticipating reason, I call education. But the finer sense of pleasure and pain is apt to be impaired in the course of life; and therefore the Gods, pitying the toils and sorrows of mortals, have allowed them to have holidays, and given them the Muses and Apollo and Dionysus for leaders and playfellows. All young creatures love motion and frolic, and utter sounds of delight; but man only is capable of taking pleasure in rhythmical and harmonious movements. With these

education begins; and the uneducated is he who has never known the discipline of the chorus, and the educated is he who has. The chorus is partly dance and partly song, and therefore the well-educated must sing and dance well. But when we say, 'He sings and dances well,' we mean that he sings and dances what is good. And if he thinks that to be good which is really good, he will have a much higher music and harmony in him, and be a far greater master of imitation in sound and gesture than he who is not of this opinion. 'True.' Then, if we know what is good and bad in song and dance, we shall know what education is? 'Very true.' Let us now consider the beauty of figure, melody, song, and dance. Will the same figures or sounds be equally well adapted to the manly and the cowardly when they are in trouble? 'How can they be, when the very colours of their faces are different?' Figures and melodies have a rhythm and harmony which are adapted to the expression of different feelings (I may remark, by the way, that the term 'colour,' which is a favourite word of music-masters, is not really applicable to music). And one class of harmonies is akin to courage and all virtue, the other to cowardice and all vice. 'We agree.' And do all men equally like all dances? 'Far otherwise.' Do some figures, then, appear to be beautiful which are not? For no one will admit that the forms of vice are more beautiful than the forms of virtue, or that he prefers the first kind to the second. And yet most persons say that the merit of music is to give pleasure. But this is impiety. There is, however, a more plausible account of the matter given by others, who make their



likes or dislikes the criterion of excellence. Sometimes nature crosses habit, or conversely, and then they say that such and such fashions or gestures are pleasant, but they do not like to exhibit them before men of sense, although they enjoy them in private. 'Very true.' And do vicious measures and strains do any harm, or good measures any good to the lovers of them? 'Probably.' Say, rather 'Certainly': for the gentle indulgence which we often show to vicious men inevitably makes us become like them. And what can be worse than this? 'Nothing.' Then in a well-administered city, the poet will not be allowed to make the songs of the people just as he pleases, or to train his choruses without regard to virtue and vice. 'Certainly not.' And yet he may do this anywhere except in Egypt; for there ages ago they discovered the great truth which I am now asserting, that the young should be educated in forms and strains of virtue. These they fixed and consecrated in their temples; and no artist or musician is allowed to deviate from them. They are literally the same which they were ten thousand years ago. And this practice of theirs suggests the reflection that legislation about music is not an impossible thing. But the particular enactments must be the work of God or of some God-inspired man, as in Egypt their ancient chants are said to be the composition of the goddess Isis. The melodies which have a natural truth and correctness should be embodied in a law, and then the desire of novelty is not strong enough to change the old fashions. Is not the origin of music as follows? We rejoice when we think that we prosper, and we think that we prosper

when we rejoice, and at such times we cannot rest, but our young men dance dances and sing songs, and our old men, who have lost the elasticity of youth, regale themselves with the memory of the past, while they contemplate the life and activity of the young. 'Most true.' People say that he who gives us most pleasure at such festivals is to win the palm: are they right? 'Possibly.' Let us not be hasty in deciding, but first imagine a festival at which the lord of the festival, having assembled the citizens, makes a proclamation that he shall be crowned victor who gives the most pleasure, from whatever source derived. We will further suppose that there are exhibitions of rhapsodists and musicians, tragic and comic poets, and even marionette-players – which of the pleasure-makers will win? Shall I answer for you? – the marionette-players will please the children; youths will decide for comedy; young men, educated women, and people in general will prefer tragedy; we old men are lovers of Homer and Hesiod. Now which of them is right? If you and I are asked, we shall certainly say that the old men's way of thinking ought to prevail. 'Very true.' So far I agree with the many that the excellence of music is to be measured by pleasure; but then the pleasure must be that of the good and educated, or better still, of one supremely virtuous and educated man. The true judge must have both wisdom and courage. For he must lead the multitude and not be led by them, and must not weakly yield to the uproar of the theatre, nor give false judgment out of that mouth which has just appealed to the Gods. The ancient custom of Hellas, which still prevails in Italy

and Sicily, left the judgment to the spectators, but this custom has been the ruin of the poets, who seek only to please their patrons, and has degraded the audience by the representation of inferior characters. What is the inference? The same which we have often drawn, that education is the training of the young idea in what the law affirms and the elders approve. And as the soul of a child is too young to be trained in earnest, a kind of education has been invented which tempts him with plays and songs, as the sick are tempted by pleasant meats and drinks. And the wise legislator will compel the poet to express in his poems noble thoughts in fitting words and rhythms. 'But is this the practice elsewhere than in Crete and Lacedaemon? In other states, as far as I know, dances and music are constantly changed at the pleasure of the hearers.' I am afraid that I misled you; not liking to be always finding fault with mankind as they are, I described them as they ought to be. But let me understand: you say that such customs exist among the Cretans and Lacedaemonians, and that the rest of the world would be improved by adopting them? 'Much improved.' And you compel your poets to declare that the righteous are happy, and that the wicked man, even if he be as rich as Midas, is unhappy? Or, in the words of Tyrtaeus, 'I sing not, I care not about him' who is a great warrior not having justice; if he be unjust, 'I would not have him look calmly upon death or be swifter than the wind'; and may he be deprived of every good – that is, of every true good. For even if he have the goods which men regard, these are not really goods: first health;

beauty next; thirdly wealth; and there are others. A man may have every sense purged and improved; he may be a tyrant, and do what he likes, and live for ever: but you and I will maintain that all these things are goods to the just, but to the unjust the greatest of evils, if life be immortal; not so great if he live for a short time only. If a man had health and wealth, and power, and was insolent and unjust, his life would still be miserable; he might be fair and rich, and do what he liked, but he would live basely, and if basely evilly, and if evilly painfully. 'There I cannot agree with you.' Then may heaven give us the spirit of agreement, for I am as convinced of the truth of what I say as that Crete is an island; and, if I were a lawgiver, I would exercise a censorship over the poets, and I would punish them if they said that the wicked are happy, or that injustice is profitable. And these are not the only matters in which I should make my citizens talk in a different way to the world in general. If I asked Zeus and Apollo, the divine legislators of Crete and Sparta, – 'Are the just and pleasant life the same or not the same'? – and they replied, – 'Not the same'; and I asked again – 'Which is the happier'? And they said' – 'The pleasant life,' this is an answer not fit for a God to utter, and therefore I ought rather to put the same question to some legislator. And if he replies 'The pleasant,' then I should say to him, 'O my father, did you not tell me that I should live as justly as possible'? and if to be just is to be happy, what is that principle of happiness or good which is superior to pleasure? Is the approval of gods and men to be deemed good and

honourable, but unpleasant, and their disapproval the reverse? Or is the neither doing nor suffering evil good and honourable, although not pleasant? But you cannot make men like what is not pleasant, and therefore you must make them believe that the just is pleasant. The business of the legislator is to clear up this confusion. He will show that the just and the unjust are identical with the pleasurable and the painful, from the point of view of the just man, of the unjust the reverse. And which is the truer judgment? Surely that of the better soul. For if not the truth, it is the best and most moral of fictions; and the legislator who desires to propagate this useful lie, may be encouraged by remarking that mankind have believed the story of Cadmus and the dragon's teeth, and therefore he may be assured that he can make them believe anything, and need only consider what fiction will do the greatest good. That the happiest is also the holiest, this shall be our strain, which shall be sung by all three choruses alike. First will enter the choir of children, who will lift up their voices on high; and after them the young men, who will pray the God Paean to be gracious to the youth, and to testify to the truth of their words; then will come the chorus of elder men, between thirty and sixty; and, lastly, there will be the old men, and they will tell stories enforcing the same virtues, as with the voice of an oracle. 'Whom do you mean by the third chorus?' You remember how I spoke at first of the restless nature of young creatures, who jumped about and called out in a disorderly manner, and I said that no other animal attained any perception of rhythm; but that

to us the Gods gave Apollo and the Muses and Dionysus to be our playfellows. Of the two first choruses I have already spoken, and I have now to speak of the third, or Dionysian chorus, which is composed of those who are between thirty and sixty years old. 'Let us hear.' We are agreed (are we not?) that men, women, and children should be always charming themselves with strains of virtue, and that there should be a variety in the strains, that they may not weary of them? Now the fairest and most useful of strains will be uttered by the elder men, and therefore we cannot let them off. But how can we make them sing? For a discreet elderly man is ashamed to hear the sound of his own voice in private, and still more in public. The only way is to give them drink; this will mellow the sourness of age. No one should be allowed to taste wine until they are eighteen; from eighteen to thirty they may take a little; but when they have reached forty years, they may be initiated into the mystery of drinking. Thus they will become softer and more impressible; and when a man's heart is warm within him, he will be more ready to charm himself and others with song. And what songs shall he sing? 'At Crete and Lacedaemon we only know choral songs.' Yes; that is because your way of life is military. Your young men are like wild colts feeding in a herd together; no one takes the individual colt and trains him apart, and tries to give him the qualities of a statesman as well as of a soldier. He who was thus trained would be a greater warrior than those of whom Tyrtaeus speaks, for he would be courageous, and yet he would know that courage was only fourth

in the scale of virtue. 'Once more, I must say, Stranger, that you run down our lawgivers.' Not intentionally, my good friend, but whither the argument leads I follow; and I am trying to find some style of poetry suitable for those who dislike the common sort. 'Very good.' In all things which have a charm, either this charm is their good, or they have some accompanying truth or advantage. For example, in eating and drinking there is pleasure and also profit, that is to say, health; and in learning there is a pleasure and also truth. There is a pleasure or charm, too, in the imitative arts, as well as a law of proportion or equality; but the pleasure which they afford, however innocent, is not the criterion of their truth. The test of pleasure cannot be applied except to that which has no other good or evil, no truth or falsehood. But that which has truth must be judged of by the standard of truth, and therefore imitation and proportion are to be judged of by their truth alone. 'Certainly.' And as music is imitative, it is not to be judged by the criterion of pleasure, and the Muse whom we seek is the muse not of pleasure but of truth, for imitation has a truth. 'Doubtless.' And if so, the judge must know what is being imitated before he decides on the quality of the imitation, and he who does not know what is true will not know what is good. 'He will not.' Will any one be able to imitate the human body, if he does not know the number, proportion, colour, or figure of the limbs? 'How can he?' But suppose we know some picture or figure to be an exact resemblance of a man, should we not also require to know whether the picture

is beautiful or not? 'Quite right.' The judge of the imitation is required to know, therefore, first the original, secondly the truth, and thirdly the merit of the execution? 'True.' Then let us not weary in the attempt to bring music to the standard of the Muses and of truth. The Muses are not like human poets, they never spoil or mix rhythms or scales, or mingle instruments and human voices, or confuse the manners and strains of men and women, or of freemen and slaves, or of rational beings and brute animals. They do not practise the baser sorts of musical arts, such as the 'matured judgments,' of whom Orpheus speaks, would ridicule. But modern poets separate metre from music, and melody and rhythm from words, and use the instrument alone without the voice. The consequence is, that the meaning of the rhythm and of the time are not understood. I am endeavouring to show how our fifty-year-old choristers are to be trained, and what they are to avoid. The opinion of the multitude about these matters is worthless; they who are only made to step in time by sheer force cannot be critics of music. 'Impossible.' Then our newly-appointed minstrels must be trained in music sufficiently to understand the nature of rhythms and systems; and they should select such as are suitable to men of their age, and will enable them to give and receive innocent pleasure. This is a knowledge which goes beyond that either of the poets or of their auditors in general. For although the poet must understand rhythm and music, he need not necessarily know whether the imitation is good or not, which was the third point required in a judge; but



our chorus of elders must know all three, if they are to be the instructors of youth.

And now we will resume the original argument, which may be summed up as follows: A convivial meeting is apt to grow tumultuous as the drinking proceeds; every man becomes light-headed, and fancies that he can rule the whole world. 'Doubtless.' And did we not say that the souls of the drinkers, when subdued by wine, are made softer and more malleable at the hand of the legislator? the docility of childhood returns to them. At times however they become too valiant and disorderly, drinking out of their turn, and interrupting one another. And the business of the legislator is to infuse into them that divine fear, which we call shame, in opposition to this disorderly boldness. But in order to discipline them there must be guardians of the law of drinking, and sober generals who shall take charge of the private soldiers; they are as necessary in drinking as in fighting, and he who disobeys these Dionysiac commanders will be equally disgraced. 'Very good.' If a drinking festival were well regulated, men would go away, not as they now do, greater enemies, but better friends. Of the greatest gift of Dionysus I hardly like to speak, lest I should be misunderstood. 'What is that?' According to tradition Dionysus was driven mad by his stepmother Here, and in order to revenge himself he inspired mankind with Bacchic madness. But these are stories which I would rather not repeat. However I do acknowledge that all men are born in an imperfect state, and are at first restless, irrational creatures: this, as you will remember,

has been already said by us. 'I remember.' And that Apollo and the Muses and Dionysus gave us harmony and rhythm? 'Very true.' The other story implies that wine was given to punish us and make us mad; but we contend that wine is a balm and a cure; a spring of modesty in the soul, and of health and strength in the body. Again, the work of the chorus is co-extensive with the work of education; rhythm and melody answer to the voice, and the motions of the body correspond to all three, and the sound enters in and educates the soul in virtue. 'Yes.' And the movement which, when pursued as an amusement, is termed dancing, when studied with a view to the improvement of the body, becomes gymnastic. Shall we now proceed to speak of this? 'What Cretan or Lacedaemonian would approve of your omitting gymnastic?' Your question implies assent; and you will easily understand a subject which is familiar to you. Gymnastic is based on the natural tendency of every animal to rapid motion; and man adds a sense of rhythm, which is awakened by music; music and dancing together form the choral art. But before proceeding I must add a crowning word about drinking. Like other pleasures, it has a lawful use; but if a state or an individual is inclined to drink at will, I cannot allow them. I would go further than Crete or Lacedaemon and have the law of the Carthaginians, that no slave of either sex should drink wine at all, and no soldier while he is on a campaign, and no magistrate or officer while he is on duty, and that no one should drink by daylight or on a bridal night. And there are so many other occasions on which wine ought to be

prohibited, that there will not be many vines grown or vineyards required in the state.

BOOK III. If a man wants to know the origin of states and societies, he should behold them from the point of view of time. Thousands of cities have come into being and have passed away again in infinite ages, every one of them having had endless forms of government; and if we can ascertain the cause of these changes in states, that will probably explain their origin. What do you think of ancient traditions about deluges and destructions of mankind, and the preservation of a remnant? 'Every one believes in them.' Then let us suppose the world to have been destroyed by a deluge. The survivors would be hill-shepherds, small sparks of the human race, dwelling in isolation, and unacquainted with the arts and vices of civilization. We may further suppose that the cities on the plain and on the coast have been swept away, and that all inventions, and every sort of knowledge, have perished. 'Why, if all things were as they now are, nothing would have ever been invented. All our famous discoveries have been made within the last thousand years, and many of them are but of yesterday.' Yes, Cleinias, and you must not forget Epimenides, who was really of yesterday; he practised the lesson of moderation and abstinence which Hesiod only preached. 'True.' After the great destruction we may imagine that the earth was a desert, in which there were a herd or two of oxen and a few goats, hardly enough to support those who tended them; while of politics and governments the survivors would know nothing. And out of this state of things

have arisen arts and laws, and a great deal of virtue and a great deal of vice; little by little the world has come to be what it is. At first, the few inhabitants would have had a natural fear of descending into the plains; although they would want to have intercourse with one another, they would have a difficulty in getting about, having lost the arts, and having no means of extracting metals from the earth, or of felling timber; for even if they had saved any tools, these would soon have been worn out, and they could get no more until the art of metallurgy had been again revived. Faction and war would be extinguished among them, for being solitary they would incline to be friendly; and having abundance of pasture and plenty of milk and flesh, they would have nothing to quarrel about. We may assume that they had also dwellings, clothes, pottery, for the weaving and plastic arts do not require the use of metals. In those days they were neither poor nor rich, and there was no insolence or injustice among them; for they were of noble natures, and lived up to their principles, and believed what they were told; knowing nothing of land or naval warfare, or of legal practices or party conflicts, they were simpler and more temperate, and also more just than the men of our day. 'Very true.' I am showing whence the need of lawgivers arises, for in primitive ages they neither had nor wanted them. Men lived according to the customs of their fathers, in a simple manner, under a patriarchal government, such as still exists both among Hellenes and barbarians, and is described in Homer as prevailing among the Cyclopes: —

'They have no laws, and they dwell in rocks or on the tops of mountains, and every one is the judge of his wife and children, and they do not trouble themselves about one another.'

'That is a charming poet of yours, though I know little of him, for in Crete foreign poets are not much read.' 'But he is well known in Sparta, though he describes Ionian rather than Dorian manners, and he seems to take your view of primitive society.' May we not suppose that government arose out of the union of single families who survived the destruction, and were under the rule of patriarchs, because they had originally descended from a single father and mother? 'That is very probable.' As time went on, men increased in number, and tilled the ground, living in a common habitation, which they protected by walls against wild beasts; but the several families retained the laws and customs which they separately received from their first parents. They would naturally like their own laws better than any others, and would be already formed by them when they met in a common society: thus legislation imperceptibly began among them. For in the next stage the associated families would appoint plenipotentiaries, who would select and present to the chiefs those of all their laws which they thought best. The chiefs in turn would make a further selection, and would thus become the lawgivers of the state, which they would form into an aristocracy or a monarchy. 'Probably.' In the third stage various other forms of government would arise. This state of society is described by Homer in speaking of the foundation of Dardania, which, he

says,

'was built at the foot of many-fountained Ida, for Ilium,  
the city of the plain, as yet was not.'

Here, as also in the account of the Cyclopes, the poet by some divine inspiration has attained truth. But to proceed with our tale. Ilium was built in a wide plain, on a low hill, which was surrounded by streams descending from Ida. This shows that many ages must have passed; for the men who remembered the deluge would never have placed their city at the mercy of the waters. When mankind began to multiply, many other cities were built in similar situations. These cities carried on a ten years' war against Troy, by sea as well as land, for men were ceasing to be afraid of the sea, and, in the meantime, while the chiefs of the army were at Troy, their homes fell into confusion. The youth revolted and refused to receive their own fathers; deaths, murders, exiles ensued. Under the new name of Dorians, which they received from their chief Dorieus, the exiles returned: the rest of the story is part of the history of Sparta.

Thus, after digressing from the subject of laws into music and drinking, we return to the settlement of Sparta, which in laws and institutions is the sister of Crete. We have seen the rise of a first, second, and third state, during the lapse of ages; and now we arrive at a fourth state, and out of the comparison of all four we propose to gather the nature of laws and governments, and the changes which may be desirable in them. 'If,' replies the Spartan, 'our new discussion is likely to be as good as the last, I would

think the longest day too short for such an employment.'

Let us imagine the time when Lacedaemon, and Argos, and Messene were all subject, Megillus, to your ancestors. Afterwards, they distributed the army into three portions, and made three cities – Argos, Messene, Lacedaemon. 'Yes.' Temenus was the king of Argos, Cresphontes of Messene, Procles and Eurysthenes ruled at Lacedaemon. 'Just so.' And they all swore to assist any one of their number whose kingdom was subverted. 'Yes.' But did we not say that kingdoms or governments can only be subverted by themselves? 'That is true.' Yes, and the truth is now proved by facts: there were certain conditions upon which the three kingdoms were to assist one another; the government was to be mild and the people obedient, and the kings and people were to unite in assisting either of the two others when they were wronged. This latter condition was a great security. 'Clearly.' Such a provision is in opposition to the common notion that the lawgiver should make only such laws as the people like; but we say that he should rather be like a physician, prepared to effect a cure even at the cost of considerable suffering. 'Very true.' The early lawgivers had another great advantage – they were saved from the reproach which attends a division of land and the abolition of debts. No one could quarrel with the Dorians for dividing the territory, and they had no debts of long standing. 'They had not.' Then what was the reason why their legislation signally failed? For there were three kingdoms, two of them quickly lost their original

constitution. That is a question which we cannot refuse to answer, if we mean to proceed with our old man's game of enquiring into laws and institutions. And the Dorian institutions are more worthy of consideration than any other, having been evidently intended to be a protection not only to the Peloponnese, but to all the Hellenes against the Barbarians. For the capture of Troy by the Achaeans had given great offence to the Assyrians, of whose empire it then formed part, and they were likely to retaliate. Accordingly the royal Heraclid brothers devised their military constitution, which was organised on a far better plan than the old Trojan expedition; and the Dorians themselves were far superior to the Achaeans, who had taken part in that expedition, and had been conquered by them. Such a scheme, undertaken by men who had shared with one another toils and dangers, sanctioned by the Delphian oracle, under the guidance of the Heraclidae, seemed to have a promise of permanence. 'Naturally.' Yet this has not proved to be the case. Instead of the three being one, they have always been at war; had they been united, in accordance with the original intention, they would have been invincible.

And what caused their ruin? Did you ever observe that there are beautiful things of which men often say, 'What wonders they would have effected if rightly used?' and yet, after all, this may be a mistake. And so I say of the Heraclidae and their expedition, which I may perhaps have been justified in admiring, but which nevertheless suggests to me the general reflection, – 'What wonders might not strength and military resources have



accomplished, if the possessor had only known how to use them!' For consider: if the generals of the army had only known how to arrange their forces, might they not have given their subjects everlasting freedom, and the power of doing what they would in all the world? 'Very true.' Suppose a person to express his admiration of wealth or rank, does he not do so under the idea that by the help of these he can attain his desires? All men wish to obtain the control of all things, and they are always praying for what they desire. 'Certainly.' And we ask for our friends what they ask for themselves. 'Yes.' Dear is the son to the father, and yet the son, if he is young and foolish, will often pray to obtain what the father will pray that he may not obtain. 'True.' And when the father, in the heat of youth or the dotage of age, makes some rash prayer, the son, like Hippolytus, may have reason to pray that the word of his father may be ineffectual. 'You mean that a man should pray to have right desires, before he prays that his desires may be fulfilled; and that wisdom should be the first object of our prayers?' Yes; and you will remember my saying that wisdom should be the principal aim of the legislator; but you said that defence in war came first. And I replied, that there were four virtues, whereas you acknowledged one only – courage, and not wisdom which is the guide of all the rest. And I repeat – in jest if you like, but I am willing that you should receive my words in earnest – that 'the prayer of a fool is full of danger.' I will prove to you, if you will allow me, that the ruin of those states was not caused by cowardice or ignorance in war,

but by ignorance of human affairs. 'Pray proceed: our attention will show better than compliments that we prize your words.' I maintain that ignorance is, and always has been, the ruin of states; wherefore the legislator should seek to banish it from the state; and the greatest ignorance is the love of what is known to be evil, and the hatred of what is known to be good; this is the last and greatest conflict of pleasure and reason in the soul. I say the greatest, because affecting the greater part of the soul; for the passions are in the individual what the people are in a state. And when they become opposed to reason or law, and instruction no longer avails – that is the last and greatest ignorance of states and men. 'I agree.' Let this, then, be our first principle: – That the citizen who does not know how to choose between good and evil must not have authority, although he possess great mental gifts, and many accomplishments; for he is really a fool. On the other hand, he who has this knowledge may be unable either to read or swim; nevertheless, he shall be counted wise and permitted to rule. For how can there be wisdom where there is no harmony? – the wise man is the saviour, and he who is devoid of wisdom is the destroyer of states and households. There are rulers and there are subjects in states. And the first claim to rule is that of parents to rule over their children; the second, that of the noble to rule over the ignoble; thirdly, the elder must govern the younger; in the fourth place, the slave must obey his master; fifthly, there is the power of the stronger, which the poet Pindar declares to be according to nature; sixthly, there is the rule of the wiser, which

is also according to nature, as I must inform Pindar, if he does not know, and is the rule of law over obedient subjects. 'Most true.' And there is a seventh kind of rule which the Gods love, – in this the ruler is elected by lot.

Then, now, we playfully say to him who fancies that it is easy to make laws: – You see, legislator, the many and inconsistent claims to authority; here is a spring of troubles which you must stay. And first of all you must help us to consider how the kings of Argos and Messene in olden days destroyed their famous empire – did they forget the saying of Hesiod, that 'the half is better than the whole'? And do we suppose that the ignorance of this truth is less fatal to kings than to peoples? 'Probably the evil is increased by their way of life.' The kings of those days transgressed the laws and violated their oaths. Their deeds were not in harmony with their words, and their folly, which seemed to them wisdom, was the ruin of the state. And how could the legislator have prevented this evil? – the remedy is easy to see now, but was not easy to foresee at the time. 'What is the remedy?' The institutions of Sparta may teach you, Megillus. Wherever there is excess, whether the vessel has too large a sail, or the body too much food, or the mind too much power, there destruction is certain. And similarly, a man who possesses arbitrary power is soon corrupted, and grows hateful to his dearest friends. In order to guard against this evil, the God who watched over Sparta gave you two kings instead of one, that they might balance one another; and further to lower the pulse

of your body politic, some human wisdom, mingled with divine power, tempered the strength and self-sufficiency of youth with the moderation of age in the institution of your senate. A third saviour bridled your rising and swelling power by ephors, whom he assimilated to officers elected by lot: and thus the kingly power was preserved, and became the preserver of all the rest. Had the constitution been arranged by the original legislators, not even the portion of Aristodemus would have been saved; for they had no political experience, and imagined that a youthful spirit invested with power could be restrained by oaths. Now that God has instructed us in the arts of legislation, there is no merit in seeing all this, or in learning wisdom after the event. But if the coming danger could have been foreseen, and the union preserved, then no Persian or other enemy would have dared to attack Hellas; and indeed there was not so much credit to us in defeating the enemy, as discredit in our disloyalty to one another. For of the three cities one only fought on behalf of Hellas; and of the two others, Argos refused her aid; and Messenia was actually at war with Sparta: and if the Lacedaemonians and Athenians had not united, the Hellenes would have been absorbed in the Persian empire, and dispersed among the barbarians. We make these reflections upon past and present legislators because we desire to find out what other course could have been followed. We were saying just now, that a state can only be free and wise and harmonious when there is a balance of powers. There are many words by which we express the aims of the legislator, –

temperance, wisdom, friendship; but we need not be disturbed by the variety of expression, – these words have all the same meaning. 'I should like to know at what in your opinion the legislator should aim.' Hear me, then. There are two mother forms of states – one monarchy, and the other democracy: the Persians have the first in the highest form, and the Athenians the second; and no government can be well administered which does not include both. There was a time when both the Persians and Athenians had more the character of a constitutional state than they now have. In the days of Cyrus the Persians were freemen as well as lords of others, and their soldiers were free and equal, and the kings used and honoured all the talent which they could find, and so the nation waxed great, because there was freedom and friendship and communion of soul. But Cyrus, though a wise general, never troubled himself about the education of his family. He was a soldier from his youth upward, and left his children who were born in the purple to be educated by women, who humoured and spoilt them. 'A rare education, truly!' Yes, such an education as princesses who had recently grown rich might be expected to give them in a country where the men were solely occupied with warlike pursuits. 'Likely enough.' Their father had possessions of men and animals, and never considered that the race to whom he was about to make them over had been educated in a very different school, not like the Persian shepherd, who was well able to take care of himself and his own. He did not see that his children had been brought up in the Median fashion, by women

and eunuchs. The end was that one of the sons of Cyrus slew the other, and lost the kingdom by his own folly. Observe, again, that Darius, who restored the kingdom, had not received a royal education. He was one of the seven chiefs, and when he came to the throne he divided the empire into seven provinces; and he made equal laws, and implanted friendship among the people. Hence his subjects were greatly attached to him, and cheerfully helped him to extend his empire. Next followed Xerxes, who had received the same royal education as Cambyses, and met with a similar fate. The reflection naturally occurs to us – How could Darius, with all his experience, have made such a mistake! The ruin of Xerxes was not a mere accident, but the evil life which is generally led by the sons of very rich and royal persons; and this is what the legislator has seriously to consider. Justly may the Lacedaemonians be praised for not giving special honour to birth or wealth; for such advantages are not to be highly esteemed without virtue, and not even virtue is to be esteemed unless it be accompanied by temperance. 'Explain.' No one would like to live in the same house with a courageous man who had no control over himself, nor with a clever artist who was a rogue. Nor can justice and wisdom ever be separated from temperance. But considering these qualities with reference to the honour and dishonour which is to be assigned to them in states, would you say, on the other hand, that temperance, if existing without the other virtues in the soul, is worth anything or nothing? 'I cannot tell.' You have answered well. It would be absurd to speak

of temperance as belonging to the class of honourable or of dishonourable qualities, because all other virtues in their various classes require temperance to be added to them; having the addition, they are honoured not in proportion to that, but to their own excellence. And ought not the legislator to determine these classes? 'Certainly.' Suppose then that, without going into details, we make three great classes of them. Most honourable are the goods of the soul, always assuming temperance as a condition of them; secondly, those of the body; thirdly, external possessions. The legislator who puts them in another order is doing an unholy and unpatriotic thing.

These remarks were suggested by the history of the Persian kings; and to them I will now return. The ruin of their empire was caused by the loss of freedom and the growth of despotism; all community of feeling disappeared. Hatred and spoliation took the place of friendship; the people no longer fought heartily for their masters; the rulers, finding their myriads useless on the field of battle, resorted to mercenaries as their only salvation, and were thus compelled by their circumstances to proclaim the stupidest of falsehoods – that virtue is a trifle in comparison of money.

But enough of the Persians: a different lesson is taught by the Athenians, whose example shows that a limited freedom is far better than an unlimited. Ancient Athens, at the time of the Persian invasion, had such a limited freedom. The people were divided into four classes, according to the amount of their property, and the universal love of order, as well as the fear of the

approaching host, made them obedient and willing citizens. For Darius had sent Datis and Artaphernes, commanding them under pain of death to subjugate the Eretrians and Athenians. A report, whether true or not, came to Athens that all the Eretrians had been 'netted'; and the Athenians in terror sent all over Hellas for assistance. None came to their relief except the Lacedaemonians, and they arrived a day too late, when the battle of Marathon had been already fought. In process of time Xerxes came to the throne, and the Athenians heard of nothing but the bridge over the Hellespont, and the canal of Athos, and the innumerable host and fleet. They knew that these were intended to avenge the defeat of Marathon. Their case seemed desperate, for there was no Hellene likely to assist them by land, and at sea they were attacked by more than a thousand vessels; – their only hope, however slender, was in victory; so they relied upon themselves and upon the Gods. Their common danger, and the influence of their ancient constitution, greatly tended to promote harmony among them. Reverence and fear – that fear which the coward never knows – made them fight for their altars and their homes, and saved them from being dispersed all over the world. 'Your words, Athenian, are worthy of your country.' And you Megillus, who have inherited the virtues of your ancestors, are worthy to hear them. Let me ask you to take the moral of my tale. The Persians have lost their liberty in absolute slavery, and we in absolute freedom. In ancient times the Athenian people were not the masters, but the servants of the laws. 'Of what laws?'



In the first place, there were laws about music, and the music was of various kinds: there was one kind which consisted of hymns, another of lamentations; there was also the paeon and the dithyramb, and the so-called 'laws' (nomoi) or strains, which were played upon the harp. The regulation of such matters was not left to the whistling and clapping of the crowd; there was silence while the judges decided, and the boys, and the audience in general, were kept in order by raps of a stick. But after a while there arose a new race of poets, men of genius certainly, however careless of musical truth and propriety, who made pleasure the only criterion of excellence. That was a test which the spectators could apply for themselves; the whole audience, instead of being mute, became vociferous, and a theatrocracy took the place of an aristocracy. Could the judges have been free, there would have been no great harm done; a musical democracy would have been well enough – but conceit has been our ruin. Everybody knows everything, and is ready to say anything; the age of reverence is gone, and the age of irreverence and licentiousness has succeeded. 'Most true.' And with this freedom comes disobedience to rulers, parents, elders, – in the latter days to the law also; the end returns to the beginning, and the old Titanic nature reappears – men have no regard for the Gods or for oaths; and the evils of the human race seem as if they would never cease. Whither are we running away? Once more we must pull up the argument with bit and curb, lest, as the proverb says, we should fall off our ass. 'Good.' Our purpose in what we have

been saying is to prove that the legislator ought to aim at securing for a state three things – freedom, friendship, wisdom. And we chose two states; – one was the type of freedom, and the other of despotism; and we showed that when in a mean they attained their highest perfection. In a similar spirit we spoke of the Dorian expedition, and of the settlement on the hills and in the plains of Troy; and of music, and the use of wine, and of all that preceded.

And now, has our discussion been of any use? 'Yes, stranger; for by a singular coincidence the Cretans are about to send out a colony, of which the settlement has been confided to the Cnossians. Ten commissioners, of whom I am one, are to give laws to the colonists, and we may give any which we please – Cretan or foreign. And therefore let us make a selection from what has been said, and then proceed with the construction of the state.' Very good: I am quite at your service. 'And I too,' says Megillus.

BOOK IV. And now, what is this city? I do not want to know what is to be the name of the place (for some accident, – a river or a local deity, will determine that), but what the situation is, whether maritime or inland. 'The city will be about eleven miles from the sea.' Are there harbours? 'Excellent.' And is the surrounding country self-supporting? 'Almost.' Any neighbouring states? 'No; and that is the reason for choosing the place, which has been deserted from time immemorial.' And is there a fair proportion of hill and plain and wood? 'Like Crete in general, more hill than plain.' Then there is some hope for your

citizens; had the city been on the sea, and dependent for support on other countries, no human power could have preserved you from corruption. Even the distance of eleven miles is hardly enough. For the sea, although an agreeable, is a dangerous companion, and a highway of strange morals and manners as well as of commerce. But as the country is only moderately fertile there will be no great export trade and no great returns of gold and silver, which are the ruin of states. Is there timber for ship-building? 'There is no pine, nor much cypress; and very little stone-pine or plane wood for the interior of ships.' That is good. 'Why?' Because the city will not be able to imitate the bad ways of her enemies. 'What is the bearing of that remark?' To explain my meaning, I would ask you to remember what we said about the Cretan laws, that they had an eye to war only; whereas I maintained that they ought to have included all virtue. And I hope that you in your turn will retaliate upon me if I am false to my own principle. For I consider that the lawgiver should go straight to the mark of virtue and justice, and disregard wealth and every other good when separated from virtue. What further I mean, when I speak of the imitation of enemies, I will illustrate by the story of Minos, if our Cretan friend will allow me to mention it. Minos, who was a great sea-king, imposed upon the Athenians a cruel tribute, for in those days they were not a maritime power; they had no timber for ship-building, and therefore they could not 'imitate their enemies'; and better far, as I maintain, would it have been for them to have lost many times over the lives

which they devoted to the tribute than to have turned soldiers into sailors. Naval warfare is not a very praiseworthy art; men should not be taught to leap on shore, and then again to hurry back to their ships, or to find specious excuses for throwing away their arms; bad customs ought not to be gilded with fine words. And retreat is always bad, as we are taught in Homer, when he introduces Odysseus, setting forth to Agamemnon the danger of ships being at hand when soldiers are disposed to fly. An army of lions trained in such ways would fly before a herd of deer. Further, a city which owes its preservation to a crowd of pilots and oarsmen and other undeserving persons, cannot bestow rewards of honour properly; and this is the ruin of states. 'Still, in Crete we say that the battle of Salamis was the salvation of Hellas.' Such is the prevailing opinion. But I and Megillus say that the battle of Marathon began the deliverance, and that the battle of Plataea completed it; for these battles made men better, whereas the battles of Salamis and Artemisium made them no better. And we further affirm that mere existence is not the great political good of individuals or states, but the continuance of the best existence. 'Certainly.' Let us then endeavour to follow this principle in colonization and legislation.

And first, let me ask you who are to be the colonists? May any one come from any city of Crete? For you would surely not send a general invitation to all Hellas. Yet I observe that in Crete there are people who have come from Argos and Aegina and other places. 'Our recruits will be drawn from all Crete,

and of other Hellenes we should prefer Peloponnesians. As you observe, there are Argives among the Cretans; moreover the Gortynians, who are the best of all Cretans, have come from Gortys in Peloponnesus.'

Colonization is in some ways easier when the colony goes out in a swarm from one country, owing to the pressure of population, or revolution, or war. In this case there is the advantage that the new colonists have a community of race, language, and laws. But then again, they are less obedient to the legislator; and often they are anxious to keep the very laws and customs which caused their ruin at home. A mixed multitude, on the other hand, is more tractable, although there is a difficulty in making them pull together. There is nothing, however, which perfects men's virtue more than legislation and colonization. And yet I have a word to say which may seem to be depreciatory of legislators. 'What is that?'

I was going to make the saddening reflection, that accidents of all sorts are the true legislators, – wars and pestilences and famines and the frequent recurrence of bad seasons. The observer will be inclined to say that almost all human things are chance; and this is certainly true about navigation and medicine, and the art of the general. But there is another thing which may equally be said. 'What is it?' That God governs all things, and that chance and opportunity co-operate with Him. And according to yet a third view, art has part with them, for surely in a storm it is well to have a pilot? And the same is true of legislation: even if

circumstances are favourable, a skilful lawgiver is still necessary. 'Most true.' All artists would pray for certain conditions under which to exercise their art: and would not the legislator do the same? 'Certainly?' Come, legislator, let us say to him, and what are the conditions which you would have? He will answer, Grant me a city which is ruled by a tyrant; and let the tyrant be young, mindful, teachable, courageous, magnanimous; and let him have the inseparable condition of all virtue, which is temperance – not prudence, but that natural temperance which is the gift of children and animals, and is hardly reckoned among goods – with this he must be endowed, if the state is to acquire the form most conducive to happiness in the speediest manner. And I must add one other condition: the tyrant must be fortunate, and his good fortune must consist in his having the co-operation of a great legislator. When God has done all this, He has done the best which He can for a state; not so well if He has given them two legislators instead of one, and less and less well if He has given them a great many. An orderly tyranny most easily passes into the perfect state; in the second degree, a monarchy; in the third degree, a democracy; an oligarchy is worst of all. 'I do not understand.' I suppose that you have never seen a city which is subject to a tyranny? 'I have no desire to see one.' You would have seen what I am describing, if you ever had. The tyrant can speedily change the manners of a state, and affix the stamp of praise or blame on any action which he pleases; for the citizens readily follow the example which he sets. There is no

quicker way of making changes; but there is a counterbalancing difficulty. It is hard to find the divine love of temperance and justice existing in any powerful form of government, whether in a monarchy or an oligarchy. In olden days there were chiefs like Nestor, who was the most eloquent and temperate of mankind, but there is no one his equal now. If such an one ever arises among us, blessed will he be, and blessed they who listen to his words. For where power and wisdom and temperance meet in one, there are the best laws and constitutions. I am endeavouring to show you how easy under the conditions supposed, and how difficult under any other, is the task of giving a city good laws. 'How do you mean?' Let us old men attempt to mould in words a constitution for your new state, as children make figures out of wax. 'Proceed. What constitution shall we give – democracy, oligarchy, or aristocracy?' To which of these classes, Megillus, do you refer your own state? 'The Spartan constitution seems to me to contain all these elements. Our state is a democracy and also an aristocracy; the power of the Ephors is tyrannical, and we have an ancient monarchy.' 'Much the same,' adds Cleinias, 'may be said of Cnosus.' The reason is that you have politics, but other states are mere aggregations of men dwelling together, which are named after their several ruling powers; whereas a state, if an 'ocracy' at all, should be called a theocracy. A tale of old will explain my meaning. There is a tradition of a golden age, in which all things were spontaneous and abundant. Cronos, then lord of the world, knew that no mortal nature could endure

the temptations of power, and therefore he appointed demons or demi-gods, who are of a superior race, to have dominion over man, as man has dominion over the animals. They took care of us with great ease and pleasure to themselves, and no less to us; and the tradition says that only when God, and not man, is the ruler, can the human race cease from ill. This was the manner of life which prevailed under Cronos, and which we must strive to follow so far as the principle of immortality still abides in us and we live according to law and the dictates of right reason. But in an oligarchy or democracy, when the governing principle is athirst for pleasure, the laws are trampled under foot, and there is no possibility of salvation. Is it not often said that there are as many forms of laws as there are governments, and that they have no concern either with any one virtue or with all virtue, but are relative to the will of the government? Which is as much as to say that 'might makes right.' 'What do you mean?' I mean that governments enact their own laws, and that every government makes self-preservation its principal aim. He who transgresses the laws is regarded as an evil-doer, and punished accordingly. This was one of the unjust principles of government which we mentioned when speaking of the different claims to rule. We were agreed that parents should rule their children, the elder the younger, the noble the ignoble. But there were also several other principles, and among them Pindar's 'law of violence.' To whom then is our state to be entrusted? For many a government is only a victorious faction which has a monopoly of power,



and refuses any share to the conquered, lest when they get into office they should remember their wrongs. Such governments are not polities, but parties; nor are any laws good which are made in the interest of particular classes only, and not of the whole. And in our state I mean to protest against making any man a ruler because he is rich, or strong, or noble. But those who are obedient to the laws, and who win the victory of obedience, shall be promoted to the service of the Gods according to the degree of their obedience. When I call the ruler the servant or minister of the law, this is not a mere paradox, but I mean to say that upon a willingness to obey the law the existence of the state depends. 'Truly, Stranger, you have a keen vision.' Why, yes; every man when he is old has his intellectual vision most keen. And now shall we call in our colonists and make a speech to them? Friends, we say to them, God holds in His hand the beginning, middle, and end of all things, and He moves in a straight line towards the accomplishment of His will. Justice always bears Him company, and punishes those who fall short of His laws. He who would be happy follows humbly in her train; but he who is lifted up with pride, or wealth, or honour, or beauty, is soon deserted by God, and, being deserted, he lives in confusion and disorder. To many he seems a great man; but in a short time he comes to utter destruction. Wherefore, seeing these things, what ought we to do or think? 'Every man ought to follow God.' What life, then, is pleasing to God? There is an old saying that 'like agrees with like, measure with measure,' and God ought to be our measure

in all things. The temperate man is the friend of God because he is like Him, and the intemperate man is not His friend, because he is not like Him. And the conclusion is, that the best of all things for a good man is to pray and sacrifice to the Gods; but the bad man has a polluted soul; and therefore his service is wasted upon the Gods, while the good are accepted of them. I have told you the mark at which we ought to aim. You will say, How, and with what weapons? In the first place we affirm, that after the Olympian Gods and the Gods of the state, honour should be given to the Gods below, and to them should be offered everything in even numbers and of the second choice; the auspicious odd numbers and everything of the first choice are reserved for the Gods above. Next demi-gods or spirits must be honoured, and then heroes, and after them family gods, who will be worshipped at their local seats according to law. Further, the honour due to parents should not be forgotten; children owe all that they have to them, and the debt must be repaid by kindness and attention in old age. No unbecoming word must be uttered before them; for there is an avenging angel who hears them when they are angry, and the child should consider that the parent when he has been wronged has a right to be angry. After their death let them have a moderate funeral, such as their fathers have had before them; and there shall be an annual commemoration of them. Living on this wise, we shall be accepted of the Gods, and shall pass our days in good hope. The law will determine all our various duties towards relatives and friends and other citizens, and the whole state will

be happy and prosperous. But if the legislator would persuade as well as command, he will add prefaces to his laws which will predispose the citizens to virtue. Even a little accomplished in the way of gaining the hearts of men is of great value. For most men are in no particular haste to become good. As Hesiod says:

'Long and steep is the first half of the way to virtue, But when you have reached the top the rest is easy.'

'Those are excellent words.' Yes; but may I tell you the effect which the preceding discourse has had upon me? I will express my meaning in an address to the lawgiver: – O lawgiver, if you know what we ought to do and say, you can surely tell us; – you are not like the poet, who, as you were just now saying, does not know the effect of his own words. And the poet may reply, that when he sits down on the tripod of the Muses he is not in his right mind, and that being a mere imitator he may be allowed to say all sorts of opposite things, and cannot tell which of them is true. But this licence cannot be allowed to the lawgiver. For example, there are three kinds of funerals; one of them is excessive, another mean, a third moderate, and you say that the last is right. Now if I had a rich wife, and she told me to bury her, and I were to sing of her burial, I should praise the extravagant kind; a poor man would commend a funeral of the meaner sort, and a man of moderate means would prefer a moderate funeral. But you, as legislator, would have to say exactly what you meant by 'moderate.' 'Very true.' And is our lawgiver to have no preamble or interpretation of his laws, never offering a word of advice to his subjects, after the

manner of some doctors? For of doctors are there not two kinds? The one gentle and the other rough, doctors who are freemen and learn themselves and teach their pupils scientifically, and doctor's assistants who get their knowledge empirically by attending on their masters? 'Of course there are.' And did you ever observe that the gentlemen doctors practise upon freemen, and that slave doctors confine themselves to slaves? The latter go about the country or wait for the slaves at the dispensaries. They hold no parley with their patients about their diseases or the remedies of them; they practise by the rule of thumb, and give their decrees in the most arbitrary manner. When they have doctored one patient they run off to another, whom they treat with equal assurance, their duty being to relieve the master of the care of his sick slaves. But the other doctor, who practises on freemen, proceeds in quite a different way. He takes counsel with his patient and learns from him, and never does anything until he has persuaded him of what he is doing. He trusts to influence rather than force. Now is not the use of both methods far better than the use of either alone? And both together may be advantageously employed by us in legislation.

We may illustrate our proposal by an example. The laws relating to marriage naturally come first, and therefore we may begin with them. The simple law would be as follows: – A man shall marry between the ages of thirty and thirty-five; if he do not, he shall be fined or deprived of certain privileges. The double law would add the reason why: Forasmuch as man desires

immortality, which he attains by the procreation of children, no one should deprive himself of his share in this good. He who obeys the law is blameless, but he who disobeys must not be a gainer by his celibacy; and therefore he shall pay a yearly fine, and shall not be allowed to receive honour from the young. That is an example of what I call the double law, which may enable us to judge how far the addition of persuasion to threats is desirable. 'Lacedaemonians in general, Stranger, are in favour of brevity; in this case, however, I prefer length. But Cleinias is the real lawgiver, and he ought to be first consulted.' 'Thank you, Megillus.' Whether words are to be many or few, is a foolish question: – the best and not the shortest forms are always to be approved. And legislators have never thought of the advantages which they might gain by using persuasion as well as force, but trust to force only. And I have something else to say about the matter. Here have we been from early dawn until noon, discoursing about laws, and all that we have been saying is only the preamble of the laws which we are about to give. I tell you this, because I want you to observe that songs and strains have all of them preludes, but that laws, though called by the same name (nomoi), have never any prelude. Now I am disposed to give preludes to laws, dividing them into two parts – one containing the despotic command, which I described under the image of the slave doctor – the other the persuasive part, which I term the preamble. The legislator should give preludes or preambles to his laws. 'That shall be the way in my colony.'

I am glad that you agree with me; this is a matter which it is important to remember. A preamble is not always necessary to a law: the lawgiver must determine when it is needed, as the musician determines when there is to be a prelude to a song. 'Most true: and now, having a preamble, let us recommence our discourse.' Enough has been said of Gods and parents, and we may proceed to consider what relates to the citizens – their souls, bodies, properties, – their occupations and amusements; and so arrive at the nature of education.

The first word of the Laws somewhat abruptly introduces the thought which is present to the mind of Plato throughout the work, namely, that Law is of divine origin. In the words of a great English writer – 'Her seat is the bosom of God, her voice the harmony of the world.' Though the particular laws of Sparta and Crete had a narrow and imperfect aim, this is not true of divine laws, which are based upon the principles of human nature, and not framed to meet the exigencies of the moment. They have their natural divisions, too, answering to the kinds of virtue; very unlike the discordant enactments of an Athenian assembly or of an English Parliament. Yet we may observe two inconsistencies in Plato's treatment of the subject: first, a lesser, inasmuch as he does not clearly distinguish the Cretan and Spartan laws, of which the exclusive aim is war, from those other laws of Zeus and Apollo which are said to be divine, and to comprehend all virtue. Secondly, we may retort on him his own complaint against Sparta and Crete, that he has himself given us a code of laws, which for

the most part have a military character; and that we cannot point to 'obvious examples of similar institutions which are concerned with pleasure;' at least there is only one such, that which relates to the regulation of convivial intercourse. The military spirit which is condemned by him in the beginning of the *Laws*, reappears in the seventh and eighth books.

The mention of Minos the great lawgiver, and of Rhadamanthus the righteous administrator of the law, suggests the two divisions of the laws into enactments and appointments of officers. The legislator and the judge stand side by side, and their functions cannot be wholly distinguished. For the judge is in some sort a legislator, at any rate in small matters; and his decisions growing into precedents, must determine the innumerable details which arise out of the conflict of circumstances. These Plato proposes to leave to a younger generation of legislators. The action of courts of law in making law seems to have escaped him, probably because the Athenian law-courts were popular assemblies; and, except in a mythical form, he can hardly be said to have had before his eyes the ideal of a judge. In reading the *Laws* of Plato, or any other ancient writing about Laws, we should consider how gradual the process is by which not only a legal system, but the administration of a court of law, becomes perfected.

There are other subjects on which Plato breaks ground, as his manner is, early in the work. First, he gives a sketch of the subject of laws; they are to comprehend the whole of human

life, from infancy to age, and from birth to death, although the proposed plan is far from being regularly executed in the books which follow, partly owing to the necessity of describing the constitution as well as the laws of his new colony. Secondly, he touches on the power of music, which may exercise so great an influence on the character of men for good or evil; he refers especially to the great offence – which he mentions again, and which he had condemned in the Republic – of varying the modes and rhythms, as well as to that of separating the words from the music. Thirdly, he reprobates the prevalence of unnatural loves in Sparta and Crete, which he attributes to the practice of syssitia and gymnastic exercises, and considers to be almost inseparable from them. To this subject he again returns in the eighth book. Fourthly, the virtues are affirmed to be inseparable from one another, even if not absolutely one; this, too, is a principle which he reasserts at the conclusion of the work. As in the beginnings of Plato's other writings, we have here several 'notes' struck, which form the preludes of longer discussions, although the hint is less ingeniously given, and the promise more imperfectly fulfilled than in the earlier dialogues.

The distinction between ethics and politics has not yet dawned upon Plato's mind. To him, law is still floating in a region between the two. He would have desired that all the acts and laws of a state should have regard to all virtue. But he did not see that politics and law are subject to their own conditions, and are distinguished from ethics by natural differences. The actions



of which politics take cognisance are necessarily collective or representative; and law is limited to external acts which affect others as well as the agents. Ethics, on the other hand, include the whole duty of man in relation both to himself and others. But Plato has never reflected on these differences. He fancies that the life of the state can be as easily fashioned as that of the individual. He is favourable to a balance of power, but never seems to have considered that power might be so balanced as to produce an absolute immobility in the state. Nor is he alive to the evils of confounding vice and crime; or to the necessity of governments abstaining from excessive interference with their subjects.

Yet this confusion of ethics and politics has also a better and a truer side. If unable to grasp some important distinctions, Plato is at any rate seeking to elevate the lower to the higher; he does not pull down the principles of men to their practice, or narrow the conception of the state to the immediate necessities of politics. Political ideals of freedom and equality, of a divine government which has been or will be in some other age or country, have greatly tended to educate and ennoble the human race. And if not the first author of such ideals (for they are as old as Hesiod), Plato has done more than any other writer to impress them on the world. To those who censure his idealism we may reply in his own words – 'He is not the worse painter who draws a perfectly beautiful figure, because no such figure of a man could ever have existed' (Republic).

A new thought about education suddenly occurs to him, and

for a time exercises a sort of fascination over his mind, though in the later books of the Laws it is forgotten or overlooked. As true courage is allied to temperance, so there must be an education which shall train mankind to resist pleasure as well as to endure pain. No one can be on his guard against that of which he has no experience. The perfectly trained citizen should have been accustomed to look his enemy in the face, and to measure his strength against her. This education in pleasure is to be given, partly by festive intercourse, but chiefly by the song and dance. Youth are to learn music and gymnastics; their elders are to be trained and tested at drinking parties. According to the old proverb, *in vino veritas*, they will then be open and visible to the world in their true characters; and also they will be more amenable to the laws, and more easily moulded by the hand of the legislator. The first reason is curious enough, though not important; the second can hardly be thought deserving of much attention. Yet if Plato means to say that society is one of the principal instruments of education in after-life, he has expressed in an obscure fashion a principle which is true, and to his contemporaries was also new. That at a banquet a degree of moral discipline might be exercised is an original thought, but Plato has not yet learnt to express his meaning in an abstract form. He is sensible that moderation is better than total abstinence, and that asceticism is but a one-sided training. He makes the sagacious remark, that 'those who are able to resist pleasure may often be among the worst of mankind.' He is as

much aware as any modern utilitarian that the love of pleasure is the great motive of human action. This cannot be eradicated, and must therefore be regulated, – the pleasure must be of the right sort. Such reflections seem to be the real, though imperfectly expressed, groundwork of the discussion. As in the juxtaposition of the Bacchic madness and the great gift of Dionysus, or where he speaks of the different senses in which pleasure is and is not the object of imitative art, or in the illustration of the failure of the Dorian institutions from the prayer of Theseus, we have to gather his meaning as well as we can from the connexion.

The feeling of old age is discernible in this as well as in several other passages of the *Laws*. Plato has arrived at the time when men sit still and look on at life; and he is willing to allow himself and others the few pleasures which remain to them. Wine is to cheer them now that their limbs are old and their blood runs cold. They are the best critics of dancing and music, but cannot be induced to join in song unless they have been enlivened by drinking. Youth has no need of the stimulus of wine, but age can only be made young again by its invigorating influence. Total abstinence for the young, moderate and increasing potations for the old, is Plato's principle. The fire, of which there is too much in the one, has to be brought to the other. Drunkenness, like madness, had a sacredness and mystery to the Greek; if, on the one hand, as in the case of the Tarentines, it degraded a whole population, it was also a mode of worshipping the god Dionysus, which was to be practised on certain occasions. Moreover, the

intoxication produced by the fruit of the vine was very different from the grosser forms of drunkenness which prevail among some modern nations.

The physician in modern times would restrict the old man's use of wine within narrow limits. He would tell us that you cannot restore strength by a stimulus. Wine may call back the vital powers in disease, but cannot reinvigorate old age. In his maxims of health and longevity, though aware of the importance of a simple diet, Plato has omitted to dwell on the perfect rule of moderation. His commendation of wine is probably a passing fancy, and may have arisen out of his own habits or tastes. If so, he is not the only philosopher whose theory has been based upon his practice.

Plato's denial of wine to the young and his approval of it for their elders has some points of view which may be illustrated by the temperance controversy of our own times. Wine may be allowed to have a religious as well as a festive use; it is commended both in the Old and New Testament; it has been sung of by nearly all poets; and it may be truly said to have a healing influence both on body and mind. Yet it is also very liable to excess and abuse, and for this reason is prohibited by Mahometans, as well as of late years by many Christians, no less than by the ancient Spartans; and to sound its praises seriously seems to partake of the nature of a paradox. But we may rejoin with Plato that the abuse of a good thing does not take away the use of it. Total abstinence, as we often say, is

not the best rule, but moderate indulgence; and it is probably true that a temperate use of wine may contribute some elements of character to social life which we can ill afford to lose. It draws men out of their reserve; it helps them to forget themselves and to appear as they by nature are when not on their guard, and therefore to make them more human and greater friends to their fellow-men. It gives them a new experience; it teaches them to combine self-control with a measure of indulgence; it may sometimes restore to them the simplicity of childhood. We entirely agree with Plato in forbidding the use of wine to the young; but when we are of mature age there are occasions on which we derive refreshment and strength from moderate potations. It is well to make abstinence the rule, but the rule may sometimes admit of an exception. We are in a higher, as well as in a lower sense, the better for the use of wine. The question runs up into wider ones – What is the general effect of asceticism on human nature? and, Must there not be a certain proportion between the aspirations of man and his powers? – questions which have been often discussed both by ancient and modern philosophers. So by comparing things old and new we may sometimes help to realize to ourselves the meaning of Plato in the altered circumstances of our own life.

Like the importance which he attaches to festive entertainments, his depreciation of courage to the fourth place in the scale of virtue appears to be somewhat rhetorical and exaggerated. But he is speaking of courage in the lower sense

of the term, not as including loyalty or temperance. He does not insist in this passage, as in the Protagoras, on the unity of the virtues; or, as in the Laches, on the identity of wisdom and courage. But he says that they all depend upon their leader mind, and that, out of the union of wisdom and temperance with courage, springs justice. Elsewhere he is disposed to regard temperance rather as a condition of all virtue than as a particular virtue. He generalizes temperance, as in the Republic he generalizes justice. The nature of the virtues is to run up into one another, and in many passages Plato makes but a faint effort to distinguish them. He still quotes the poets, somewhat enlarging, as his manner is, or playing with their meaning. The martial poet Tyrtæus, and the oligarch Theognis, furnish him with happy illustrations of the two sorts of courage. The fear of fear, the division of goods into human and divine, the acknowledgment that peace and reconciliation are better than the appeal to the sword, the analysis of temperance into resistance of pleasure as well as endurance of pain, the distinction between the education which is suitable for a trade or profession, and for the whole of life, are important and probably new ethical conceptions. Nor has Plato forgotten his old paradox (Gorgias) that to be punished is better than to be unpunished, when he says, that to the bad man death is the only mitigation of his evil. He is not less ideal in many passages of the Laws than in the Gorgias or Republic. But his wings are heavy, and he is unequal to any sustained flight.

There is more attempt at dramatic effect in the first book than in the later parts of the work. The outburst of martial spirit in the Lacedaemonian, 'O best of men'; the protest which the Cretan makes against the supposed insult to his lawgiver; the cordial acknowledgment on the part of both of them that laws should not be discussed publicly by those who live under their rule; the difficulty which they alike experience in following the speculations of the Athenian, are highly characteristic.

In the second book, Plato pursues further his notion of educating by a right use of pleasure. He begins by conceiving an endless power of youthful life, which is to be reduced to rule and measure by harmony and rhythm. Men differ from the lower animals in that they are capable of musical discipline. But music, like all art, must be truly imitative, and imitative of what is true and good. Art and morality agree in rejecting pleasure as the criterion of good. True art is inseparable from the highest and most ennobling ideas. Plato only recognizes the identity of pleasure and good when the pleasure is of the higher kind. He is the enemy of 'songs without words,' which he supposes to have some confusing or enervating effect on the mind of the hearer; and he is also opposed to the modern degeneracy of the drama, which he would probably have illustrated, like Aristophanes, from Euripides and Agathon. From this passage may be gathered a more perfect conception of art than from any other of Plato's writings. He understands that art is at once imitative and ideal, an exact representation of truth, and also a representation of the

highest truth. The same double view of art may be gathered from a comparison of the third and tenth books of the Republic, but is here more clearly and pointedly expressed.

We are inclined to suspect that both here and in the Republic Plato exaggerates the influence really exercised by the song and the dance. But we must remember also the susceptible nature of the Greek, and the perfection to which these arts were carried by him. Further, the music had a sacred and Pythagorean character; the dance too was part of a religious festival. And only at such festivals the sexes mingled in public, and the youths passed under the eyes of their elders.

At the beginning of the third book, Plato abruptly asks the question, What is the origin of states? The answer is, Infinite time. We have already seen – in the Theaetetus, where he supposes that in the course of ages every man has had numberless progenitors, kings and slaves, Greeks and barbarians; and in the Critias, where he says that nine thousand years have elapsed since the island of Atlantis fought with Athens – that Plato is no stranger to the conception of long periods of time. He imagines human society to have been interrupted by natural convulsions; and beginning from the last of these, he traces the steps by which the family has grown into the state, and the original scattered society, becoming more and more civilised, has finally passed into military organizations like those of Crete and Sparta. His conception of the origin of states is far truer in the Laws than in the Republic; but it must be remembered that here he is giving



an historical, there an ideal picture of the growth of society.

Modern enquirers, like Plato, have found in infinite ages the explanation not only of states, but of languages, men, animals, the world itself; like him, also, they have detected in later institutions the vestiges of a patriarchal state still surviving. Thus far Plato speaks as 'the spectator of all time and all existence,' who may be thought by some divine instinct to have guessed at truths which were hereafter to be revealed. He is far above the vulgar notion that Hellas is the civilized world (Statesman), or that civilization only began when the Hellenes appeared on the scene. But he has no special knowledge of 'the days before the flood'; and when he approaches more historical times, in preparing the way for his own theory of mixed government, he argues partially and erroneously. He is desirous of showing that unlimited power is ruinous to any state, and hence he is led to attribute a tyrannical spirit to the first Dorian kings. The decay of Argos and the destruction of Messene are adduced by him as a manifest proof of their failure; and Sparta, he thinks, was only preserved by the limitations which the wisdom of successive legislators introduced into the government. But there is no more reason to suppose that the Dorian rule of life which was followed at Sparta ever prevailed in Argos and Messene, than to assume that Dorian institutions were framed to protect the Greeks against the power of Assyria; or that the empire of Assyria was in any way affected by the Trojan war; or that the return of the Heraclidae was only the return of Achaean exiles,

who received a new name from their leader Dorieus. Such fancies were chiefly based, as far as they had any foundation, on the use of analogy, which played a great part in the dawn of historical and geographical research. Because there was a Persian empire which was the natural enemy of the Greek, there must also have been an Assyrian empire, which had a similar hostility; and not only the fable of the island of Atlantis, but the Trojan war, in Plato's mind derived some features from the Persian struggle. So Herodotus makes the Nile answer to the Ister, and the valley of the Nile to the Red Sea. In the Republic, Plato is flying in the air regardless of fact and possibility – in the Laws, he is making history by analogy. In the former, he appears to be like some modern philosophers, absolutely devoid of historical sense; in the latter, he is on a level, not with Thucydides, or the critical historians of Greece, but with Herodotus, or even with Ctesias.

The chief object of Plato in tracing the origin of society is to show the point at which regular government superseded the patriarchal authority, and the separate customs of different families were systematized by legislators, and took the form of laws consented to by them all. According to Plato, the only sound principle on which any government could be based was a mixture or balance of power. The balance of power saved Sparta, when the two other Heraclid states fell into disorder. Here is probably the first trace of a political idea, which has exercised a vast influence both in ancient and modern times. And yet we might fairly ask, a little parodying the language of Plato – O legislator,

is unanimity only 'the struggle for existence'; or is the balance of powers in a state better than the harmony of them?

In the fourth book we approach the realities of politics, and Plato begins to ascend to the height of his great argument. The reign of Cronos has passed away, and various forms of government have succeeded, which are all based on self-interest and self-preservation. Right and wrong, instead of being measured by the will of God, are created by the law of the state. The strongest assertions are made of the purely spiritual nature of religion – 'Without holiness no man is accepted of God'; and of the duty of filial obedience, – 'Honour thy parents.' The legislator must teach these precepts as well as command them. He is to be the educator as well as the lawgiver of future ages, and his laws are themselves to form a part of the education of the state. Unlike the poet, he must be definite and rational; he cannot be allowed to say one thing at one time, and another thing at another – he must know what he is about. And yet legislation has a poetical or rhetorical element, and must find words which will wing their way to the hearts of men. Laws must be promulgated before they are put in execution, and mankind must be reasoned with before they are punished. The legislator, when he promulgates a particular law, will courteously entreat those who are willing to hear his voice. Upon the rebellious only does the heavy blow descend. A sermon and a law in one, blending the secular punishment with the religious sanction, appeared to Plato a new idea which might have a great result in reforming the world. The

experiment had never been tried of reasoning with mankind; the laws of others had never had any preambles, and Plato seems to have great pleasure in contemplating his discovery.

In these quaint forms of thought and language, great principles of morals and legislation are enunciated by him for the first time. They all go back to mind and God, who holds the beginning, middle, and end of all things in His hand. The adjustment of the divine and human elements in the world is conceived in the spirit of modern popular philosophy, differing not much in the mode of expression. At first sight the legislator appears to be impotent, for all things are the sport of chance. But we admit also that God governs all things, and that chance and opportunity co-operate with Him (compare the saying, that chance is the name of the unknown cause). Lastly, while we acknowledge that God and chance govern mankind and provide the conditions of human action, experience will not allow us to deny a place to art. We know that there is a use in having a pilot, though the storm may overwhelm him; and a legislator is required to provide for the happiness of a state, although he will pray for favourable conditions under which he may exercise his art.

BOOK V. Hear now, all ye who heard the laws about Gods and ancestors: Of all human possessions the soul is most divine, and most truly a man's own. For in every man there are two parts – a better which rules, and an inferior which serves; and the ruler is to be preferred to the servant. Wherefore I bid every one next after the Gods to honour his own soul, and he can only honour

her by making her better. A man does not honour his soul by flattery, or gifts, or self-indulgence, or conceit of knowledge, nor when he blames others for his own errors; nor when he indulges in pleasure or refuses to bear pain; nor when he thinks that life at any price is a good, because he fears the world below, which, far from being an evil, may be the greatest good; nor when he prefers beauty to virtue – not reflecting that the soul, which came from heaven, is more honourable than the body, which is earth-born; nor when he covets dishonest gains, of which no amount is equal in value to virtue; – in a word, when he counts that which the legislator pronounces evil to be good, he degrades his soul, which is the divinest part of him. He does not consider that the real punishment of evil-doing is to grow like evil men, and to shun the conversation of the good: and that he who is joined to such men must do and suffer what they by nature do and say to one another, which suffering is not justice but retribution. For justice is noble, but retribution is only the companion of injustice. And whether a man escapes punishment or not, he is equally miserable; for in the one case he is not cured, and in the other case he perishes that the rest may be saved.

The glory of man is to follow the better and improve the inferior. And the soul is that part of man which is most inclined to avoid the evil and dwell with the good. Wherefore also the soul is second only to the Gods in honour, and in the third place the body is to be esteemed, which often has a false honour. For honour is not to be given to the fair or the strong, or the swift or

the tall, or to the healthy, any more than to their opposites, but to the mean states of all these habits; and so of property and external goods. No man should heap up riches that he may leave them to his children. The best condition for them as for the state is a middle one, in which there is a freedom without luxury. And the best inheritance of children is modesty. But modesty cannot be implanted by admonition only – the elders must set the example. He who would train the young must first train himself.

He who honours his kindred and family may fairly expect that the Gods will give him children. He who would have friends must think much of their favours to him, and little of his to them. He who prefers to an Olympic, or any other victory, to win the palm of obedience to the laws, serves best both the state and his fellow-citizens. Engagements with strangers are to be deemed most sacred, because the stranger, having neither kindred nor friends, is immediately under the protection of Zeus, the God of strangers. A prudent man will not sin against the stranger; and still more carefully will he avoid sinning against the suppliant, which is an offence never passed over by the Gods.

I will now speak of those particulars which are matters of praise and blame only, and which, although not enforced by the law, greatly affect the disposition to obey the law. Truth has the first place among the gifts of Gods and men, for truth begets trust; but he is not to be trusted who loves voluntary falsehood, and he who loves involuntary falsehood is a fool. Neither the ignorant nor the untrustworthy man is happy; for they have no

friends in life, and die unlamented and untended. Good is he who does no injustice – better who prevents others from doing any – best of all who joins the rulers in punishing injustice. And this is true of goods and virtues in general; he who has and communicates them to others is the man of men; he who would, if he could, is second-best; he who has them and is jealous of imparting them to others is to be blamed, but the good or virtue which he has is to be valued still. Let every man contend in the race without envy; for the unenvious man increases the strength of the city; himself foremost in the race, he harms no one with calumny. Whereas the envious man is weak himself, and drives his rivals to despair with his slanders, thus depriving the whole city of incentives to the exercise of virtue, and tarnishing her glory. Every man should be gentle, but also passionate; for he must have the spirit to fight against incurable and malignant evil. But the evil which is remediable should be dealt with more in sorrow than anger. He who is unjust is to be pitied in any case; for no man voluntarily does evil or allows evil to exist in his soul. And therefore he who deals with the curable sort must be long-suffering and forbearing; but the incurable shall have the vials of our wrath poured out upon him. The greatest of all evils is self-love, which is thought to be natural and excusable, and is enforced as a duty, and yet is the cause of many errors. The lover is blinded about the beloved, and prefers his own interests to truth and right; but the truly great man seeks justice before all things. Self-love is the source of that ignorant conceit of knowledge

which is always doing and never succeeding. Wherefore let every man avoid self-love, and follow the guidance of those who are better than himself. There are lesser matters which a man should recall to mind; for wisdom is like a stream, ever flowing in and out, and recollection flows in when knowledge is failing. Let no man either laugh or grieve overmuch; but let him control his feelings in the day of good- or ill-fortune, believing that the Gods will diminish the evils and increase the blessings of the righteous. These are thoughts which should ever occupy a good man's mind; he should remember them both in lighter and in more serious hours, and remind others of them.

So much of divine matters and the relation of man to God. But man is man, and dependent on pleasure and pain; and therefore to acquire a true taste respecting either is a great matter. And what is a true taste? This can only be explained by a comparison of one life with another. Pleasure is an object of desire, pain of avoidance; and the absence of pain is to be preferred to pain, but not to pleasure. There are infinite kinds and degrees of both of them, and we choose the life which has more pleasure and avoid that which has less; but we do not choose that life in which the elements of pleasure are either feeble or equally balanced with pain. All the lives which we desire are pleasant; the choice of any others is due to inexperience.

Now there are four lives – the temperate, the rational, the courageous, the healthful; and to these let us oppose four others – the intemperate, the foolish, the cowardly, the diseased. The



temperate life has gentle pains and pleasures and placid desires, the intemperate life has violent delights, and still more violent desires. And the pleasures of the temperate exceed the pains, while the pains of the intemperate exceed the pleasures. But if this is true, none are voluntarily intemperate, but all who lack temperance are either ignorant or wanting in self-control: for men always choose the life which (as they think) exceeds in pleasure. The wise, the healthful, the courageous life have a similar advantage – they also exceed their opposites in pleasure. And, generally speaking, the life of virtue is far more pleasurable and honourable, fairer and happier far, than the life of vice. Let this be the preamble of our laws; the strain will follow.

As in a web the warp is stronger than the woof, so should the rulers be stronger than their half-educated subjects. Let us suppose, then, that in the constitution of a state there are two parts, the appointment of the rulers, and the laws which they have to administer. But, before going further, there are some preliminary matters which have to be considered.

As of animals, so also of men, a selection must be made; the bad breed must be got rid of, and the good retained. The legislator must purify them, and if he be not a despot he will find this task to be a difficult one. The severer kinds of purification are practised when great offenders are punished by death or exile, but there is a milder process which is necessary when the poor show a disposition to attack the property of the rich, for then the legislator will send them off to another land, under the name of

a colony. In our case, however, we shall only need to purify the streams before they meet. This is often a troublesome business, but in theory we may suppose the operation performed, and the desired purity attained. Evil men we will hinder from coming, and receive the good as friends.

Like the old Heraclid colony, we are fortunate in escaping the abolition of debts and the distribution of land, which are difficult and dangerous questions. But, perhaps, now that we are speaking of the subject, we ought to say how, if the danger existed, the legislator should try to avert it. He would have recourse to prayers, and trust to the healing influence of time. He would create a kindly spirit between creditors and debtors: those who have should give to those who have not, and poverty should be held to be rather the increase of a man's desires than the diminution of his property. Good-will is the only safe and enduring foundation of the political society; and upon this our city shall be built. The lawgiver, if he is wise, will not proceed with the arrangement of the state until all disputes about property are settled. And for him to introduce fresh grounds of quarrel would be madness.

Let us now proceed to the distribution of our state, and determine the size of the territory and the number of the allotments. The territory should be sufficient to maintain the citizens in moderation, and the population should be numerous enough to defend themselves, and sometimes to aid their neighbours. We will fix the number of citizens at 5040, to which

the number of houses and portions of land shall correspond. Let the number be divided into two parts and then into three; for it is very convenient for the purposes of distribution, and is capable of fifty-nine divisions, ten of which proceed without interval from one to ten. Here are numbers enough for war and peace, and for all contracts and dealings. These properties of numbers are true, and should be ascertained with a view to use.

In carrying out the distribution of the land, a prudent legislator will be careful to respect any provision for religious worship which has been sanctioned by ancient tradition or by the oracles of Delphi, Dodona, or Ammon. All sacrifices, and altars, and temples, whatever may be their origin, should remain as they are. Every division should have a patron God or hero; to these a portion of the domain should be appropriated, and at their temples the inhabitants of the districts should meet together from time to time, for the sake of mutual help and friendship. All the citizens of a state should be known to one another; for where men are in the dark about each other's characters, there can be no justice or right administration. Every man should be true and single-minded, and should not allow himself to be deceived by others.

And now the game opens, and we begin to move the pieces. At first sight, our constitution may appear singular and ill-adapted to a legislator who has not despotic power; but on second thoughts will be deemed to be, if not the very best, the second best. For there are three forms of government, a first, a second, and a

third best, out of which Cleinias has now to choose. The first and highest form is that in which friends have all things in common, including wives and property, – in which they have common fears, hopes, desires, and do not even call their eyes or their hands their own. This is the ideal state; than which there never can be a truer or better – a state, whether inhabited by Gods or sons of Gods, which will make the dwellers therein blessed. Here is the pattern on which we must ever fix our eyes; but we are now concerned with another, which comes next to it, and we will afterwards proceed to a third.

Inasmuch as our citizens are not fitted either by nature or education to receive the saying, Friends have all things in common, let them retain their houses and private property, but use them in the service of their country, who is their God and parent, and of the Gods and demigods of the land. Their first care should be to preserve the number of their lots. This may be secured in the following manner: when the possessor of a lot dies, he shall leave his lot to his best-beloved child, who will become the heir of all duties and interests, and will minister to the Gods and to the family, to the living and to the dead. Of the remaining children, the females must be given in marriage according to the law to be hereafter enacted; the males may be assigned to citizens who have no children of their own. How to equalize families and allotments will be one of the chief cares of the guardians of the laws. When parents have too many children they may give to those who have none, or couples may abstain from having

children, or, if there is a want of offspring, special care may be taken to obtain them; or if the number of citizens becomes excessive, we may send away the surplus to found a colony. If, on the other hand, a war or plague diminishes the number of inhabitants, new citizens must be introduced; and these ought not, if possible, to be men of low birth or inferior training; but even God, it is said, cannot always fight against necessity.

Wherefore we will thus address our citizens: – Good friends, honour order and equality, and above all the number 5040. Secondly, respect the original division of the lots, which must not be infringed by buying and selling, for the law says that the land which a man has is sacred and is given to him by God. And priests and priestesses will offer frequent sacrifices and pray that he who alienates either house or lot may receive the punishment which he deserves, and their prayers shall be inscribed on tablets of cypress-wood for the instruction of posterity. The guardians will keep a vigilant watch over the citizens, and they will punish those who disobey God and the law.

To appreciate the benefit of such an institution a man requires to be well educated; for he certainly will not make a fortune in our state, in which all illiberal occupations are forbidden to freemen. The law also provides that no private person shall have gold or silver, except a little coin for daily use, which will not pass current in other countries. The state must also possess a common Hellenic currency, but this is only to be used in defraying the expenses of expeditions, or of embassies, or while a man is on

foreign travels; but in the latter case he must deliver up what is over, when he comes back, to the treasury in return for an equal amount of local currency, on pain of losing the sum in question; and he who does not inform against an offender is to be mulcted in a like sum. No money is to be given or taken as a dowry, or to be lent on interest. The law will not protect a man in recovering either interest or principal. All these regulations imply that the aim of the legislator is not to make the city as rich or as mighty as possible, but the best and happiest. Now men can hardly be at the same time very virtuous and very rich. And why? Because he who makes twice as much and saves twice as much as he ought, receiving where he ought not and not spending where he ought, will be at least twice as rich as he who makes money where he ought, and spends where he ought. On the other hand, an utterly bad man is generally profligate and poor, while he who acquires honestly, and spends what he acquires on noble objects, can hardly be very rich. A very rich man is therefore not a good man, and therefore not a happy one. But the object of our laws is to make the citizens as friendly and happy as possible, which they cannot be if they are always at law and injuring each other in the pursuit of gain. And therefore we say that there is to be no silver or gold in the state, nor usury, nor the rearing of the meaner kinds of live-stock, but only agriculture, and only so much of this as will not lead men to neglect that for the sake of which money is made, first the soul and afterwards the body; neither of which are good for much without music and gymnastic. Money is to be held

in honour last or third; the highest interests being those of the soul, and in the second class are to be ranked those of the body. This is the true order of legislation, which would be inverted by placing health before temperance, and wealth before health.

It might be well if every man could come to the colony having equal property; but equality is impossible, and therefore we must avoid causes of offence by having property valued and by equalizing taxation. To this end, let us make four classes in which the citizens may be placed according to the measure of their original property, and the changes of their fortune. The greatest of evils is revolution; and this, as the law will say, is caused by extremes of poverty or wealth. The limit of poverty shall be the lot, which must not be diminished, and may be increased fivefold, but not more. He who exceeds the limit must give up the excess to the state; but if he does not, and is informed against, the surplus shall be divided between the informer and the Gods, and he shall pay a sum equal to the surplus out Of his own property. All property other than the lot must be inscribed in a register, so that any disputes which arise may be easily determined.

The city shall be placed in a suitable situation, as nearly as possible in the centre of the country, and shall be divided into twelve wards. First, we will erect an acropolis, encircled by a wall, within which shall be placed the temples of Hestia, and Zeus, and Athene. From this shall be drawn lines dividing the city, and also the country, into twelve sections, and the country shall be subdivided into 5040 lots. Each lot shall contain two

parts, one at a distance, the other near the city; and the distance of one part shall be compensated by the nearness of the other, the badness and goodness by the greater or less size. Twelve lots will be assigned to twelve Gods, and they will give their names to the tribes. The divisions of the city shall correspond to those of the country; and every man shall have two habitations, one near the centre of the country, the other at the extremity.

The objection will naturally arise, that all the advantages of which we have been speaking will never concur. The citizens will not tolerate a settlement in which they are deprived of gold and silver, and have the number of their families regulated, and the sites of their houses fixed by law. It will be said that our city is a mere image of wax. And the legislator will answer: 'I know it, but I maintain that we ought to set forth an ideal which is as perfect as possible. If difficulties arise in the execution of the plan, we must avoid them and carry out the remainder. But the legislator must first be allowed to complete his idea without interruption.'

The number twelve, which we have chosen for the number of division, must run through all parts of the state, – phratries, villages, ranks of soldiers, coins, and measures wet and dry, which are all to be made commensurable with one another. There is no meanness in requiring that the smallest vessels should have a common measure; for the divisions of number are useful in measuring height and depth, as well as sounds and motions, upwards or downwards, or round and round. The legislator should impress on his citizens the value of arithmetic. No instrument



of education has so much power; nothing more tends to sharpen and inspire the dull intellect. But the legislator must be careful to instil a noble and generous spirit into the students, or they will tend to become cunning rather than wise. This may be proved by the example of the Egyptians and Phoenicians, who, notwithstanding their knowledge of arithmetic, are degraded in their general character; whether this defect in them is due to some natural cause or to a bad legislator. For it is clear that there are great differences in the power of regions to produce good men: heat and cold, and water and food, have great effects both on body and soul; and those spots are peculiarly fortunate in which the air is holy, and the Gods are pleased to dwell. To all this the legislator must attend, so far as in him lies.

BOOK VI. And now we are about to consider (1) the appointment of magistrates; (2) the laws which they will have to administer must be determined. I may observe by the way that laws, however good, are useless and even injurious unless the magistrates are capable of executing them. And therefore (1) the intended rulers of our imaginary state should be tested from their youth upwards until the time of their election; and (2) those who are to elect them ought to be trained in habits of law, that they may form a right judgment of good and bad men. But uneducated colonists, who are unacquainted with each other, will not be likely to choose well. What, then, shall we do? I will tell you: The colony will have to be intrusted to the ten commissioners, of whom you are one, and I will help you and them, which is

my reason for inventing this romance. And I cannot bear that the tale should go wandering about the world without a head, – it will be such an ugly monster. 'Very good.' Yes; and I will be as good as my word, if God be gracious and old age permit. But let us not forget what a courageously mad creation this our city is. 'What makes you say so?' Why, surely our courage is shown in imagining that the new colonists will quietly receive our laws? For no man likes to receive laws when they are first imposed: could we only wait until those who had been educated under them were grown up, and of an age to vote in the public elections, there would be far greater reason to expect permanence in our institutions. 'Very true.' The Cnosian founders should take the utmost pains in the matter of the colony, and in the election of the higher officers, particularly of the guardians of the law. The latter should be appointed in this way: The Cnosians, who take the lead in the colony, together with the colonists, will choose thirty-seven persons, of whom nineteen will be colonists, and the remaining eighteen Cnosians – you must be one of the eighteen yourself, and become a citizen of the new state. 'Why do not you and Megillus join us?' Athens is proud, and Sparta too; and they are both a long way off. But let me proceed with my scheme. When the state is permanently established, the mode of election will be as follows: All who are serving, or have served, in the army will be electors; and the election will be held in the most sacred of the temples. The voter will place on the altar a tablet, inscribing thereupon the name of the candidate whom he prefers,

and of his father, tribe, and ward, writing at the side of them his own name in like manner; and he may take away any tablet which does not appear written to his mind, and place it in the Agora for thirty days. The 300 who obtain the greatest number of votes will be publicly announced, and out of them there will be a second election of 100; and out of the 100 a third and final election of thirty-seven, accompanied by the solemnity of the electors passing through victims. But then who is to arrange all this? There is a common saying, that the beginning is half the whole; and I should say a good deal more than half. 'Most true.' The only way of making a beginning is from the parent city; and though in after ages the tie may be broken, and quarrels may arise between them, yet in early days the child naturally looks to the mother for care and education. And, as I said before, the Cnosians ought to take an interest in the colony, and select 100 elders of their own citizens, to whom shall be added 100 of the colonists, to arrange and supervise the first elections and scrutinies; and when the colony has been started, the Cnosians may return home and leave the colonists to themselves.

The thirty-seven magistrates who have been elected in the manner described, shall have the following duties: first, they shall be guardians of the law; secondly, of the registers of property in the four classes – not including the one, two, three, four minae, which are allowed as a surplus. He who is found to possess what is not entered in the registers, in addition to the confiscation of such property shall be proceeded against by law, and if he be cast

he shall lose his share in the public property and in distributions of money; and his sentence shall be inscribed in some public place. The guardians are to continue in office twenty years only, and to commence holding office at fifty years, or if elected at sixty they are not to remain after seventy.

Generals have now to be elected, and commanders of horse and brigadiers of foot. The generals shall be natives of the city, proposed by the guardians of the law, and elected by those who are or have been of the age for military service. Any one may challenge the person nominated and start another candidate, whom he affirms upon oath to be better qualified. The three who obtain the greatest number of votes shall be elected. The generals thus elected shall propose the taxiarchs or brigadiers, and the challenge may be made, and the voting shall take place, in the same manner as before. The elective assembly will be presided over in the first instance, and until the prytanes and council come into being, by the guardians of the law in some holy place; and they shall divide the citizens into three divisions, – hoplites, cavalry, and the rest of the army – placing each of them by itself. All are to vote for generals and cavalry officers. The brigadiers are to be voted for only by the hoplites. Next, the cavalry are to choose phylarchs for the generals; but captains of archers and other irregular troops are to be appointed by the generals themselves. The cavalry-officers shall be proposed and voted upon by the same persons who vote for the generals. The two who have the greatest number of votes shall be leaders of

all the horse. Disputes about the voting may be raised once or twice, but, if a third time, the presiding officers shall decide.

The council shall consist of 360, who may be conveniently divided into four sections, making ninety councillors of each class. In the first place, all the citizens shall select candidates from the first class; and they shall be compelled to vote under pain of a fine. This shall be the business of the first day. On the second day a similar selection shall be made from the second class under the same conditions. On the third day, candidates shall be selected from the third class; but the compulsion to vote shall only extend to the voters of the first three classes. On the fourth day, members of the council shall be selected from the fourth class; they shall be selected by all, but the compulsion to vote shall only extend to the second class, who, if they do not vote, shall pay a fine of triple the amount which was exacted at first, and to the first class, who shall pay a quadruple fine. On the fifth day, the names shall be exhibited, and out of them shall be chosen by all the citizens 180 of each class: these are severally to be reduced by lot to ninety, and  $90 \times 4$  will form the council for the year.

The mode of election which has been described is a mean between monarchy and democracy, and such a mean should ever be observed in the state. For servants and masters cannot be friends, and, although equality makes friendship, we must remember that there are two sorts of equality. One of them is the rule of number and measure; but there is also a higher equality,

which is the judgment of Zeus. Of this he grants but little to mortal men; yet that little is the source of the greatest good to cities and individuals. It is proportioned to the nature of each man; it gives more to the better and less to the inferior, and is the true political justice; to this we in our state desire to look, as every legislator should, not to the interests either of tyrants or mobs. But justice cannot always be strictly enforced, and then equity and mercy have to be substituted: and for a similar reason, when true justice will not be endured, we must have recourse to the rougher justice of the lot, which God must be entreated to guide.

These are the principal means of preserving the state, but perpetual care will also be required. When a ship is sailing on the sea, vigilance must not be relaxed night or day; and the vessel of state is tossing in a political sea, and therefore watch must continually succeed watch, and rulers must join hands with rulers. A small body will best perform this duty, and therefore the greater part of the 360 senators may be permitted to go and manage their own affairs, but a twelfth portion must be set aside in each month for the administration of the state. Their business will be to receive information and answer embassies; also they must endeavour to prevent or heal internal disorders; and with this object they must have the control of all assemblies of the citizens.

Besides the council, there must be wardens of the city and of the agora, who will superintend houses, ways, harbours, markets,

and fountains, in the city and the suburbs, and prevent any injury being done to them by man or beast. The temples, also, will require priests and priestesses. Those who hold the priestly office by hereditary tenure shall not be disturbed; but as there will probably be few or none such in a new colony, priests and priestesses shall be appointed for the Gods who have no servants. Some of these officers shall be elected by vote, some by lot; and all classes shall mingle in a friendly manner at the elections. The appointment of priests should be left to God, – that is, to the lot; but the person elected must prove that he is himself sound in body and of legitimate birth, and that his family has been free from homicide or any other stain of impurity. Priests and priestesses are to be not less than sixty years of age, and shall hold office for a year only. The laws which are to regulate matters of religion shall be brought from Delphi, and interpreters appointed to superintend their execution. These shall be elected in the following manner: – The twelve tribes shall be formed into three bodies of four, each of which shall select four candidates, and this shall be done three times: of each twelve thus selected the three who receive the largest number of votes, nine in all, after undergoing a scrutiny shall go to Delphi, in order that the God may elect one out of each triad. They shall be appointed for life; and when any of them dies, another shall be elected by the four tribes who made the original appointment. There shall also be treasurers of the temples; three for the greater temples, two for the lesser, and one for those of least importance.

The defence of the city should be committed to the generals and other officers of the army, and to the wardens of the city and agora. The defence of the country shall be on this wise: – The twelve tribes shall allot among themselves annually the twelve divisions of the country, and each tribe shall appoint five wardens and commanders of the watch. The five wardens in each division shall choose out of their own tribe twelve guards, who are to be between twenty-five and thirty years of age. Both the wardens and the guards are to serve two years; and they shall make a round of the divisions, staying a month in each. They shall go from West to East during the first year, and back from East to West during the second. Thus they will gain a perfect knowledge of the country at every season of the year.

While on service, their first duty will be to see that the country is well protected by means of fortifications and entrenchments; they will use the beasts of burden and the labourers whom they find on the spot, taking care however not to interfere with the regular course of agriculture. But while they thus render the country as inaccessible as possible to enemies, they will also make it as accessible as possible to friends by constructing and maintaining good roads. They will restrain and preserve the rain which comes down from heaven, making the barren places fertile, and the wet places dry. They will ornament the fountains with plantations and buildings, and provide water for irrigation at all seasons of the year. They will lead the streams to the temples and groves of the Gods; and in such spots the youth shall make



gymnasia for themselves, and warm baths for the aged; there the rustic worn with toil will receive a kindly welcome, and be far better treated than at the hands of an unskilful doctor.

These works will be both useful and ornamental; but the sixty wardens must not fail to give serious attention to other duties. For they must watch over the districts assigned to them, and also act as judges. In small matters the five commanders shall decide: in greater matters up to three minae, the five commanders and the twelve guards. Like all other judges, except those who have the final decision, they shall be liable to give an account. If the wardens impose unjust tasks on the villagers, or take by force their crops or implements, or yield to flattery or bribes in deciding suits, let them be publicly dishonoured. In regard to any other wrong-doing, if the question be of a mina, let the neighbours decide; but if the accused person will not submit, trusting that his monthly removals will enable him to escape payment, and also in suits about a larger amount, the injured party may have recourse to the common court; in the former case, if successful, he may exact a double penalty.

The wardens and guards, while on their two years' service, shall live and eat together, and the guard who is absent from the daily meals without permission or sleeps out at night, shall be regarded as a deserter, and may be punished by any one who meets him. If any of the commanders is guilty of such an irregularity, the whole sixty shall have him punished; and he of them who screens him shall suffer a still heavier penalty

than the offender himself. Now by service a man learns to rule; and he should pride himself upon serving well the laws and the Gods all his life, and upon having served ancient and honourable men in his youth. The twelve and the five should be their own servants, and use the labour of the villagers only for the good of the public. Let them search the country through, and acquire a perfect knowledge of every locality; with this view, hunting and field sports should be encouraged.

Next we have to speak of the elections of the wardens of the agora and of the city. The wardens of the city shall be three in number, and they shall have the care of the streets, roads, buildings, and also of the water-supply. They shall be chosen out of the highest class, and when the number of candidates has been reduced to six who have the greatest number of votes, three out of the six shall be taken by lot, and, after a scrutiny, shall be admitted to their office. The wardens of the agora shall be five in number – ten are to be first elected, and every one shall vote for all the vacant places; the ten shall be afterwards reduced to five by lot, as in the former election. The first and second class shall be compelled to go to the assembly, but not the third and fourth, unless they are specially summoned. The wardens of the agora shall have the care of the temples and fountains which are in the agora, and shall punish those who injure them by stripes and bonds, if they be slaves or strangers; and by fines, if they be citizens. And the wardens of the city shall have a similar power of inflicting punishment and fines in their own department.

In the next place, there must be directors of music and gymnastic; one class of them superintending gymnasia and schools, and the attendance and lodging of the boys and girls – the other having to do with contests of music and gymnastic. In musical contests there shall be one kind of judges of solo singing or playing, who will judge of rhapsodists, flute-players, harp-players and the like, and another of choruses. There shall be choruses of men and boys and maidens – one director will be enough to introduce them all, and he should not be less than forty years of age; secondly, of solos also there shall be one director, aged not less than thirty years; he will introduce the competitors and give judgment upon them. The director of the choruses is to be elected in an assembly at which all who take an interest in music are compelled to attend, and no one else. Candidates must only be proposed for their fitness, and opposed on the ground of unfitness. Ten are to be elected by vote, and the one of these on whom the lot falls shall be director for a year. Next shall be elected out of the second and third classes the judges of gymnastic contests, who are to be three in number, and are to be tested, after being chosen by lot out of twenty who have been elected by the three highest classes – these being compelled to attend at the election.

One minister remains, who will have the general superintendence of education. He must be not less than fifty years old, and be himself the father of children born in wedlock. His office must be regarded by all as the highest in the state.

For the right growth of the first shoot in plants and animals is the chief cause of matured perfection. Man is supposed to be a tame animal, but he becomes either the gentlest or the fiercest of creatures, accordingly as he is well or ill educated. Wherefore he who is elected to preside over education should be the best man possible. He shall hold office for five years, and shall be elected out of the guardians of the law, by the votes of the other magistrates with the exception of the senate and prytanes; and the election shall be held by ballot in the temple of Apollo.

When a magistrate dies before his term of office has expired, another shall be elected in his place; and, if the guardian of an orphan dies, the relations shall appoint another within ten days, or be fined a drachma a day for neglect.

The city which has no courts of law will soon cease to be a city; and a judge who sits in silence and leaves the enquiry to the litigants, as in arbitrations, is not a good judge. A few judges are better than many, but the few must be good. The matter in dispute should be clearly elicited; time and examination will find out the truth. Causes should first be tried before a court of neighbours: if the decision is unsatisfactory, let them be referred to a higher court; or, if necessary, to a higher still, of which the decision shall be final.

Every magistrate is a judge, and every judge is a magistrate, on the day on which he is deciding the suit. This will therefore be an appropriate place to speak of judges and their functions. The supreme tribunal will be that on which the litigants agree;

and let there be two other tribunals, one for public and the other for private causes. The high court of appeal shall be composed as follows: – All the officers of state shall meet on the last day but one of the year in some temple, and choose for a judge the best man out of every magistracy: and those who are elected, after they have undergone a scrutiny, shall be judges of appeal. They shall give their decisions openly, in the presence of the magistrates who have elected them; and the public may attend. If anybody charges one of them with having intentionally decided wrong, he shall lay his accusation before the guardians of the law, and if the judge be found guilty he shall pay damages to the extent of half the injury, unless the guardians of the law deem that he deserves a severer punishment, in which case the judges shall assess the penalty.

As the whole people are injured by offences against the state, they should share in the trial of them. Such causes should originate with the people and be decided by them: the enquiry shall take place before any three of the highest magistrates upon whom the defendant and plaintiff can agree. Also in private suits all should judge as far as possible, and therefore there should be a court of law in every ward; for he who has no share in the administration of justice, believes that he has no share in the state. The judges in these courts shall be elected by lot and give their decision at once. The final judgment in all cases shall rest with the court of appeal. And so, having done with the appointment of courts and the election of officers, we will now

make our laws.

'Your way of proceeding, Stranger, is admirable.'

Then so far our old man's game of play has gone off well.

'Say, rather, our serious and noble pursuit.'

Perhaps; but let me ask you whether you have ever observed the manner in which painters put in and rub out colour: yet their endless labour will last but a short time, unless they leave behind them some successor who will restore the picture and remove its defects. 'Certainly.' And have we not a similar object at the present moment? We are old ourselves, and therefore we must leave our work of legislation to be improved and perfected by the next generation; not only making laws for our guardians, but making them lawgivers. 'We must at least do our best.' Let us address them as follows. Beloved saviours of the laws, we give you an outline of legislation which you must fill up, according to a rule which we will prescribe for you. Megillus and Cleinias and I are agreed, and we hope that you will agree with us in thinking, that the whole energies of a man should be devoted to the attainment of manly virtue, whether this is to be gained by study, or habit, or desire, or opinion. And rather than accept institutions which tend to degrade and enslave him, he should fly his country and endure any hardship. These are our principles, and we would ask you to judge of our laws, and praise or blame them, accordingly as they are or are not capable of improving our citizens.

And first of laws concerning religion. We have already said

that the number 5040 has many convenient divisions: and we took a twelfth part of this (420), which is itself divisible by twelve, for the number of the tribe. Every divisor is a gift of God, and corresponds to the months of the year and to the revolution of the universe. All cities have a number, but none is more fortunate than our own, which can be divided by all numbers up to 12, with the exception of 11, and even by 11, if two families are deducted. And now let us divide the state, assigning to each division some God or demigod, who shall have altars raised to them, and sacrifices offered twice a month; and assemblies shall be held in their honour, twelve for the tribes, and twelve for the city, corresponding to their divisions. The object of them will be first to promote religion, secondly to encourage friendship and intercourse between families; for families must be acquainted before they marry into one another, or great mistakes will occur. At these festivals there shall be innocent dances of young men and maidens, who may have the opportunity of seeing one another in modest undress. To the details of all this the masters of choruses and the guardians will attend, embodying in laws the results of their experience; and, after ten years, making the laws permanent, with the consent of the legislator, if he be alive, or, if he be not alive, of the guardians of the law, who shall perfect them and settle them once for all. At least, if any further changes are required, the magistrates must take the whole people into counsel, and obtain the sanction of all the oracles.

Whenever any one who is between the ages of twenty-five and

thirty-five wants to marry, let him do so; but first let him hear the strain which we will address to him: —

My son, you ought to marry, but not in order to gain wealth or to avoid poverty; neither should you, as men are wont to do, choose a wife who is like yourself in property and character. You ought to consult the interests of the state rather than your own pleasure; for by equal marriages a society becomes unequal. And yet to enact a law that the rich and mighty shall not marry the rich and mighty, that the quick shall be united to the slow, and the slow to the quick, will arouse anger in some persons and laughter in others; for they do not understand that opposite elements ought to be mingled in the state, as wine should be mingled with water. The object at which we aim must therefore be left to the influence of public opinion. And do not forget our former precept, that every one should seek to attain immortality and raise up a fair posterity to serve God. — Let this be the prelude of the law about the duty of marriage. But if a man will not listen, and at thirty-five years of age is still unmarried, he shall pay an annual fine: if he be of the first class, 100 drachmas; if of the second, 70; if of the third, 60; and if of the fourth, 30. This fine shall be sacred to Here; and if he refuse to pay, a tenfold penalty shall be exacted by the treasurer of Here, who shall be responsible for the payment. Further, the unmarried man shall receive no honour or obedience from the young, and he shall not retain the right of punishing others. A man is neither to give nor receive a dowry beyond a certain fixed sum; in our state, for his consolation, if he



be poor, let him know that he need neither receive nor give one, for every citizen is provided with the necessities of life. Again, if the woman is not rich, her husband will not be her humble servant. He who disobeys this law shall pay a fine according to his class, which shall be exacted by the treasurers of Here and Zeus.

The betrothal of the parties shall be made by the next of kin, or if there are none, by the guardians. The offerings and ceremonies of marriage shall be determined by the interpreters of sacred rites. Let the wedding party be moderate; five male and five female friends, and a like number of kinsmen, will be enough. The expense should not exceed, for the first class, a mina; and for the second, half a mina; and should be in like proportion for the other classes. Extravagance is to be regarded as vulgarity and ignorance of nuptial proprieties. Much wine is only to be drunk at the festivals of Dionysus, and certainly not on the occasion of a marriage. The bride and bridegroom, who are taking a great step in life, ought to have all their wits about them; they should be especially careful of the night on which God may give them increase, and which this will be none can say. Their bodies and souls should be in the most temperate condition; they should abstain from all that partakes of the nature of disease or vice, which will otherwise become hereditary. There is an original divinity in man which preserves all things, if used with proper respect. He who marries should make one of the two houses on the lot the nest and nursery of his young; he should leave his

father and mother, and then his affection for them will be only increased by absence. He will go forth as to a colony, and will there rear up his offspring, handing on the torch of life to another generation.

About property in general there is little difficulty, with the exception of property in slaves, which is an institution of a very doubtful character. The slavery of the Helots is approved by some and condemned by others; and there is some doubt even about the slavery of the Mariandynians at Heraclea and of the Thessalian Penestae. This makes us ask, What shall we do about slaves? To which every one would agree in replying, – Let us have the best and most attached whom we can get. All of us have heard stories of slaves who have been better to their masters than sons or brethren. Yet there is an opposite doctrine, that slaves are never to be trusted; as Homer says, 'Slavery takes away half a man's understanding.' And different persons treat them in different ways: there are some who never trust them, and beat them like dogs, until they make them many times more slavish than they were before; and others pursue the opposite plan. Man is a troublesome animal, as has been often shown, Megillus, notably in the revolts of the Messenians; and great mischiefs have arisen in countries where there are large bodies of slaves of one nationality. Two rules may be given for their management: first that they should not, if possible, be of the same country or have a common language; and secondly, that they should be treated by their master with more justice even than equals, out of regard to

himself quite as much as to them. For he who is righteous in the treatment of his slaves, or of any inferiors, will sow in them the seed of virtue. Masters should never jest with their slaves: this, which is a common but foolish practice, increases the difficulty and painfulness of managing them.

Next as to habitations. These ought to have been spoken of before; for no man can marry a wife, and have slaves, who has not a house for them to live in. Let us supply the omission. The temples should be placed round the Agora, and the city built in a circle on the heights. Near the temples, which are holy places and the habitations of the Gods, should be buildings for the magistrates, and the courts of law, including those in which capital offences are to be tried. As to walls, Megillus, I agree with Sparta that they should sleep in the earth; 'cold steel is the best wall,' as the poet finely says. Besides, how absurd to be sending out our youth to fortify and guard the borders of our country, and then to build a city wall, which is very unhealthy, and is apt to make people fancy that they may run there and rest in idleness, not knowing that true repose comes from labour, and that idleness is only a renewal of trouble. If, however, there must be a wall, the private houses had better be so arranged as to form one wall; this will have an agreeable aspect, and the building will be safer and more defensible. These objects should be attended to at the foundation of the city. The wardens of the city must see that they are carried out; and they must also enforce cleanliness, and preserve the public buildings

from encroachments. Moreover, they must take care to let the rain flow off easily, and must regulate other matters concerning the general administration of the city. If any further enactments prove to be necessary, the guardians of the law must supply them.

And now, having provided buildings, and having married our citizens, we will proceed to speak of their mode of life. In a well-constituted state, individuals cannot be allowed to live as they please. Why do I say this? Because I am going to enact that the bridegroom shall not absent himself from the common meals. They were instituted originally on the occasion of some war, and, though deemed singular when first founded, they have tended greatly to the security of states. There was a difficulty in introducing them, but there is no difficulty in them now. There is, however, another institution about which I would speak, if I dared. I may preface my proposal by remarking that disorder in a state is the source of all evil, and order of all good. Now in Sparta and Crete there are common meals for men, and this, as I was saying, is a divine and natural institution. But the women are left to themselves; they live in dark places, and, being weaker, and therefore wickeder, than men, they are at the bottom of a good deal more than half the evil of states. This must be corrected, and the institution of common meals extended to both sexes. But, in the present unfortunate state of opinion, who would dare to establish them? And still more, who can compel women to eat and drink in public? They will defy the legislator to drag them out of their holes. And in any other state such a proposal would

be drowned in clamour, but in our own I think that I can show the attempt to be just and reasonable. 'There is nothing which we should like to hear better.' Listen, then; having plenty of time, we will go back to the beginning of things, which is an old subject with us. 'Right.' Either the race of mankind never had a beginning and will never have an end, or the time which has elapsed since man first came into being is all but infinite. 'No doubt.' And in this infinity of time there have been changes of every kind, both in the order of the seasons and in the government of states and in the customs of eating and drinking. Vines and olives were at length discovered, and the blessings of Demeter and Persephone, of which one Triptolemus is said to have been the minister; before his time the animals had been eating one another. And there are nations in which mankind still sacrifice their fellow-men, and other nations in which they lead a kind of Orphic existence, and will not sacrifice animals, or so much as taste of a cow – they offer fruits or cakes moistened with honey. Perhaps you will ask me what is the bearing of these remarks? 'We would gladly hear.' I will endeavour to explain their drift. I see that the virtue of human life depends on the due regulation of three wants or desires. The first is the desire of meat, the second of drink; these begin with birth, and make us disobedient to any voice other than that of pleasure. The third and fiercest and greatest need is felt latest; this is love, which is a madness setting men's whole nature on fire. These three disorders of mankind we must endeavour to restrain by three mighty influences – fear, and law,

and reason, which, with the aid of the Muses and the Gods of contests, may extinguish our lusts.

But to return. After marriage let us proceed to the generation of children, and then to their nurture and education – thus gradually approaching the subject of syssitia. There are, however, some other points which are suggested by the three words – meat, drink, love. 'Proceed,' the bride and bridegroom ought to set their mind on having a brave offspring. Now a man only succeeds when he takes pains; wherefore the bridegroom ought to take special care of the bride, and the bride of the bridegroom, at the time when their children are about to be born. And let there be a committee of matrons who shall meet every day at the temple of Eilithyia at a time fixed by the magistrates, and inform against any man or woman who does not observe the laws of married life. The time of begetting children and the supervision of the parents shall last for ten years only; if at the expiration of this period they have no children, they may part, with the consent of their relatives and the official matrons, and with a due regard to the interests of either; if a dispute arise, ten of the guardians of the law shall be chosen as arbiters. The matrons shall also have power to enter the houses of the young people, if necessary, and to advise and threaten them. If their efforts fail, let them go to the guardians of the law; and if they too fail, the offender, whether man or woman, shall be forbidden to be present at all family ceremonies. If when the time for begetting children has ceased, either husband or wife have connexion with others who

are of an age to beget children, they shall be liable to the same penalties as those who are still having a family. But when both parties have ceased to beget children there shall be no penalties. If men and women live soberly, the enactments of law may be left to slumber; punishment is necessary only when there is great disorder of manners.

The first year of children's lives is to be registered in their ancestral temples; the name of the archon of the year is to be inscribed on a whited wall in every phratry, and the names of the living members of the phratry close to them, to be erased at their decease. The proper time of marriage for a woman shall be from sixteen years to twenty; for a man, from thirty to thirty-five (compare Republic). The age of holding office for a woman is to be forty, for a man thirty years. The time for military service for a man is to be from twenty years to sixty; for a woman, from the time that she has ceased to bear children until fifty.

BOOK VII. Now that we have married our citizens and brought their children into the world, we have to find nurture and education for them. This is a matter of precept rather than of law, and cannot be precisely regulated by the legislator. For minute regulations are apt to be transgressed, and frequent transgressions impair the habit of obedience to the laws. I speak darkly, but I will also try to exhibit my wares in the light of day. Am I not right in saying that a good education tends to the improvement of body and mind? 'Certainly.' And the body is fairest which grows up straight and well-formed from the time of birth. 'Very true.'

And we observe that the first shoot of every living thing is the greatest; many even contend that man is not at twenty-five twice the height that he was at five. 'True.' And growth without exercise of the limbs is the source of endless evils in the body. 'Yes.' The body should have the most exercise when growing most. 'What, the bodies of young infants?' Nay, the bodies of unborn infants. I should like to explain to you this singular kind of gymnastics. The Athenians are fond of cock-fighting, and the people who keep cocks carry them about in their hands or under their arms, and take long walks, to improve, not their own health, but the health of the birds. Here is a proof of the usefulness of motion, whether of rocking, swinging, riding, or tossing upon the wave; for all these kinds of motion greatly increase strength and the powers of digestion. Hence we infer that our women, when they are with child, should walk about and fashion the embryo; and the children, when born, should be carried by strong nurses, – there must be more than one of them, – and should not be suffered to walk until they are three years old. Shall we impose penalties for the neglect of these rules? The greatest penalty, that is, ridicule, and the difficulty of making the nurses do as we bid them, will be incurred by ourselves. 'Then why speak of such matters?' In the hope that heads of families may learn that the due regulation of them is the foundation of law and order in the state.

And now, leaving the body, let us proceed to the soul; but we must first repeat that perpetual motion by night and by day is good for the young creature. This is proved by the Corybantian



cure of motion, and by the practice of nurses who rock children in their arms, lapping them at the same time in sweet strains. And the reason of this is obvious. The affections, both of the Bacchantes and of the children, arise from fear, and this fear is occasioned by something wrong which is going on within them. Now a violent external commotion tends to calm the violent internal one; it quiets the palpitation of the heart, giving to the children sleep, and bringing back the Bacchantes to their right minds by the help of dances and acceptable sacrifices. But if fear has such power, will not a child who is always in a state of terror grow up timid and cowardly, whereas if he learns from the first to resist fear he will develop a habit of courage? 'Very true.' And we may say that the use of motion will inspire the souls of children with cheerfulness and therefore with courage. 'Of course.' Softness enervates and irritates the temper of the young, and violence renders them mean and misanthropical. 'But how is the state to educate them when they are as yet unable to understand the meaning of words?' Why, surely they roar and cry, like the young of any other animal, and the nurse knows the meaning of these intimations of the child's likes or dislikes, and the occasions which call them forth. About three years is passed by children in a state of imperfect articulation, which is quite long enough time to make them either good- or ill-tempered. And, therefore, during these first three years, the infant should be as free as possible from fear and pain. 'Yes, and he should have as much pleasure as possible.' There, I think, you are wrong; for

the influence of pleasure in the beginning of education is fatal. A man should neither pursue pleasure nor wholly avoid pain. He should embrace the mean, and cultivate that state of calm which mankind, taught by some inspiration, attribute to God; and he who would be like God should neither be too fond of pleasure himself, nor should he permit any other to be thus given; above all, not the infant, whose character is just in the making. It may sound ridiculous, but I affirm that a woman in her pregnancy should be carefully tended, and kept from excessive pleasures and pains.

'I quite agree with you about the duty of avoiding extremes and following the mean.'

Let us consider a further point. The matters which are now in question are generally called customs rather than laws; and we have already made the reflection that, though they are not, properly speaking, laws, yet neither can they be neglected. For they fill up the interstices of law, and are the props and ligatures on which the strength of the whole building depends. Laws without customs never last; and we must not wonder if habit and custom sometimes lengthen out our laws. 'Very true.' Up to their third year, then, the life of children may be regulated by customs such as we have described. From three to six their minds have to be amused; but they must not be allowed to become self-willed and spoilt. If punishment is necessary, the same rule will hold as in the case of slaves; they must neither be punished in hot blood nor ruined by indulgence. The children of that age will

have their own modes of amusing themselves; they should be brought for their play to the village temples, and placed under the care of nurses, who will be responsible to twelve matrons annually chosen by the women who have authority over marriage. These shall be appointed, one out of each tribe, and their duty shall be to keep order at the meetings: slaves who break the rules laid down by them, they shall punish by the help of some of the public slaves; but citizens who dispute their authority shall be brought before the magistrates. After six years of age there shall be a separation of the sexes; the boys will go to learn riding and the use of arms, and the girls may, if they please, also learn. Here I note a practical error in early training. Mothers and nurses foolishly believe that the left hand is by nature different from the right, whereas the left leg and foot are acknowledged to be the same as the right. But the truth is that nature made all things to balance, and the power of using the left hand, which is of little importance in the case of the plectrum of the lyre, may make a great difference in the art of the warrior, who should be a skilled gymnast and able to fight and balance himself in any position. If a man were a Briareus, he should use all his hundred hands at once; at any rate, let everybody employ the two which they have. To these matters the magistrates, male and female, should attend; the women superintending the nursing and amusement of the children, and the men superintending their education, that all of them, boys and girls alike, may be sound, wind and limb, and not spoil the gifts of nature by bad habits.

Education has two branches – gymnastic, which is concerned with the body; and music, which improves the soul. And gymnastic has two parts, dancing and wrestling. Of dancing one kind imitates musical recitation and aims at stateliness and freedom; another kind is concerned with the training of the body, and produces health, agility, and beauty. There is no military use in the complex systems of wrestling which pass under the names of Antaeus and Cercyon, or in the tricks of boxing, which are attributed to Amycus and Epeius; but good wrestling and the habit of extricating the neck, hands, and sides, should be diligently learnt and taught. In our dances imitations of war should be practised, as in the dances of the Curetes in Crete and of the Dioscuri at Sparta, or as in the dances in complete armour which were taught us Athenians by the goddess Athene. Youths who are not yet of an age to go to war should make religious processions armed and on horseback; and they should also engage in military games and contests. These exercises will be equally useful in peace and war, and will benefit both states and families.

Next follows music, to which we will once more return; and here I shall venture to repeat my old paradox, that amusements have great influence on laws. He who has been taught to play at the same games and with the same playthings will be content with the same laws. There is no greater evil in a state than the spirit of innovation. In the case of the seasons and winds, in the management of our bodies and in the habits of our minds,

change is a dangerous thing. And in everything but what is bad the same rule holds. We all venerate and acquiesce in the laws to which we are accustomed; and if they have continued during long periods of time, and there is no remembrance of their ever having been otherwise, people are absolutely afraid to change them. Now how can we create this quality of immobility in the laws? I say, by not allowing innovations in the games and plays of children. The children who are always having new plays, when grown up will be always having new laws. Changes in mere fashions are not serious evils, but changes in our estimate of men's characters are most serious; and rhythms and music are representations of characters, and therefore we must avoid novelties in dance and song. For securing permanence no better method can be imagined than that of the Egyptians. 'What is their method?' They make a calendar for the year, arranging on what days the festivals of the various Gods shall be celebrated, and for each festival they consecrate an appropriate hymn and dance. In our state a similar arrangement shall in the first instance be framed by certain individuals, and afterwards solemnly ratified by all the citizens. He who introduces other hymns or dances shall be excluded by the priests and priestesses and the guardians of the law; and if he refuses to submit, he may be prosecuted for impiety. But we must not be too ready to speak about such great matters. Even a young man, when he hears something unaccustomed, stands and looks this way and that, like a traveller at a place where three ways meet; and at our age a man ought

to be very sure of his ground in so singular an argument. 'Very true.' Then, leaving the subject for further examination at some future time, let us proceed with our laws about education, for in this manner we may probably throw light upon our present difficulty. 'Let us do as you say.' The ancients used the term *nomoi* to signify harmonious strains, and perhaps they fancied that there was a connexion between the songs and laws of a country. And we say – Whosoever shall transgress the strains by law established is a transgressor of the laws, and shall be punished by the guardians of the law and by the priests and priestesses. 'Very good.' How can we legislate about these consecrated strains without incurring ridicule? Moulds or types must be first framed, and one of the types shall be – Abstinence from evil words at sacrifices. When a son or brother blasphemes at a sacrifice there is a sound of ill-omen heard in the family; and many a chorus stands by the altar uttering inauspicious words, and he is crowned victor who excites the hearers most with lamentations. Such lamentations should be reserved for evil days, and should be uttered only by hired mourners; and let the singers not wear circlets or ornaments of gold. To avoid every evil word, then, shall be our first type. 'Agreed.' Our second law or type shall be, that prayers ever accompany sacrifices; and our third, that, inasmuch as all prayers are requests, they shall be only for good; this the poets must be made to understand. 'Certainly.' Have we not already decided that no gold or silver *Plutus* shall be allowed in our city? And did not this show that we were dissatisfied with

the poets? And may we not fear that, if they are allowed to utter injudicious prayers, they will bring the greatest misfortunes on the state? And we must therefore make a law that the poet is not to contradict the laws or ideas of the state; nor is he to show his poems to any private persons until they have first received the imprimatur of the director of education. A fourth musical law will be to the effect that hymns and praises shall be offered to Gods, and to heroes and demigods. Still another law will permit eulogies of eminent citizens, whether men or women, but only after their death. As to songs and dances, we will enact as follows: – There shall be a selection made of the best ancient musical compositions and dances; these shall be chosen by judges, who ought not to be less than fifty years of age. They will accept some, and reject or amend others, for which purpose they will call, if necessary, the poets themselves into council. The severe and orderly music is the style in which to educate children, who, if they are accustomed to this, will deem the opposite kind to be illiberal, but if they are accustomed to the other, will count this to be cold and unpleasing. 'True.' Further, a distinction should be made between the melodies of men and women. Nature herself teaches that the grand or manly style should be assigned to men, and to women the moderate and temperate. So much for the subjects of education. But to whom are they to be taught, and when? I must try, like the shipwright, who lays down the keel of a vessel, to build a secure foundation for the vessel of the soul in her voyage through life. Human affairs are hardly serious, and

yet a sad necessity compels us to be serious about them. Let us, therefore, do our best to bring the matter to a conclusion. 'Very good.' I say then, that God is the object of a man's most serious endeavours. But man is created to be the plaything of the Gods; and therefore the aim of every one should be to pass through life, not in grim earnest, but playing at the noblest of pastimes, in another spirit from that which now prevails. For the common opinion is, that work is for the sake of play, war of peace; whereas in war there is neither amusement nor instruction worth speaking of. The life of peace is that which men should chiefly desire to lengthen out and improve. They should live sacrificing, singing, and dancing, with the view of propitiating Gods and heroes. I have already told you the types of song and dance which they should follow: and 'Some things,' as the poet well says, 'you will devise for yourself – others, God will suggest to you.'

These words of his may be applied to our pupils. They will partly teach themselves, and partly will be taught by God, the art of propitiating Him; for they are His puppets, and have only a small portion in truth. 'You have a poor opinion of man.' No wonder, when I compare him with God; but, if you are offended, I will place him a little higher.

Next follow the building for gymnasia and schools; these will be in the midst of the city, and outside will be riding-schools and archery-grounds. In all of them there ought to be instructors of the young, drawn from foreign parts by pay, and they will teach them music and war. Education shall be compulsory; the



children must attend school, whether their parents like it or not; for they belong to the state more than to their parents. And I say further, without hesitation, that the same education in riding and gymnastic shall be given both to men and women. The ancient tradition about the Amazons confirms my view, and at the present day there are myriads of women, called Sauromatides, dwelling near the Pontus, who practise the art of riding as well as archery and the use of arms. But if I am right, nothing can be more foolish than our modern fashion of training men and women differently, whereby the power the city is reduced to a half. For reflect – if women are not to have the education of men, some other must be found for them, and what other can we propose? Shall they, like the women of Thrace, tend cattle and till the ground; or, like our own, spin and weave, and take care of the house? or shall they follow the Spartan custom, which is between the two? – there the maidens share in gymnastic exercises and in music; and the grown women, no longer engaged in spinning, weave the web of life, although they are not skilled in archery, like the Amazons, nor can they imitate our warrior goddess and carry shield or spear, even in the extremity of their country's need. Compared with our women, the Sauromatides are like men. But your legislators, Megillus, as I maintain, only half did their work; they took care of the men, and left the women to take care of themselves.

'Shall we suffer the Stranger, Cleinias, to run down Sparta in this way?'

'Why, yes; for we cannot withdraw the liberty which we have already conceded to him.'

What will be the manner of life of men in moderate circumstances, freed from the toils of agriculture and business, and having common tables for themselves and their families which are under the inspection of magistrates, male and female? Are men who have these institutions only to eat and fatten like beasts? If they do, how can they escape the fate of a fatted beast, which is to be torn in pieces by some other beast more valiant than himself? True, theirs is not the perfect way of life, for they have not all things in common; but the second best way of life also confers great blessings. Even those who live in the second state have a work to do twice as great as the work of any Pythian or Olympic victor; for their labour is for the body only, but ours both for body and soul. And this higher work ought to be pursued night and day to the exclusion of every other. The magistrates who keep the city should be wakeful, and the master of the household should be up early and before all his servants; and the mistress, too, should awaken her handmaidens, and not be awakened by them. Much sleep is not required either for our souls or bodies. When a man is asleep, he is no better than if he were dead; and he who loves life and wisdom will take no more sleep than is necessary for health. Magistrates who are wide awake at night are terrible to the bad; but they are honoured by the good, and are useful to themselves and the state.

When the morning dawns, let the boy go to school. As the

sheep need the shepherd, so the boy needs a master; for he is at once the most cunning and the most insubordinate of creatures. Let him be taken away from mothers and nurses, and tamed with bit and bridle, being treated as a freeman in that he learns and is taught, but as a slave in that he may be chastised by all other freemen; and the freeman who neglects to chastise him shall be disgraced. All these matters will be under the supervision of the Director of Education.

Him we will address as follows: We have spoken to you, O illustrious teacher of youth, of the song, the time, and the dance, and of martial strains; but of the learning of letters and of prose writings, and of music, and of the use of calculation for military and domestic purposes we have not spoken, nor yet of the higher use of numbers in reckoning divine things – such as the revolutions of the stars, or the arrangements of days, months, and years, of which the true calculation is necessary in order that seasons and festivals may proceed in regular course, and arouse and enliven the city, rendering to the Gods their due, and making men know them better. There are, we say, many things about which we have not as yet instructed you – and first, as to reading and music: Shall the pupil be a perfect scholar and musician, or not even enter on these studies? He should certainly enter on both: – to letters he will apply himself from the age of ten to thirteen, and at thirteen he will begin to handle the lyre, and continue to learn music until he is sixteen; no shorter and no longer time will be allowed, however fond he or his parents

may be of the pursuit. The study of letters he should carry to the extent of simple reading and writing, but he need not care for calligraphy and tachygraphy, if his natural gifts do not enable him to acquire them in the three years. And here arises a question as to the learning of compositions when unaccompanied with music, I mean, prose compositions. They are a dangerous species of literature. Speak then, O guardians of the law, and tell us what we shall do about them. 'You seem to be in a difficulty.' Yes; it is difficult to go against the opinion of all the world. 'But have we not often already done so?' Very true. And you imply that the road which we are taking, though disagreeable to many, is approved by those whose judgment is most worth having. 'Certainly.' Then I would first observe that we have many poets, comic as well as tragic, with whose compositions, as people say, youth are to be imbued and saturated. Some would have them learn by heart entire poets; others prefer extracts. Now I believe, and the general opinion is, that some of the things which they learn are good, and some bad. 'Then how shall we reject some and select others?' A happy thought occurs to me; this long discourse of ours is a sample of what we want, and is moreover an inspired work and a kind of poem. I am naturally pleased in reflecting upon all our words, which appear to me to be just the thing for a young man to hear and learn. I would venture, then, to offer to the Director of Education this treatise of laws as a pattern for his guidance; and in case he should find any similar compositions, written or oral, I would have him carefully preserve them, and

commit them in the first place to the teachers who are willing to learn them (he should turn off the teacher who refuses), and let them communicate the lesson to the young.

I have said enough to the teacher of letters; and now we will proceed to the teacher of the lyre. He must be reminded of the advice which we gave to the sexagenarian minstrels; like them he should be quick to perceive the rhythms suited to the expression of virtue, and to reject the opposite. With a view to the attainment of this object, the pupil and his instructor are to use the lyre because its notes are pure; the voice and string should coincide note for note: nor should there be complex harmonies and contrasts of intervals, or variations of times or rhythms. Three years' study is not long enough to give a knowledge of these intricacies; and our pupils will have many things of more importance to learn. The tunes and hymns which are to be consecrated for each festival have been already determined by us.

Having given these instructions to the Director of Music, let us now proceed to dancing and gymnastic, which must also be taught to boys and girls by masters and mistresses. Our minister of education will have a great deal to do; and being an old man, how will he get through so much work? There is no difficulty; – the law will provide him with assistants, male and female; and he will consider how important his office is, and how great the responsibility of choosing them. For if education prospers, the vessel of state sails merrily along; or if education fails, the consequences are not even to be mentioned. Of dancing

and gymnastics something has been said already. We include under the latter military exercises, the various uses of arms, all that relates to horsemanship, and military evolutions and tactics. There should be public teachers of both arts, paid by the state, and women as well as men should be trained in them. The maidens should learn the armed dance, and the grown-up women be practised in drill and the use of arms, if only in case of extremity, when the men are gone out to battle, and they are left to guard their families. Birds and beasts defend their young, but women instead of fighting run to the altars, thus degrading man below the level of the animals. 'Such a lack of education, Stranger, is both unseemly and dangerous.'

Wrestling is to be pursued as a military exercise, but the meaning of this, and the nature of the art, can only be explained when action is combined with words. Next follows dancing, which is of two kinds; imitative, first, of the serious and beautiful; and, secondly, of the ludicrous and grotesque. The first kind may be further divided into the dance of war and the dance of peace. The former is called the Pyrrhic; in this the movements of attack and defence are imitated in a direct and manly style, which indicates strength and sufficiency of body and mind. The latter of the two, the dance of peace, is suitable to orderly and law-abiding men. These must be distinguished from the Bacchic dances which imitate drunken revelry, and also from the dances by which purifications are effected and mysteries celebrated. Such dances cannot be characterized either as warlike

or peaceful, and are unsuited to a civilized state. Now the dances of peace are of two classes: – the first of them is the more violent, being an expression of joy and triumph after toil and danger; the other is more tranquil, symbolizing the continuance and preservation of good. In speaking or singing we naturally move our bodies, and as we have more or less courage or self-control we become less or more violent and excited. Thus from the imitation of words in gestures the art of dancing arises. Now one man imitates in an orderly, another in a disorderly manner: and so the peaceful kinds of dance have been appropriately called Emmeleiai, or dances of order, as the warlike have been called Pyrrhic. In the latter a man imitates all sorts of blows and the hurling of weapons and the avoiding of them; in the former he learns to bear himself gracefully and like a gentleman. The types of these dances are to be fixed by the legislator, and when the guardians of the law have assigned them to the several festivals, and consecrated them in due order, no further change shall be allowed.

Thus much of the dances which are appropriate to fair forms and noble souls. Comedy, which is the opposite of them, remains to be considered. For the serious implies the ludicrous, and opposites cannot be understood without opposites. But a man of repute will desire to avoid doing what is ludicrous. He should leave such performances to slaves, – they are not fit for freemen; and there should be some element of novelty in them. Concerning tragedy, let our law be as follows: When the inspired poet comes

to us with a request to be admitted into our state, we will reply in courteous words – We also are tragedians and your rivals; and the drama which we enact is the best and noblest, being the imitation of the truest and noblest life, with a view to which our state is ordered. And we cannot allow you to pitch your stage in the agora, and make your voices to be heard above ours, or suffer you to address our women and children and the common people on opposite principles to our own. Come then, ye children of the Lydian Muse, and present yourselves first to the magistrates, and if they decide that your hymns are as good or better than ours, you shall have your chorus; but if not, not.

There remain three kinds of knowledge which should be learnt by freemen – arithmetic, geometry of surfaces and of solids, and thirdly, astronomy. Few need make an accurate study of such sciences; and of special students we will speak at another time. But most persons must be content with the study of them which is absolutely necessary, and may be said to be a necessity of that nature against which God himself is unable to contend. 'What are these divine necessities of knowledge?' Necessities of a knowledge without which neither gods, nor demigods, can govern mankind. And far is he from being a divine man who cannot distinguish one, two, odd and even; who cannot number day and night, and is ignorant of the revolutions of the sun and stars; for to every higher knowledge a knowledge of number is necessary – a fool may see this; how much, is a matter requiring more careful consideration. 'Very true.' But the



legislator cannot enter into such details, and therefore we must defer the more careful consideration of these matters to another occasion. 'You seem to fear our habitual want of training in these subjects.' Still more do I fear the danger of bad training, which is often worse than none at all. 'Very true.' I think that a gentleman and a freeman may be expected to know as much as an Egyptian child. In Egypt, arithmetic is taught to children in their sports by a distribution of apples or garlands among a greater or less number of people; or a calculation is made of the various combinations which are possible among a set of boxers or wrestlers; or they distribute cups among the children, sometimes of gold, brass, and silver intermingled, sometimes of one metal only. The knowledge of arithmetic which is thus acquired is a great help, either to the general or to the manager of a household; wherever measure is employed, men are more wide-awake in their dealings, and they get rid of their ridiculous ignorance. 'What do you mean?' I have observed this ignorance among my countrymen – they are like pigs – and I am heartily ashamed both on my own behalf and on that of all the Hellenes. 'In what respect?' Let me ask you a question. You know that there are such things as length, breadth, and depth? 'Yes.' And the Hellenes imagine that they are commensurable (1) with themselves, and (2) with each other; whereas they are only commensurable with themselves. But if this is true, then we are in an unfortunate case, and may well say to our compatriots that not to possess necessary knowledge is a disgrace, though to possess such knowledge is

nothing very grand. 'Certainly.' The discussion of arithmetical problems is a much better amusement for old men than their favourite game of draughts. 'True.' Mathematics, then, will be one of the subjects in which youth should be trained. They may be regarded as an amusement, as well as a useful and innocent branch of knowledge; – I think that we may include them provisionally. 'Yes; that will be the way.' The next question is, whether astronomy shall be made a part of education. About the stars there is a strange notion prevalent. Men often suppose that it is impious to enquire into the nature of God and the world, whereas the very reverse is the truth. 'How do you mean?' What I am going to say may seem absurd and at variance with the usual language of age, and yet if true and advantageous to the state, and pleasing to God, ought not to be withheld. 'Let us hear.' My dear friend, how falsely do we and all the Hellenes speak about the sun and moon! 'In what respect?' We are always saying that they and certain of the other stars do not keep the same path, and we term them planets. 'Yes; and I have seen the morning and evening stars go all manner of ways, and the sun and moon doing what we know that they always do. But I wish that you would explain your meaning further.' You will easily understand what I have had no difficulty in understanding myself, though we are both of us past the time of learning. 'True; but what is this marvellous knowledge which youth are to acquire, and of which we are ignorant?' Men say that the sun, moon, and stars are planets or wanderers; but this is the reverse of the fact. Each of

them moves in one orbit only, which is circular, and not in many; nor is the swiftest of them the slowest, as appears to human eyes. What an insult should we offer to Olympian runners if we were to put the first last and the last first! And if that is a ridiculous error in speaking of men, how much more in speaking of the Gods? They cannot be pleased at our telling falsehoods about them. 'They cannot.' Then people should at least learn so much about them as will enable them to avoid impiety.

Enough of education. Hunting and similar pursuits now claim our attention. These require for their regulation that mixture of law and admonition of which we have often spoken; e.g., in what we were saying about the nurture of young children. And therefore the whole duty of the citizen will not consist in mere obedience to the laws; he must regard not only the enactments but also the precepts of the legislator. I will illustrate my meaning by an example. Of hunting there are many kinds – hunting of fish and fowl, man and beast, enemies and friends; and the legislator can neither omit to speak about these things, nor make penal ordinances about them all. 'What is he to do then?' He will praise and blame hunting, having in view the discipline and exercise of youth. And the young man will listen obediently and will regard his praises and censures; neither pleasure nor pain should hinder him. The legislator will express himself in the form of a pious wish for the welfare of the young: – O my friends, he will say, may you never be induced to hunt for fish in the waters, either by day or night; or for men, whether by sea or land. Never let

the wish to steal enter into your minds; neither be ye fowlers, which is not an occupation for gentlemen. As to land animals, the legislator will discourage hunting by night, and also the use of nets and snares by day; for these are indolent and unmanly methods. The only mode of hunting which he can praise is with horses and dogs, running, shooting, striking at close quarters. Enough of the prelude: the law shall be as follows: —

Let no one hinder the holy order of huntsmen; but let the nightly hunters who lay snares and nets be everywhere prohibited. Let the fowler confine himself to waste places and to the mountains. The fisherman is also permitted to exercise his calling, except in harbours and sacred streams, marshes and lakes; in all other places he may fish, provided he does not make use of poisonous mixtures.

BOOK VIII. Next, with the help of the Delphian Oracle, we will appoint festivals and sacrifices. There shall be 365 of them, one for every day in the year; and one magistrate, at least, shall offer sacrifice daily according to rites prescribed by a convocation of priests and interpreters, who shall co-operate with the guardians of the law, and supply what the legislator has omitted. Moreover there shall be twelve festivals to the twelve Gods after whom the twelve tribes are named: these shall be celebrated every month with appropriate musical and gymnastic contests. There shall also be festivals for women, to be distinguished from the men's festivals. Nor shall the Gods below be forgotten, but they must be separated from the Gods above

– Pluto shall have his own in the twelfth month. He is not the enemy, but the friend of man, who releases the soul from the body, which is at least as good a work as to unite them. Further, those who have to regulate these matters should consider that our state has leisure and abundance, and wishing to be happy, like an individual, should lead a good life; for he who leads such a life neither does nor suffers injury, of which the first is very easy, and the second very difficult of attainment, and is only to be acquired by perfect virtue. A good city has peace, but the evil city is full of wars within and without. To guard against the danger of external enemies the citizens should practise war at least one day in every month; they should go out en masse, including their wives and children, or in divisions, as the magistrates determine, and have mimic contests, imitating in a lively manner real battles; they should also have prizes and encomiums of valour, both for the victors in these contests, and for the victors in the battle of life. The poet who celebrates the victors should be fifty years old at least, and himself a man who has done great deeds. Of such an one the poems may be sung, even though he is not the best of poets. To the director of education and the guardians of the law shall be committed the judgment, and no song, however sweet, which has not been licensed by them shall be recited. These regulations about poetry, and about military expeditions, apply equally to men and to women.

The legislator may be conceived to make the following address to himself: – With what object am I training my citizens?

Are they not strivers for mastery in the greatest of combats? Certainly, will be the reply. And if they were boxers or wrestlers, would they think of entering the lists without many days' practice? Would they not as far as possible imitate all the circumstances of the contest; and if they had no one to box with, would they not practise on a lifeless image, heedless of the laughter of the spectators? And shall our soldiers go out to fight for life and kindred and property unprepared, because sham fights are thought to be ridiculous? Will not the legislator require that his citizens shall practise war daily, performing lesser exercises without arms, while the combatants on a greater scale will carry arms, and take up positions, and lie in ambuscade? And let their combats be not without danger, that opportunity may be given for distinction, and the brave man and the coward may receive their meed of honour or disgrace. If occasionally a man is killed, there is no great harm done – there are others as good as he is who will replace him; and the state can better afford to lose a few of her citizens than to lose the only means of testing them.

'We agree, Stranger, that such warlike exercises are necessary.' But why are they so rarely practised? Or rather, do we not all know the reasons? One of them (1) is the inordinate love of wealth. This absorbs the soul of a man, and leaves him no time for any other pursuit. Knowledge is valued by him only as it tends to the attainment of wealth. All is lost in the desire of heaping up gold and silver; anybody is ready to do anything, right or wrong, for the sake of eating and drinking, and the

indulgence of his animal passions. 'Most true.' This is one of the causes which prevents a man being a good soldier, or anything else which is good; it converts the temperate and orderly into shopkeepers or servants, and the brave into burglars or pirates. Many of these latter are men of ability, and are greatly to be pitied, because their souls are hungering and thirsting all their lives long. The bad forms of government (2) are another reason – democracy, oligarchy, tyranny, which, as I was saying, are not states, but states of discord, in which the rulers are afraid of their subjects, and therefore do not like them to become rich, or noble, or valiant. Now our state will escape both these causes of evil; the society is perfectly free, and has plenty of leisure, and is not allowed by the laws to be absorbed in the pursuit of wealth; hence we have an excellent field for a perfect education, and for the introduction of martial pastimes. Let us proceed to describe the character of these pastimes. All gymnastic exercises in our state must have a military character; no other will be allowed. Activity and quickness are most useful in war; and yet these qualities do not attain their greatest efficiency unless the competitors are armed. The runner should enter the lists in armour, and in the races which our heralds proclaim, no prize is to be given except to armed warriors. Let there be six courses – first, the stadium; secondly, the diaulos or double course; thirdly, the horse course; fourthly, the long course; fifthly, races (1) between heavy-armed soldiers who shall pass over sixty stadia and finish at a temple of Ares, and (2) between still more heavily-armed competitors

who run over smoother ground; sixthly, a race for archers, who shall run over hill and dale a distance of a hundred stadia, and their goal shall be a temple of Apollo and Artemis. There shall be three contests of each kind – one for boys, another for youths, a third for men; the course for the boys we will fix at half, and that for the youths at two-thirds of the entire length. Women shall join in the races: young girls who are not grown up shall run naked; but after thirteen they shall be suitably dressed; from thirteen to eighteen they shall be obliged to share in these contests, and from eighteen to twenty they may if they please and if they are unmarried. As to trials of strength, single combats in armour, or battles between two and two, or of any number up to ten, shall take the place of wrestling and the heavy exercises. And there must be umpires, as there are now in wrestling, to determine what is a fair hit and who is conqueror. Instead of the pancratium, let there be contests in which the combatants carry bows and wear light shields and hurl javelins and throw stones. The next provision of the law will relate to horses, which, as we are in Crete, need be rarely used by us, and chariots never; our horse-racing prizes will only be given to single horses, whether colts, half-grown, or full-grown. Their riders are to wear armour, and there shall be a competition between mounted archers. Women, if they have a mind, may join in the exercises of men.

But enough of gymnastics, and nearly enough of music. All musical contests will take place at festivals, whether every third or every fifth year, which are to be fixed by the guardians of



the law, the judges of the games, and the director of education, who for this purpose shall become legislators and arrange times and conditions. The principles on which such contests are to be ordered have been often repeated by the first legislator; no more need be said of them, nor are the details of them important. But there is another subject of the highest importance, which, if possible, should be determined by the laws, not of man, but of God; or, if a direct revelation is impossible, there is need of some bold man who, alone against the world, will speak plainly of the corruption of human nature, and go to war with the passions of mankind. 'We do not understand you.' I will try to make my meaning plainer. In speaking of education, I seemed to see young men and maidens in friendly intercourse with one another; and there arose in my mind a natural fear about a state, in which the young of either sex are well nurtured, and have little to do, and occupy themselves chiefly with festivals and dances. How can they be saved from those passions which reason forbids them to indulge, and which are the ruin of so many? The prohibition of wealth, and the influence of education, and the all-seeing eye of the ruler, will alike help to promote temperance; but they will not wholly extirpate the unnatural loves which have been the destruction of states; and against this evil what remedy can be devised? Lacedaemon and Crete give no assistance here; on the subject of love, as I may whisper in your ear, they are against us. Suppose a person were to urge that you ought to restore the natural use which existed before the days of Laius; he would be

quite right, but he would not be supported by public opinion in either of your states. Or try the matter by the test which we apply to all laws, – who will say that the permission of such things tends to virtue? Will he who is seduced learn the habit of courage; or will the seducer acquire temperance? And will any legislator be found to make such actions legal?

But to judge of this matter truly, we must understand the nature of love and friendship, which may take very different forms. For we speak of friendship, first, when there is some similarity or equality of virtue; secondly, when there is some want; and either of these, when in excess, is termed love. The first kind is gentle and sociable; the second is fierce and unmanageable; and there is also a third kind, which is akin to both, and is under the dominion of opposite principles. The one is of the body, and has no regard for the character of the beloved; but he who is under the influence of the other disregards the body, and is a looker rather than a lover, and desires only with his soul to be knit to the soul of his friend; while the intermediate sort is both of the body and of the soul. Here are three kinds of love: ought the legislator to prohibit all of them equally, or to allow the virtuous love to remain? 'The latter, clearly.' I expected to gain your approval; but I will reserve the task of convincing our friend Cleinias for another occasion. 'Very good.' To make right laws on this subject is in one point of view easy, and in another most difficult; for we know that in some cases most men abstain willingly from intercourse with the fair. The unwritten law which

prohibits members of the same family from such intercourse is strictly obeyed, and no thought of anything else ever enters into the minds of men in general. A little word puts out the fire of their lusts. 'What is it?' The declaration that such things are hateful to the Gods, and most abominable and unholy. The reason is that everywhere, in jest and earnest alike, this is the doctrine which is repeated to all from their earliest youth. They see on the stage that an Oedipus or a Thyestes or a Macareus, when undeceived, are ready to kill themselves. There is an undoubted power in public opinion when no breath is heard adverse to the law; and the legislator who would enslave these enslaving passions must consecrate such a public opinion all through the city. 'Good: but how can you create it?' A fair objection; but I promised to try and find some means of restraining loves to their natural objects. A law which would extirpate unnatural love as effectually as incest is at present extirpated, would be the source of innumerable blessings, because it would be in accordance with nature, and would get rid of excess in eating and drinking and of adulteries and frenzies, making men love their wives, and having other excellent effects. I can imagine that some lusty youth overhears what we are saying, and roars out in abusive terms that we are legislating for impossibilities. And so a person might have said of the syssitia, or common meals; but this is refuted by facts, although even now they are not extended to women. 'True.' There is no impossibility or super-humanity in my proposed law, as I shall endeavour to prove. 'Do so.' Will not

a man find abstinence more easy when his body is sound than when he is in ill-condition? 'Yes.' Have we not heard of Iccus of Tarentum and other wrestlers who abstained wholly for a time? Yet they were infinitely worse educated than our citizens, and far more lusty in their bodies. And shall they have abstained for the sake of an athletic contest, and our citizens be incapable of a similar endurance for the sake of a much nobler victory, – the victory over pleasure, which is true happiness? Will not the fear of impiety enable them to conquer that which many who were inferior to them have conquered? 'I dare say.' And therefore the law must plainly declare that our citizens should not fall below the other animals, who live all together in flocks, and yet remain pure and chaste until the time of procreation comes, when they pair, and are ever after faithful to their compact. But if the corruption of public opinion is too great to allow our first law to be carried out, then our guardians of the law must turn legislators, and try their hand at a second law. They must minimize the appetites, diverting the vigour of youth into other channels, allowing the practice of love in secret, but making detection shameful. Three higher principles may be brought to bear on all these corrupt natures. 'What are they?' Religion, honour, and the love of the higher qualities of the soul. Perhaps this is a dream only, yet it is the best of dreams; and if not the whole, still, by the grace of God, a part of what we desire may be realized. Either men may learn to abstain wholly from any loves, natural or unnatural, except of their wedded wives; or, at least, they may give up

unnatural loves; or, if detected, they shall be punished with loss of citizenship, as aliens from the state in their morals. 'I entirely agree with you,' said Megillus, 'but Cleinias must speak for himself.' 'I will give my opinion by-and-by.'

We were speaking of the *syssitia*, which will be a natural institution in a Cretan colony. Whether they shall be established after the model of Crete or Lacedaemon, or shall be different from either, is an unimportant question which may be determined without difficulty. We may, therefore, proceed to speak of the mode of life among our citizens, which will be far less complex than in other cities; a state which is inland and not maritime requires only half the number of laws. There is no trouble about trade and commerce, and a thousand other things. The legislator has only to regulate the affairs of husbandmen and shepherds, which will be easily arranged, now that the principal questions, such as marriage, education, and government, have been settled.

Let us begin with husbandry: First, let there be a law of Zeus against removing a neighbour's landmark, whether he be a citizen or stranger. For this is 'to move the immoveable'; and Zeus, the God of kindred, witnesses to the wrongs of citizens, and Zeus, the God of strangers, to the wrongs of strangers. The offence of removing a boundary shall receive two punishments – the first will be inflicted by the God himself; the second by the judges. In the next place, the differences between neighbours about encroachments must be guarded against. He who encroaches

shall pay twofold the amount of the injury; of all such matters the wardens of the country shall be the judges, in lesser cases the officers, and in greater the whole number of them belonging to any one division. Any injury done by cattle, the decoying of bees, the careless firing of woods, the planting unduly near a neighbour's ground, shall all be visited with proper damages. Such details have been determined by previous legislators, and need not now be mixed up with greater matters. Husbandmen have had of old excellent rules about streams and waters; and we need not 'divert their course.' Anybody may take water from a common stream, if he does not thereby cut off a private spring; he may lead the water in any direction, except through a house or temple, but he must do no harm beyond the channel. If land is without water the occupier shall dig down to the clay, and if at this depth he find no water, he shall have a right of getting water from his neighbours for his household; and if their supply is limited, he shall receive from them a measure of water fixed by the wardens of the country. If there be heavy rains, the dweller on the higher ground must not recklessly suffer the water to flow down upon a neighbour beneath him, nor must he who lives upon lower ground or dwells in an adjoining house refuse an outlet. If the two parties cannot agree, they shall go before the wardens of the city or country, and if a man refuse to abide by their decision, he shall pay double the damage which he has caused.

In autumn God gives us two boons – one the joy of Dionysus not to be laid up – the other to be laid up. About the fruits of

autumn let the law be as follows: He who gathers the storing fruits of autumn, whether grapes or figs, before the time of the vintage, which is the rising of Arcturus, shall pay fifty drachmas as a fine to Dionysus, if he gathers on his own ground; if on his neighbour's ground, a mina, and two-thirds of a mina if on that of any one else. The grapes or figs not used for storing a man may gather when he pleases on his own ground, but on that of others he must pay the penalty of removing what he has not laid down. If he be a slave who has gathered, he shall receive a stroke for every grape or fig. A metic must purchase the choice fruit; but a stranger may pluck for himself and his attendant. This right of hospitality, however, does not extend to storing grapes. A slave who eats of the storing grapes or figs shall be beaten, and the freeman be dismissed with a warning. Pears, apples, pomegranates, may be taken secretly, but he who is detected in the act of taking them shall be lightly beaten off, if he be not more than thirty years of age. The stranger and the elder may partake of them, but not carry any away; the latter, if he does not obey the law, shall fail in the competition of virtue, if anybody brings up his offence against him.

Water is also in need of protection, being the greatest element of nutrition, and, unlike the other elements – soil, air, and sun – which conspire in the growth of plants, easily polluted. And therefore he who spoils another's water, whether in springs or reservoirs, either by trenching, or theft, or by means of poisonous substances, shall pay the damage and purify the stream. At the

getting-in of the harvest everybody shall have a right of way over his neighbour's ground, provided he is careful to do no damage beyond the trespass, or if he himself will gain three times as much as his neighbour loses. Of all this the magistrates are to take cognizance, and they are to assess the damage where the injury does not exceed three minae; cases of greater damage can be tried only in the public courts. A charge against a magistrate is to be referred to the public courts, and any one who is found guilty of deciding corruptly shall pay twofold to the aggrieved person. Matters of detail relating to punishments and modes of procedure, and summonses, and witnesses to summonses, do not require the mature wisdom of the aged legislator; the younger generation may determine them according to their experience; but when once determined, they shall remain unaltered.

The following are to be the regulations respecting handicrafts: – No citizen, or servant of a citizen, is to practise them. For the citizen has already an art and mystery, which is the care of the state; and no man can practise two arts, or practise one and superintend another. No smith should be a carpenter, and no carpenter, having many slaves who are smiths, should look after them himself; but let each man practise one art which shall be his means of livelihood. The wardens of the city should see to this, punishing the citizen who offends with temporary deprivation of his rights – the foreigner shall be imprisoned, fined, exiled. Any disputes about contracts shall be determined by the wardens of the city up to fifty drachmae – above that sum by the



public courts. No customs are to be exacted either on imports or exports. Nothing unnecessary is to be imported from abroad, whether for the service of the Gods or for the use of man – neither purple, nor other dyes, nor frankincense, – and nothing needed in the country is to be exported. These things are to be decided on by the twelve guardians of the law who are next in seniority to the five elders. Arms and the materials of war are to be imported and exported only with the consent of the generals, and then only by the state. There is to be no retail trade either in these or any other articles. For the distribution of the produce of the country, the Cretan laws afford a rule which may be usefully followed. All shall be required to distribute corn, grain, animals, and other valuable produce, into twelve portions. Each of these shall be subdivided into three parts – one for freemen, another for servants, and the third shall be sold for the supply of artisans, strangers, and metics. These portions must be equal whether the produce be much or little; and the master of a household may distribute the two portions among his family and his slaves as he pleases – the remainder is to be measured out to the animals.

Next as to the houses in the country – there shall be twelve villages, one in the centre of each of the twelve portions; and in every village there shall be temples and an agora – also shrines for heroes or for any old Magnesians who linger about the place. In every division there shall be temples of Hestia, Zeus, and Athene, as well as of the local deity, surrounded by buildings on eminences, which will be the guard-houses of the

rural police. The dwellings of the artisans will be thus arranged: – The artisans shall be formed into thirteen guilds, one of which will be divided into twelve parts and settled in the city; of the rest there shall be one in each division of the country. And the magistrates will fix them on the spots where they will cause the least inconvenience and be most serviceable in supplying the wants of the husbandmen.

The care of the agora will fall to the wardens of the agora. Their first duty will be the regulation of the temples which surround the market-place; and their second to see that the markets are orderly and that fair dealing is observed. They will also take care that the sales which the citizens are required to make to strangers are duly executed. The law shall be, that on the first day of each month the auctioneers to whom the sale is entrusted shall offer grain; and at this sale a twelfth part of the whole shall be exposed, and the foreigner shall supply his wants for a month. On the tenth, there shall be a sale of liquids, and on the twenty-third of animals, skins, woven or woollen stuffs, and other things which husbandmen have to sell and foreigners want to buy. None of these commodities, any more than barley or flour, or any other food, may be retailed by a citizen to a citizen; but foreigners may sell them to one another in the foreigners' market. There must also be butchers who will sell parts of animals to foreigners and craftsmen, and their servants; and foreigners may buy firewood wholesale of the commissioners of woods, and may sell retail to foreigners. All

other goods must be sold in the market, at some place indicated by the magistrates, and shall be paid for on the spot. He who gives credit, and is cheated, will have no redress. In buying or selling, any excess or diminution of what the law allows shall be registered. The same rule is to be observed about the property of metics. Anybody who practises a handicraft may come and remain twenty years from the day on which he is enrolled; at the expiration of this time he shall take what he has and depart. The only condition which is to be imposed upon him as the tax of his sojourn is good conduct; and he is not to pay any tax for being allowed to buy or sell. But if he wants to extend the time of his sojourn, and has done any service to the state, and he can persuade the council and assembly to grant his request, he may remain. The children of metics may also be metics; and the period of twenty years, during which they are permitted to sojourn, is to count, in their case, from their fifteenth year.

No mention occurs in the *Laws* of the doctrine of Ideas. The will of God, the authority of the legislator, and the dignity of the soul, have taken their place in the mind of Plato. If we ask what is that truth or principle which, towards the end of his life, seems to have absorbed him most, like the idea of good in the *Republic*, or of beauty in the *Symposium*, or of the unity of virtue in the *Protagoras*, we should answer – The priority of the soul to the body: his later system mainly hangs upon this. In the *Laws*, as in the *Sophist* and *Statesman*, we pass out of the region of metaphysical or transcendental ideas into that of psychology.

The opening of the fifth book, though abrupt and unconnected in style, is one of the most elevated passages in Plato. The religious feeling which he seeks to diffuse over the commonest actions of life, the blessedness of living in the truth, the great mistake of a man living for himself, the pity as well as anger which should be felt at evil, the kindness due to the suppliant and the stranger, have the temper of Christian philosophy. The remark that elder men, if they want to educate others, should begin by educating themselves; the necessity of creating a spirit of obedience in the citizens; the desirableness of limiting property; the importance of parochial districts, each to be placed under the protection of some God or demigod, have almost the tone of a modern writer. In many of his views of politics, Plato seems to us, like some politicians of our own time, to be half socialist, half conservative.

In the *Laws*, we remark a change in the place assigned by him to pleasure and pain. There are two ways in which even the ideal systems of morals may regard them: either like the Stoics, and other ascetics, we may say that pleasure must be eradicated; or if this seems unreal to us, we may affirm that virtue is the true pleasure; and then, as Aristotle says, 'to be brought up to take pleasure in what we ought, exercises a great and paramount influence on human life' (*Arist. Eth. Nic.*). Or as Plato says in the *Laws*, 'A man will recognize the noblest life as having the greatest pleasure and the least pain, if he have a true taste.' If we admit that pleasures differ in kind, the opposition between these two

modes of speaking is rather verbal than real; and in the greater part of the writings of Plato they alternate with each other. In the Republic, the mere suggestion that pleasure may be the chief good, is received by Socrates with a cry of abhorrence; but in the Philebus, innocent pleasures vindicate their right to a place in the scale of goods. In the Protagoras, speaking in the person of Socrates rather than in his own, Plato admits the calculation of pleasure to be the true basis of ethics, while in the Phaedo he indignantly denies that the exchange of one pleasure for another is the exchange of virtue. So wide of the mark are they who would attribute to Plato entire consistency in thoughts or words.

He acknowledges that the second state is inferior to the first – in this, at any rate, he is consistent; and he still casts longing eyes upon the ideal. Several features of the first are retained in the second: the education of men and women is to be as far as possible the same; they are to have common meals, though separate, the men by themselves, the women with their children; and they are both to serve in the army; the citizens, if not actually communists, are in spirit communistic; they are to be lovers of equality; only a certain amount of wealth is permitted to them, and their burdens and also their privileges are to be proportioned to this. The constitution in the Laws is a timocracy of wealth, modified by an aristocracy of merit. Yet the political philosopher will observe that the first of these two principles is fixed and permanent, while the latter is uncertain and dependent on the opinion of the multitude. Wealth, after all, plays a great part in

the Second Republic of Plato. Like other politicians, he deems that a property qualification will contribute stability to the state. The four classes are derived from the constitution of Athens, just as the form of the city, which is clustered around a citadel set on a hill, is suggested by the Acropolis at Athens. Plato, writing under Pythagorean influences, seems really to have supposed that the well-being of the city depended almost as much on the number 5040 as on justice and moderation. But he is not prevented by Pythagoreanism from observing the effects which climate and soil exercise on the characters of nations.

He was doubtful in the Republic whether the ideal or communistic state could be realized, but was at the same time prepared to maintain that whether it existed or not made no difference to the philosopher, who will in any case regulate his life by it (Republic). He has now lost faith in the practicability of his scheme – he is speaking to 'men, and not to Gods or sons of Gods' (Laws). Yet he still maintains it to be the true pattern of the state, which we must approach as nearly as possible: as Aristotle says, 'After having created a more general form of state, he gradually brings it round to the other' (Pol.). He does not observe, either here or in the Republic, that in such a commonwealth there would be little room for the development of individual character. In several respects the second state is an improvement on the first, especially in being based more distinctly on the dignity of the soul. The standard of truth, justice, temperance, is as high as in the Republic; – in one respect higher, for temperance is now

regarded, not as a virtue, but as the condition of all virtue. It is finally acknowledged that the virtues are all one and connected, and that if they are separated, courage is the lowest of them. The treatment of moral questions is less speculative but more human. The idea of good has disappeared; the excellences of individuals – of him who is faithful in a civil broil, of the examiner who is incorruptible, are the patterns to which the lives of the citizens are to conform. Plato is never weary of speaking of the honour of the soul, which can only be honoured truly by being improved. To make the soul as good as possible, and to prepare her for communion with the Gods in another world by communion with divine virtue in this, is the end of life. If the Republic is far superior to the Laws in form and style, and perhaps in reach of thought, the Laws leave on the mind of the modern reader much more strongly the impression of a struggle against evil, and an enthusiasm for human improvement. When Plato says that he must carry out that part of his ideal which is practicable, he does not appear to have reflected that part of an ideal cannot be detached from the whole.

The great defect of both his constitutions is the fixedness which he seeks to impress upon them. He had seen the Athenian empire, almost within the limits of his own life, wax and wane, but he never seems to have asked himself what would happen if, a century from the time at which he was writing, the Greek character should have as much changed as in the century which had preceded. He fails to perceive that the greater part of the

political life of a nation is not that which is given them by their legislators, but that which they give themselves. He has never reflected that without progress there cannot be order, and that mere order can only be preserved by an unnatural and despotic repression. The possibility of a great nation or of an universal empire arising never occurred to him. He sees the enfeebled and distracted state of the Hellenic world in his own later life, and thinks that the remedy is to make the laws unchangeable. The same want of insight is apparent in his judgments about art. He would like to have the forms of sculpture and of music fixed as in Egypt. He does not consider that this would be fatal to the true principles of art, which, as Socrates had himself taught, was to give life (*Xen. Mem.*). We wonder how, familiar as he was with the statues of Pheidias, he could have endured the lifeless and half-monstrous works of Egyptian sculpture. The 'chants of Isis' (*Laws*), we might think, would have been barbarous in an Athenian ear. But although he is aware that there are some things which are not so well among 'the children of the Nile,' he is deeply struck with the stability of Egyptian institutions. Both in politics and in art Plato seems to have seen no way of bringing order out of disorder, except by taking a step backwards. Antiquity, compared with the world in which he lived, had a sacredness and authority for him: the men of a former age were supposed by him to have had a sense of reverence which was wanting among his contemporaries. He could imagine the early stages of civilization; he never thought of



what the future might bring forth. His experience is confined to two or three centuries, to a few Greek states, and to an uncertain report of Egypt and the East. There are many ways in which the limitations of their knowledge affected the genius of the Greeks. In criticism they were like children, having an acute vision of things which were near to them, blind to possibilities which were in the distance.

The colony is to receive from the mother-country her original constitution, and some of the first guardians of the law. The guardians of the law are to be ministers of justice, and the president of education is to take precedence of them all. They are to keep the registers of property, to make regulations for trade, and they are to be superannuated at seventy years of age. Several questions of modern politics, such as the limitation of property, the enforcement of education, the relations of classes, are anticipated by Plato. He hopes that in his state will be found neither poverty nor riches; every man having the necessities of life, he need not go fortune-hunting in marriage. Almost in the spirit of the Gospel he would say, 'How hardly can a rich man dwell in a perfect state.' For he cannot be a good man who is always gaining too much and spending too little (Laws; compare Arist. Eth. Nic.). Plato, though he admits wealth as a political element, would deny that material prosperity can be the foundation of a really great community. A man's soul, as he often says, is more to be esteemed than his body; and his body than external goods. He repeats the complaint which has been made in

all ages, that the love of money is the corruption of states. He has a sympathy with thieves and burglars, 'many of whom are men of ability and greatly to be pitied, because their souls are hungering and thirsting all their lives long;' but he has little sympathy with shopkeepers or retailers, although he makes the reflection, which sometimes occurs to ourselves, that such occupations, if they were carried on honestly by the best men and women, would be delightful and honourable. For traders and artisans a moderate gain was, in his opinion, best. He has never, like modern writers, idealized the wealth of nations, any more than he has worked out the problems of political economy, which among the ancients had not yet grown into a science. The isolation of Greek states, their constant wars, the want of a free industrial population, and of the modern methods and instruments of 'credit,' prevented any great extension of commerce among them; and so hindered them from forming a theory of the laws which regulate the accumulation and distribution of wealth.

The constitution of the army is aristocratic and also democratic; official appointment is combined with popular election. The two principles are carried out as follows: The guardians of the law nominate generals out of whom three are chosen by those who are or have been of the age for military service; and the generals elected have the nomination of certain of the inferior officers. But if either in the case of generals or of the inferior officers any one is ready to swear that he knows of a better man than those nominated, he may put the

claims of his candidate to the vote of the whole army, or of the division of the service which he will, if elected, command. There is a general assembly, but its functions, except at elections, are hardly noticed. In the election of the Boule, Plato again attempts to mix aristocracy and democracy. This is effected, first as in the Servian constitution, by balancing wealth and numbers; for it cannot be supposed that those who possessed a higher qualification were equal in number with those who had a lower, and yet they have an equal number of representatives. In the second place, all classes are compelled to vote in the election of senators from the first and second class; but the fourth class is not compelled to elect from the third, nor the third and fourth from the fourth. Thirdly, out of the 180 persons who are thus chosen from each of the four classes, 720 in all, 360 are to be taken by lot; these form the council for the year.

These political adjustments of Plato's will be criticised by the practical statesman as being for the most part fanciful and ineffectual. He will observe, first of all, that the only real check on democracy is the division into classes. The second of the three proposals, though ingenious, and receiving some light from the apathy to politics which is often shown by the higher classes in a democracy, would have little power in times of excitement and peril, when the precaution was most needed. At such political crises, all the lower classes would vote equally with the higher. The subtraction of half the persons chosen at the first election by the chances of the lot would not raise the character

of the senators, and is open to the objection of uncertainty, which necessarily attends this and similar schemes of double representative government. Nor can the voters be expected to retain the continuous political interest required for carrying out such a proposal as Plato's. Who could select 180 persons of each class, fitted to be senators? And whoever were chosen by the voter in the first instance, his wishes might be neutralized by the action of the lot. Yet the scheme of Plato is not really so extravagant as the actual constitution of Athens, in which all the senators appear to have been elected by lot (apo kuamou bouleutai), at least, after the revolution made by Cleisthenes; for the constitution of the senate which was established by Solon probably had some aristocratic features, though their precise nature is unknown to us. The ancients knew that election by lot was the most democratic of all modes of appointment, seeming to say in the objectionable sense, that 'one man is as good as another.' Plato, who is desirous of mingling different elements, makes a partial use of the lot, which he applies to candidates already elected by vote. He attempts also to devise a system of checks and balances such as he supposes to have been intended by the ancient legislators. We are disposed to say to him, as he himself says in a remarkable passage, that 'no man ever legislates, but accidents of all sorts, which legislate for us in all sorts of ways. The violence of war and the hard necessity of poverty are constantly overturning governments and changing laws.' And yet, as he adds, the true legislator is still required:

he must co-operate with circumstances. Many things which are ascribed to human foresight are the result of chance. Ancient, and in a less degree modern political constitutions, are never consistent with themselves, because they are never framed on a single design, but are added to from time to time as new elements arise and gain the preponderance in the state. We often attribute to the wisdom of our ancestors great political effects which have sprung unforeseen from the accident of the situation. Power, not wisdom, is most commonly the source of political revolutions. And the result, as in the Roman Republic, of the co-existence of opposite elements in the same state is, not a balance of power or an equable progress of liberal principles, but a conflict of forces, of which one or other may happen to be in the ascendant. In Greek history, as well as in Plato's conception of it, this 'progression by antagonism' involves reaction: the aristocracy expands into democracy and returns again to tyranny.

The constitution of the Laws may be said to consist, besides the magistrates, mainly of three elements, – an administrative Council, the judiciary, and the Nocturnal Council, which is an intellectual aristocracy, composed of priests and the ten eldest guardians of the law and some younger co-opted members. To this latter chiefly are assigned the functions of legislation, but to be exercised with a sparing hand. The powers of the ordinary council are administrative rather than legislative. The whole number of 360, as in the Athenian constitution, is distributed among the months of the year according to the number of

the tribes. Not more than one-twelfth is to be in office at once, so that the government would be made up of twelve administrations succeeding one another in the course of the year. They are to exercise a general superintendence, and, like the Athenian counsellors, are to preside in monthly divisions over all assemblies. Of the ecclesia over which they presided little is said, and that little relates to comparatively trifling duties. Nothing is less present to the mind of Plato than a House of Commons, carrying on year by year the work of legislation. For he supposes the laws to be already provided. As little would he approve of a body like the Roman Senate. The people and the aristocracy alike are to be represented, not by assemblies, but by officers elected for one or two years, except the guardians of the law, who are elected for twenty years.

The evils of this system are obvious. If in any state, as Plato says in the Statesman, it is easier to find fifty good draught-players than fifty good rulers, the greater part of the 360 who compose the council must be unfitted to rule. The unfitness would be increased by the short period during which they held office. There would be no traditions of government among them, as in a Greek or Italian oligarchy, and no individual would be responsible for any of their acts. Everything seems to have been sacrificed to a false notion of equality, according to which all have a turn of ruling and being ruled. In the constitution of the Magnesian state Plato has not emancipated himself from the limitations of ancient politics. His government may be described

as a democracy of magistrates elected by the people. He never troubles himself about the political consistency of his scheme. He does indeed say that the greater part of the good of this world arises, not from equality, but from proportion, which he calls the judgment of Zeus (compare Aristotle's Distributive Justice), but he hardly makes any attempt to carry out the principle in practice. There is no attempt to proportion representation to merit; nor is there any body in his commonwealth which represents the life either of a class or of the whole state. The manner of appointing magistrates is taken chiefly from the old democratic constitution of Athens, of which it retains some of the worst features, such as the use of the lot, while by doing away with the political character of the popular assembly the mainspring of the machine is taken out. The guardians of the law, thirty-seven in number, of whom the ten eldest reappear as a part of the Nocturnal Council at the end of the twelfth book, are to be elected by the whole military class, but they are to hold office for twenty years, and would therefore have an oligarchical rather than a democratic character. Nothing is said of the manner in which the functions of the Nocturnal Council are to be harmonized with those of the guardians of the law, or as to how the ordinary council is related to it.

# Конец ознакомительного фрагмента.

Текст предоставлен ООО «ЛитРес».

Прочитайте эту книгу целиком, [купив полную легальную версию](#) на ЛитРес.

Безопасно оплатить книгу можно банковской картой Visa, MasterCard, Maestro, со счета мобильного телефона, с платежного терминала, в салоне МТС или Связной, через PayPal, WebMoney, Яндекс.Деньги, QIWI Кошелек, бонусными картами или другим удобным Вам способом.